



US-OBSERVER

Vindicating the Innocent



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Volume 2 • Edition 41

US-OBSERVER CONTEST WINNER



Inequation For Arrest

US-Observer Note: In an effort to spread wrongful conviction awareness, the US-Observer launched our first "wrongful Conviction Day" (WCD) writing contest.

It gives us great honor to share the story of Jason Davis, of Kentucky. We hope Jason's story helps shed light on the injustice that is fueling Criminal Justice Reform across this nation. Thank you Jason, you're our first annual WCD Winner!

By Jason Davis

Most people stereotype Kentucky in numerous ways: KY fried chicken; horses; bourbon; bigfoot; pregnant; inbred; no teeth; whiskey; moonshine. You name it, we probably have it here in KY. I grew up in the hills of Eastern KY. I was born into a family of poverty, a very real issue not only in KY, but Appalachia and other parts of the

Continued on page 2

CASE SPOTLIGHT

Okanogan's Murder-in-the-1st? Accused's Bail Reduced, Ankle Bracelet Removed And Yet, The Malicious Prosecution Continues

By Edward Snook
Investigative Reporter

Okanogan County, WA - On June 18, 2015, an incident occurred at the Sourdough Ranch in the Aeneas Valley, Washington, that resulted in the loss of one person's life. In a rush to judgment, the Sheriff, investigators and the prosecuting attorney bought into a narrative created by a gang of witnesses who were factually the perpetrators of the only crimes committed that afternoon. The deceased was none other than their ringleader. The crimes this gang carried out together and individually were: Conspiracy to Commit Kidnapping, Filing a False Police Report, Kidnapping, and Attempted Felony Assault in the First Degree. It was only because of their conspired efforts that one of their own was killed while attempting to kidnap the two people who have ultimately paid the price for this gang's crimes.

James and Angela (Nobilis) Faire had previously been given permission to store some of their belongings at the Sourdough Ranch. They had even been tasked with taking care of the property. Shortly after a common friend died from her long struggle with cancer, James and Angela returned to collect their belongings and go about their lives. Instead, they were violently attacked by a group of people



James Faire and Angela Nobilis-Faire were never the squatters Sheriff Rogers made them out to be.

Continued on page 2

Enemy of the State The continuing Schaeffer Cox story

By Ron Lee
Investigative Journalist

Marion, IL - Schaeffer Cox sits in a cell, not because of wanton acts of his that violated law or that harmed the public good, but because he dared to say the things we all think - government is too big, too corrupt, too powerful, and it abhors those that exercise freedom.

We all know that being truly free means government should barely be noticeable in our daily lives. Instead it is everywhere, governing everything - mandating our choices in even the most intimate of moments.

Government has truly developed into the antithesis of freedom, and Cox utilized his right of free speech and vociferously exclaimed that government was growing to a tipping



Reportedly, Schaeffer Cox has not cut his hair since he was arrested in 2011 and that he is using it as his method of marking time

Continued on page 10

Diminish the Difference Between Plea Deals & Trial Sentencing

By Joseph Snook
Investigative Reporter

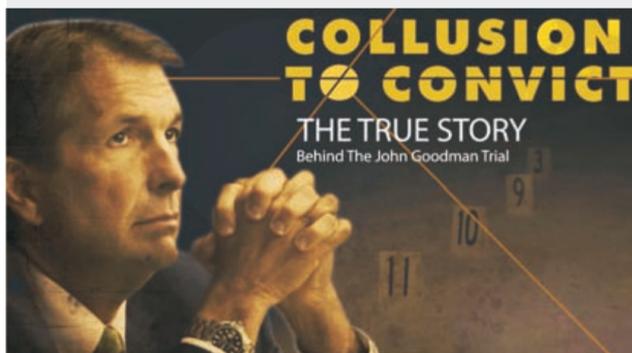
When I hear the words "plea deal," the first thought that usually comes to mind is, "legal blackmail." A plea in today's justice system could mean the difference between the rest of your life in prison, or, no jail time at all. That's correct - the difference between a guilty plea and being found guilty could mean as much as a 500% increase in your sentence - regardless of innocence. Understanding that all defendants are not innocent, a plea deal could, and often does help our justice system by curtailing the cases that would otherwise overload courts all over the country, for years, if every defendant were to choose trial. Although plea deals are used in an estimated 97% +/- of all cases across the country, do they meet the standard our founders intended when they talked about due process? In short, no. So, why is that? And, what can be done to help promote justice,



Plea Deals are used to secure convictions in +/- 97% of all cases while preventing wrongful convictions?

Take the case of Kevin Driscoll for example. He was a young man when accused of rape. He owned a home, had a promising career, and in the blink of an eye, he lost it all. His parents also lost their retirement helping fund his legal defense. Hundreds of thousands of

Continued on page 15



By US-Observer Staff

John Goodman has finally gained some much needed momentum with the filming and imminent release of "Collusion to Convict - The True Story Behind the John Goodman Trial."

While John Goodman's appeal regarding blood draws in criminal cases was recently denied at the state level, the Florida Supreme Court has agreed to consider whether Florida's rules are adequate to ensure proper blood draws in cases like Goodman's.

Essentially, the Court will determine if current rules are sufficient regarding the screening of blood samples, documenting irregularities and the process for rejecting faulty samples. This could be a big victory for justice advocates who agree that current law is not adequate.

Goodman's first trial was thrown out over juror misconduct. He was subsequently convicted in 2014. Mainstream media, along with Government and the second largest Automobile Corporation in the world have done

Continued on page 10

JUSTICE Ex-attorney general sentenced to jail, then cuffed in court



By US-Observer Staff

Sentenced in August for perjury and obstruction of justice for leaking grand jury documents, then lying about it under oath, disgraced Former Pennsylvania Attorney General Kathleen Kane was convicted and sentenced to 10 - 23

months, along with eight years of probation.

The disgraced Former AG was described as using an, "off with your heads" mentality by Judge Wendy Demchick-Alloy, as the judge referenced the way Kane ran Pennsylvania's Top Law Enforcement Agency.

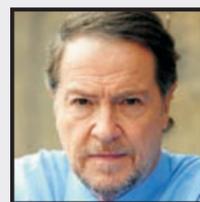
Continued on page 11



Jack Salmon
• Zoning Laws are Erasing the American Dream
Page ... 8



Tom DiLorenzo
• Urban Criminals
Page ... 8



John Whitehead
• The Path to Total Dictatorship...
Page ... 9



Terry Jeffrey
• Gov't Health Insurance Up, Freedom Down
Page ... 9



Jeff Thomas
• The Elimination of Reason
Page ... 15

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Page 3

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The Free Thought
Project.com
exposing corruption and
finding enlightenment along the way
Page 7

Continued from page 1 • Okanogan's Murder-in-the-1st?

with whom James and Angela had been associated – literally, to the point of financially supporting them for many months.

According to police reports, depositions and witness statements, the setup and ambush was orchestrated by Debra Long and carried out by Richard Finegold, George Abrantes, Ruth Brooks, Michael St. Pierre and Long herself.

Richard Finegold put the cabal's plan into motion on the evening of June 17th when he made a 911 call to falsely report a break-in burglary.

On June 18th the group hid their vehicles from sight and waited for their targets. Once James and Angela arrived, Long's plan was put into motion. Finegold was sent to a neighbor's home to call 911; the rest all moved in to kidnap the couple, but Abrantes had additional plans. Swinging a length of chain with a lock at the end, he lashed out. James, who was armed with the pistol he always wore, was able to hold off Abrantes' attack long enough for him and Angela to get back in their vehicle. At this point Abrantes went to work on the truck smashing at it, and its occupants, with his weapon.

James desperately tried to escape the onslaught. He never saw Debra Long who, according to witnesses, was crouched down trying to either tie herself to the grill or bumper of the truck or to disable it with her scissors.

It was the action of the group that led to her death and the injuries sustained by the chain-wielding thug, George Abrantes, as he rushed the escaping truck, not the actions of a couple trying to flee from being assaulted, brutalized, kidnapped or worse.

RUSH TO JUDGMENT - SHERIFF'S OFFICE FAILS TO INVESTIGATE

James and Angela escaped the Sourdough property and called 911 as soon as they reached an area where they had cell service. The police, who had already been set up by Finegold the night before, arrived and arrested the couple.

On the morning of June 19th, Detective Kreg Sloan filed a preliminary finding of probable cause. Detective Sloan's failure to do a thorough investigation led him to false conclusions, which Sheriff Rogers released on local KREM2 Television that same day. In fact, in that news broadcast the Sheriff made

certain assumptions that impugned James and Angela's characters by calling them "squatters." It was a narrative that was hurriedly concocted and has since politically driven the charges. They would literally have to come out on TV and announce they were wrong. How often do you have elected officials do that? Never, unless they are forced to admit the truth.

SERIOUS CHARGES LEVELLED, HIGH BAIL SET

On the afternoon of June 19th, James and Angela were brought before Okanogan Superior Court Judge Christopher Culp. James Faire was charged with 1st Degree Premeditated Murder or the alternative 2nd Degree Felony Murder, 1st Degree Assault, 1st Degree Theft and 1st Degree Criminal Trespass and bail was set at \$750,000. Angela was charged with 1st Degree Theft and 1st Degree Criminal Trespass and her bail was set at \$5,000.

PRIVATE ATTORNEY RETAINED

An innocent and indigent James Faire remained incarcerated in Okanogan County Jail for 8 months and one day. For more than five months of that time, he was without assistance of counsel. Faire's family, friends and supporters were finally able to put together the necessary funds to retain Attorney Stephen Pidgeon to represent James.

Attorney Pidgeon's first course of action was to file a Writ of Habeas Corpus along with a motion to reduce the bail. On February 19, 2016, in a standing room only courtroom, Judge Culp reduced Faire's bail from \$750,000 to \$150,000. Culp denied the Writ of Habeas Corpus and Pidgeon subsequently has appealed the denial.

FINEGOLD ADMITS MAKING A FALSE REPORT

On October 27, 2016, Richard Finegold was interviewed for a second time by Attorney Stephen Pidgeon and Angela's Attorney Richard Gilliland in the presence of Prosecutor Karl Sloan. During the interview Finegold admitted that the police report he made on June 17, 2015 was false. He went on to say that Debra Long "made him do it" and if it wasn't for her "he

would not have done it." Finegold continued to disclose that Long told him what to say to police on the 17th and that Long instructed him and fellow gang members to keep James and Angela on his Sourdough property after they arrived the following day. Police reports in this case reveal that Long went to the extreme of instructing her gang to hide their vehicles prior to the Faires arriving to pick up their belongings they had stored on the property.

MOTION TO REMOVE INTRUSIVE ELECTRONIC HOME MONITORING AND KNAPSTAD FILED

Attorney Stephen Pidgeon filed a Motion to Remove Electronic Monitoring and a Knapstad Motion on September 29, 2016. The Knapstad in essence means that the prosecution doesn't have any evidence to back up their charges.

On Friday, October 28, 2016, Okanogan County Superior Court Judge Christopher Culp granted Faire's motion to remove the electronic home monitor. Culp did not rule on the motion to dismiss the Felony Murder charge as he questioned whether the court had jurisdiction due to an active discretionary review by the Court of Appeals, Division III, concerning the appeal that Attorney Pidgeon filed on the dismissal of Faire's Habeas Corpus Motion.

After thoroughly reviewing all evidence in this case the motive is crystal clear and it belongs solely to Debra Long. Long deceived her gang as she set her sights on gaining control of properties belonging to Richard Finegold, her trusted servant, and his now deceased girlfriend Michele St Pierre. Long, convinced that the Faires were going to expose her criminal intentions, made plans to eliminate this threat, which ultimately backfired.

None of the real criminals have been charged with a crime even though they have already made admissions of guilt to Prosecutor Karl Sloan during depositions. What is more perplexing than Sloan's failure to charge these individuals, is his refusal to dismiss his ludicrous charges against James and Angela Faire, when he knows that he doesn't have one single shred of evidence.

One final thought, when bail is reduced from \$750,000.00 to \$150,000.00 and a very intrusive ankle monitoring device is ordered removed from a Defendant accused of 1st Degree Premeditated Murder, it is more than obvious that Faire's innocence has already been established...

Editor's Note: Call the US-Observer at 541-474-7885 or email editor@usobserver.com if you have information on any of the individuals involved in this case.

For a complete, factual background on this case, go to www.usobserver.com. ★★★



Richard Finegold

Continued from page 1 • Inequation For Arrest

U.S., and world for that matter. My father was an alcoholic, my mother temporarily abandoned me, drugs, alcohol, argumentation were all abound. Odds were in favor of me either becoming like my dad, broke as a joke, or succumbing to drugs, much like the meth and heroin problem so prevalent in society today.

I didn't want to give in to the past. I wanted to provide for my family, so I valued education, a rare quality in Eastern KY. I excelled in classes, often at the top of my class. I graduated high school with honors, among the top fifteen people in my class. I went on to college at Eastern Kentucky University, located in Richmond KY. to be a Math Teacher with a minor in Computer Science. After graduation, things seemed to be on the up and up, a bright future ahead. I tutored kids in math, taught math labs, with many calling me the brightest person they had ever seen.

In October 2008, I came to a small rural town in Southeast KY with the aspirations to be a High School Math Teacher. I enjoyed teaching others, and wanted to serve as a role model, changing and influencing lives in a culture, area, and society where education is not the norm. I participated in many things: prom, football games, chaperoned, academic team, you name it, I was involved in every way possible. Heck, I played video games with students. Read that again. Video Games? With Students? Yes, as a way to bond with them, we played video games. Some may agree with my tactics, some may not, but that is beside the point. I reached out; showed I cared. High school offers many challenges with kids: drama, relationships, fights, bullying, etc. Nearly every day I had to deal with an onslaught of various issues. Some kids liked me, others hated me. I had kids that really looked up to me, and it was a very rewarding feeling. As a teacher, if you influence and teach even one kid, you have done your job successfully. As the school year progressed, and discipline issues grew exponentially, I could see signs my future was not as solid and secure as I had once thought. Never in my wildest dreams could I have foresaw what was about to transpire.

I did have kids that wanted to learn, which was very gratifying from a teacher's perspective. I did have kids that would make a special effort to come by my classroom, tell me good morning,

ask me about my day, even sending me happy birthday wishes on the local radio. I had several kids make me birthday cards, pied me in the face with cake, so I went above and beyond to try to bond with kids. A few liked my style, but most did not.

Fast forward to May 2009. May 19th would be the day that sealed my fate. A few of my students, about 3 to 4 in number spread a rumor about me that I was going to kill 500 kids on the last day of school and it would be the most remembered day in history, even making headlines on CNN. I am not a violent person by nature, nor would I ever do such a thing.



After being placed on administrative leave, local police came to my residence to search for evidence of guns, plans, anything related to terrorism. What did they find? A set of steak knives. Now most understand such knives are used for cutting meat, correct? Well the police felt I was going to stab 500 kids with them! Really?

Needless to say, events transpired that led me to be served with a warrant for my arrest with the charge of 2nd degree Terroristic Threatening, a class D felony. I would be looking at 1-5 years in prison if convicted, changing my life forever. I was interviewed by police and got the good cop/bad cop routine, known as the Reed Technique. Eventually, the investigator slammed his recorder against the wall. He stated, "You're lying. I know you are lying, its people like you that are ruining society as it is, and I will see to it you are locked up if it's the last thing I do." Parents kept kids home from school intentionally, just to have me arrested. Unreal.

I was taken to a local detention center (specifics edited for confidentiality out of respect). I was initially taken to what is called the "Drunk Tank." Basically a detox of sorts for people to flush alcohol out of their system. I don't drink. Shortly thereafter, lots of media ranging from local TV to Newspapers came to interview me. I had nothing to hide, so I told them like it was. Media offers much bias however, and I was a social pariah. I had an arraignment, appeared before a judge, etc. A bond was set for 10,000 dollars even though I had no criminal past.

I sat among various inmates with horrible charges and convictions. Murder, rape, swindling, molesters, I was among it

all. These are the people you try to stay away from in society. Was I really one of these people? What would I say to God, given I have tried to lead such a Christian life of being nice to others? I was brought up with morals, values, respect, courtesy, by the people who raised me - many things so lacking in the world today. My father died while I was in jail. I never really got the chance to know him, and my mom pretty much abandoned me, not wanting to get involved. I had no support from my own family.

It took thirty days to make bond. I bonded myself out with two credit cards, creating quite the financial hardship. For roughly another year, I feared for my future, but trusted in the good hands of a lawyer in a nearby town. Together, with his help, and the help and support of close friends, I organized everything to prepare for a trial in August 2010. My future would soon be decided.

I appeared before a Circuit Court Judge. Bear in mind, I have never appeared in court or before a judge in my entire life. A jury was selected and trial ensued. The prosecution called student witnesses. They were dressed in raggedy clothes, baggy pants, skull and crossbones, certainly not proper attire for courtroom appearances. During questioning they redacted statements they previously said, wrote, swore an affidavit to, etc. Things started swinging in my direction. The Chief Investigator testified along with a couple other witnesses before the prosecution rested.

Next was my defense. My lawyer hit hard and didn't hold back any punches so to speak. I had a few friends testify on my behalf, and then I testified. I was already hot, sweaty, nervous, headache, nintey-degree plus day, heat of summer on the top floor of the courthouse. There couldn't have been worse circumstances, I don't believe. As I took the stand, I told my story and stuck to the truth. During cross examination, the Prosecution brought up matters of my past in regard to mental illness, former friends, associations, people I lived with, etc. They pulled out all the tricks. They wanted to nail me or trip me up somehow. With pressure mounting, I stayed the course and didn't back down even though frustration really sets in during cross examination by the prosecution. They saw the ship sinking, having banked on the kids previous testimony.

The trial was long, lasting from 9 a.m. until after 6 p.m. Closing arguments were given. One thing to note here, no physical evidence was ever presented. No guns, no elaborate

Continued on page 3

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DEDICATED to the INNOCENT

Stories of those who overcame the "justice" system and were freed

He was just a kid when he was wrongly convicted of rape

By Innocence Staff

(Innocence Project) - William O'Dell Harris served seven years in prison after improper forensic testimony and an eyewitness misidentification led to his wrongful conviction of a 1984 West Virginia rape. He was exonerated in 1995 after widespread forensic misconduct was uncovered and DNA testing proved his innocence.

Harris was a juvenile at the time of the crime, but the state tried him as an adult. At trial, the prosecution presented the testimony of a sheriff's deputy relating that the victim had positively identified Harris as her attacker. The victim lived near Harris and originally claimed to have been acquainted with him. She identified Harris in a police lineup and made an in-court identification of him.

The forensics testing was performed by Fred Zain, who improperly testified that the genetic markers in the semen left by the assailant matched those of Harris and excluded 96.1% of the population. In fact, the serology testing should not have excluded anyone. Serology testing showed that the victim and the perpetrator shared the same blood group markers. When the evidence being tested is a mixed stain of semen from the perpetrator and vaginal secretions from the victim - and testing does not detect blood group substance or enzymes foreign to the victim - no potential semen donor can be excluded because the victim's blood group markers could be "masking" the perpetrator's. Under such circumstances, the failure to inform the jury that 100% of the male population could be included and that none can be excluded is highly misleading. Harris claimed to be with his girlfriend at the time of the crime, but she was the only witness who could corroborate his alibi. Harris was convicted of second degree sexual assault and on July 24, 1987, he was sentenced to ten to twenty years in prison.

After Harris was convicted, evidence began to mount about Fred Zain's forensic misconduct. A former director of the West Virginia state crime lab, Zain testified for the prosecution in 12 states over his career, including dozens of cases in West Virginia and Texas. DNA exonerations and new evidence in other cases have shown that Zain fabricated results, lied on the stand about results and willfully omitted evidence from his reports.

On November 10, 1993, the West Virginia Supreme Court of Appeals authorized special proceedings in any case involving Zain's testimony. One week later, Harris's attorneys filed on his behalf, consenting to DNA testing of the evidence as a condition of relief. On December 8, 1993, the motion was granted



William O'Dell Harris

and the case was remanded to the Circuit Court. On December 29, 1993, the court ordered prosecutors to release the trial evidence for testing. More than a month later, the judge repeated his order. The judge freed Harris to home confinement on \$200,000 bond in June 1994. At the same hearing, the judge again ordered the prosecutor to release the evidence for DNA testing. The sheriff's department stated that all evidence from the trial had been lost. An investigator with the public defender's office subsequently found a slide containing semen at the medical center where the victim had been examined after the crime.

On September 13, 1994, hearings were held to address a prosecution motion to reconsider the order to release the evidence. The court ordered for a fourth time that the evidence (the slide from the medical center and a sample of the victim's blood) be released for DNA testing. Harris's attorneys filed a contempt of court motion on the prosecution in November 1994. During these hearings, the district attorney stated that the victim was being uncooperative about giving a blood sample but that his office had sent the evidence slide for testing.

The results of DNA testing revealed that Harris's profile did not match the DNA extracted from the spermatozoa on the evidence slide. Harris asked the circuit judge to dismiss the case against him, but prosecutors requested that a second test be conducted by a court approved laboratory. The prosecution's request was granted.

After replicate testing also indicated that Harris was not the donor of the spermatozoa on the slide, the district attorney held a press conference in August 1995, to state that Harris was innocent. On October 10, 1995, Harris's conviction was vacated. Harris had served seven years of his sentence and one additional year in home confinement. The detective who testified in this trial was later convicted of perjury.

Continued from page 2 • Inequation For Arrest

plans, no Facebook or social media posts, etc. The court adjourned, and the Jury went to deliberate. I felt doomed - my life was over as I knew it. I walked to a friend's place and considered having a "last meal" of sorts. Who knew how things would transpire?

In a shocking surprise, the Jury only took just short of 10 minutes to deliberate. The Bailiff entered the courtroom, every one stood for the Judge. The Foreman of the Jury presented a verdict of NOT GUILTY! Finally, a horrific ordeal had come to an end. The Prosecution was fit to be tied, but law is law, and the Jurors ruled in my favor. I breathed a huge sigh of relief, patted the back of my lawyer, and shared a heart-felt smile with my friends in attendance. Afterward, talk of a counter-suit against the school board, police, etc arose. My lawyer didn't want to partake in that, nor did many other lawyers due to sovereign immunity, so I decided to move on with my life, though the pain still lingers inside to this very day. The school district has faced many issues over the years from cheating on state exams, teacher affairs with students, and a guy who cheated on his GED to stay on the school board. All truly saddening for the kids. All I wanted was to provide them the necessary tools to make a better life.

Why do I say all of this after an acquittal? Well, one thing to consider is the wrongful arrest. In the words of my lawyer, "He (me) should have never been arrested." Once the dust settles after trial, the media interviewed me again, asking me where do I go from here? Forum sites showed numerous comments, like: "This guy should write a book, be on a talk show, make himself known." I am not one for Hollywood fame or anything of the like.

I often wonder how such a thing could happen to me. I graduated top of my class, went to college, tried to lead a good life, had no previous criminal record, and then wham - jail and a trial. Absolutely no evidence, just hearsay statements that kids made, which were regurgitated by other teachers to investigating officers. I set the bar high for myself, and for my students. I didn't expect them to be rocket scientists or into astrophysics or even Albert Einstein. My goal was to prepare them for the future. I wanted to show them a better future, not see them unprepared for life and continued generational poverty stemming from a poor education. Some liked my efforts, but in the end, it was futile. It was not wanted, and to the present day, corruption rules all in Southeast Kentucky.

What point am I trying to get across? That bad things do happen to good people. However, media is so quick to say guilty before proven innocent rather than the opposite. Society is cruel in this day and age. I got lucky. I could just as easily be sitting in a prison where who knows how it would be? Maybe raped, beaten, loss of life, nervous breakdown, who really knows? So, I ask you to consider my story for Wrongful Conviction Day. Even though I was not wrongfully convicted, part of me still feels that I was convicted - convicted until I was proven innocent. Maybe my story will open eyes and inspire others who are facing similar circumstances. Maybe it will shine light on a very crooked area in Southeast Kentucky and show that it can happen anywhere, at anytime, to anyone. My story is a strong testament of that.

I spent 28 years on death row

By Anthony Ray Hinton (Exoneree)
Fran Singh Contributing

(Guradian) - I was 29 and mowing the lawn at my mother's house in Birmingham, Alabama, on a hot day in July 1985 when I looked up and saw two police officers. When my mom saw the handcuffs, she screamed. They asked me whether I owned a firearm, and I said no. They asked if my mother owned one, and I said yes. I asked the detective 50 times why I was being arrested. Eventually, he told me I was being arrested for a robbery. I told him, "You have the wrong man." He said, "I don't care whether you did it or not. You will be convicted."



Anthony Ray Hinton, 1986 (The Birmingham News)

At the station, it became clear I'd been at work when the robbery occurred. The detective verified this with my supervisor, but then told me they were going to charge me with two counts of first-degree murder from two other robberies. They said my mother's gun was the same kind as the one used at the crime scene, and that I matched the description of the man they were looking for. That was enough for them to pursue charges.

When I met my appointed lawyer, I told him I was innocent. He said, "All of y'all always say you didn't do something." I might have seen him three times in the two years I waited for trial. The only evidence linking me to the crime was the testimony of a ballistics expert who said the bullets from the murder weapon could be a match to my mother's gun. They found me guilty and on 17 December 1986 I went to death row.

On death row, the day starts at 2.45am. At 10am they bring lunch. Dinner was at 2pm. And that was it. They don't care about actual mealtimes: they say they have to get through everyone, so they start early. The cell was 5ft x 7ft. You spend about 24 hours in there.

For three years I didn't say a word to another human. I had to watch 54 men walk past to be executed. My cell was 30ft from the chamber and I could smell the burning flesh. There were 22 who took their own life. Going into

my fourth year, I heard the man in the cell next to me crying. He told me his mother had died. I said, "Well, now you have someone in heaven to argue your case." The next morning, it was as though a light had come on: my sense of humour was back.

I let my mind travel. I visited the Queen; I married Halle Berry. My mind went everywhere, and at night I'd come back and check on my body.

Without lawyer Bryan Stevenson and the Equal Justice Initiative (EJI), I wouldn't be where I am now. I wrote to him after seeing him on TV one day while being walked back to my cell. I got to meet him in 1995 and finally had someone to fight for me.

He hired a ballistics expert and when we got the news that the bullets didn't match, we went to the attorney general. They refused to take an hour to re-examine the case because it would be a "waste of taxpayers' money", and I sat on death row for another 16 years.

EJI kept pushing for a retrial and eventually, on 3 April 2015, the State of Alabama dropped all charges. I was released that same day. I couldn't take it in: when you've been locked up for nearly 30 years, nothing is the same. It was like walking out on to another planet at the age of 58. Someone had to introduce me to the internet. My mother had died, but I

was fortunate to have a best friend who let me move in and who supported me.

In jail, you spend all your time thinking of the things you're going to eat, only to get out and discover you want nothing. I bought a king-size bed - after sleeping in the foetal position for years, I dreamed of stretching out. I've been out of prison for a year and half now, and I have yet to stretch out.



Anthony Ray Hinton, 2016 (Mark Chilvers for the Guardian)

Every night, I go outside and look up at the stars and moon, because for years I could not see either. I walk in the rain, because I didn't feel rain for years. Now, I am determined to go wherever I am asked to help end the death penalty. I am so thankful that I get to travel with Lifelines and EJI, and share my story.

I've never had an apology, but I forgave those involved in my conviction long before I left prison. I didn't forgive them so they can sleep well at night. I did it so I can.



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In The News

OUTRAGE: EPA HIRING 15 NEW \$100,000+ PER YEAR EMPLOYEES

BY LN Buzz Team

\$2,100,000.

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...diversity and inclusion. No joke.

"The employees will be in charge of implementing a "diversity strategy" within the EPA's Office of Research and Development. Other duties include analyzing recruitment and retention, as well as setting up diversity and inclusion advisory boards.

The hires will "initiate collaborative efforts between Minority Academic Institutions and EPA Special Emphasis Program Managers to establish an ORD diversity and inclusion advisory body," the agency said."

Meanwhile health care rates are



skyrocketing for a very diverse and inclusive range of Americans. Everyone.

Meanwhile jobs are evaporating for a very diverse and inclusive range of Americans. Everyone.

Meanwhile Washington is spending our nation into oblivion, a move that harms a very diverse and inclusive range of Americans. Everyone.

But yeah let's go ahead and spend millions of dollars hiring "diversity specialists" to help make sure Americans can't collect rainwater.

Exoneree Calls on Lawmakers to Prevent Eyewitness Misidentification

By Innocence Staff

(Innocence Project) - Did you know that photo lineups, an eyewitness identification method used regularly by the police, contributed to 53 percent of the 344 wrongful conviction cases later cleared through DNA evidence? Thomas Webb, an exoneree from Oklahoma, knows the statistics all too well. He was misidentified as a rapist out of a problematic photo lineup and lost 13 years of his life to a wrongful conviction as a result. In 1996 he was exonerated through DNA testing. Earlier this week, Webb spoke to Oklahoma's KOKO News 5 about his case and the work that he's doing with local legislators to call for researched-based practices that aim to prevent eyewitness misidentification.

In Webb's case, the victim was asked to identify the perpetrator out of a black and white photo lineup, but was unable to make a positive identification. She was later presented with a color photo lineup. All of the men presented in the second line up were different from those presented in the first, with the exception of a man who did not fit the description of the perpetrator and Thomas Webb. It was during that suggestive second



Thomas Webb in a Photo by Jennifer Weiss for a piece written for NBC News: "The Wrong Man"

line-up that the victim picked out Webb.

"She wasn't out to try to convict me or to pick out the wrong person. She wanted to make sure she got it right," said Webb about the victim to KOKO News 5. Reflecting back on the victim's misidentification, Webb said, he believes that the process was unreliable.

"You have an issue [as to] whether the person she pointed out is the person that victimized [her] or is it a suggested memory of what she saw in that line," explains Webb.

State Policy Advocate for the Innocence Project Michelle Feldman says, "Thomas Webb was wrongfully convicted of rape

and spent years in prison largely due to the victim's misidentifying him in a photographic lineup. On Monday he will go to the Oklahoma State Capitol to urge statewide adoption of best practices that prevent misidentification."

Senator David Holt will lead state law makers in examining new identification practices. ★



Senator David Holt

Montana Supreme Court Affirms Right to Jury Trial in Civil Forfeiture Cases

By C.J. Ciarmella

(Reason) - The Montana Supreme Court recently ruled that citizens have a right to jury trials in civil asset forfeiture cases, the AP reports.

The Montana Supreme Court decision strengthens a law passed in 2015 reforming the state's asset forfeiture practices, under which police and prosecutors are allowed to seize property suspected of being connected to criminal activity.

Police and law enforcement groups say civil asset forfeiture allows them to disrupt lucrative criminal operations and drug trafficking, but civil liberties groups argue there are few protections for innocent people whose property is seized. A number of other states over the past few years—such as New Mexico, Nebraska, New Hampshire, Minnesota, Maryland, and most recently California— have passed bipartisan legislation of varying strength to overhaul their asset forfeiture laws in response to those criticisms.

Anthony Sanders, an attorney with the Institute for Justice, a libertarian-leaning public interest law firm that has challenged



The Montana Supreme Court

asset forfeiture laws in several states, says his organization "is pleased with the court recognizing the historic right to a jury trial applies in a forfeiture cases."

"You have the right to a jury trial when the government tries to take your liberty, and of course it makes sense to apply that when the government tries takes your property," says

Sanders, who formerly clerked for the Montana Supreme Court. "They have a long tradition in Montana of protecting civil liberties, and I'm happy to see the court upholding that."

The decision orders a jury trial for a Jefferson County man whose land was seized after authorities found more than 300 marijuana plants while investigating an animal-cruelty case in 2011.

Mike Chilinski was convicted in federal court of manufacturing of marijuana, but he did not face state drug charges. However, Jefferson County officials sought the forfeiture of Chilinski's property in state court in 2013.

The judge turned the property over to the state after denying Chilinski's request for a trial by jury. The judge in the case cited the law that existed at the time that said proceedings



are to be held without a jury.

The high court ruled that law, which has been supplanted by the 2015 law, was unconstitutional.

There are currently two civil rights lawsuits—one filed by the Institute for Justice, and another filed by the ACLU—challenging the constitutionality of Arizona's asset forfeiture laws.

In New Mexico, the Institute for Justice is also suing the city of Albuquerque for continuing to operate a lucrative asset forfeiture program, even though the state passed a law essentially banning civil asset forfeiture in 2015. ***

Senator Rand Paul Returns \$620,000 To The US Treasury



By The Dispatch

(Global Dispatch) - Following in the footsteps of his father, former Texas Congressman Ron Paul, U.S. Senator Rand Paul announced recently that he saved more than \$620,000 from his official FY 2016 operating budget, bringing the total amount Dr. Paul has returned to the taxpayers to over \$3,000,000 since taking office in January 2011.

"It's easy to picture Washington's out-of-control spending as a massive, untamable beast," said Dr. Paul. "So I determined to show change is possible by starting in the

area under my control, while working everywhere else I could to stop 'business as usual.'

"I promised Kentuckians I would stand for smaller, more efficient government, balanced budgets, and spending restraint. I'm proud my staff and I have kept that pledge while operating one of the most active federal offices."

Dr. Paul has also led the way for reform by introducing a five-year balanced budget and issuing a weekly "Waste Report" to shine a spotlight on reckless federal spending.

Single Mom Faces Jail Time After Participating in Facebook Food Group

By Joe Khalil

(FOX 40) Stockton, CA - A Stockton woman faces an impending trial and potential jail time after she joined a social media community food group, and sold some of the meals she cooked, which county San Joaquin County officials say is against the law.

Mariza Reulas was cited by San Joaquin County for selling an illegal substance, but it wasn't a powder, a pill or a plant. It was her bowl of homemade ceviche.

"It was just like unreal that they were saying you could face up to a year in jail," said Reulas.

A few years ago Reulas joined a Facebook group called 209 Food Spot – a forum she says, where people from the Stockton area shared recipes, organized potlucks and occasionally sold what they cooked.

"Somebody would be like, 'Oh I don't have anything to trade you but I would love to buy a plate,' like they'd be off of work."

On December 3 of last year, someone contacted Reulas, asking for a plate of her Ceviche — one of her signature dishes. That person was an undercover investigator from San Joaquin County, according to court documents, on a sting because the majority of 209 Food Spot members didn't have permits to sell their food.

She, along with about a dozen others, was cited for two misdemeanors for operating a food facility and engaging in business without a permit.

Reulas refused to plea down to three years of probation. Now the single mother of six is headed to

trial and could end up in jail.

"I don't write the laws, I enforce them. And the legislature has felt that this is a crime," said San Joaquin County Deputy District Attorney Kelly McDaniel. She says selling any food not subject to health department inspection puts whoever eats it in real danger, not to mention it undercuts business owners who do get permits to make their food.

She says the 209 Food Spot Facebook group was sent a warning before charges were handed down.

"Food prepared in a facility that does not inspect it creates a risk to the public," said McDaniel. "When they talk about potential jail time for this, what goes through your mind?," asked FOX40.

"My kids," responded Reulas. Without a father in their life, Reulas says the thought of having to leave her kids scares her. Every court appearance takes a toll on her youngest son, six-year-old Justice.

"The night before he always asks like are you going to come back?" said Reulas.

Of the people charged, Reulas is the only one whose case is headed to trial because she was the only person charged who refused to accept a plea from the district attorney.

US-Observer's Editor Note: Let's hope Reulas' jury uses their power to nullify this injustice!

Government regulates everything under the guise of keeping us safe. One of the best reports on this fact is John Stossel's "Illegal Everything" from 2012. If you haven't seen it, Google it and watch it. The larger the government, the more it needs to control. The more it controls, the less safe we really are. ***



Texas State Senator: Foster Care Facility was a 'Brothel'

By Lana Shadwick

(Breitbart) - A Texas State Senator charged with oversight on the embattled Child Protective Services agency said that one of its foster care facilities "was a brothel."

The teenage girls and boys were using the chapel at the center to frequently engage in sex.

As reported by Breitbart Texas, members of the Texas Senate Finance Committee recently held hearings to take testimony about the embattled Texas Department of Family and Protective Services (TDFPS).

During the hearing, Senator John Wittmire (D-Houston) spoke of a residential treatment center in Crockett, reported the Houston Chronicle. In describing the situation, he was reported to say, "Boys and boys, Girls and boys. It was a brothel."

The residential-treatment center in Crockett, Texas, is housed in what used to be a state juvenile detention center. The Chronicle reported that there are approximately 36 high-need foster care children housed at the facility. The majority of these youths have been in juvenile detention centers; have dire behavioral and emotional issues; and were victims of sexual or physical abuse.

An investigation by the Texas Rangers is ongoing, but Texas law makes the information confidential because the victims are juveniles.

The Texas senators were incensed to also learn during the hearing that the agency has not seen over 2,800 at-risk children after there were formal reports of abuse or neglect, as reported by Breitbart Texas.

Senator Wittmire immediately procured a promise from the Texas Department of Public Safety (DPS) for help to address the emergency. Of these 2,800 children, 511 are classified in the "priority one" category. These situations can be dire emergencies because the children are the most vulnerable to physical or sexual abuse. Sen. Wittmire, who is also the chairman of the Texas Senate Criminal Justice Committee, exclaimed, "Get the National Guard or the Texas Rangers or whoever out to each house to see these kids now. Hell, they may die before we get there," reported the Houston Chronicle.

The director of the Texas DPS, Steve McCraw, promised the Houston senator that his

on me. I don't care," the Chronicle reported. "But I'm telling you right now, we need help." The agency has requested more funds for budget year 2017 and are wanting to hire at least 500 more caseworkers, including investigative caseworkers.

Whitman has been leading the agency for six months. Texas Governor Greg Abbott appointed him to head the TDFPS in April, as reported by Breitbart Texas. Whitman is a former chief of the Texas Rangers.

Senate Finance Committee Chair Jane Nelson announced during the hearing that she was appointing a senate working group to immediately study recommendations that would be made by Commissioner Whitman.

Senator Schwertner is acting as chair, Senator's Whitmire, Kirk Watson (D-Austin), Lois Kolkhorst (R-Brenham), and Brian Birdwell (R-Granbury) are on the committee.

As reported by Breitbart Texas just a few weeks ago, Texas Governor Greg Abbott, Lieutenant Governor Patrick, and House Speaker Joe Straus sent a letter to Commissioner Whitman demanding that he take action to protect children after the reports that the most exposed were left unattended.

Lana Shadwick is a contributing writer and legal analyst for Breitbart Texas. She has served as a prosecutor and associate judge in Texas.

Breitbart Editor's Note: This article has been updated to reflect a correction made by the Houston Chronicle. Senator Wittmire originally compared the foster care facility to a "brothel". ★★★



Texas Senator John Wittmire
Photo: Marjorie Kamys Catera/Texas Tribune

department would rush-in to help the agency.

Texas law requires Child Protective Services (CPS) employees to check up on these children within 24 to 72 hours of the report. Thousands of children remain vulnerable as a result.

In mid-September, over 14,000 children were left unchecked and approximately 2,000 of these cases were emergencies and the most urgent cases.

Commissioner Hank Whitman told Texas senators during the finance committee hearing, "Beat

Pre-Dawn No-Knock SWAT Raid for Minor Drug Charge Ruled Unconstitutional



By Anthony L. Fisher

(Reason) - 2015 militarized raid resulted in "fifth-degree drug possession." That's the lowest drug charge possible.

A Hennepin County (Minn.) drug squad — known as the Emergency Services Unit (ESU) — conducted a pre-dawn no-knock raid on a house in North Minneapolis one morning in November 2015. They were looking for Walter Power, who they suspected of being a marijuana dealer. To search the home they believed Power to be sleeping in, they brought a force of between 28-32 officers, most clad in riot gear and carrying rifles, accompanied by a sniper seated atop a Ballistic Engineered Armored Response (BEAR) vehicle.

Why did law enforcement officials feel they needed to display a show of overwhelming force that would be intense even in a foreign occupied city? Because the primary resident of the house, Michael Delgado, was a registered gun-owner with a license to carry.

Convinced of the potential danger posed to officers when raiding a house with an armed occupant, Hennepin County District Judge Tanya Bransford signed off on the no-knock raid, but later told the Minneapolis Star-Tribune that she did not know a platoon of up to 32 officers would be deployed to search the house, or that they'd throw flash bang grenades through the windows in addition to knocking down doors.

The raid resulted in the arrest of Power — the suspected marijuana dealer — for "fifth-degree drug possession," the lowest possible drug charges on the books. Even this modest charge would be dropped after Judge Bransford declared the raid unconstitutional in a ruling last summer, arguing

that Delgado and Power had been subject to unreasonable search and seizure in violation of the Fourth Amendment. Bransford wrote in her ruling "that the types of militarized actions used in this case seem to be a matter of customary business practice," which she found troubling.

Like most of the U.S., Hennepin County has increasingly relied on SWAT teams to serve warrants. According to the Star-Tribune, its ESU deployed 71 times last year, which is more than double its annual usage from a decade prior. A 2014 study by the American Civil Liberties Union (ACLU) found that on a national basis, SWAT teams were only used "for hostage, barricade, or active shooter scenarios" in seven percent of all deployments, while 62 percent of SWAT raids were to search for drugs.

The executive director of the Minnesota Sheriff's Association, Jim Franklin, was quoted by the Star-Tribune as saying of Bransford's ruling, "My question to her is: Are you going to attend the dead cop's funeral?" Franklin's argument is essentially that without the use of such violent and destructive tactics, officers' lives would be at risk. But no-knock raids can and do result in the deaths of officers, because few things will make even reasonable people turn violent like a sudden and shocking attack on their home.

In 2006, former Reasoner Radley Balko wrote about the case of Cory Maye, a Mississippi man who ended up on death row after shooting an officer entering his home during a no-knock raid. Maye would be released from prison in 2011, following a plea agreement to charges of manslaughter.

Log-on to Reason.com to view the documentary of Maye's case. ★★★

Exoneree to be awarded \$6.42 million

By Innocence Staff

(Innocence Project) - A wrongfully convicted North Carolina man will be awarded more than \$6 million for the 17 years he spent behind bars, according to the News & Record.

The city of Greensboro will pay LaMonte Armstrong \$6.42 million to settle the federal lawsuit he filed against the city and police upon release from prison in 2012.

Armstrong was convicted in 1995 of the murder of university professor

Ernestine Compton seven years prior. Attorneys from the Duke Center for Criminal Justice and Professional Responsibility secured Armstrong's release based on evidence that linked a convicted murderer to the crime. Investigators identified a palm print belonging to another suspect, Christopher Caviness, at the victim's home near where her body was discovered.

No physical evidence linked Armstrong to the crime scene, only the testimonies of four incentivized witnesses, one of whom has since recanted citing



Exoneree LaMonte Armstrong

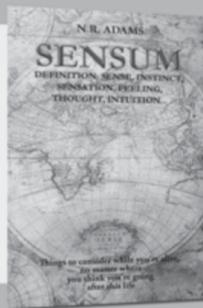
pressure from police. Armstrong's attorneys said that prosecutors withheld information during his trial that could have aided in his defense.

Armstrong told the News & Record that he plans to keep his job at the nonprofit organization where he counsels individuals struggling with substance abuse.

"It seems to me that the more I continue to be of service to my fellow man and help people, the more that God continues to serve me," Armstrong told the paper.

★★★

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US-OBSERVER NOTE ON FALSE CHARGES:

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We hope that every innocent victim of a false prosecution finds justice, and if you are facing false charges, please contact us.

541•474•7885
editor@usobserver.com

Book: Police Generate False Confessions

By Kitty Testa

(Libertarian Republic) - According to the Innocence Project, "Astonishingly, more than 1 out of 4 people wrongfully convicted but later exonerated by DNA evidence made a false confession or incriminating statement."

Most of us believe that we would never confess to a crime we did not commit, but many people are unable to stand up to the pressures of police interrogations, and provide false confessions, often with alarming detail.

Now a former Washington D.C. homicide detective has published a book exploring the tactics used to elicit confessions from innocent suspects.

James L. Trainum has 17 years of experience working for the D.C. Metro Police homicide unit, and his interest in false confessions was spurred when he obtained one from a female murder suspect. He learned through investigation that her involvement was impossible, and the charges were dismissed.

Trainum believes that the problem of false confessions is a training problem, and he outlined the steps that interrogators use to obtain them.

1. **Conclude that the suspect is guilty**
2. **Tell them that there is no doubt of their guilt**
3. **Block any attempt by the suspect to deny the accusation**
4. **Suggest psychological or moral justifications for what they did**
5. **Lie about the strength of the evidence that points to the suspect's guilt**
6. **Offer only two explanations for why he committed the crime. Both are admissions, but one is definitely less savory than the other**
7. **Get them to agree with you that they did it**
8. **Have them provide details about the crime**

For anyone who watched the Netflix Series, Making a Murderer, these steps are chillingly similar to the tactics used in eliciting a false confession from Brendan Dassey.

Trainum, who now consults for the Innocence Project, may well have a more ethical point of view than many police officers who stand by the false confessions they elicit. Rather than questioning their tactics, many police officers and prosecutors insist that the confessions are not false, even when the weight of evidence shows that they are.

In 1992 in Waukegan, Illinois, Juan Rivera provided a detailed confession to the killing of 11-year-old Holly Staker, even though he was on electronic home monitoring at the time. The interrogation lasted nearly 24 hours. No physical evidence linked him to the crime but Lake County prosecutors insisted that the confession was valid. His original conviction was overturned due to trial error, but he was convicted again in 1998.

In 2005 DNA evidence showed that he should be excluded as a suspect in the crime, but prosecutors proceeded and a third jury convicted Rivera. The Appellate Court overturned his final conviction in 2011, after he spent 20 years in prison, saying that "no rational trier of fact" could conclude that Rivera was the perpetrator of the crime."

The Lake County State's Attorney's office was nationally vilified for defending its repeated prosecutions of Rivera, and for having a hostile attitude for DNA evidence in general. But regarding the third conviction, one has to wonder about the mindset of the jurors. Unfortunately for the wrongly accused, faith in the infallibility of police can result in conviction even if the evidence says you didn't do it.

The motive for sticking by such convictions may be at least in part financial. Rivera was awarded a \$20 million settlement in 2015 for his wrongful conviction. This motive may be at play again in Lake County, Illinois, in the case of Melissa Calusinski, who was convicted for the murder of a toddler at a day care center where she worked. Calusinski says she was "terrified" during her interrogation with police.

Calusinski was recently denied a new trial after her attorney, Kathleen Zellner (who is also representing Steven Avery), brought evidence to the Lake County Court that the X-rays provided to the defense Calusinski's original trial were useless due to a lack of clarity, when, in fact, a clear set of X-rays were in the possession of the State's Attorney's office. As is the case with most Lake County Judges, the judge that refused Calusinski's request is a former prosecutor. Should Calusinski's conviction eventually be overturned, Lake County will undoubtedly face another large monetary settlement.

In his book, Trainum recommends that investigators replace interrogation with a set of interview tactics called the P.E.A.C.E. model, for *preparation, engagement, accounting, closure, and evaluation*. The purpose of the model is to obtain truthful responses as opposed to gaining a confession which can be used in court, regardless of its veracity.

Every wrongful conviction not only denies an innocent person his or her liberty, but also carries with it the economic costs of prison, repeated trials, and damages paid to the wrongly convicted. One would think that eliminating false confessions would be a goal that law enforcement and citizens would embrace, but unfortunately some of Trainum's former colleagues have taken to calling him "Benedict Trainum." Still, Trainum is hopeful that younger police officers will be open to his suggestions.

"I hope law enforcement reads my book," he told the Washington Post. "With my consulting business, I want to be put out of business. I would rather they make good cases that I can't touch." ★★★

Federal Court Case Asks: Is it Against Constitution for Caseworkers to Lie?

By John Kelly

(Chronicle of Social Change) - Is it constitutional for a caseworker to lie in court?



Deanne Fogarty-Hardwick

If that question comes across to you as one with an obvious answer, consider that a court case on the subject is one stop away from the U.S. Supreme Court.

The U.S. Court of Appeals for the Ninth Circuit heard *Hardwick v. Vreeken* last week, an extension of a long-running court battle involving Deanne Fogarty-Hardwick, her two daughters, and the child welfare system in Orange County, Calif.

The case began as a custody battle. It involved child welfare workers committing "judicial deception" to facilitate the removal of the daughters from Deanne, and has resulted so far in more than \$10 million in judgments against Orange County.

A three-judge panel from the Ninth Circuit court last week heard oral arguments in the appeal of a case involving Preslie Hardwick, one of the daughters, versus Marcia Vreeken, one of the Orange County caseworkers found in previous lawsuits to have intentionally deceived the court.

Attorneys for Vreeken have appealed to the Ninth Circuit based on the argument that while state code might instruct caseworkers not to lie, there is no case law or precedent to suggest that their lying is unconstitutional.

Here is the basic argument on behalf of the caseworkers. As government workers, they are entitled to qualified immunity from prosecution in federal court unless a two-prong test can be passed. First, constitutional rights must have been violated.

Second, attorneys argued, it must be clearly established that the government workers know "without a doubt" that their actions would be a violation of law.

They argued that, in this case, at the time the removal occurred in 2000, state law and federal case precedent did not clearly establish to caseworkers that lying and/or presenting false evidence would deprive Ms. Fogarty-Hardwick of her constitutional rights.

Now, Youth Services Insider would caution anyone, at any time, from reading too much into the judge's questions and reactions during oral arguments. But suffice to say, the judges were skeptical of this argument, in particular Judge Stephen Trott, a longtime member of the court appointed by Ronald Reagan in 1987.

"How in the world could a person in the shoes of your clients possibly believe that it was appropriate to use perjury and false evidence" to remove a child from a parent, Trott asked. "How could they possibly not be in notice that you can't do that?"

They might have been based on ethical guidelines and morality, but not based on clearly established law, attorneys argued.

"You mean due process is somehow consistent with a government worker introducing perjured testimony and false evidence?" Trott asked. "I can't even believe for a microsecond that a caseworker wouldn't understand you can't lie and put in false evidence."

The oral arguments are 23 minutes long and can be viewed online. It certainly sounds from the discussion as though the judges are not impressed with the notion that, absent a precedent here, workers could have reasonably believed it was okay to make up stuff to influence a child welfare removal.

If they rule against Vreeken, and this is appealed, perhaps we will see a Supreme Court case that sets once and for all that child welfare caseworkers violate constitutionally guaranteed rights of parents if they lie to affect a removal.

★★★

Texas Finally Finds a Woman Legally Innocent of Murder

By J. Weston Phippen

(Atlantic) - In 1993 Sonia Cacy began serving a 99-year sentence for dousing her uncle with accelerant, then lighting him on fire in hopes to get his Texas home that he'd left her in his will. Five years later, her attorney got her released after fire-science experts contradicted the prosecutor's evidence. And though Cacy was free from prison, she remained on parole, and still technically guilty of murder.

Cacy, now 68, is in bad health. For two decades, Texas fought and delayed correcting the mistake it made in convicting her, but on Wednesday the state's highest criminal court, the Texas Court of Criminal Appeals, declared Cacy legally innocent of murder. Much has been written on Cacy's story over the years, but here are the main points.

Prosecutors won Cacy's conviction based primarily on the results of a county forensics lab that found accelerant was used in the death of Cacy's uncle, Bill Richardson, a heavy smoker known to be careless with his cigarettes. Cacy was convicted, but at a retrial in 1996, her new attorney enlisted the help of a Cambridge-educated chemist, Gerald Hurst. Hurst retested burn samples from the

bedroom—where Richardson had died—and found the accelerant the state said was present could have come from compounds in Richardson's mattress, or in the drapes. Experts also found Richardson had no smoke in his lungs, meaning he probably died before the fire was set. The experts further concluded Richardson had died of a heart attack, which likely happened as he tried to extinguish the fire, which he likely set with his own cigarette. With this new evidence, Cacy was paroled in 1998. But the state ordered reinvestigations and appealed Cacy's innocence.



Sonia Cacy

Cacy's case has come to represent two major problems evident in some U.S. courts: Firstly, that once the machinery of the legal justice system had started spinning to convict her, it was almost impossible to reverse, though the state's case was based on bad science. And second, as The Atlantic wrote in the June issue, forensic science is not wholly reliable.

Now that Cacy is legally innocent she's eligible to apply for compensation. That could mean up to \$80,000 a year for each year she served in prison, and \$25,000 for every year she's been on parole.

★★★

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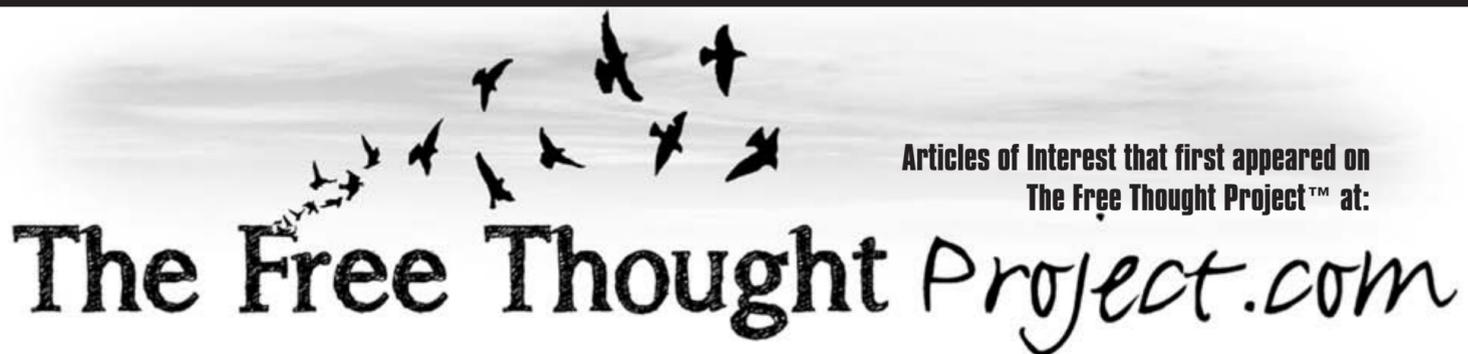
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Welcome to the Free Thought Project — a hub for Free Thinking conversations about the promotion of liberty and the daunting task of government accountability.

California Cops Rob Every Penny from Innocent Family

By Claire Bernish

San Diego, CA — James Slatc took every precaution possible to ensure his California medical marijuana business was in full compliance with local, state, and federal laws — and that appropriate taxes and fees, hundreds of thousands each year, were always paid on time.

But despite conducting business professionally and legally, nearly 30 heavily armed San Diego police and DEA agents broke into and destroyed Med-West Distribution, stole all the legal products inside, confiscated his computers and servers — and proceeded to clean out his entire family's life savings, including the accounts of his high school and college-aged daughters, and his 84-year-old mother's safety deposit box.

By obstinately refusing to acknowledge Med-West's legal status, law enforcement used highly contentious federal civil asset forfeiture (CAF) law to rob the Slatics of everything they'd earned — including \$324,000 in proceeds from the lucrative medical cannabis business, according to the Institute for Justice (IJ).

"This case is not about crime fighting," IJ attorney Wesley Hottot, who now represents the Slatics, explained. "This case is about policing for profit, and it illustrates the abusive power of civil

forfeiture at its worst."

As countless families and individuals around the country have been shocked to learn, the State can rob you blind, taking everything of value — bank accounts, vehicles, electronics, and even houses, etc. — without proof any crime has been committed.

James Slatc has never been convicted or charged with any wrongdoing in the matter — but the nightmare of civil asset forfeiture doesn't end with a lack of charges or conviction. In fact, attempting to reclaim property and cash can be a nightmare of red tape, court appearances and legal fees — and, even then, isn't always a successful venture. And like so many others, Slatc had not been familiar with this legal, policing-for-profit scheme prior to his firsthand encounter.

"I've done nothing wrong," he told the Institute for Justice. "It's beyond frustrating that my family's money was taken without any criminal charges being filed. My wife and teenage daughters had nothing to do with my business whatsoever, and the District Attorney took their college savings accounts. This is not just wrong; it is unconstitutional."

While he certainly might be right, CAF is federal law — a brief reprieve in January, when the Department of Justice suspended the program, only lasted through

early April — because the ability of police to steal people's stuff and either use it or the proceeds from its sale is just too damned profitable.

Indeed, police and other agencies — particularly the Drug Enforcement Agency — make a killing in this legalized State robbery sham, and many departments have come to rely on CAF profiteering to bolster their funding.

"Civil forfeiture is one of the greatest threats to property rights in the nation," said IJ attorney Allison Daniel, also representing the Slatc family. "Civil forfeiture takes the American principle of innocent until proven guilty and flips it on its head, treating property owners worse than criminals by making them prove their innocence."

At 7:30 in the morning on January 28, 2016 — as surveillance cameras outside and inside Med-West captured on video — the San Diego Joint Narcotics Task Force used a sledgehammer to break down the door of Slatc's legal business, and stormed in, pointing automatic weapons at the heads of innocent employees inside.

Needlessly and recklessly, around 28 officers took everything of value inside, destroying and scattering property in the process.

As Slatc told IJ, in addition to assets stolen from the business, the

greedy cops cleared family bank accounts of over \$100,000 — leaving his daughters scrambling to pay for school supplies, like college textbooks, while putting their tuition and fees in jeopardy.

Annette Slatc, James' wife, who works as a nurse at the Veterans



Police breaking into James Slatc's offices.

Administration, found out about the raid and financial seizure when she tried to pay for groceries that morning and had her card declined. Then her daughter, Penny, a high-schooler, tried to pay using her ATM card — and was also declined. Without notice, the Slatics suddenly found themselves essentially penniless and unsure how to afford basic needs.

Now they're fighting to get everything back, since under California law, "probable cause" a crime has been committed must be established before officers can use civil asset forfeiture to seize property and cash.

As the Institute for Justice explains, "Because police and

prosecutors ignored Med-West's status as a legal marijuana business, they did not have probable cause to seize the Slatics' money. Even if Med-West had been an illegal operation (and it was not), the Slatics' personal money is not connected to the business."

Perhaps the Slatics will have better luck in getting justice than innumerable others who have been unfortunate enough to be victims of legalized robbery.

Despite massive controversy surrounding the program — and one of its creators now denouncing the policing-for-profit scheme it has become — civil asset forfeiture won't be going anywhere soon.

While some states have severely curtailed cops' ability to take your stuff, by implementing strictures requiring a conviction and similar limits, others have taken CAF to new levels. Oklahoma Highway Patrol began using a device called an ERAD, which scans bank and prepaid cards — right from a person's wallet — to seize all cash in an individual's account during a traffic stop if an officer even suspects a person of committing a drug-related offense.

"Three decades ago, I helped create our civil asset forfeiture system," wrote Brad Cates in an opinion piece for the Wall Street Journal, "now it's time to end it." ★

Ex-DEA Head: Congress Protects Big Pharma & Fuels Opioid Crisis

By Claire Bernish

Congress would rather protect the profits of pharmaceutical companies than the health of those addicted to dangerous opioid drugs, says a former head of the DEA responsible for preventing abuse of medications.

Joseph Rannazzisi, former Deputy Assistant Administrator at the U.S. Drug Enforcement Agency, asserts Big Pharma and its lobbyists have a "stranglehold" on legislators in Congress and have engineered the protection of a \$9 billion per year industry over the health of American citizens, according to a report from the Guardian.

"Congress would rather listen to people who had a profit motive rather than a public health and safety motive," he said, according to the outlet. "As long as the industry has this stranglehold through lobbyists, nothing's going to change."

Rannazzisi explained lobbyists have spent millions thwarting legislative and policy efforts to provide guidelines for reducing the prescribing of opioid medications closely related to heroin — and helped limit the DEA's powers to discipline those who dispense unusually high dosages of the same.

A pharmacist himself, Rannazzisi severely criticized lawmakers he claims hold a double standard — publicly vowing to combat the opioid epidemic, while essentially working on behalf of pharmaceutical companies to ensure the industry's profits.

"These congressmen and senators who are using this because they are up for re-election, it's a sham," he told the Guardian. "The congressmen and senators who are championing this fight, the ones who really believe in what they're doing, their voices are drowned out because the industry has too much influence."

With the unique insight of having been an insider, Rannazzisi excoriated the duplicity evidenced between legislators' public lamentation of addiction and deaths from the opioid crisis during election years, and private efforts to protect drugmakers from liability.

And he would know. According to Rannazzisi's LinkedIn profile, as Chief of Diversion, he had been tasked with "oversight and control of all regulatory compliance inspections and civil and criminal investigations of approximately 1.6 million DEA registrants" — but if the standards are lowered by Congress to allow greater leeway in prescribing opioids, the threshold of criminality is raised.

As the Guardian points out, legislation to

fight the opioid epidemic, Comprehensive Addiction and Recovery Act, did, in fact, pass in July — but partisan controversy erupted when Republicans failed to provide funding to give the law sharp teeth. Democrats then issued a report titled "Dying Waiting for Treatment" in response, which "likened the Republican response to the opioid crisis to 'using a piece of chewing gum to patch a cracked dam.'"

Indeed the report sharply criticized the bill, equating its policies to 'empty promises' for the lack of financial follow-through.

As the Washington Post detailed in a report earlier this month, the DEA launched an aggressive campaign to rein in distribution of opioids by pharmaceutical manufacturers to illegal 'pill mills' and corrupt pharmacies, who cared little whether the drugs wound up on the streets.

Headed by Rannazzisi, the Office of Diversion Control sent investigators into the field, and began issuing hefty fines and filing lawsuits against the distributors responsible for the proliferation of opioids on the streets.

But the disproportionately powerful pharmaceutical industry — fearing a potential significant loss in profits — fought back. Hard.

According to the Post, the deputy attorney general summoned Rannazzisi to a meeting in 2012, concerning the cases of two unnamed major drug companies.

"That meeting was to chastise me for going after industry, and that's all that meeting was about," the now-retired DEA official told the Post.

Then, in 2014, came what constituted a hand out to the pharmaceutical industry by the Department of Justice and congressional legislators: the Ensuring Patient Access and Effective Drug Enforcement Act — legislation initiated by the Healthcare Distribution Management Association — the industry group representing distributors at the heart of the controversy.

An analysis of lobbying records by the Post found "the Healthcare Distribution Alliance, spent \$13 million lobbying House and Senate members and their staffs on the legislation and other issues between 2014 and 2016."

Rannazzisi argued his case to congressional staffers in a phone conference in July 2014, and recalled telling them, "This bill passes the way it's written we won't be able to get immediate suspension orders, we won't be able to stop the hemorrhaging of these drugs out of these bad pharmacies and these bad corporations."

Stunned at the massive — and ultimately successful — effort to take the bite out of DEA attempts to hold distributors and drugmakers responsible for their role in an epidemic estimated to take 19,000 lives every year, Rannazzisi likened the legislation to a "free pass" for legal drug pushers.

"This doesn't ensure patient access and it doesn't help drug enforcement at all," he told the Guardian. "What this bill does has nothing to do with the medical process. What this bill does is take away DEA's ability to go after a pharmacist, a wholesaler, manufacturer or distributor."

"This was a gift. A gift to the industry," he added.

After heading the diversion office for a decade, Rannazzisi retired in 2015 — likely disgusted over legislators' dedication to the legal drug industry, rather than the people whose interests they're ostensibly obligated to protect.

"The bill passed because 'Big Pharma' wanted it to pass," he told the Guardian in no uncertain terms. "The DEA is both an enforcement agency and a regulatory agency. When I was in charge what I tried to do was explain to my investigators and my agents that our job was to regulate the industry and they're not going to like being regulated."

Big Pharma relies overwhelmingly on lobbyists filling the coffers of politicians to ensure they ignore the crisis gripping the nation. As the Center for Public Integrity found, the Guardian noted, Purdue Pharma — at the heart of the epidemic for its highly-addictive drug introduced in the late 1990s, OxyContin — spent a breathtaking \$740 million in the last ten years on congressional lobbying efforts.

However, Big Pharma's power to influence policy and legislation extends far beyond simple but effective lobbying — the government-run Interagency Pain Research Coordinating Committee (IPRCC) has been

accused by Sen. Ron Wyden of being a tool to "weaken" CDC guidelines for limiting overprescribing of opioids.

Wyden wrote to Secretary of Health and Human Services Sylvia Burwell of his concerns the IPRCC had been staffed with 'experts' with conflicts of interest for their close ties to Big Pharma, including a scientist with a \$1.5 million endowment from Purdue, reported the Guardian.

"You've got a panel that's certainly got a fair number of people that have a vested interest in this problem of overprescribing. That's something you've got to root out," Wyden asserted. "The role of the pharmaceutical companies on these advisory panels troubles me greatly. Science is getting short shrift compared to the political clout of these influential interests."

Families of countless addicts and victims of the opioid industry would undoubtedly find the direct influence of Big Pharma's pro-opioid cash appalling — yet it continues to this day. Policies and legislation have not yet been given the appropriate funding needed to effectively combat the problem, which swirls out of control while politicians and drugmakers reap blood-tainted profits.

"Corporations have no conscience," Rannazzisi flatly told the Guardian. "Unfortunately, with my job, I was the guy who had to go out and talk to families that lost kids. If one of those CEOs went out there and talked to anybody, or if one of those CEOs happened to lose a kid to this horrible, horrible domestic tragedy we have, I'd bet you they'd change their mind."

"When you sit with a parent who can't understand why there's so many pharmaceuticals out in the illicit marketplace, and why isn't the government doing anything, well the DEA was doing something. Unfortunately what we're trying to do is thwarted by people who are writing laws."

★★★

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COMMENTARY Your Right to Speak Out



By Jack Salmon

(Fee.org) - use prices continue to rise dramatically across the US, particularly in urban areas. The ever escalating prices make the "American Dream" of owning a home far less likely for an increasing number of millennials. With around one third of American households now renting homes and apartments, we have to ask ourselves – why is the American Dream dying?

Data from the Census Bureau report last week revealed that the US homeownership rate stands at a mere 63.5%. Whilst this is up slightly from a record low of 62.9 percent in the previous three months, it is still down year-on-year from Q3 2015.

The unaffordability problem is a supply issue with housing supply falling short of demand by around 430,000 units in 2015. We are currently facing a severe lack of housing that will only result in continued price rises (and more inflation), unless drastic action is taken to enable substantial growth in supply.

Zoning Laws are Erasing the American Dream

As house prices continue to rise much faster than incomes, the biggest hurdle to buyers is affordability as it becomes increasingly hard to save for a down payment. – What is interesting, however, is that the unaffordability of houses in urban areas is only limited to certain cities. Whilst cities such as San Francisco become increasingly unaffordable, some of the nation's fastest growing cities such as Dallas remain very affordable.

The reason for this great disparity in affordability between U.S. cities is the result of limited supply in some cities with heavily restrictive building regulations contrasted with cities such as Dallas, which tend not to take drastic action to control urban sprawl.

With limited supply mandated by restrictive government policies, both state and local,

existing homeowners receive special treatment whilst renters are further impoverished and first time buyers are severely punished.

The Link Between Zoning and High Prices

A study by Economists John Glaeser and Joseph Gyourko analyzing the impact of building restrictions on housing affordability found that "zoning and other land-use controls are more responsible for high prices where we see them...Measures of zoning strictness are highly correlated with high prices". If policy advocates are truly interested in making housing more affordable, they would do well by starting with zoning reform.

Similar findings are highlighted in a policy paper recently released by the Cato Institute's Randal O'Toole. The paper underlines how municipal governments, especially at the county-level, impose strict growth management policies and heavy-handed regulation of land use to prevent urban sprawl. The result of this approach in many of America's urban areas has meant median home prices typically being two to four times more than homes in unmanaged areas.

Randal hits the nail on the head by prescribing: "Minimizing the regulation of vacant lands outside of incorporated cities. Allowing developers to build on those lands in response to market demand will also discourage cities from overregulation lest they unnecessarily push development outside the city".

Unfortunately, the actions taken by many municipal governments thus far have been entirely contrary to the suggested prescription suggested by Randal. This is certainly the case

here in Northern Virginia, for example, Fairfax County has vast swaths of land listed on the zoning ordinance as 1-2 du/ac meaning only 1-2 dwellings can be constructed per acre. Not to mention the thousands of acres reserved for public parks, farmland and the all-important golf courses.

A recent Mercatus Center research paper noted that the biggest barrier to reforming land-use regulation would be the vested interests or NIMBY's (Not In My Backyard) preventing such reforms at a local level. One possible way suggested by the authors of increasing the feasibility of such reforms would be to shift the implementation of zoning powers from local to state level, further removing policymakers from opposition to development.

Whoever the next President is, action should be taken to encourage state and local governments to reduce land use constraints such as urban growth boundaries. It is also important that the Federal government does not misdiagnose this crisis as one of demand and not supply. Federal government policies aimed at increasing demand will only worsen the situation by pushing house prices even higher in areas with supply restrictions.

If we are going to preserve the American Dream, we are going to need an industrial house building revolution. The only legitimate solution to this housing crisis is to repeal the state and local rules that restrict urban expansion and move decision making powers from local to state level to prevent NIMBY's from killing the American Dream for millennials and for generations to come.



By Tom DiLorenzo

(LewRockwell.com) - Have you noticed that traffic congestion in your city always seems to get worse and worse, year after year? Have you also noticed that local governments rarely, if ever, do anything about it? Or that the things that they do actually make it worse? If you have noticed these things and assumed that it is yet another example of the inherent ineptness of your typical bungling bureaucrats you may be dead wrong.

The latest trend in "urban planning" is to intentionally make traffic congestion as bad as possible. The main proponents of this scheme are: 1) environmentalist extremists who hate and despise cars and the freedom they afford their fellow citizens; and 2) local politicians who want to corral as many people as possible in high-density condos and apartments in their cities where they can be easily taxed. They call it "smart growth." It is a classic "bootleggers and Baptist" coalition, so named by economist Bruce Yandle. Professor Yandle discussed this in the context of the proponents of alcohol prohibition in the 1920s – bootleggers who were in favor of prohibition for purely financial reasons, and Baptists who supported prohibition for religious reasons. An odd political coalition, indeed. Today's environmentalist "urban planners" are the "religious" fanatics here, worshipping at the altar of environmentalism, while tax-hungry urban politicians and bureaucrats are the "bootleggers."

A front-page article in the October 30, 2016, issue of the *South Florida Sun-Sentinel* entitled "We're Going to Make Them Suffer" explains this latest urban central planning scheme. "Cities are deliberately making your commute worse," the authors write, "jamming development into urban areas no matter how it affects traffic. The goal: Get more people to use mass transit." They quote a prominent South Florida "urban planner" named Anne Castro (how appropriate), the chair of the Broward County Planning Council, as saying: "Until you make it so painful that people want to come out of their cars, they're not going to come out of their cars." Therefore, said Ms. Castro, "We're going to make them suffer first, and then we're going to figure out ways to move them after that because they're going to scream at us to help them move" (emphasis added). This statement is reminiscent of Nancy Pelosi's notorious comment about how

Urban Criminals



the Congress should first vote to enact "Obamacare" and then try to figure out how it will work later.

Such words are typical displays of the resentment, if not hatred, that government "planners" of all kinds have for their fellow citizens. After all, their purpose in life is to use the coercive powers of the state to bully us by forcefully imposing on us their plans for how we should live our lives. Our own plans do not matter a whit to them. They see us as nothing more than a large collection of experimental rats waiting to be experimented upon with their socialistic "plans."

The authors of the *Sun-Sentinel* article (Susannah Bryan, Emily Miller, and John Maines) write of how urban "planners are creating neighborhoods in urban areas where gridlock is the norm" by approving high-density housing "at a rapid pace," which brings thousands of additional vehicles into relatively small areas. Development projects are typically allowed without even doing any traffic studies for fear that such studies might wake up the citizenry to the potential of future traffic nightmares.

Some cities are actually reducing the number of traffic lanes on major, heavily-congested roads and replacing them with bike lanes and wider sidewalks. It is the urban planners' theory that thousands of people (including the elderly in South Florida, apparently) will then decide to walk or bike for miles to and from the store in all kinds of weather, including South Florida's relentless summer heat and humidity and world-record summer lightning storms.

Having made life increasingly miserable for commuters, some cities are now proposing increased sales taxes with some of the loot earmarked for "mass transit" (primarily buses and perennially money-losing commuter trains). The combination of intentionally-created, nightmarish traffic congestion combined with thousands of additional pedestrians and bicyclists in super-crowded

cities sounds like a human catastrophe waiting to happen.

If all of this "planning" succeeds, says one Nick Uhren, executive director of the Palm Beach, Florida Metropolitan Planning Organization (the Soviets would be so envious of that name), then "it will be so busy that it's not pleasant to drive here," and "that's a good thing." The *Sun-Sentinel* quotes other urban

“Until you make it so painful that people want to come out of their cars, they're not going to come out of their cars.”

planners as saying that "traffic in South Florida could mirror the gridlock now seen in Los Angeles, rated the nation's most congested city," and that's a good thing. Yay! Success!

Well, at least until the next major hurricane in South Florida, that is, with millions of people ordered to evacuate their homes and getting stuck in their cars, out of gas, on the interstate, in gridlocked traffic, while a catastrophic category five hurricane blows in. "People won't be able to get out. We're kind of building a monster," Ms. Castro nonchalantly admitted.

The "bootlegger" perspective is given in the *Sun-Sentinel* article by one Dick Blatner, the chair of the Broward County, Florida Metropolitan Planning Organization (how Politburo-ish sounding!) who also "serves" on the Broward Planning Council (so much planning, so little time): "Cities must court high-density developments to avoid unpopular tax increases. . . . They want development for the property taxes and to increase property values."

In other words, these self-described public servants are all about the money and perks that will come to them with increased property tax revenues. They want more taxpaying chickens to pluck, so to speak, and are willing to inflict "suffering" (their word) on their fellow citizens in order to guarantee their increased salaries, perks, and scandalously-large public employee pensions. They make no mention at all of the quality of life in their cities other than to say that they want it to sharply decline so that they can haul in more tax loot for themselves. Like all government "planners," their plans are designed to benefit themselves, first and foremost, the public be damned.

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"Our lives begin to end the day we become silent about things that matter." --Martin Luther King, Jr.

COMMENTARY



By John W. Whitehead

"Today the path to total dictatorship in the U.S. can be laid by strictly legal means, unseen and unheard by Congress, the President, or the people. Outwardly we have a Constitutional government. We have operating within our government and political system ... a well-organized political-action group in this country, determined to destroy our Constitution and establish a one-party state.... The important point to remember about this group is not its ideology but its organization... It operates secretly, silently, continuously to transform our Government.... This group ... is answerable neither to the President, the Congress, nor the courts. It is practically irremovable." — Senator William Jenner, 1954 speech

Unaffected by elections. Unaltered by populist movements. Beyond the reach of the law.

Say hello to America's shadow government. A corporatized, militarized, entrenched bureaucracy that is fully operational and staffed by unelected officials who are, in essence, running the country, this shadow government represents the hidden face of a government that has no respect for the freedom of its citizenry.

No matter which candidate wins the presidential election, this shadow government is here to stay. Indeed, as recent documents by the FBI reveal, this shadow government—also referred to as "The 7th Floor Group"—may well have played a part in who will win the White House this year.

To be precise, however, the future president will actually inherit not one but two shadow governments.

The first shadow government, referred to as COG or Continuity of Government, is made up of unelected individuals who have been appointed to run the government in the event of a "catastrophe." COG is a phantom menace waiting for the right circumstances—a terrorist attack, a natural disaster, an economic meltdown—to bring it out of the shadows, where it operates even now. When and if COG takes over, the police state will transition to martial law.

Yet it is the second shadow government—also referred to as the Deep State—that poses the greater threat to freedom

The Path to Total Dictatorship: America's Shadow Government and Its Silent Coup

right now. Comprised of unelected government bureaucrats, corporations, contractors, paper-pushers, and button-pushers who are actually calling the shots behind the scenes, this government within a government is the real reason "we the people" have no real control over our government.

The Deep State, which "operates according to its own compass heading regardless of who is formally in power," makes a mockery of elections and the entire concept of a representative government.

So who or what is the Deep State? It's the militarized police, which have joined forces with state and federal law enforcement agencies in order to establish themselves as a standing army. It's the fusion centers and spy agencies that have created a surveillance state and turned all of us into suspects. It's the courthouses and prisons that have allowed corporate profits to take precedence over due process and justice. It's the military empire with its private contractors and defense industry that is bankrupting the nation. It's the private sector with its 854,000 contract personnel with top-secret clearances, "a number greater than that of top-secret-cleared civilian employees of the government."

It's what former congressional staffer Mike Lofgren refers to as "a hybrid of national security and law enforcement agencies": the Department of Defense, the State Department, Homeland Security, the CIA, the Justice Department, the Treasury, the Executive Office of the President via the National Security Council, the Foreign Intelligence Surveillance Court, a handful of vital federal trial courts, and members of the defense and intelligence committees.

It's every facet of a government that is no longer friendly to freedom and is working overtime to trample the Constitution underfoot and render the citizenry powerless in the face of the government's power grabs, corruption and abusive tactics.

These are the key players that drive the shadow government.

This is the hidden face of the American police state that will continue long past Election Day.

Just consider some of the key programs and policies advanced by the shadow government that will continue no matter who occupies the Oval Office.

Domestic surveillance. No matter who wins the presidential popularity contest, the National Security Agency (NSA), with its \$10.8 billion black ops annual budget, will

continue to spy on every person in the United States who uses a computer or phone. Thus, on any given day, whether you're walking through a store, driving your car, checking email, or talking to friends and family on the phone, you can be sure that some government agency, whether the NSA or some other entity, is listening in and tracking your behavior. Local police have been outfitted with a litany of surveillance gear, from license plate readers and cell phone tracking devices to biometric data recorders. Technology now makes it possible for the police to scan passersby in order to detect the contents of their pockets, purses, briefcases, etc. Full-body scanners, which perform virtual strip-searches of Americans traveling by plane, have gone mobile, with roving police vans that peer into vehicles and buildings alike—including homes. Coupled with the nation's growing network of real-time surveillance cameras and facial recognition software, soon there really will be nowhere to run and nowhere to hide.

Global spying. The NSA's massive surveillance network, what the Washington Post refers to as a \$500 billion "espionage empire," will continue to span the globe and target every single person on the planet who uses a phone or a computer. The NSA's Echelon program intercepts and analyzes virtually every phone call, fax and email message sent anywhere in the world. In addition to carrying out domestic surveillance on peaceful political groups such as Amnesty International, Greenpeace and several religious groups, Echelon has also been a keystone in the government's attempts at political and corporate espionage.

Roving TSA searches. The American taxpayer will continue to get ripped off by government agencies in the dubious name of national security. One of the greatest culprits when it comes to swindling taxpayers has been the Transportation Security Administration (TSA), with its questionable deployment of and complete mismanagement of millions of dollars' worth of airport full-body X-ray scanners, punitive padlocks by TSA agents and thefts of travelers' valuables. Considered essential to national security, TSA programs will continue in airports and at transportation hubs around the country.

USA Patriot Act, NDAA. America's so-called war on terror, which it has relentlessly pursued since 9/11, will continue to chip away



at our freedoms, unravel our Constitution and transform our nation into a battlefield, thanks in large part to such subversive legislation as the USA Patriot Act and National Defense Authorization Act. These laws completely circumvent the rule of law and the rights of American citizens. In so doing, they re-orient our legal landscape in such a way as to ensure that martial law, rather than the U.S. Constitution, is the map by which we navigate life in the United States. These laws will continue to be enforced no matter who gets elected.

Militarized police state. Thanks to federal grant programs allowing the Pentagon to transfer surplus military supplies and weapons to local law enforcement agencies without charge, police forces will continue to be transformed from peace officers into heavily armed extensions of the military, complete with jackboots, helmets, shields, batons, pepper-spray, stun guns, assault rifles, body armor, miniature tanks and weaponized drones. Having been given the green light to probe, poke, pinch, taser, search, seize, strip and generally manhandle anyone they see fit in almost any circumstance, all with the general blessing of the courts, America's law enforcement officials, no longer mere servants of the people entrusted with keeping the peace, will continue to keep the masses corralled, controlled, and treated like suspects and enemies rather than citizens.

SWAT team raids. With more than 80,000 SWAT team raids carried out every year on unsuspecting Americans by local police for relatively routine police matters and federal agencies laying claim to their own law enforcement divisions, the incidence of botched raids and related casualties will continue to rise. Nationwide, SWAT teams will continue to be employed to address an astonishingly trivial array of criminal activity or mere community nuisances including angry dogs, domestic disputes, improper paperwork filed by an orchid farmer, and misdemeanor marijuana possession.

Domestic drones. The domestic use of drones will continue unabated. As mandated by Congress, there will be 30,000 drones crisscrossing the skies of America by 2020, all part of an industry that could be worth as much as \$30 billion per year. These machines, which

“... this government within a government is the real reason “we the people” have no real control over our government.”

Continued on page 11



By Terry Jeffrey

(Townhall) - "We've agreed that our health reform bill will promote choice," President Barack Obama said on July 21, 2009.

"Americans will be able to compare the price and quality of different plans and pick the plan that they want," he said.

"If you like your current plan, you will be able to keep it," he said.

"Let me repeat that: If you like your plan, you will be able to keep it," he said.

He apparently wanted Americans to remember that -- at least until Congress enacted his Affordable Care Act.

This week, the Kaiser Family Foundation released an analysis of the Obamacare insurance exchanges that indicates there will be five states in 2017 where only one insurance company is offering health insurance plans through the exchange. These include Alabama, Alaska, Oklahoma, South Carolina and Wyoming.

But these exchanges will only be for people

who can still afford private health insurance.

In Birmingham, Alabama, according to the KFF analysis, the monthly premium for the second-lowest-cost silver plan for a 40-year-old nonsmoker will increase 71 percent -- jumping from \$288 to \$492. In Oklahoma City, Oklahoma, it will increase 67 percent -- jumping from \$295 to \$493.

In Phoenix, Arizona, it will increase 145 percent -- jumping from \$207 to \$507.

But unlike the Obamacare exchange users in Birmingham and Oklahoma City, according to the KFF analysis, exchange users in Phoenix will actually get to choose between two different insurance companies.

That is what they call a "marketplace."

For Americans worried about these escalating insurance premiums, government apologists are quick to note that, if you make less than 400 percent of the poverty level, the government will subsidize your insurance premiums.

In other words: If you make less than 400 percent of the poverty level, federal taxpayers all across the country will be required to help you buy your insurance.

The government's lesson here: Keep your income down, so you can get other Americans to subsidize your insurance.

Or, if you do not earn enough to buy insurance even with a government subsidy, you can go directly onto government-provided health insurance.

In July, the number of people in the United States enrolled in Medicaid and the Children's Health Insurance Program exceeded the entire population of the United Kingdom. It also exceeded the population of France.

There were 72,810,267 people enrolled in Medicaid and CHIP this July, according to the

Government Health Insurance Up, Freedom Down



Centers for Medicare and Medicaid Services. That was up by 15,393,550 people from Medicaid and CHIP enrollment back in the July-to-September period of 2013, which was just before the Obamacare exchanges opened.

Meanwhile, there are only 66,836,154 people in France and 64,430,428 in the United Kingdom, according to the CIA's World Factbook.

In 2015, according to the Census Bureau, there was a total U.S. population of about 318,868,000 and 37.1 percent -- or 118,395,000 people -- had government health insurance at some point during the year (including Medicaid, Medicare, and military and veterans' coverage).

That was up from 34.6 percent in 2013.

That is a good measure of the trajectory of American liberty: As government control of health care rises, freedom falls.

Under the Obama administration, the federal

government worked to establish that it can dictate what insurance coverage you must have. For the first time in our nation's history, the federal government ordered people to buy a product (health insurance), which the Supreme Court upheld as a legitimate exertion of the taxing power.

Wielding this power, the federal government ordered many Americans (by regulation) to buy a version of the product (one that included coverage of abortion-inducing drugs and devices) that violated their moral and religious beliefs and made them complicit in the taking of innocent human life.

Now that the federal government has forced you to buy coverage (including coverage that you do not want) and shown that it will use this power to attack human life rather than protect it, what is to stop it from taking the next step: Telling you what coverage you cannot have.

★★★

Universities work to purge male students of their 'toxic' masculinity

By William Nardi

(The College Fix) - Universities across the nation are taking steps to actively purge male students of what's been labeled "toxic masculinity."

Examples abound of campuses hosting training sessions, group meetings, lectures and other programs to effectively cleanse what many campus leaders and left-leaning scholars contend is an unhealthy masculinity in young men today.

On campus, toxic masculinity is often blamed for sexual violence, body shaming, a "hyper-masculinized sporting culture," acts of domestic terrorism and much more.

For example, a class at Dartmouth College this semester, "The Orlando Syllabus," identifies so-called toxic masculinity as playing a role in the mass murder spree at a Florida club during the summer. This despite the fact that the gunman, Omar Mateen, told police on the phone as he committed the massacre he did it on behalf of ISIS.

Other instances of combating toxic masculinity on campus can be found at both the University of North Carolina Chapel Hill and Duke University, which launched programs specifically designed for male students to delve into "violent masculinity" and "healthier masculinity" and discuss issues like gender fluidity.

"How has the concept of masculinity contributed to the perpetration of violence in our society?" asks the UNC Men's Project website.

Duke University started a similar program this semester for male students to reflect on topics such as patriarchy, male privilege, rape culture, pornography, machismo and "the language of dominance," Fox News reported.

At a mandatory freshmen orientation training at Gettysburg College in August, male students had to watch a documentary which stated in part that the

"three most destructive words" a boy can hear growing up is "be a man." The freshmen also went through breakout sessions in which they were told mass shooting sprees are rooted in toxic masculinity.

The "Thrive" club, part of the Claremont colleges consortium which meets as a "safe space" to talk about mental health, advertises that "masculinity can be extremely toxic to our mental health, both to the people who are pressured to perform it and the people who are inevitably influenced by it."

The group refuses to disclose the contents of its discussions due to "confidentiality concerns," but students who attended one of the sessions reported that there was "a common consensus that masculinity is harmful both to those who express it and those affected by it," the Claremont Independent reported.

Various promotional videos promoting health masculinity advocate challenging "the traditional norms of what we envision masculinity to be" by recognizing "male privilege." Goals touted through the education include undoing a legacy of "harm, oppression and dominance."

This trend did not emerge overnight. Last year, Vanderbilt University hosted "Healthy Masculinities Week," led in part by Jackson Katz, the first man to minor

in women studies at the University of Massachusetts Amherst.

Katz criticized actors such as Arnold Schwarzenegger and Sylvester Stallone for their muscular physiques, which have gotten "larger" over the years. According to the presentation, "hyper-masculinized sporting culture" has also advanced unhealthy masculinity.



Jackson Katz

Continued from page 1 • Enemy of the State ...



One moment of joy in his years of confinement, Schaeffer Cox sees his children for the first time since 2012.

point. He was right and they knew it, and without batting an eye they set him up with people who could project bad ideas and make their discussion believable - confidential informants are the government's cure for "problems."

For the most part, since Schaeffer's conviction in 2012 he has been confined to the Marion, Illinois Communications Management Unit (CMU). However, he was released for a short period into general population in March of 2016. Just days before his transfer into the lesser security ward became permanent, he was reassessed and sent back to the CMU. CMUs, while being part of the Federal Bureau of Prisons, are independent facilities that severely limit and monitor a prisoners ability to communicate with the outside world. They were created under the Bush administration to deal with terrorists but now house all sorts of "political" prisoners as well. According to Cox, they keep anyone they want to keep quiet in the CMU.

Recently, Cox's email privileges, which equate to him only being allowed a very limited amount of contacts, mostly family, have been suspended. The one way he could communicate with his family is gone, punishment for once again getting too loud.

While Cox's defense attorney, Michael Filipovic, is playing the appellate game by recently submitting a brief to the 9th Circuit for review, groups on the outside, especially the US-Observer, are putting intense pressure on Karen Loeffler, the current United States Attorney for the District of Alaska. Loeffler was

ultimately responsible for Cox's prosecution.

While appeals enjoy only an estimated 3% success rate, the pressure to have the appearance that justice is being served has reportedly been weighing on Loeffler's office. Perhaps they will bend and suggest the 9th overturn Cox's conviction?

If not, the truth will continue to be shared, the public will be informed, and an ever broadening amount of support for Cox will one day undoubtedly set him free.

As for Cox himself, he has only seen his children once since 2012, just briefly this last August.

Now more than ever he sees just what government will do to someone they disagree with. With all that he has been through - all that he has lost - he still believes in his right to speak up. I have to wonder ... would you?

Editor's Note: Please join the US-Observer in its endeavor to right the wrongs of our "injustice" system. We have to keep up the fight. We have to ensure no one else can ever be taken from their family for speaking their mind!

Schaeffer Cox will not be forgotten. Make your voice be heard by sharing our content and donating to the cause.

Letters to Schaeffer Cox would be appreciated:

Francis S. Cox
16179-006
US Penitentiary CMU
PO Box 1000
Marion, IL 62959

VW emissions probe to investigate board chair



(BBC News) - Car giant Volkswagen says German prosecutors have expanded their probe of the emissions scandal to include the firm's chairman of the board.

Hans Dieter Poetsch was chief financial officer when the scandal over cars rigged to cheat on US diesel emissions tests broke in September 2015.

VW said prosecutors in Braunschweig were investigating two members of the board, Mr Poetsch and an unnamed other.

Former boss Martin Winterkorn is already being investigated.

In September, Matthias Mueller, the current chief executive, said the firm had made a "huge mistake" in using technology in its diesel cars to cheat on the tests.

He said the firm was working "constructively with

the authorities in Germany, Europe and the United States".

The company also said VW and Mr Poetsch would "continue to give the inquiries by the public prosecutor's office their full support."

Mr Poetsch took over as chairman in October last year.

SOFTWARE

On Sunday, VW said that "based on careful examination by internal and external legal experts", it reaffirmed its belief that board members had fulfilled their disclosure obligation under Germany's capital markets law.

The firm had installed software in diesel cars sold worldwide to detect when they were being tested, so the cars could cheat the results.

Some models could have been pumping out up to 40 times the legal limit of the pollutant, nitrogen oxide, regulators disclosed.

The carmaker said that around 11 million cars were affected worldwide.

The scandal has pulled down VW's global business and damaged its reputation.

It has also faced a flurry of lawsuits in the US and in other countries. ***

Continued from page 1 • Collusion to Convict John Goodman

everything necessary to secure Goodman's conviction. The question raised in Goodman's new documentary: Does he deserve a new trial? Having been convicted for DUI Manslaughter, Vehicular Homicide and Failure to Render Aid, one might ask: How could anyone be innocent of such crimes?

"This case is one of the most shocking cases I've ever investigated," said Investigative Reporter Joseph Snook. The perception of guilt by simply being charged with crimes like John was is nearly impossible to overcome. Add hate fueled mainstream media reports and John was convicted before ever stepping foot inside a courthouse.

Snook continued, "Once I started looking at the evidence, I was literally taken back. The only question for me was: 'How do we share this with the public.'" Although John's case is legal in nature, the public outcry against him had to have an impact on Jurors. Seeing how political John's case was, there was only one answer. Make a film.

It is the US-Observer's stance that no matter what, the Government should never win at all costs. It is the Government's job to serve justice, by honoring the oath to upholding law. Breaking the law to win a conviction leaves each and every citizen at risk. If we



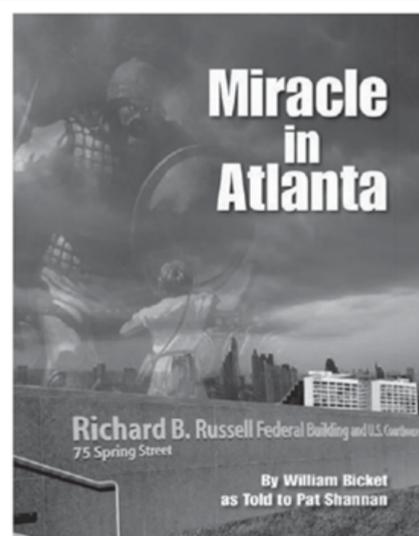
John Goodman during the filming of "Collusion to Convict"

can't trust the Government, then how can there ever be true justice?

Goodman's film asks: Should he receive a new trial? We will let you be the judge!

Logon to usobserver.com to watch the film.

Editor's Note: If you have any information about this case, please contact us at 541-474-7885 or by emailing editor@usobserver.com. ***



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Supporters gather in Redding, California in push to form the 51st State

By Nathan Solis

(ABC) - Rain poured outside the Redding Senior Center on Sunday as over 300 State of Jefferson supporters met to discuss plans to form a new state.

It won't be easy, reminded organizers, but forming the 51st state from Northern California must be done. Redding organizer Terry Rapoza said their movement to form a new state has nothing to do with Oregon.

"Our voices are not being heard," said Win Carpenter, a Shasta County resident who claimed the movement will bring back a fair share of representation to residents of smaller counties.

Carpenter said he has called state representatives to discuss the movement's goals and get the opinions of lawmakers.

"I have spoken to a lot of staffers, but never any of the representatives," said Carpenter, 54, who quit his job as a property appraiser for the county to be part of the Jefferson movement.

The State of Jefferson movement have filed their declaration to form a state with the Secretary of the State. With Shasta County that brings the number to 15 counties as part of the movement. There are over 31,000 support signatures for the movement in Shasta County, according to organizers.

Nine county board of supervisors have signed the declaration in support of the State of Jefferson. Shasta County's board of supervisors have not signed a declaration -

they did not listen to a presentation from Jefferson supporters, but organizers said they will not be waiting for them.

It's either form a state through the legal channels or sue. Organizers plan to file a lawsuit against the state of California by the end of this year to allow the formation of Jefferson, which would include 1.7 million residents according to Rapoza, who said this is an educated guess.

"That number could change. People are born that could change that," said Rapoza.

Organizer Mark Baird discussed the movement's legal actions — several Supreme Court decisions will lay out the basis for the State of Jefferson's suit, including representation based on districts.

Baird said past decisions from the Supreme Court will be like "breadcrumbs" that will lead to the State of Jefferson's formation.

Baird spoke close to two hours about the grassroots movement to form a state. He has been involved with the movement since 2013, when organizers received the approval from Siskiyou County supervisors.

Parallels with the conservative, national tea party movement can't be avoided and organizers agree, but say the State of Jefferson is not limited to one political party.

The adopted green palette of the Jefferson movement was paired with camouflage print, black shirts and a few cowboy hats at Sunday's assembly. Around lunch time over 200 were in attendance, but that number grew to 381 by the end of the day.

Like other political conventions the names of county representatives were read off and Baird reminded the audience they will not be popular if the movement gets its way.

"Everyone will hate you if you support the State of Jefferson," Baird said. "But they said



the same thing to Jesus Christ. It's in the Gospel."

Chaylen Scrivner, 34, said liberty is in short supply with state lawmakers and he wants the movement to succeed so his voice can be heard.

"Everyone has a say in the State of Jefferson movement," said Scrivner, a heavy equipment mechanic who is employed by the state. When asked if he thinks his job will be jeopardized for supporting the movement he emphatically shook his head no.

Dianna Baird from Placer County joined the movement about three years ago, because of her frustration with the government overtaxing its citizens.

"The governor just wants to bleed us dry," said Baird who is currently employed by Sacramento County. Now she is concerned

with employee pensions. She has no relation to the speaker Mark Baird.

She is also fed up with the lack of focus from lawmakers to residents in smaller communities, like Shasta or Placer Counties.

Her husband, Steven Baird made an unsuccessful run for state Senate earlier this year.

Organizers hope the Supreme Court will be the ticket to Jefferson's birth. They predict this happening in the next two years.

On stage Baird referenced Russian author Fyodor Dostoyevsky and angering a political system. He lamented the loss of liberty and in all the symbolism of the movement, Baird agreed it will be expensive, like paying employees or providing other services.

"It will be expensive," Baird said. "But we'll figure it out." ★★★

Continued from page 9 • The Path to Total Dictatorship ...

will be equipped with weapons, will be able to record all activities, using video feeds, heat sensors and radar. An Inspector General report revealed that the Dept. of Justice has already spent nearly \$4 million on drones domestically, largely for use by the FBI, with grants for another \$1.26 million so police departments and nonprofits can acquire their own drones.

School-to-prison pipeline. The paradigm of abject compliance to the state will continue to be taught by example in the schools, through school lockdowns where police and drug-sniffing dogs enter the classroom, and zero tolerance policies that punish all offenses equally and result in young people being expelled for childish behavior. School districts will continue to team up with law enforcement to create a "schoolhouse to jailhouse track" by imposing a "double dose" of punishment: suspension or expulsion from school, accompanied by an arrest by the police and a trip to juvenile court.

Overcriminalization. The government bureaucracy will continue to churn out laws, statutes, codes and regulations that reinforce its powers and value systems and those of the police state and its corporate allies, rendering the rest of us petty criminals. The average American now unknowingly commits three felonies a day, thanks to this overabundance of vague laws that render otherwise innocent activity illegal. Consequently, small farmers who dare to make unpasteurized goat cheese and share it with members of their community will continue to have their farms raided.

Privatized Prisons. States will continue to outsource prisons to private corporations, resulting in a cash cow whereby mega-corporations imprison Americans in private prisons in order to make a profit. In exchange for corporations buying and managing public prisons across the country at a supposed savings to the states, the states have to agree to maintain a 90% occupancy rate in the privately run prisons for at least 20 years.

Endless wars. America's expanding military empire will continue to bleed the country dry at a rate of more than \$15 billion a month (or \$20 million an hour). The Pentagon spends more on war than all 50 states combined spend on health, education, welfare, and safety. Yet what most Americans fail to recognize is that these ongoing

wars have little to do with keeping the country safe and everything to do with enriching the military industrial complex at taxpayer expense.

Are you getting the message yet?

The next president, much like the current president and his predecessors, will be little more than a figurehead, a puppet to entertain and distract the populace from what's really going on.

As Lofgren reveals, this state within a state, "concealed behind the one that is visible at either end of Pennsylvania Avenue," is a "hybrid entity of public and private institutions ruling the country according to consistent patterns in season and out, connected to, but only intermittently controlled by, the visible state whose leaders we choose."

The Deep State not only holds the nation's capital in thrall, but it also controls Wall Street ("which supplies the cash that keeps the political machine quiescent and operating as a diversionary marionette theater") and Silicon Valley.

This is fascism in its most covert form, hiding behind public agencies and private companies to carry out its dirty deeds.

It is a marriage between government bureaucrats and corporate fat cats.

As Lofgren concludes:



[T]he Deep State is so heavily entrenched, so well protected by surveillance, firepower, money and its ability to co-opt resistance that it is almost impervious to change... If there is anything the Deep State requires it is silent, uninterrupted cash flow

and the confidence that things will go on as they have in the past. It is even willing to tolerate a degree of gridlock: Partisan mud wrestling over cultural issues may be a useful distraction from its agenda.

In other words, as I point out in my book *Battlefield America: The War on the American People*, as long as government officials—elected and unelected alike—are allowed to operate beyond the reach of the Constitution, the courts and the citizenry, the threat to our freedoms remains undiminished.

So the next time you find yourselves despondent over presidential candidates, remember that it's just a puppet show intended to distract you from the silent coup being carried out by America's shadow government.

★★★

Continued from page 1 • Ex-attorney general sentenced to jail

A Montgomery County Judge said Kane's need for revenge led her to break the law and then lie about it to a grand jury, after leaking secret investigative files to embarrass a rival prosecutor.

Kane, the first Democrat and female elected as the state's top prosecutor, was released after posting \$75,000 cash bail. She can remain free while her defense team appeals the conviction.

Kane told the Judge, "I really don't care what happens to me... There is no more torture in the world than to watch your children suffer and know you had something to do with it."

The Judge responded, "Your children are the ultimate... collateral damage.

They are casualties of your actions. But you did that, not this court."

Kane's children are not the only ones damaged, which was reflected in Kane's guilty verdict.

Convicted of two felony counts of perjury, and seven misdemeanor charges, Kane resigned shortly after the verdict was announced.

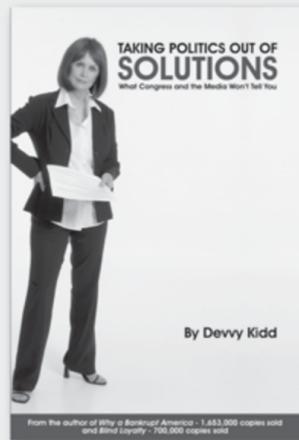
District Attorney Kevin Steele, another Democrat, said the conviction against Kane was a long time coming.

Former deputies who worked under Kane described their office as demoralized by Kane's leadership and terrorized by "Nixonian espionage."

★★★



Kathleen Kane in handcuffs



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Incarceration in the U.S. costs more than \$1 trillion a year, University study claims

By Kristen Taketa

(STL Today) - The economic toll of incarceration in the U.S. tops \$1 trillion, and more than half of that falls on the families and communities of the people incarcerated, according to a recent study by Washington University researchers.

"For every dollar in corrections spending, there's another 10 dollars of other types of costs to families, children and communities that nobody sees because it doesn't end up on a state budget," said Michael McLaughlin, the doctoral student and certified public accountant who led the study. "Incarceration doesn't happen in a vacuum."

The study's authors claim to be the first to assign an actual dollar amount to the societal costs of incarceration, not just the governmental costs of running corrections systems, which many experts estimate to be \$80 billion.

That \$80 billion number "considerably underestimates the true cost of incarceration by ignoring important social costs," the researchers wrote.

The study was spearheaded by McLaughlin and Carrie Pettus-Davis, who as co-director of the Smart Decarceration Initiative advocates for the shrinking of the U.S. mass incarceration system, which is the largest in the world. Pettus-Davis is also director of the Concordance Institute for Advancing Social Justice, which like the initiative is based at Washington U.

Some of the societal costs of incarceration

include the wages people no longer earn while imprisoned — \$70.5 billion — and the amount of lifetime earnings they will likely lose out on — \$230 billion — after they get out because of employment restrictions and discrimination against the formerly incarcerated, the study says.

The formerly incarcerated also have a mortality rate that is 3.5 times higher than people who were not incarcerated, according to the study, and researchers estimated the cost of their shortened lives to be \$62.6 billion.

As for the communities where incarcerated people live, the researchers believe the biggest cost — \$285.8 billion — is the criminogenic effect of prison, or the theory that prison reinforces criminal behaviors that carry over into a community.

Incarcerated people are 18 to 25 times more likely than those who have never been jailed to commit a crime in the future, Pettus-Davis says.

Jail and prison removes a person's social ties to a community, so it'll become harder for them to get a job, and they'll be more likely to turn toward crime to fill that economic need, McLaughlin says. Because incarceration is so frequent in some communities, the social deterrent to not commit a crime may be weakened in those neighborhoods, McLaughlin added.

"We're getting to a point in the U.S., in society, that we've incarcerated so many people that it's kind of become a common thing in some communities," McLaughlin said.

Children with incarcerated parents are also five



times more likely to go to prison themselves and receive less education and wages, a total estimated cost of \$166.6 billion.

Other costs include the increased likelihood of divorce, \$17.7 billion, decreased property values, \$11 billion and adverse health, \$10.2 billion.

The study's authors acknowledge that correlation does not always equal causation and that these costs may have already been likely to happen in the community independent of incarceration because of other associated phenomena, like poverty. The authors were careful to select research that controlled for factors like poverty and isolated the impact of incarceration as much as possible.

They also admit the study does not analyze the benefits of incarceration, but argue that "there is a point where the marginal cost of incarcerating an additional individual exceeds the marginal benefit."

"If anything, we believe our study underestimates the true cost of incarceration," McLaughlin added, because there are some costs like poor emotional health that can't be quantified by a dollar amount. ★★★

The Exoneree Band is Free to Rock, and Rightly So

By Alan Feuer

(NY Times) Cleveland, OH - A few hours before William Michael Dillon and his bandmates took the stage for their headline gig at the House



of Blues here last week, this singer and guitarist took a moment to listen to his own grim ballad, "Black Robes and Lawyers." A self-taught musician, Mr. Dillon wrote the tune in 1985 on strips of prison toilet paper while serving nearly 30 years for a murder he didn't commit. Sitting now in his lake-view room in a boutique hotel, he softly sang along with the recording, lost in a fog of distance.

"All I ever wanted was for somebody to hear me," he gently said when the track came to an end. "The truth is, you could hear my story and forget it two days later. But hopefully you won't forget the music."

Yezzo's testimony has come into question. According to the Dispatch, in 2010, a "retired FBI forensic expert said that Yezzo's conclusions were baseless and her methods were shoddy in Keith's case." That and other evidence, which points to another man, led Ohio's then-governor to commute Keith's sentence to life without parole.

Career forensic expert, William Bodziak, said that Yezzo's work on the Keith case "was below standards for even scientists in training," reported the Dispatch. But Ohio Attorney General Mike DeWine said that after two separate reviews of her work, he found "no issues with her work," according to the Dispatch. ★★★

Triple Murder Case Puts State Forensic Analyst Back under the Microscope

By Innocence Staff

(Innocence Project) - According to the Columbus Dispatch, a career forensic scientist who worked for the state crime lab may have compromised the integrity



of potentially hundreds of convictions in Ohio, "slanting evidence to help cops and prosecutors build their cases."

In an article published on Sunday, the Dispatch wrote that it has reviewed more than 800 pages of personnel records of G. Michelle Yezzo, who worked as a forensic scientist for the Ohio attorney general's Bureau of Criminal Investigation (BCI), and whose credibility in the lab and at trial often came into question over the course of her 30-year career. The documents illustrate "a disturbing pattern of behavior" which included erratic and abusive actions toward her colleagues, lack of documentation of how she obtained lab results, an inability to properly explain her findings to jurors and bias toward law enforcement.

The Dispatch reports that "two former attorney generals, defense attorneys, a judge, a former BCI superintendent and a nationally renowned forensic expert from

the FBI all say that Yezzo has credibility issues that may have poisoned cases she touched."

One such case is back in court. Kevin Keith was convicted of a 1994 triple murder based largely on the expert testimony that Yezzo gave at his trial. But on Friday, Keith—represented by the Assistant Ohio Public Defender Rachel Troutman—asked the court for a new trial, claiming that Yezzo's testimony has come into question. According to the Dispatch, in 2010, a "retired FBI forensic expert said that Yezzo's conclusions were baseless and her methods were shoddy in Keith's case." That and other evidence, which points to another man, led Ohio's then-governor to commute Keith's sentence to life without parole.

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Meet the law that turns parents into pedophiles

By Abby W. Schachter and Adam Bates

(NY Post) - Prosecutors in Arizona promise they won't charge parents with molestation for diapering or bathing their babies and children. The crazy part is that they have to make this promise at all.

Some background: Current Arizona law defines "sexual contact" as "any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact." It's a standard that does not require the state to prove sexual intent.

When such charges are brought, the defendant can claim he or she "was not motivated by a sexual interest." The law effectively defines changing your child's diaper as sexual contact, and unconscionably puts the burden on you to prove that it wasn't.

Last month, the Arizona Supreme Court ruled 3-2 to uphold the law.

Chief Justice Scott Bales, who dissented in the case, raised the real possibility that, as written, Mom, Dad or Grandma could be charged with molestation just because they'd touched their kids' privates in the normal course of caring for their offspring. "Parents and other caregivers who have changed an infant's soiled diaper or bathed a toddler will be surprised to learn



that they have committed a class 2 or 3 felony."

Worse still would be the necessity to defend the charges by proving there was no "sexual" intention to the physical contact. "Such a defense," the judge wrote, "as the majority notes, does not mean that a crime has not occurred, but instead that the miscreant may avoid 'culpability' by persuading the factfinder that the 'criminal conduct' should be excused."

And such absurd notions of presumed guilt aren't all that rare. Indeed, when it comes to the child-welfare system, parents are held to the same unfair standard.

"The apparent suggestion that parents can rely on the discretion of police, child protection authorities and prosecutors not to file charges regarding sexual abuse related to ordinary parenting activity is belied by the overreaching that regularly occurs when broad discretion to decide what constitutes abuse or

neglect is given to authorities involved in child protection investigations," explained Family Defense Center founder Diane Redleaf.

While prosecutors insist that parents shouldn't fear overly broad interpretations of the law or overzealous prosecutions, many of the incentives for prosecutors gravitate the other way. No prosecutor wants to be seen as "soft on child-sex crime."

Plus, "mandatory minimums" and the government's immense reliance on plea bargaining have created a legal regime in which prosecutors have the power to threaten extremely harsh punishments if defendants insist on going to trial. By making "sexual

intent" an affirmative defense, which can only be raised at trial, Arizona lawmakers are forcing defendant parents to take a huge risk just to defend themselves.

Even if there's little risk of prosecutorial misconduct, there's simply no reason to make basic parenting criminal on its face. Anyway, it's not just the prosecutor who has the potential to misuse this law.

Redleaf is especially worried about the Arizona situation because she's seen so many cases of moms and dads accused of child abuse, and especially sexual molestation, when there's already a conflict between the two adults.

"Unfortunately," she argues, "the parents who will be most vulnerable to these charges will be the ones who are already least able to respond effectively to criminal charges. Sexual-abuse charges are notoriously difficult to refute, even when the alleged perpetrator is innocent of wrongdoing."

And there are already too many examples of adults using children and accusations of abuse and molestation as their weapon of choice against each other. The most recent example was the notorious celebrity decoupling of Brad Pitt and Angelina Jolie, who accused her husband of child abuse as the first salvo of their divorce proceedings.

Legislators and prosecutors are within their rights to be tough as nails on child-sex abuse, but in their zeal to protect kids, keeping innocent parents out of the fray doesn't seem like too much to ask.★



Photo: The Off-beat Dad

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When a state's drug chemist lies for years, should all her cases be thrown out?

By Tom Jackman

(Washington Post) - Before Massachusetts discovered in 2013 that one of the chemists in its state crime lab was actually using the drugs she was testing, it uncovered another chemist in 2012 who admitted she had been falsifying some of her drug testing results for more than eight years. Both chemists were arrested, pleaded guilty and served prison time.

So what should happen to the tens of thousands of cases processed by Sonja Farak in the Amherst lab and Annie Dookhan in the Boston lab? In Dookhan's case from 2012, county prosecutors produced data in May of this year showing that her test results were involved in more than 24,000 convictions. The number of Farak cases has not yet been determined but is likely to be high as well. Now the American Civil Liberties Union and the Massachusetts public defender are asking that, in light of the failed war on drugs and the damage these cases have already done to mostly low-level drug users, all 24,000 of the Dookhan-related convictions should be thrown out.

No way, say the prosecutors in the eight counties around Boston where Dookhan handled drug evidence. They want each case individually reviewed, in the interests of justice and the fact that Dookhan was rarely the sole source of evidence against a drug defendant. They say they have already processed about 1,500 cases from defendants who came forward after news of Dookhan's misconduct first emerged, and there's no need for a blanket amnesty now.

It's another blow to the crime lab business, already reeling from federal criticism of their long-trusted sciences like bullet and tread analysis, reports of sloppy work at the FBI crime lab, and now massive misconduct by a top state chemist. And then another. In the same state.

Temperatures rose further in the Dookhan case earlier this month when the prosecutors sent out a mass form letter to about 20,000 defendants in the 24,000 cases (some people had more than one case), over the ACLU state public defender's strong objection and even after a request from the Supreme Judicial Court justice handling the case “that the letter not be sent before we have a hearing.” The letter informed defendants that they had the right to challenge their convictions and could not face any greater punishment than already received, but the ACLU said an accompanying Spanish translation was poorly done and that the lack of any official letterhead and a return address in Philadelphia did more harm than good.

The prosecutors and defense bar had been working together on the letter until May, when the government revealed that Dookhan was involved in the cases of 24,000 defendants. The defense bar called that “a jaw-dropping number” and one which made “case-by-case litigation... impossible as a practical matter” because there simply weren't enough public defenders and court-appointed lawyers to handle 24,000 new cases, particularly as the other crime lab scandal by Farak loomed. Offering defendants an opportunity to revisit their convictions individually negated the need for a dismissal of all cases, which the ACLU public defender saw as an end-run around their court case, filed in 2014 when prosecutors were refusing to provide lists of affected “Dookhan defendants.”

So even though the Supreme Judicial Court, Massachusetts' highest court, ruled in 2015 that a blanket dismissal of all cases was not appropriate “at this time,” the ACLU this week returned to the high court to renew their call for a “global remedy.” The defense wants all 24,000 convictions either dismissed permanently or dismissed with the option for prosecutors to retry cases where there exists sufficient untainted evidence for another conviction. Carrie Kimball-Monahan, a spokeswoman for the Essex County district attorney, said in every case retried so far in Essex, the drug evidence was confirmed as Dookhan had tested it originally.

Dookhan misanalyzed, contaminated or didn't analyze an unknown number of drug samples sent to the lab by police around eastern Massachusetts from 2003 to 2012, though her cases stopped in 2011. “It was a systemic lapse, of epic proportions,” the defense bar brief argues, “which permitted her to fabricate and falsify evidence... the unprecedented number of human beings who have been directly hurt remains shocking.” The lawyers added, “If this status quo prevails, the Dookhan crisis will come to a close by allowing thousands of tainted convictions to stand unaddressed. That is not justice.”

The state's prosecutors believe they have been seeking justice ever since Dookhan's misdeeds were discovered in 2012. “Individuals in society at large,” said Jake Wark, the spokesman for Suffolk County district attorney Daniel F. Conley, “are best served when any criminal cases of any type are assessed on their individual merit. This issue has essentially been decided by the state's highest court. The CPCS [Massachusetts public defender] and the ACLU are calling it a global remedy, but it is no remedy at all.”

Kimball-Monahan said in Essex County “we went right to work to identify these people” in 2012. “The priority was those who were

incarcerated,” she said. “In many cases, it was ‘time served, time served, time served.’ The trial court set up special sessions. We started handling it. The only entity dragging their feet on notifying and making a list of individuals potentially harmed was the public defender. They claim they still don't know. They want to stop us from sending out the letters? It shows me their interest is not in protecting their people or the integrity of the system.”

Matthew Segal of the ACLU Foundation of Massachusetts said after Dookhan was arrested in 2012, prosecutors refused to provide a list of cases she had worked on. After two years, the ACLU sued the Suffolk and Essex prosecutors in 2014 on behalf of two convicted street-level cocaine dealers and one crack user. Though the court said Suffolk and Essex then worked diligently to provide such a list, the other counties did not move so quickly, and “it was a consequence of this litigation that they generated the list” in May, Segal said, four years after the scandal erupted.

Once the defense learned how many cases were potentially affected, things changed. Most of the defendants were poor, and “the indigent defense system has no more capacity to litigate all these cases than it does to build a rocket ship and fly it to Jupiter,” the defense brief claims. The brief notes that the Committee for Public Counsel Services, the state's public defender, already struggles to keep up with its current

caseload, and takes between eight to 16 weeks to find court-appointed lawyers to handle post-conviction cases. Even if the public defender could expand its capacity by one-third and find 500 more court-appointed lawyers per year, “it would take 48 years, i.e. until 2064, to assign certified lawyers for the 24,000 cases tainted by Dookhan's misconduct.”

The prosecutors strongly disagree. “That is either gross hyperbole or disturbing dysfunction within the defense bar,” said Wark, the Suffolk County spokesman. “There are hundreds of attorneys in public defender offices and thousands of court-appointed attorneys... A handful of state prosecutors has handled the drug lab crisis since day one. They have beaten back the entire backlog of affected cases and the small number that now trickle in are resolved in the ordinary course of business.”

Wark also noted that drug analysis certificates were far from the only evidence in drug cases. Police and witness testimony, drug buys, search warrants, surveillance and phone records are used in most cases, so that jury verdicts or decisions to plead do not rise or fall entirely on a chemist's analysis, he said. Boston or Salem, Mass., police officers directly witnessed drug use or made drug buys from the three defendants in the pending Supreme Court case, court records show.

Statistics showed that 91 percent of the Dookhan cases were resolved in district, or lower, court, and that 62 percent involved only simple possession. In most possession cases, Wark noted that prosecutors regularly agree to plea bargains with little or no time served. But about one-quarter of the Dookhan cases were distribution cases with mandatory minimum sentences, the defense bar noted. And even with minor convictions, some defendants have been deported based on Dookhan convictions, while others have lost driver's licenses, housing, student loans and job opportunities. Convictions in Dookhan cases sometimes served as prior convictions for heavier sentencing in later cases. And it is not known how many people might still be incarcerated because of Dookhan evidence.

“Approximately 96 percent of the individuals who have been harmed” by the Dookhan scandal, said Benjamin Keehn of the public defender's office, “have not had their cases addressed. Unless the Supreme Judicial Court adopts a comprehensive remedy, these individuals will never get justice.” He said his office typically handles or assigns about 1,500 post-conviction cases per year, and would be overwhelmed by 24,000 cases. “Every person harmed by this scandal deserves to receive justice,” Keehn said. “If we take the case-by-case route, they won't.”

Dismissing the cases but allowing prosecutors to retry them would be “the opposite of a shortcut,” Wark said. “If the defense bar believes it will take 48 years to handle [now], discovery and refile will keep them busy until the next millennium. There is a very clearly established procedure for defendants who wish to withdraw pleas or vacate their convictions. There's no reason the defense bar can't follow that.”

Massachusetts does not have a time limit on when a convicted defendant can return to court with a motion to withdraw their original guilty plea or seek to overturn a jury verdict. And many defendants did that when they learned through the news media of Dookhan's malfeasance. Wark and Kimball-Monahan noted that special judges and



prosecutors were detailed to handle the influx of new post-trial motions. “We weren't crying lack of resources,” Kimball-Monahan said. “That's our job. We used considerable resources in IT to datamine a database to identify the Dookhan cases. We provided that to them. It was prosecutors doing their job.”

But who would notify the rest of the 24,000 roughly 20,000 defendants there was a significant new development in their case, and they had a right to an appeal? The two sides differed, again. Wark said, “This is the biggest crime story in Massachusetts since the Boston Strangler. The notion that there was a convicted drug defendant that didn't know about Dookhan, it strains credulity. Nonetheless, if notice was to be sent, it was clear that the defense bar was the appropriate entity to send it.”

Segal of the ACLU responded, “There is no world in which that is correct.” He said the Supreme Judicial Court, particularly through supervising Justice Margot Botsford, “has made it clear... that it is decidedly the responsibility of prosecutors to identify and notify people who may have been wrongfully convicted.” He said it was not the media's job to notify defendants, “it is the prosecutor's job to seek justice for the people it may have, even inadvertently, wrongfully convicted.”

The two sides worked together on a proposed notice letter to Dookhan defendants, saying that the defendants may be able to use appointed counsel to challenge their cases. Then in May, the lawyers learned there were 24,000 defendants cases. At that point, the defense bar concluded that offering each defendant an opportunity to appeal

individually was unrealistic, since there weren't enough lawyers to handle them. They opposed the letter and stopped working on it. The DAs continued with the letter, deleting mention of an appointed attorney, and sent it to the defense and the justice in late August. Justice Botsford quickly emailed the prosecutors “to request that the letter not be sent before we have a hearing or in any event conversation about the letter and its relationship to the case pending before the full court,” court documents show. But the prosecutors felt they had the legal right to do so, and proceeded.

The notice is one half-page in English, and one half in Spanish, headlined, “IMPORTANT NOTICE REGARDING A CLOSED CRIMINAL CASE.” There is no letterhead or government seal. The letter states that “it has been determined that chemist Annie Dookhan tested the drugs in your case(s)... Ms. Dookhan admitted to misconduct in her work at the drug lab” and that the recipient has the right to challenge the conviction. If the challenge succeeds, “your case will be returned to active status,” the letter states, and advises the recipient to “contact your original lawyer” and for more information, contact the Suffolk County district attorney's office. The return address on the envelope is a P.O. box in Philadelphia for the contractor who mailed the letters.

The Spanish version of the letter was more troubling to the defense bar. Michael O'Laughlin, the director of the interpreter training program at Boston University, said in an affidavit the Spanish letter was incomplete, inaccurate and filled with grammatical errors. He said it uses the Spanish word “crimen” which is a violent felony, normally a murder, though no murders are involved here. “A recipient of this notice who spoke Spanish, but not English, would have great difficulty understanding several of the sentences as translated,” O'Laughlin wrote.

“The notice that the District Attorneys have started sending out is truly awful,” Keehn of the public defender wrote in a motion seeking to have the letter stopped. He said it effectively pledged to recipients there would be public defenders available to represent them, and there were not enough lawyers. “The burdens of a systemic lapse are not to be borne by the defendants who are its victims,” he wrote.

Wark said the defense bar's refusal to cooperate after May cost them the chance to review the translation, and “it was translated by a native Spanish speaker who didn't learn English until she was 16.”

The high court declined to stop the prosecutors from sending the notice, but instructed them to keep copies of the letters and any responses they received. Segal said the letter irreparably damaged the process of case-by-case appeals. Wark and Kimball-Monahan said prosecutors stand ready to handle any appeals which come in. The Massachusetts Supreme Judicial Court will hear arguments from both sides in November. ★★★



Annie Dookhan (WBZ-TV)



Sonja Farak

Government Workers Now Outnumber Manufacturing Workers by 9,977,000

By Terence P. Jeffrey

(CNSNews.com) - The United States lost 9,000 manufacturing jobs in October while gaining 19,000 jobs in government, according to data released by the Bureau of Labor Statistics.

Government employment grew from 22,216,000 in September to 22,235,000 in October, according to BLS, while manufacturing jobs dropped from 12,267,000 to 12,258,000.

The 22,235,000 employed by government in the United States now outnumber the 12,258,000 employed in manufacturing by 9,977,000.

Over the past year—from October 2015 to October 2016—manufacturing employment fell by 53,000, declining from 12,311,000 to 12,258,000. During the same period, government employment climbed 208,000, rising from 22,027,000 to 22,235,000.

The BLS has published seasonally-adjusted monthly employment data for both government and manufacturing going back to January 1939. According to this data, manufacturing employees in the United States of America outnumbered government employees every month for more than half a century. Then, in August 1989, government employees slipped ahead of manufacturing employees for the first time—taking a slim lead of 17,989,000 to 17,964,000.

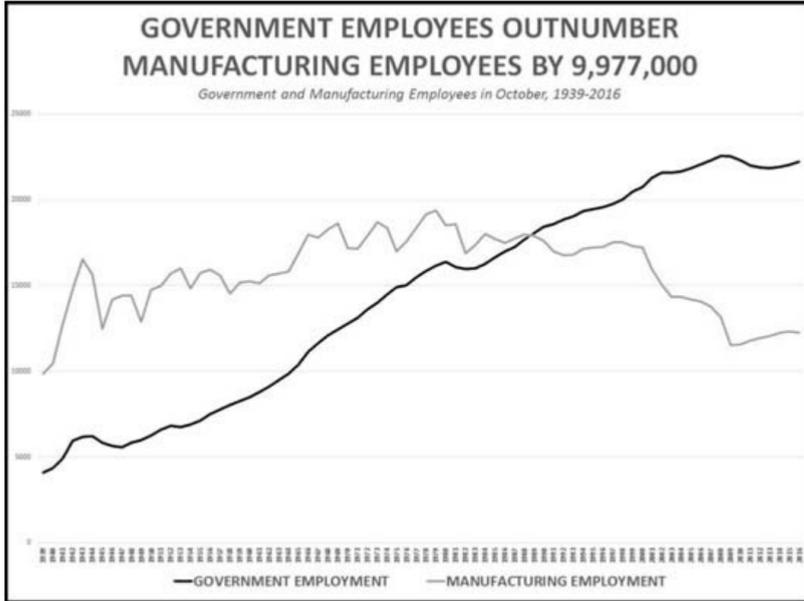
Since then, government has pulled dramatically ahead of manufacturing as an employer in the United States.

In fact, the 22,235,000 who now work for government in this country, according to the BLS, is more than ever worked in manufacturing.

Manufacturing employment peaked in June 1979 at 19,553,000. Since then, manufacturing employment has declined by 7,295,000—or 37.3 percent—to its current level of

12,258,000. In June 1979, when manufacturing employment hit its peak, government employment was 16,045,000. Since then, government employment has increased by 6,190,000—or 38.6 percent—to its current level of 22,235,000.

The 22,235,000 government employees as of October, for example, exceeded the population of Florida (20,271,272) and the population of



New York (19,795,791). The 22,235,000 employed by government also exceed the combined populations of Ohio (11,613,423) and Michigan (9,922,576)—which equaled 21,535,999.

The 22,235,000 government employees in October, according to BLS, included 14,297,000 local government employees, 5,123,000 state government employees, and 2,815,000 federal government employees. ★★★

12,258,000. In June 1979, when manufacturing employment hit its peak, government employment was 16,045,000. Since then, government employment has increased by 6,190,000—or 38.6 percent—to its current level of 22,235,000.

The 22,235,000 employed by government exceed the populations of 48 of the 50 states. Only California, which the Census Bureau estimated had a population of 39,144,818 in

After Bundys' Acquittal

(OPB) - A woman named Maureen Valdez ran out the doors of the Mark O. Hatfield Federal Courthouse in downtown Portland and shouted, "Not guilty!" to a soon-to-be large crowd of demonstrators and media.



Ryan and Ammon Bundy

She was announcing the verdict for brothers Ammon and Ryan Bundy and five others acquitted after facing trial for the occupation of the Malheur National Wildlife Refuge in eastern Oregon in early 2016. Supporters embraced one another outside the courthouse. Many cried.

The verdict also unearthed new questions about the seven occupiers still awaiting trial, the so-called patriot movement and the Bunkerville case in Nevada.

Here are three things we learned from Thursday's verdict.

1. Bundys Still In Custody. Despite the verdict and an animated protest from defense attorney Marcus Mumford, Ammon and Ryan Bundy will remain in federal custody for now as they await trial for their roles in the 2014 standoff in Bunkerville, Nevada.

Six defendants originally charged in the Malheur case, including the Bundy brothers, face charges in Nevada.

The verdict in Oregon will certainly color the conversation around the Nevada trial. The Bundys' father, Cliven Bundy, led the 2014 standoff with federal agents in Nevada. The elder Bundy flew to Portland around the time his sons were arrested in Oregon and was almost immediately taken into custody himself.

2. 7 Await Trial. The verdict is far from the last we've heard of what came to be known as the Oregon Standoff. Seven people, including husband and wife Sean and Sandy Anderson - two of the last four to leave the refuge - still face trial in February.

It is also uncertain how this will affect Ryan Payne, an occupation leader who wants to retract his guilty plea. The federal government has to file a response to Payne's request, at which point the judge will rule if he can withdraw it and go to trial in February.

3. More Protests To Come? Shawna Cox, one of the defendants acquitted, said the so-called patriot movement highlighted in the Oregon occupation will continue. Cox said she expects more protests like the one at the refuge.

"Absolutely," she said when asked if she will participate in future protests. "We can do it peacefully."

Throughout the trial, defendants painted the jury's decision as a check on the federal government.

"The people have to insist that the government is not our master," Ryan Bundy said in his closing argument. "They are our servants." ★★★

Cop Famous for Falsely Arresting Dozens of People is Run Over By Woman Who Refuses to be Arrested

By Justin Gardner

(FTP) Statham, GA - In a monumental twist of irony, a police officer's dashcam - which caught another driver running over his legs - has led to the officer being exposed for victimizing several people with false DUI arrests.

As the video shows, when Officer Marc Lofton tried to arrest Jessica Fox after pulling her over, Fox fled the scene and Lofton attempted to cling to her driver side, resulting in his falling to the ground and having both his legs run over.

Lofton was able to get up and run back to his car. He was treated for a concussion and Achilles tear afterward. Fox was charged with a number of crimes related to the incident, including "aggravated battery" and "aggravated assault" on a police officer.

However, in the days that followed the video release, dozens of people began submitting complaints about Officer Lofton, and they all point to a corrupt cop using his badge to ruthlessly prey on everyone he can.

From other dashcam footage and the formal complaints, it appears that Lofton looks for the smallest excuse to pull someone over, such as "an issue with their tag," and proceeds to ask them if they are on any medications or drugs.

Lofton isn't asking about certain types of drugs that actually cause impairment, but any drug at all - including prescription medications such as antidepressants, and, according to one resident, "diabetes medication, for blood pressure medication, there's a woman who has cancer medications."

When people admit to being on a drug, even a perfectly safe one, Lofton makes them undergo a field sobriety test. This gives him a pretext for an arrest. The motives for such predatory behavior could simply be a power display, meeting some sort of quota, seizing cash and property under civil asset forfeiture, or a combination of all three.

The video report produced by Ben Swann and



Officer Marc Lofton

CBS46 shows Statham resident being targeted in just this way.

"Kelly Pickens was pulled over by Statham Police Officer Marc Lofton because of an issue with her tag. But then she said Lofton asked her if she was taking drugs. Pickens responded saying she takes prescription medication authorized by her doctor.

"Just because a doctor prescribed them doesn't mean you can drive on them," Lofton said on dashcam video.

"I take it every day, none of them say you can't drive on them, none of them," Pickens said on dashcam video.

Officer Lofton then initiated a field sobriety test and later arrested Pickens and charged her with DUI."



Kelly Pickens

Pickens voiced her disbelief in an interview with local reporter Adam Murphy: "It was like being on the Dukes of Hazard...I mean does this stuff really still happen today? Is anybody paying attention?"

Mary Williams had similarly strong words after her encounter with Marc Lofton. She was arrested for DUI after telling Lofton she took antidepressants which did not impair her ability to drive, and being subjected to a field sobriety test.

"They are unlawful, from the get-go, everything about them," Williams said. "It's almost like we're living in Hitler's Germany and they're the Gestapo who can pull you out of your car and take you to jail for doing absolutely nothing wrong."

The Mayor and City Attorney have promised that Lofton's actions will be on the agenda at the next city council meeting. Meanwhile, nearly 200 others have signed a petition "calling on the district attorney to complete a formal criminal investigation into the actions of Officer Lofton."

It appears that Lofton's appearance on national television getting run over brought him a different kind of fame than he would have hoped, as even people from Canada have signed the petition. ★★★

Four Richmond officers to be fired in wake of police sex crime scandal



19-year-old Jasmine Abuslin

(KGO-TV)

By Javier Panzar

(LA TIMES) - Four more Bay Area police officers will be fired as a result of an investigation into allegations made by a teenage sex-trafficking victim who said she slept with dozens of law enforcement officers.

Richmond City Manager Bill Lindsay said the four officers will be fired after a city investigation found "documented misconduct" between the officers and the victim. Five other officers will be given official reprimands.

The Oakland Police Department and other Bay Area law enforcement agencies came under intense scrutiny in June after 19-year-old Jasmine Abuslin came forward earlier this year and said that she had sex with multiple officers, some while she was underage.

In addition to the firings in Richmond, four Oakland police officers were fired and seven others suspended without pay in September.

The allegations led Bay Area prosecutors to file multiple criminal charges against five different officers from other agencies, including three from the Oakland Police Department. Some of the charges included lewd conduct, engaging in prostitution, providing a minor with alcohol, failing to report child abuse and felony oral copulation with a minor.

One Oakland police officer, Brian

Bunton, was charged with obstruction of justice; authorities accused him of leaking information about planned prostitution raids to the teenager in exchange for sex.

Richmond Mayor Tom Butt said in an email that he cannot disclose what type of misconduct led to termination of the four officers, but Sunday's disciplinary actions were harsher than what the city originally announced last month when the investigation concluded. At that point, the city had planned to fire only one officer.

"The appropriate corrective actions are being taken to ensure that we do our part in Richmond to address the rash of improper conduct seen in police departments across the Bay Area," Butt said in a statement.

Other heads rolled as news of the scandal broke this year: Oakland Police Chief Sean Whent resigned the same weekend Abuslin gave a televised interview detailing some allegations.

Following Whent's resignation, two acting police chiefs were appointed to head the department but were subsequently dismissed in the span of nine days. Ultimately, Oakland Mayor Libby Schaaf chose to place the department under the authority of civilian City Administrator Sabrina Landreth.

★★★



City Mngr Bill Lindsay

The Elimination of Reason

By Jeff Thomas

(24hgold.com) - Recently, I paid for an item with the exact amount requested, including 89 cents in change. The salesgirl stared at the coins and clearly wasn't sure what to do. Eventually, she reached for a calculator and began to total them up one at a time: 25 + 25 + 25 + 10 + 10 + 4. Having been schooled in the age prior to calculators, I'm accustomed to doing arithmetic in my head, but this particular instance evidenced a level of "dumbing down" over the last fifty years that was beyond what I had realized.

Since the dumbing down has been so consistently prevalent over the decades, it's clear that this is no accident, nor is it an experiment in "alternative education" that hasn't worked out as was intended. It's clearly the result of a conscious effort to diminish the average person's ability to think. As such, it's had a long gestation period and was expected to require generations, but was nevertheless a conscious goal.

But, why on earth would the controlling elite of any country seek to diminish the power to reason? Surely, reason is the basis of all independent thought - the catalyst for new ideas and improvement on existing goods and systems.

The answer, in a word, is *control*. Independent thought is the prime enemy of those who seek to dominate a people. For that reason, those who rule will happily sacrifice technological and social progress if it means that their dominance can be increased.

CONTROLLING BOTH THE ANSWERS AND THE QUESTIONS

It's the nature of humans to question their situation and their surroundings. However, a clever leader will surmise that that means that he needs not only to provide the answers, but the *questions*. If he can keep the people pre-occupied with questions that are of little consequence to him, and provide answers that are easy for the people to absorb, he will control the areas of thought and, in so doing, will diminish the likelihood that he or his actions will be questioned.

Since time immemorial, successful leaders have understood that, in order to take the attention of their actions, carefully constructed distractions are called for.

For centuries, when leaders have been under criticism by their minions, they've used the

distraction of war. War not only tends to unify a people, it also helps them to accept the removal of their basic rights for an "emergency" period. (Of course, most leaders don't replace the rights after the emergency has ended. War therefore is also a good tool to increase tyranny, generally.) As Ludwig von Mises observed:

"War was not an affair of the peoples; it concerned the rulers only. The citizens detested war, which brought mischief to them and burdened them with taxes and contributions."

However, in modern times, propagandists have become far more sophisticated. Let's look at a few. Adolf Hitler said:

"Make the lie big, make it simple, keep saying it, and eventually, they will believe it."

Vladimir Lenin was a great believer in the idea that:

"The art of any propagandist and agitator consists in his ability to find the best means of influencing any given audience, by presenting a definite truth, in such a way as to make it most convincing, most easy to digest, most graphic, and most strongly impressive."

Two of the greatest inventions in making propaganda easy to sell have been political parties and television. In the days of kings, it was common to hate the king and want his downfall, but, with political parties, it's possible to get one half of the people hating one party and the other half hating the other party. Then, all that's necessary is to assure that each party has roughly the same amount of apparent power and the people will focus all their attention on the hatred of the opposing party and fail to notice those who are pulling the strings equally for both parties. The kings thereby remain the kings forever, whilst remaining invisible. The idea is not to defeat the anger of the people, but to redirect it. As Friedrich Hayek commented:

"The skilful propagandist then has the power

to mold their minds in any direction he chooses, and even the most intelligent and independent people cannot entirely escape that influence if they are long isolated from all other sources of information."



That last phrase is key. In today's world, we possess the most significant propaganda tool that has ever been invented: television. Though this medium, we can create an major issue out of a minor incident,

create two opposing viewpoints, each designed to appeal to one group or the other, then repeat the propaganda unceasingly, until the people have become thoroughly polarised from each other on the issue. In this fashion, we can begin with a minor incident, such as the one in Ferguson Missouri in 2014, arrange for one set of pundits to state unequivocally that the problem was racist Caucasian police, whilst presenting another set of pundits who just as vehemently proclaim that the problem is lawless blacks. Then, as Brother Adolf states, repeat the message endlessly - in this case, on the news seven days a week, from morning till night, for over six months.

Mission accomplished. The conservative group has redoubled its belief in the necessity for an increased police state, whilst the liberal group dug in its heels on its perception of class warfare and the need for increased collectivism to combat that class warfare.

Once this issue has played itself out, it can disappear completely from the television and a new issue takes its place.

As stated above, in creating this means of propaganda, we have first created the question in the mind of the people, then we have spoon-fed two opposing answers - one designed to appeal to those who are by nature conservative and one to those who are by nature liberal. If we do our job well, the groups will become so blindly polarized that no gathering, such as a dinner party, will contain both liberals and conservative

invitees, or it will be a disaster.

All liberals will be unified in their thinking, just as all conservatives will be. Of course, those who are libertarian will be vilified by both of the other groups, as they represent a third alternative. (The success in indoctrinating a people and destroying their ability to reason can be measured by their vehemence in rejecting a third choice of reason.)

However, reason must be blocked out on a continuous basis, or there is danger that it may return over time. As early as 600 BC, Lao Tzu had figured this out:

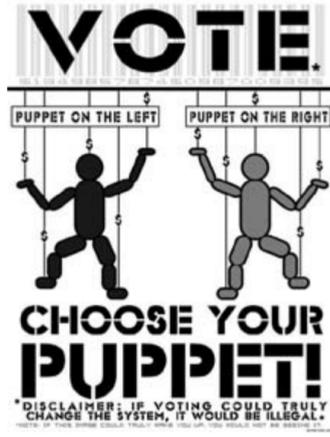
"The muddiest water is cleared as it is stilled."

Hence the importance of the endless repetition of the message. As a news item, Ferguson was deserving of a minor mention, perhaps once a week. But by suspending the outcome (whether charges would be laid against the officer), fuel could be added to the rhetoric fire day in, day out, for months on end. When it had finally outlived its usefulness, it was time to create another event. Of course, one shooting every six months in a population of 320,000,000 is a minor blip, but, through the continuous carpet bombing of the viewer's brain with the same rhetoric, two such events a year would seem like an epidemic.

Once we reach this level of thought control, it's possible to offer utterly unacceptable candidates for public office and still have them gain election. All that's needed is that they parrot the same rhetoric the people have become dependent on as a replacement for reason.

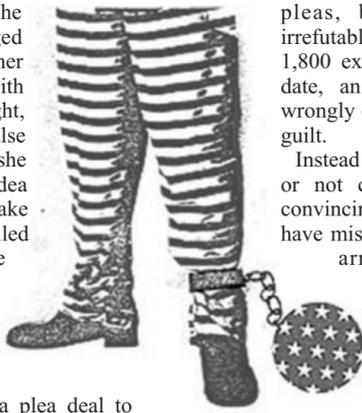
Whether it be Communist Russia, Nazi Germany or Fascist America, once the people have been successfully conditioned to allow Big Brother to dictate thought, the next step has always been totalitarian rule.

Jeff Thomas is British and resides in the Caribbean. The son of an economist and historian, he learned early to be distrustful of governments as a general principle. Although he spent his career creating and developing businesses, for eight years, he penned a weekly newspaper column on the theme of limiting government. He began his study of economics around 1990, learning initially from Sir John Templeton, then Harry Schulz and Doug Casey and later others of an Austrian persuasion. He is now a regular feature writer for Casey Research's International Man. ★★★



Continued from page 1 • Diminish the Difference Between Plea Deals & Trial Sentencing

dollars - gone. Kevin knew he was innocent. The alleged victim was cheating on her husband and boyfriend, with Kevin, and she got caught, which led her to make the false claim. Kevin had no idea she had a boyfriend, nor any idea she was married. It didn't take long before the evidence piled high in Kevin's favor. There was only one problem, the prosecutor wouldn't dismiss Kevin's charges. Instead, the prosecutor added more charges against Kevin, then used a plea deal to entice Kevin into not exercising his right to a jury trial. Facing 25 years in prison if convicted, Kevin decided to take the facts in front of a jury. As trial came close to end, the prosecutor, knowing the case was not going in the State's favor, offered Kevin 6 months in jail, including a dismissal of several of the crimes Kevin was charged with, in return for a guilty plea. The prosecutor's stance: take it or leave it. Kevin denied the offer and was later acquitted. Although Kevin was acquitted, some who are truly innocent don't enjoy the same outcome.



pleas, because the statistics irrefutably show that. With over 1,800 exonerations in the U.S. to date, an estimated 25% of the wrongly convicted falsely admitted guilt.

Instead of simply dismissing cases or not charging cases that lack convincing evidence, prosecutors have misused plea deals to strong-arm seemingly innocent defendants into admitting guilt, in return for a lighter sentence. It works. This is not widely known by the general public, but is certainly known by attorneys. In my line of work, the client almost always says, "if I only would have known..." That's a big part of the problem. By the time the innocent person learns the system, it's usually too late. They're dead broke and either already incarcerated or on a fast track to incarceration.

So, how can we lessen the courts burden, and still give the accused due process? We can start by diminishing the difference between plea deals and trial sentencing. Essentially, don't give the prosecutor power to say no jail time (guilty plea), or, 20 years in prison (conviction). Being able to lower the sentence

if guilt is admitted should not be the difference between life, or freedom, or more than a 10 year sentence for that matter. That is too great of a risk, which is supported by the number 97. The guilty plea, although no jail time is the outcome, often leaves a rough road ahead for the convicted. Just think about the plea that left you a convicted felon - you lost many rights and are much less likely to ever find employment, increasing the odds that you will eventually end up back in the justice system. Also, diminish the prosecutor's ability to over-charge defendants. When a prosecutor receives a police report, they can charge the defendant with more crimes than what is recommended, which does happen. This tactic is often called stacking charges - it gives the prosecutor more room to negotiate a deal - a

deal that works 97% of the time.

Remember, most poor people can't afford bail. Even wealthy people often can't afford bail. These people are often incarcerated for months, and even years, before they ever get to trial. Plea deals are often accepted simply because the defendant is already frightened to death of further incarceration.

With criminal justice reform making headway across the country, it's important to understand all angles of this argument. For those who believe most defendants are guilty, look at the facts. Innocent people are having their convictions overturned at alarming rates. Obviously, if the government made a mistake, the innocent person will be awarded money because of such. It's not uncommon to read a headline that explains how an innocent was exonerated, and compensated for millions because of prosecutorial misconduct. Help reign in overreaching, abusive, overzealous prosecutors and send a strong message, "we don't want our tax revenue being spent to the tune of a TRILLION dollars annually, to incarcerate!" Don't condone prosecutor's actions who are more concerned with their conviction rate, than serving justice.

The United States is now deemed, "Incarceration Nation." What we invest in, grows. Let's change that!

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Are You Facing False Criminal Charges? Have You Been a Victim of False Prosecution?



Welcome to the largest racket in history: The American Justice System

If you are facing false charges and a prosecution then you are aware of how the 'justice' industry (racket) in America works. You (the innocent person) have been falsely charged with a crime. Most of the time you receive a myriad of stacked charges intended for the sole purpose of extracting a "plea bargain" from you.

You then rush to an attorney, pay him a huge retainer to cover the usual \$175.00 per hour (if not higher), which he/she charges, to supposedly defend your innocence. The attorney usually files some motions, writes some worthless letters and makes many unproductive (unless they pertain to you accepting a plea bargain) phone calls until you are broke. Generally you haven't even started your trial and 99% of the time the attorney hasn't completed any investigation.

All of a sudden your attorney is telling you that you can't win your case and you should accept the benevolent plea bargain that the almighty district attorney has offered you. "Do you want to take the chance on spending 30-40 years in prison when you can plea bargain for 18 months," your attorney tells you. What happened to: "I think we can win this case, it's a good case." Remember? Isn't that pretty close to what your attorney told you as he/she was relieving you of your money?

You then accept a plea bargain and go to jail or you have a jury trial, you're found guilty (because your attorney hasn't produced enough evidence-if any and because the judge directs the jury to find you guilty) and then you go to jail. When you finally wake up you realize that on top of now being a criminal, you are flat broke and incarcerated. You find that the very person (your attorney) you

frantically rushed to retain, became your worst enemy.

There is only one way to remedy a false prosecution:

Obtain conclusive evidence, investigate the accusers, the prosecutors, the detectives and then watch the judge very carefully. In other words, complete an in-depth investigation before you are prosecuted and then take the facts into the public arena.

The US~Observer newspaper will not waste your time or your money. This is not a game, it's your life and your freedom. We do not make deals. If you are innocent, then nobody has the right to steal what belongs to you, most of all, your liberty. Nobody! That includes your attorney - as well as your supposed public servants.

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The US~Observer investigates cases for news and therefore we don't print that which can't be resolved. We want to win, just as you want to prove your innocence.

Do not contact us if you are in any way guilty and for justice sake, don't wait until they slam the door behind you before contacting us if you are innocent.

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**"One false prosecution is one too many,
and any act of immunity is simply a government
condoned crime." - Edward Snook, US~Observer**

The US~Observer's services have

VINDICATED



over 4,500 cases to-date. Here are a few:

Dean Muchow

Charge: Gov't Abuse

Status: Cleared

"Your investigative reporting was instrumental in stopping the District Attorney's abusive attacks."



Victim: Investment Scam

Al Perelstein

Status: Compensated

"I can't thank you enough for getting our investment money back."



**Victim: Employment
Discrimination**

Shawn Yoakum

Status: Compensated

"You changed my life forever, and made me want to help others. You did what you said you would."



Convicted: Murder

Reno Francis

Status: Released/Free

"I'm proud of what you (US~Observer) are doing. You have all my respect. Ed has all my respect. I love him very much.."



Sheila Rodgers

**Charges: Felony
Grand Theft/RICO**

Status: Dismissed

"My false charges were dropped when the US~Observer exposed the self-serving, crooked thugs who abused their authority and destroyed my company."



Charges: Sex Abuse

Jessica Morton

Status: Dismissed

"If it wasn't for the US~Observer I would have lost everything; my freedom, my family. You made sure that didn't happen!"



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