Promoting Excellence in Investigative Journalism

US OBSERVER
Vindicating the Innocent

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SUPPORT OUR TROOPS

# Disabled Veteran's Push New Legislation for Compensation

## *"Real State of Veteran Affairs"*

**By Joseph Snook**
**Investigative Reporter**

**Robert Carrigan**

Veteran Patriots Foundation Inc. (VPFI), an organization that helps disabled Veterans, has drafted a proposed bill promoting past due injury compensation for Veterans. VPFI has sought support for the Bill's acceptance from many prominent people. The bill, "Veterans Past Due Compensation and Notifications Act" has already gained much needed momentum.

One of VPFI's Founders, Robert Carrigan, also a Disabled Veteran, met with United States Representative Jimmy Panetta (D) out of California's 20th District. Building momentum, Carrigan stated that Panetta voiced support for the proposed legislation. Carrigan shared the proposed bill with Panetta during their face-to-face

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OREGON CORRUPTION

# Guardian/Conservator Problems

## *Conservator Ann Yela Exposed*

**By US~Observer Staff**

**Clackamas County, OR** – It appears that Ann Yela of Yela Fiduciary Services (formerly Farley Piazza) is up to her same old allegedly unethical practices. Since our last article in May 2017 more families have come forward with complaints about Yela.

Ann Yela is a "professional" guardian/conservator appointed by the court to take care of those who can't take care of themselves. This gives her total control over the person and their finances, making them a "protected person also called a ward."

Yela's wards are typically wealthy elderly individuals.

Professional Guardians and Conservators are supposed to be "held to a higher standard," as they are appointed by the court. Although, as recently as August of 2019, Attorney

**Ann Yela of Yela Fiduciary Services**

Steven Cade on behalf of Ruth Huglin filed multiple motions against attorneys Kenneth L. Baker, Nathan A. Rudolph and Ann Yela as conservators. It is alleged that together they perpetrated a fraud upon the court, Ruth Huglin and her daughter Ronda Butler. Cade filed a Motion to Vacate Judgment Appointing Conservator Ann Yela as conservator for Huglin.

Cade sites in the Motion *"the judgment was procured through fraud and was entered without jurisdiction and therefore should be set aside."* Cade states that Baker committed fraud against Huglin's daughter by *"serving fraudulent notices on the persons entitled to notice."* Really troubling is the fact that Huglin did not need or want a conservator, let alone one with Yela's reputation. Huglin attempted to stop Yela by filing an objection with the court. However, Baker and another attorney reportedly filed to withdraw Huglins' objection without her knowledge or consent.

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# "Queen for a Day" Dr. Sorensen Finds Justice

## *Michael Minns Defeats Gov't in Criminal Tax Case*

**By Ron Lee**
**Investigative Journalist**

**Melissa Sugar**

Former lawyer Melissa Sugar is in no way "sweet" as her name suggests. With her master's degree in tax, and a lot of honey-pot tax ideas, she represented many clients who were later indicted for following her advice. Sadly, once they were indicted, Ms. Sugar became a potential witness against them. All but one of her indicted clients now have serious and permanent criminal records. The one who didn't hired the author of the *Underground Lawyer* and the most winning lawyer against the IRS there is; Michael Minns of Minns and Arnett out of Houston, Texas.

**AN IMPOSSIBLE CRIMINAL TAX CASE?**

What makes a case impossible to win? Well, for Dr. Jerold Sorensen of Fresno, California, almost everything.

To begin with, he was up against IRS special agent, Michelle Hagemann, who had only lost one case in her entire career. That was the case of Jim and Pamela Moran of Seattle, Washington. (The US~Observer was involved in that case along with renowned Lawyer Michael Minns.) Also working against him, Dr. Sorensen had been part of an organization where he attended financial seminars advised by seminar students and lecturers who then testified

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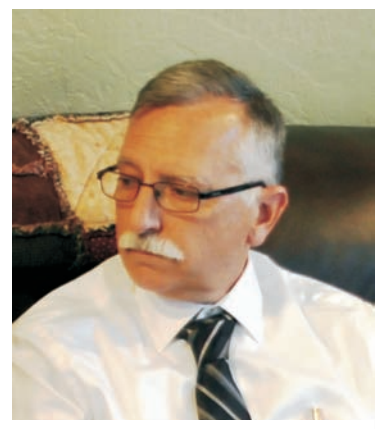
# James Faire Set to Mediate Claims Against Okanogan County

**By Edward Snook**
**Investigative Reporter**

**Okanogan County, WA** – James and Angela Faire of Lake Stevens, WA have retained Spokane, WA Attorney Breean Beggs of the Paukert & Troppmann PLLC law firm to represent them in a civil lawsuit against Okanogan County, WA. Attorney Paul Kirkpatrick of Kirkpatrick & Startzel P.S. in Spokane, WA has been retained by the insurers of Okanogan County to represent the county.



**James Faire was falsely accused of murder over four years ago**

We have just been informed that Okanogan County has requested to mediate the case (attempt to settle) prior to the filing of a federal civil rights lawsuit.

In July of 2019 the Faires sent the following Demand Letter to Attorney Paul Kirkpatrick, which represents, in a condensed fashioned, the nightmare the Faires have been forced to endure since being falsely arrested and jailed in mid-June of 2015:

**Dear Mr. Kirkpatrick**,

The Faire case has reached a final conclusion with the voluntary dismissal of the case on appeal, rendering the Dismissal with Prejudice of the trial court a final decision, no longer subject to appeal. A copy of the Mandate is attached hereto.

The procedural history of this case on appeal is significant, as the Washington Association of Prosecuting Attorneys (WAPA) ultimately reviewed this case, and a panel of six

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CORRUPT COURT

# Father Who Publicly Criticized Judge Over Son's Death Arrested, Jailed and Tried

**By Joseph Snook**
**Investigative Reporter**

**Jonathan Vanderhagen and son**

**Macomb County, MI** – After the death of his son which he attributed to a bad decision from a custody battle, Jonathan Vanderhagen lashed out publicly against Macomb County Circuit Court Judge Rachel Rancilio. Rancilio, who oversaw his son's custody case, was partly responsible for the death according to Vanderhagen's comments on Social Media. Saddened by the loss of his son, Mr. Vanderhagen flexed his First Amendment right to redress his grievances and took to posting on

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# Vietnam Veteran Targeted by Unjust System?

**Richard Crisp**

**By US~Observer Staff**

**Kit Carson County, CO** - Richard (Rick) Crisp is a patriot at heart, and he is a Vietnam War veteran. Like many war vets, he suffers from PTSD, and with that, "Social Skills Deficits" (SSD) among other issues that make him 100% VA disabled. Oftentimes, because of his SSD, he has no filter, and many find that abrasive. One thing is certain, Crisp loves this country and "fears for its decline into an immoral, socialist/communist state." And, Richard Crisp is currently fighting for his reputation; his innocence; his country; and the well-being of Kit Carson County, Colorado – his county –

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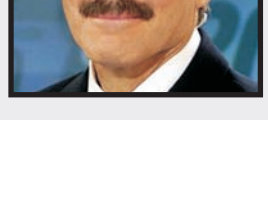














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# Can a Federal Judge Sentence You for a Crime Your Jury Says You Didn't Commit? The Answer May Terrify You

**By Mike Riggs**

**(Reason)** - Can a federal judge sentence you for a crime your jury says you didn't commit? In a sane world, the answer would be "no." If a prosecutor charges you with five crimes, and the jury finds you not guilty of four of them, the judge who then doles out the sentence should be able to consider only that one guilty verdict.

Yet federal judges can, and often do, use what's called "acquitted conduct"—charges for which a person has been found not guilty—when sentencing defendants for the crimes the jury says they did commit. It's a horrifying bug in the federal criminal justice system that doesn't get nearly enough attention. Until now.

Sens. Dick Durbin (D–Ill.) and Chuck Grassley (R–Iowa) introduced a bill this week that would expressly prohibit the use of acquitted conduct at sentencing. "If any American is acquitted of charges by a jury of their peers, then some sentencing judge shouldn't be able to find them guilty anyway and add to their punishment," Grassley said in a statement released this week. "That's not acceptable and it's not American."

The power of acquitted conduct is a deadly arrow in the prosecutor's quiver. The fact that a judge will consider at sentencing every offense the prosecutor charges, even if jurors don't buy the prosecutor's pitch, essentially allows prosecutors to game the justice system. They can charge a defendant with an offense they know they can prove beyond a reasonable doubt, and then charge more serious offenses, with tougher penalties, that they can't prove. Even if jurors act responsibly by convicting only on charges proved beyond a reasonable doubt, and refuse to convict on the reach charges, the prosecutor still wins when the judge takes all the charges into consideration at sentencing.

"Under our Constitution, defendants can only be convicted of a crime if a jury of their peers finds they are guilty beyond a reasonable doubt," Durbin said in a statement. "However, federal law inexplicably allows judges to override a jury verdict of 'not guilty' by sentencing defendants for acquitted conduct."

A laundry list of criminal justice reform groups supports Durbin and Grassley's bill, titled the Prohibiting Punishment of Acquitted Conduct Act. The bill would amend the federal criminal code "to preclude a court of the United States from considering, except for purposes of mitigating a sentence, acquitted conduct at sentencing," and it would "define 'acquitted conduct' to include acts for which a person was criminally charged and adjudicated not guilty after trial in a Federal, State, Tribal, or Juvenile court, or acts underlying a criminal charge or juvenile information dismissed upon a motion for acquittal."

The bill has support from several libertarian and conservative groups, including Americans for Prosperity, the American Conservative Union, Americans for Tax Reform, FreedomWorks, Prison Fellowship, the R Street Institute, Right on Crime, and Koch Industries.

It's not hard to see why this bill has bipartisan support. But to understand why the practice exists at all—and why some people will inevitably eventually oppose this bill—it helps to think of the federal criminal code as a choose-your-own-adventure book in which three out of every four narrative choices end in "go to prison." Police and prosecutors want to keep it that way.

The use of acquitted conduct at sentencing empowers prosecutors at the very early stages of the justice adventure. Upon gathering enough evidence to make an arrest, the prosecutor can file enough charges that, if the defendant is convicted of all of them, he or she will go to prison for a very long time. So the prosecutor encourages the defendant to plead guilty and receive a lesser sentence. Staring down the barrel of 20 years in prison if they lose at trial, versus 10 or five if they plead guilty, more than 95 percent of federal defendants plead guilty.

**Sen. Chuck Grassley (R-Iowa) has become a leading proponent of reforming the federal criminal justice system.**
*(Caroline Brehman/CQ Roll Call/Newscom)*

But what if the defendant didn't do everything she was accused of, or if the prosecutor's evidence against her is weak? Well, she can take her case to trial and have it out before a jury. And instead of 20 years in prison, or 10, or five, maybe she is acquitted of all charges and gets no time in prison, or is convicted of only a fraction of the charges and spends only two or three years in prison.

That's when acquitted conduct comes into play. Prosecutors can lose before the jury and still win at sentencing.

"Using acquitted conduct to set sentences heightens the temptation of prosecutorial overreach by blunting the downside to the government," reads an amicus brief filed by FAMM* and the National Association of Federal Defenders in Asaro v. United States, an acquitted conduct case that the Supreme Court has been asked to hear. The authors go on to write:

If the defendant succumbs to the government's aggressive charges and pleads guilty, the government wins; if he goes to trial and is convicted on those charges, the government still wins; and if he goes to trial and persuades a jury that he is innocent of them, the government still wins, so long as it secures conviction on a more easily proved offense and persuades the sentencing judge of his guilt by a preponderance of the evidence. When acquittal of certain counts is just a "speed bump at sentencing"…prosecutors have little to lose by larding an indictment with charges they cannot prove beyond a reasonable doubt. The government has conceded as much, acknowledging that punishing acquitted conduct encourages charges prosecutors would otherwise forgo.

This is a bad practice. Thankfully, it's one Congress appears willing to address without waiting for the Supreme Court. ★★★



**Continued from page 1 • Disabled Veteran's Push New Legislation ...**

meeting. According to Carrigan, his time with Panetta ended with Panetta stating, "he would be in touch with Carrigan."

VPFI is also seeking support from several other influential groups and politicians. Former dairy farmer turned politician, U.S. Representative Devin Nunes (R), is one name on the short list of VPFI's future contacts. Atomic Veterans, any Veteran who was exposed to ionizing radiation while present in the site of a nuclear explosion during his/her active duty, and Veterans who have been exposed while assigned to clean up the radiation are also being asked to help promote VPFI's proposed legislation.

The US~Observer Newspaper has also helped champion this cause. Edward Snook, founder of the US~Observer stated this legislation should have passed long ago. The proposed legislation deals with a current loophole that denies Veteran's compensation for injuries that dates to when the injury occurred. Current rules only allow compensation for Veterans starting the following month after the day the Veteran filed for disability. According to Mr. Snook, "Disabilities for injured Veteran's do not start when the Veteran filed for help, the disability started on the day the Veteran was injured." VPFI has also raised questions about Veterans who have sustained Traumatic Brain Injuries (TBI). How can a Veteran who has sustained a brain injury know when to seek disability? In several cases, VPFI has found the VA, and the Branch of Service connected to the Veteran often failed to inform the Veteran of their right to seek disability. The proposed bill can be viewed in its entirety at: usobserver.com, or by searching online for, "Disabled Veteran's Push New Legislation for Compensation."

VPFI's Co-Founder, Robert Carrigan, says that if the group cannot get enough support from politicians, they plan to contact President Trump. Carrigan said he believes the POTUS can, "do what is necessary for disabled Veteran's by Executive Order if necessary. This is too important of an issue for Trump to deny."

**CALL TO ACTION**

VPFI is also seeking donations to help promote legislation so they may take care of Veterans who are currently not receiving adequate help. You can donate by visiting VPFI.org. You may also read the US~Observer's initial report about VPFI Co-Founder, Robert Carrigan by visiting usobserver.com, and searching for Volume 2, Edition 53. It is VERY important that you also contact your local Representatives and share this proposed legislation – it will take a strong effort to ensure every Vet in need receives the help they have been denied. Robert Carrigan was recently on the Veterans Take Charge radio program. Listen to his plea for help by visiting www.ksco.com. You may also contact Girard Bolton with the Atomic Veterans Cleanup Organization through their website Atomiccleanupvets.com. Thank you!

***Editors Note: If you have a personal story, please also contact VPFI.org at info@vpfi.org or call (831)239-8790.***

★★★

# The world's first DNA exoneration, the rape that wasn't, and a lesson unlearned

**By Rob Warden**

**Gary Dotson, the first DNA Exoneree**

**(Injustice Watch)** - Thirty years ago last August, Gary Dotson, a hapless high school dropout from a downscale Chicago suburb, made history, becoming the first person in the world to be exonerated by DNA.

The anniversary seems an appropriate time to reflect on the wrongful conviction and a crucial lesson that judges and prosecutors should have—but that all too many haven't—learned from it.

By way of background, Dotson was convicted in May 1979 by a jury in the Markham branch of the Cook County Circuit Court of a rape that in fact had not happened.

The wrongful conviction rested on the testimony of his supposed victim, 16-year-old Cathleen Crowell, who claimed to have been abducted by three young men on July 9, 1977, and raped by one of them—Dotson, then 20. At the trial, Crowell said of Dotson, "I'll never forget that face."

Dotson's defense was that Crowell had identified the wrong man from a police mug book, in which his photo appeared as a result of a juvenile arrest.

No one questioned that Crowell had been raped.

But in 1985—three years after Crowell had married a high school classmate, changed her last name to Webb, moved to New Hampshire, and become a born-again Christian—she recanted.

She said she had faked the rape to create a cover story for her parents in the event that she had been impregnated by her boyfriend—a fear that had not come to fruition.

Her recantation was deemed a fake by, among others, Assistant Cook County State's Attorneys J. Scott Arthur, Raymond Garza, and Margaret Frossard, by Judge Richard L. Samuels, before whom Dotson had been tried and who had imposed an indeterminate sentence of 25 to 50 years in prison, by the Illinois Prisoner Review Board, by Illinois Gov. James R. Thompson, by a three-judge panel of the Illinois Appellate Court, and by Chicago Tribune reporters Ann Marie Lipinski and John Kass.

With such powerful forces insisting that Webb's recantation somehow was the product of a deranged personality, Dotson's conviction stood for four years after the recantation—until Aug. 14, 1989, when DNA exonerated him, throwing egg all over the faces of those who up until that point had insisted that Dotson was guilty.

In their misjudgment, the naysayers had relied on a myth that recantations are categorically unreliable, as exemplified by a 1931 Illinois Supreme Court decision in the case of a man named Simon Marquis, who had been convicted of the murder of his son.

After the conviction, the daughter of the defendant—and sister of the victim—recanted her trial testimony implicating her father. The recantation had little credibility, but rather than confining its decision to that, the Illinois Supreme Court went further, opining that recantations in general are unreliable.

The Marquis decision was cited by the Illinois Appellate Court in holding not only Webb's recantation unreliable, but also holding recantation unreliable in a number of cases that followed—including, infamously, the case of Gordon (Randy) Steidl, an innocent man who had been sentenced to death on the testimony of two witnesses who eventually recanted.

Nationwide, approximately one in three of persons who have been exonerated by DNA had been convicted in whole or part on the testimony of witnesses who recanted.

Yet prosecutors and judges continue to maintain that recantations in general are not to be believed.

That needs to change.

*Rob Warden is cofounder of Injustice Watch.* ★★★

# Utah man exonerated years after sexual assault conviction

**By Larry D. Curtis**

**(CBS KUTV-2)** - A Utah man is free today, exonerated, after spending years behind bars for a sexual assault he did not commit, according to a judge.

Christopher Wickham, 50, was convicted of two counts of aggravated sexual assault in Salt Lake City in 1997, each a first degree felony. He was imprisoned and placed on the sex offender registry.

Utah Third District Court Judge Royal I. Hansen signed an order today exonerating Wickham, according to the Rocky Mountain Innocence Center.

It said a post-conviction investigation showed "numerous pieces of new evidence proving Mr. Wickham's innocence."

**Christopher Wickham**
*Photo: Rocky Mountain Innocence Project*

Documents from Utah's Supreme Court in 2002 show that Wickham worked on an appeal of his conviction. Documents said Wickham "failed to establish that no reasonable trier of fact could have found him guilty."

Documents show the case started after a sexual assault of a 16-year-old girl at a party on Dec. 28, 1996. Wickham was apparently at the party, along with another man, co-defendant Danny Pliego. He said Wickham was not present during the assault, one of the factors that led to his exoneration. His appeal asked for details about the victim's history.

Pliego pleaded guilty to an amended charge of unlawful sexual intercourse, a third degree felony, while Wickham was found guilty after a jury trial.

"At trial, the victim testified that she was beaten and later sexually assaulted and sodomized," by the two men, according to court records. She was unable to move at the time and called for a ride after the party. She suffered bleeding but didn't want to report the incident because she had recently run away from a teen behavioral correctional facility and didn't want to return. For two months she suffered "abdominal pain and vaginal bleeding" and then reported the assault to police on Feb. 22, 1997.

Pliego was in another state and wasn't available for trail. Wickham's counsel could have asked for a delay but as a tactical decision kept the court date because the state's medical expert wasn't going to be available to testify and couldn't provide any physical evidence for the charges but the jury still convicted Wickham.

Wickham appealed but his legal challenges failed, including, according to the Utah Supreme Court, evidence that was " very favorable to Wickham, but it is not so compelling as to demonstrate that no reasonable trier of fact could have found Wickham guilty."

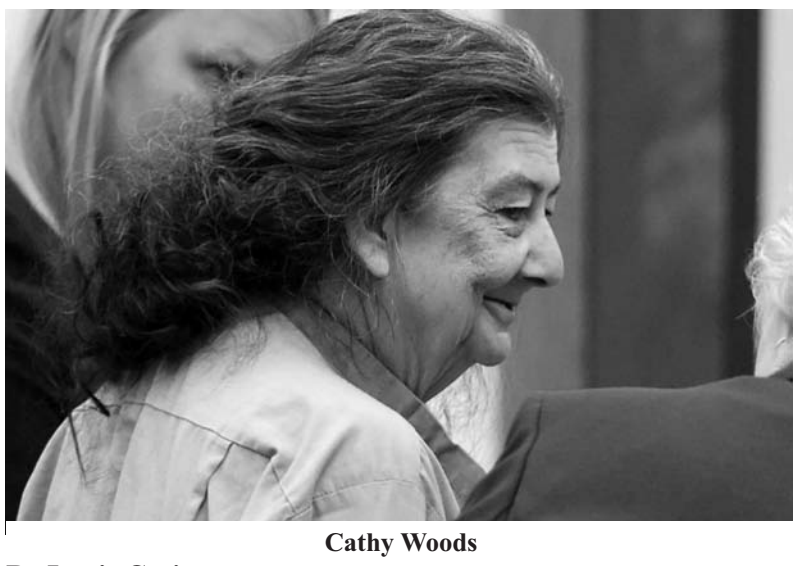
The Rocky Mountain Innocence Center started investigating the case in 2014. In 2018, attorneys from Salt Lake law office Stoel Rives joined in litigating the case.

According to the RMIC, Wickham's alibi was confirmed. It showed he was admitted at a local hospital at the time of the assault. There was corroborating statements from three witnesses to an automobile accident that sent him to the hospital, along with a statement from "the actual perpetrator that Mr. Wickham was not present during the assault."

The RMI tries to correct and prevent wrongful convictions in Utah, Nevada, and Wyoming.

Wickam is now considered innocent of all charges. ★★★

# Exonerated Nevada woman gets $3M award after spending 35 years in prison



**Cathy Woods**

**By Louis Casiano**

**(Fox News)** - A woman who was released from a Nevada prison in 2015 -- after being locked up for more than three decades for a murder she didn't commit -- was awarded $3 million in a partial settlement of a federal civil rights lawsuit, her lawyer said Wednesday.

Cathy Woods, 68, was still seeking damages from the city of Reno and former police investigators she accused of coercing a 1979 confession from her while she was a patient in a Louisiana mental hospital.

Woods spent 35 years in prison for the 1976 murder of Michelle Mitchell, a sophomore at the University of Nevada, Reno. DNA evidence that had been collected from a cigarette butt found at the crime scene ultimately exonerated her. She's been living in Washington state since then.

"Although no amount of money will compensate Ms. Woods for what she endured, this will go at least some way toward providing care for her," said her lawyer, Elizabeth Wang.

**Lawyer Elizabeth Wang**

Wang said that Woods was psychotic, and that detectives never should have interrogated her. Woods was bartending when Mitchell was killed and later moved to Louisiana. Her mother committed her to a psychiatric hospital, where Woods told a staff member about the murder.

Nevada's Supreme Court overturned her 1980 conviction, but she was convicted again in 1984 in a second trial.

A judge vacated the conviction in 2014 after DNA testing linked Oregon prison inmate Rodney Halbower to the crime. He's since been convicted of two murders in the San Francisco area that occurred during the same time period as the Mitchell killing.

Woods was the longest-serving women to be wrongfully convicted and then exonerated, according to the National Registry of Exonerations.

The Washoe County Commission had voted 4-0 on Tuesday to pay $3 million to settle a portion of her federal lawsuit. Former District Attorney Cal Dunlap was named as a defendant in the suit.

"The conviction and subsequent incarceration of Woods for murder is a tragic situation that Washoe County hopes is never repeated," the county said in a statement. "While money can rarely compensate an individual for loss of freedom, Washoe County sincerely hopes that this monetary settlement will be utilized for the best possible care of Woods." ★★★

# In The News

## WHAT THE?!

## Navy Says UFO Videos Are Real


**By Kyle Mizokami**

**(Popular Mechanics)** - The U.S. Navy has confirmed that three online videos purportedly showing UFOs are genuine. The service says the videos, taken by Navy pilots, show "unexplained aerial phenomena," but also states that the clips should have never been released to the public in the first place.

The three videos in question are titled "FLIR1," "Gimbal," and "GoFast." They show two separate encounters between Navy aircraft and UFOs.

One video was taken in 2015 off the East Coast by a F/A-185F fighter jet using the aircraft's onboard Raytheon AN/ASQ-228 Advanced Targeting Forward-Looking Infrared (ATFLIR) Pod. The other clip, also recorded with a Super Hornet ATFLIR pod, was taken off the coast of California in 2004 by pilots flying from the aircraft carrier USS Nimitz. In the videos, air crews loudly debate what the objects are and where they came from.


The videos were released for public viewing by The New York Times and To The Stars Academy of Arts & Sciences, a UFO research group from former Blink-182 member Tom DeLonge.

In each case, the objects in the videos undertook aerial maneuvers that aren't possible with current aviation technology. In the 2004 incident, according to The New York Times, the objects "appeared suddenly at 80,000 feet, and then hurtled toward the sea, eventually stopping at 20,000 feet and hovering. Then they either dropped out of radar range or shot straight back up."

Joseph Gradisher, official spokesperson for the Deputy Chief of Naval Operations for Information Warfare, told The Black Vault, an online repository of secret and otherwise classified documents, that the Navy "designates the objects contained in these videos as unidentified aerial phenomena."

That terminology is important. "Unidentified Aerial Phenomena" provides "the basic descriptor for the sightings/observations of unauthorized/unidentified aircraft/objects that have been observed entering/operating in the airspace of various military-controlled training ranges," Gradisher told The Black Vault.

In other words, the Pentagon says the aerial objects in the videos are simply unidentified, and for now, unexplained. The Navy is pointedly not saying the objects are flying saucers or otherwise controlled by aliens.

Earlier this year, the Department of Defense told The Black Vault that the videos were unclassified, but never cleared for public release, and that there had been no review process within the Pentagon for releasing them.

***US~Observer Editor's Note: Go to usobserver.com click the headline of this article to go to the Popular Mechanics site to view the videos.*** ★★★

## Explosion rips through Russian lab housing smallpox, Ebola and plague

**By Lucy Domachowski**

**(Daily Star)** - A massive gas explosion has sparked a fire at a Russian lab that houses viruses ranging from smallpox to Ebola, authorities have said.

The State Research Centre of Virology and Biotechnology has said a cylinder exploded in lab which is one of two places in the world that houses the smallpox disease which has been eradicated in the world.

Other highly lethal diseases that are stored there include Anthrax and Ebola.

Located in Koltsovo, in the Novosibirsk region of Siberia, the site is thought to be where biological weapons have been made.

Firefighter and rescue teams responded to the explosion before it was realised what the possible implications could be.

Russian media have reported that the "the situation was quickly upgraded from an ordinary emergency to a major incident".

One worker suffered third-degree burns after the blast, which blew out the glass in the building.

Firefighters have been battling a blaze covering 30 square metres which engulfed the facility after the blast.

Dr. Joseph Kam, Honorary Clinical Associate Professor at the Stanley Ho Centre for Emerging Infectious Diseases (CEID) told CNN rules for storing viruses are very strict and highly dangerous diseases such as Ebola and smallpox would be stored in the highest "Level 4" laboratory.

Access to the samples would be limited, special containers are used and the storage mechanism is different from other laboratories, Kam said.

He added that while fire would be hot enough to destroy viruses, an explosion could risk spreading the virus and there would be a danger of infecting those in the room or contaminating the immediate area.

"Viruses are fragile and more than 100 degrees or more will kill them," Kam said.

He added that under certain circumstances, an explosion could spread the virus.

"Part of the wave of the force of the explosion would carry it away from the site when it was first stored," he said.

That contamination zone could be 10 to a few hundred meters depending on the size of the blast and other factors such as wind speed and direction, and whether it was an airborne virus.

The incident comes just weeks after an explosion near the site of a suspected failed missile test in northern Russia that killed at least five nuclear specialists and caused radiation levels to spike.

Conflicting official accounts regarding the incident heightened concerns of a potential cover-up. ★

## Police test 'Spider-Man' device as alternative to Taser

**By Omar Younis**

**(Reuters) Los Angeles, CA** - With 49 people killed last year after being shocked by Tasers, police departments across the United States are trying out a "Spider-Man"-like device that fires a tether that entangles and restrains the suspect.

Called Bolawrap, the device fires an eight-foot (2.4 meters) bola-style tether at a suspect to entangle his legs and prevent him from getting away. It works at a range of 10-25 ft (3-7.6 meters).

"Whether it is a Taser, pepper spray, baton ... there's been this gap created by the courts requiring that a higher level of force be used at the appropriate time," said Tom Smith, president of Wrap Industries, which manufactures the Bolawrap device.

"This tool fits perfectly into that gap giving the officers another option to use before having to use that high level of force to end that conversation very early, very safely," he said.

Smith, who founded TASER International, now Axon Enterprises, made the Taser with his brother before leaving to join Wrap Technologies. He said he saw the success of the Taser as proof there was an appetite for more non-lethal tools in policing.

The Bolawrap is a little bit larger than a cell phone and designed to fit easily onto a police belt. The synthetic fiber tether exits the device at about 640 feet (about 200 meters) per second "And that is... you won't see it," Smith said.

He said he has demonstrated the device to dozens of police departments in the United States, as well as in Australia and New Zealand.

Reuters has documented a total of at least 1,081 U.S. deaths following use of police Tasers, almost all since the weapons entered widespread use in the early 2000s, including 49 in 2018. In many of those cases, the Taser was combined with other force, such as hand strikes, pepper spray or restraint holds.

In the city of Bell, Calif., southeast of Los Angeles, Police Chief Carlos Islas said he tried out the device on himself.

"I personally went ahead and took the opportunity to get wrapped myself and the reason I did that - it is important for me to understand what an individual who is going to get wrapped is going to feel, and to me it's very negligible.

"I mean there was no pain," he said. ★★★

## Federal Court: Cops Accused Of Stealing Over $225,000 Have Legal Immunity

**By Nick Sibillas**

**(Forbes)** - In a baffling decision by the U.S. Ninth Circuit Court of Appeals, earlier this month, a panel of judges unanimously ruled that Fresno police officers accused of stealing over $225,000 were entitled to "qualified immunity" and can't be sued. Thanks to this doctrine, police officers, sheriff's deputies, and other public functionaries are shielded from civil rights lawsuits.

While exercising a search warrant in 2013, Fresno police raided and seized $50,000 from Micah Jessop and Brittan Ashjian, two businessmen suspected of illegal gambling (neither was ever criminally charged). Worse, the two claimed that police actually grabbed $151,000 in cash and $125,000 in rare coins, and "stole the difference" above what was reported on the inventory sheet. Critically, the $225,000 that was allegedly stolen wasn't included on the inventory report for seized property or booked into evidence.

Arguing that the alleged stealing violated their constitutional rights, Jessop and Ashjian sued. After all, the Fourth Amendment was a direct response to the infamous "general warrants" that let British officers ransack homes, which is why it specifically protects against "unreasonable searches and seizures;" police stealing for their own gain is hardly reasonable.

But under the U.S. Supreme Court's precedents for qualified immunity, plaintiffs must show that their constitutional rights were violated and that their rights were "clearly established" at the time. According to the court, a right is "clearly established" only if "it would be clear to a reasonable officer that his conduct was unlawful."

**Judge Milan Smith**

The High Court has, however, made an exception for cases where "the violation was so obvious" that "a general constitutional rule already identified in the decisional law may apply with obvious clarity to the specific conduct in question, even though 'the very action in question has [not] previously been held unlawful."

For the Fresno case, since "there was no clearly established law holding that officers violate the Fourth or Fourteenth Amendment when they steal property seized pursuant to a warrant," the Ninth Circuit briskly concluded that "the city officers are entitled to qualified immunity." Incredibly, even though the judges conceded that "virtually every human society teaches that theft generally is morally wrong," the Ninth Circuit flatly denied it was "obvious" the officers were in the wrong legally.

This is not "one of those rare cases in which the constitutional right at issue is defined by a standard that is so 'obvious' that we must conclude . . . that qualified immunity is inapplicable, even without a case directly on point," Judge Milan Smith wrote for the majority in Jessop v. Fresno. According to Smith, it wouldn't be "clear to a reasonable officer" that stealing $225,000 would violate the Constitution they've sworn to uphold.

Attorneys for both the plaintiffs and the officers declined to comment.

Further rubbing salt into the wound, the court declined to decide whether or not the alleged stealing by the Fresno officers actually violated Jessop and Ashjian's rights. As a result, if cops are again accused of stealing seized property, they most likely would be shielded by qualified immunity, since it still wouldn't be "clearly established" that their actions are unconstitutional.

Jessop has set a damaging precedent for the Ninth Circuit, which governs not only the entire state of California, but Alaska, Arizona, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington as well.

Outraged, several civil liberties and government accountability organizations, including the Institute for Justice, the Law

Enforcement Action Partnership, and the Reason Foundation filed an amicus brief urging the full Ninth Circuit to rehear the Jessop case en banc.

(Rather unusually, the Ninth Circuit panel previously issued a ruling in March that also upheld qualified immunity for the Fresno officers. But in September, the panel decided to withdraw that decision and file a "superseding opinion." A decision on rehearing the case en banc is still pending.)

Calling the ruling "wrong, both under existing case law and as a matter of common sense," the joint amicus argues that "the panel's decision allows police officers to steal from suspects with impunity, and without any concern that they might be subject to civil liability." The brief connects the allegations to civil forfeiture, which lets law enforcement agencies seize and keep cash, cars, real estate, and other forms of valuable property, often without ever filing criminal charges against the owner.

"Given the abuse that already exists when the government is permitted to seize property for the government's own use," the joint amicus warned, "further immunizing officers who commit outright theft for their own personal profit will make it even easier for government officials to abuse their authority and escape any liability." ★★★

# 'Making a Murderer' Confession: Convicted Wisconsin Murderer Allegedly Confesses To Killing Teresa Halbach

**By Kelly Wynne**

**(Newsmax)** - A Wisconsin inmate has reportedly confessed to the murder of Teresa Halbach. The inmate, who will remain unnamed until Wisconsin law enforcement has access to said confession, told filmmakers of upcoming documentary series Convicting a Murderer, that he was responsible for the infamous death, as seen on Making a Murderer.

Currently, there are two men behind bars for Halbach's death. Both claim they are innocent. Steven Avery and Brendan Dassey have both spent years fighting for their freedom. Dassey took his case all the way to the Supreme Court, where his attempt at a new trial was rejected, while Avery continues the appeal process.

Shawn Rech, director of Convicting a Murderer, told Newsweek his crew were given the confession while filming the documentary series.

"We haven't confirmed the legitimacy of the confession, but seeing as it was given by a notable convicted murderer from Wisconsin, we feel responsible to deliver any and all possible evidence to law enforcement and legal teams," he told Newsweek. "Having been in production for 20 months, we've uncovered an unfathomable amount of information and evidence that is leading us to the truth. Our investigation does not end here."

Rech also confirmed the confession did not come from Dassey or Avery.

If the secret inmate's confession is found reliable, it could spark freedom for both Dassey and Avery.

**Steven Avery**

Much of America joined forces to support exoneration for the uncle and nephew pair after two parts of Making a Murderer premiered on Netflix in 2016. The documentary series took viewers into the lives of Dassey and Avery's families while diving deep into forensic evidence that could point at a third party killer.

**Attorney Kathleen Zellner**

Kathleen Zellner, Avery's current lawyer, has a handful of theories that point to other members of the Dassey family as Halbach's killers. She's spent years recreating parts of the crime scene and evidence in hopes of proving Avery couldn't have committed the murder he's convicted of.

If Avery is exonerated, it will be the second time he was wrongly convicted of a violent crime in the state of Wisconsin.

Convicting a Murderer is a 10-part documentary series currently in post-production, according to the Internet Movie Database. The series aims to be a sequel to Making a Murderer, but will include parts the Netflix series left out, Rech told Newsweek in January.

"I watched Making a Murderer, like tens of millions of others," Rech said. "After watching the series I was angry with law enforcement, and even embarrassed as an American because of what appeared to have happened to Steven and Brendan. But after doing a little bit of follow-up research I learned that not only did I not have the whole story, but I was misled by the series. And I'm saying this as a fan, not as an established documentary filmmaker."

In the docu-series, a handful of law enforcement figures who believe Avery is guilty, like Andy Colborn, are expected to appear.

Convicting a Murderer is expected to come out on a to-be-determined streaming platform in 2020, according to Rech, who said it will be finalized in March.

★★★

# Former Ohio judge gets life in prison for killing ex-wife in front of daughters

**By Alex Lasker**

**(AOL.com)** - A former Ohio judge and state lawmaker was sentenced to life in prison last week for the brutal 2018 stabbing death of his ex-wife and the mother of his children.

**Lance Mason**

Lance Mason, an ex-Cuyahoga County common pleas judge, was sentenced Friday after he pled guilty in August to charges including aggravated murder, felonious assault, violating a protection order and grand theft auto in the death of Aisha Fraser.

The charges were in relation to a vicious attack that took place on Nov. 18, 2018, when Fraser went to drop off one of her and Mason's daughters at a home where Mason and his adult sister were living in Shaker Heights, Ohio.

Mason, now 52, reportedly flew into an unprovoked fit of rage and stabbed Fraser 59 times with two kitchen knives in front of their children, Cleaveland.com reports. One of the panicked girls ran inside and told Mason's sister, who proceeded to call 911.

Mason was previously suspended from practicing law after attacking Fraser in front of their children while they were driving home from a relative's funeral in August 2014.

According to NBC News, the former judge repeatedly struck Fraser in the head, bit her face and slammed her head against the dashboard in front of their two kids, who were 4 and 6 years old at the time.

The attack led Fraser to seek a divorce from Mason, who also received a 9-month sentence after pleading guilty to the assault.

Mason will be eligible for parole after spending 35 years behind bars — 30 for killing his ex-wife and 5 for injuring a police officer while fleeing the scene of the crime. ★★★

# A former Texas judge is sentenced for accepting cash bribes stashed in beer boxes

**By Faith Karimi**

**(CNN)** - A former Texas judge was sentenced to five years in federal prison after he was found guilty of accepting cash bribes to issue favorable court decisions.

**Rodolfo Delgado**

A federal jury in Houston convicted Rodolfo Delgado, 66, of Edinburg, of one count of conspiracy, three counts of federal program bribery, three counts of travel act bribery and one count of obstruction of justice.

In addition to the 60 months in prison, he will get two years of supervised release.

"Rudy Delgado used his position to enrich himself. He didn't just tip the scales of justice, he knocked it over with a wad of cash and didn't look back," US Attorney Ryan K. Patrick said. "Delgado's actions unfairly tarnish all his former colleagues."

Delgado was a judge for the 93rd district court in Texas, and had jurisdiction over criminal and civil cases within Hidalgo County.

Between January 2008 and November 2016, he conspired with an attorney to accept bribes in exchange for favorable judicial consideration on criminal cases in his courtroom, said the US attorney's office for the southern district of Texas.

One of the attorneys started working as an informant for the FBI in 2016, and would take beer boxes to the judge and slip money into them, CNN affiliate KRGV reported.

During their meetings, the judge and the attorney discussed purchasing "wood," which the latter described as the code word for judicial favors. On incidents caught on record, the attorney is heard asking Delgado to help him out with a potential client, the affiliate reported. In some cases, Delgado accepted cash, and asked for details such as the case number, according to the affiliate.

He accepted bribes on three occasions in exchange for agreeing to release three of an attorney's clients on bond. The bribes ranged between $520 and $5,500, said the US attorney's office.

When he found out he was being investigated by the FBI, authorities say he tried to obstruct justice by contacting the attorney and providing a false story about the payments.

Delgado was free on bond after his July conviction. After his sentencing Wednesday, he will voluntarily surrender to a yet undetermined US Bureau of Prisons facility.

★★★

# Florida state representative calls for investigation into Florida prisons

**By Romy Ellenbogen**

**(Miami Herald)** - A state representative is calling for an ethics committee investigation into Florida's prisons after reports of beatings and abusive behavior from corrections officers.

Susan Valdéz, a Democrat from Tampa, submitted a letter to the chairman of the Public Integrity & Ethics Committee saying that recent reports of attacks at Lowell Correctional Institution and Lake Correctional Institution show a broader problem.

"While the correctional system no doubt exists in part to punish offenders, the reports we are hearing go beyond punishment," she wrote.

On Aug. 21, four officers at Lowell, the state's largest women's prison, slammed inmate Cheryl Weimar to the floor. They then dragged her out of view of cameras and kept beating her, according to a lawsuit on her behalf. Weimar, who has suffered from a history of mental illnesses, is now a quadriplegic.

The Florida Department of Corrections hasn't released the name of the staffers involved, even to Weimar's legal team, but said they have been reassigned to have no contact with inmates. Lawyers still fear they can get to Weimar through other officers or that witnesses on the inside are being intimidated.

Lowell is the subject of an ongoing Department of Justice investigation. A 2015 Miami Herald investigation showed how the female inmates at Lowell sometimes have to trade sexual favors to get basic items like toilet paper or tampons from staff.

In July, three officers at Lake Correctional were arrested related to the beating of an inmate. The video was captured on a contraband cellphone and uploaded to YouTube, sparking an investigation. Facebook chats between officers at the prison mocked the inmate as saying "I want more."

Valdéz said she wants to formally question leaders of the prison system and corrections officers. She also wants members of the Florida House committee to do site checks of prisons and interview the inmates inside.

Rep. Tom Leek, the chairman of the committee, and FDC could not be immediately reached for comment.

"The correctional system should rehabilitate offenders, protect the public, and maximize the value of precious tax dollars we spend on corrections — I fear our current system fails on all fronts," Valdéz wrote. ★★★

# Can you get cancer from tap water? New study says even 'safe' drinking water poses risk

**By Joshua Bote**

**(USA TODAY)** - A new report from an environmental advocacy watchdog group cautions that carcinogenic products in tap water may altogether increase cancer risk for thousands of U.S. residents over a lifetime.

In a peer-reviewed study published in the journal Heliyon Thursday, the Environmental Working Group (EWG) found that 22 carcinogens commonly found in tap water — including arsenic, byproducts of water disinfectants and radionuclides such as uranium and radium — could cumulatively result in over 100,000 cancer cases over the span of a lifetime.

Although most tap water meets legal standards set by the federal government, EWG researchers found that contaminates present in tap water create a measurable risk for cancer.

"The vast majority of community water systems meet legal standards," said Olga Naidenko, the vice president for science investigations at EWG, in a statement. "Yet the latest research shows that contaminants present in the water at those concentrations — perfectly legal — can still harm human health."

An earlier study conducted by EWG found that a cumulative analysis of contaminants in California tap water found heightened risk of cancer for 15,000.

Experts say that the risk of these carcinogens have been under debate for decades. They caution that the standards set for community water systems, which are regulated nationally by the Environmental Protection Agency (EPA), are complicated and require a balance between cost and safety.

### TAP WATER NOT AS SAFE AS YOU THINK

The study, funded by the Park Foundation, compiled a list of 22 contaminants with carcinogenic risks present in 48,363 community water systems in the United States, which EWG estimates serve about 86% of the U.S. population. Based on a cumulative risk assessment, EWG found that per 10,000 people, four will have cancer over the span of the lifetime due to the contaminants in water.

"Drinking water contains complex mixtures of contaminants, yet government agencies currently assess the health hazards of tap water pollutants one by one," said Sydney Evans, the lead author of the paper, in a statement. "In the real world, people are exposed to combinations of chemicals, so it is important that we start to assess health impacts by looking at the combined effects of multiple pollutants."

The majority of water systems, they add, are in compliance with EPA standards. The EPA, in a statement to USA TODAY, said that legal limits are set for over 90 contaminants in drinking water.

EWG said that 87% of the cancer risk present in tap water comes from arsenic and byproducts of common disinfectants.

Long-term exposure to arsenic, per the World Health Organization, can cause skin cancer, as well as cancer of the bladder and the lungs. Meanwhile, byproducts of disinfectants have been classified by the NIH and EPA as known and possible human carcinogens that can cause liver and bladder cancer.

This study does not take into account the possible contaminants present in groundwater from private wells, nor does it take into account the heightened risk of carcinogens in vulnerable populations such as infants and children.

### CLEAN WATER IS COMPLICATED

In recent years, multiple crises, from Newark, New Jersey to Flint, Michigan have revealed the complications and failures in the management of public water systems, from the different water sources used by municipalities to the pipes that deliver water to homes.

The EPA regulates public drinking water under the Safe Drinking Water Act, which was enacted in 1974. It requires the EPA to set standards for contaminants through the National Primary Drinking Water Regulations, which minimizes risk for contaminants.

A spokesperson with the EPA told USA TODAY that water regulations focus primarily on the contaminants that may cause the greatest public health risk.

The standard is splintered into two categories: the maximum contaminant level (MCL), which is enforceable by law and is less stringent, and the maximum contaminant level goal (MCLG), which is only a public health guideline.

For instance, the federally-mandated MCLG for arsenic is 0 micrograms per liter; however, the MCL is 10 micrograms per liter. Meanwhile, the EWG recommends that only four ten-thousandths of a microgram (0.0004 micrograms) of arsenic be allowed in water.

Prof. David Sedlak, a professor of environmental engineering at University of California, Berkeley, and the deputy director of the National Science Foundation-funded urban water research center ReNUWIt, says that regulations for drinking water in the United States are based on a complex balance between health risks from possible carcinogens and the cost of implementing new water cleaning systems.

Sedlak, who is not affiliated with the EWG study, told USA TODAY that arsenic and carcinogenic radionucleides such as radium are both naturally occurring in water systems. Setting the levels of regulation for these carcinogens especially challenging.

"For disinfectants," he said, "they've been in scrutiny over the decades and it's part of the reason why many cities have switched from chlorine to ozone."

The Water Research Center says that using ozone water treatment in lieu of chlorine reduces the risk of chemicals leaching into water supplies.

### WHAT CAN BE DONE?

EWG suggests installing a water filter that can remove contaminants found in an individual water source, but some suggested by the group that specifically remove arsenic can cost hundreds or thousands of dollars to purchase and install.

On a broader scale, experts advise solutions aimed at reducing the level of contaminants that are present in tap water.

"We need to prioritize source water protection, to make sure that these contaminants don't get into the drinking water supplies to begin with," Naidenko said in a statement.

Sedlak told USA TODAY that the technologies to remove carcinogenic substances from water do, in fact, exist. The biggest hurdle to implementing them, he said, is that they can be costly.

"Typically," he said to USA TODAY, "these additional treatment processes are paid for by consumers — and in many cases, members of the public have been unwilling to see large rate increases in their water bills."

The EPA agrees. In a handout on the EPA website explaining the Safe Drinking Water Act, it explains that water systems in America rely on community members to ensure that local water suppliers keep their water safe.

"The public is responsible for helping local water suppliers to set priorities, make decisions on funding and system improvements, and establish programs to protect drinking water sources," the EPA writes.

"If people are aware of the health impacts (of tap water), they might be willing to pay more for water treatment," said Sedlak. "But at this point, the EPA has made their decision."

★★★

# Newly knighted cancer scientist Mel Greaves explains why a cocktail of microbes could give protection against disease

**By Robin McKie**

**(The Guardian)** - Mel Greaves has a simple goal in life. He is trying to create a yoghurt-like drink that would stop children from developing leukemia.

The idea might seem eccentric; cancers are not usually defeated so simply. However, Professor Greaves is confident and, given his experience in the field, his ideas are being taken seriously by other cancer researchers.

Based at the Institute of Cancer Research in London, Greaves has been studying childhood leukemia for three decades. On Friday, it was announced that he had received a knighthood in the New Year honors list for the research he has carried out in the field.

"For 30 years I have been obsessed about the reasons why children get leukemia," he says. "Now, for the first time, we have an answer to that question – and that means that we can now start thinking about ways to halt it in its tracks. Hence my idea of the drink."

In the 1950s, common acute lymphoblastic leukemia – which affects one in 2,000 children in the UK – was lethal. Today 90% of cases are cured, although treatment is toxic, and there can be long-term side effects. In addition, for the past few decades, scientists have noticed that numbers of cases have actually been increasing in the UK and Europe at a steady rate of around 1% a year.

"It is a feature of developed societies but not of developing ones," Greaves adds. "The disease tracks with affluence."

Acute lymphoblastic leukemia is caused by a sequence of biological events. The initial trigger is a genetic mutation that occurs in about one in 20 children.

"That mutation is caused by some kind of accident in the womb. It is not inherited, but leaves a child at risk of getting leukemia in later life," adds Greaves.

For full leukemia to occur, another biological event must take place and this involves the immune system. "For an immune system to work properly, it needs to be confronted by an infection in the first year of life," says Greaves. Without that confrontation with an infection, the system is left unprimed and will not work properly."

And this issue is becoming an increasingly worrying problem. Parents, for laudable reasons, are raising children in homes where antiseptic wipes, antibacterial soaps and disinfected floorwashes are the norm. Dirt is banished for the good of the household.

In addition, there is less breast feeding of infants and a tendency for them to have fewer social contacts with other children. Both trends reduce babies' contact with germs. This has benefits – but also comes with side effects. Because young children are not being exposed to bugs and infections as they once were, their immune systems are not being properly primed.

"When such a baby is eventually exposed to common infections, his or her unprimed immune system reacts in a grossly abnormal way," says Greaves. "It over-reacts and triggers chronic inflammation."

As this inflammation progresses, chemicals called cytokines are released into the blood and these can trigger a second mutation that results in leukemia in children carrying the first mutation.

"The disease needs two hits to get going," Greaves explains. "The second comes from the chronic inflammation set off by an unprimed immune system."

In other words, a susceptible child suffers chronic inflammation that is linked to modern super-clean homes and this inflammation changes his or her susceptibility to leukemia so that it is transformed into the full-blown condition.

From this perspective, the disease has nothing to with power lines or nuclear fuel reprocessing stations, as has been suggested in the past, but is caused by a double whammy of interacting prenatal and environmental events, as Greaves outlined in the journal Nature Reviews Cancer earlier this year.

Crucially, this new insight offers scientists a chance to intervene and to stop leukemia from developing in the first place, he adds. "We do not yet know how to prevent the occurrence of the initial prenatal mutation in the womb, but we can now think of ways to block the chronic inflammation that happens later on."

To do this, Greaves and his team have started working on the bacteria, viruses and other microbes that live in the human gut. These help us digest our food but they also give an indication of the bugs we have been exposed to in life. For example, people in developed countries tend to have far fewer bacterial species in their guts, it has been found – and that is because they have been exposed to fewer species of microbes in the early stages of their lives, a reflection of those "cleaner" lives they are now living.

**Professor Mel Greaves, knighted in the New Year honors list.**
*Photo: John Angerson*

"We need to find ways of reconstituting their microbiomes – as we term this community of microbes. We also need to find which are the most important species of bacteria for priming a child's immune system."

To do this, Greaves is now experimenting on mice to find out which bugs are best at stimulating rodent immune systems. The aim would then be to follow up with trials on humans in two or three years.

"The aim is to find six or maybe 10 species of microbes that are best able to restore a child's microbiome to a healthy level. This cocktail of microbes would be given, not as a pill, but perhaps as yogurt-like drink to very young children.

"And it would not just help prevent them getting childhood leukemia. Cases of conditions such as type 1 diabetes and allergies are also rising in the west and have also been linked to our failure to expose babies to bacteria to prime children's immune systems. So such a drink would help cut numbers of cases of these conditions as well.

"I think the prospect is incredibly exciting. I think we could use this to reduce the risk not just of leukemia but a number of other very debilitating conditions."

### LEUKEMIA: THE FACTS

Blood cells are manufactured in bone marrow. Red blood cells, which carry oxygen round our bodies, white blood cells, which fight infection, and platelets, which stop bleeding, are created when your body needs them. But when a person develops leukemia, too many white blood cells are released, which stop the normal cells in your bone marrow from growing. As a result, the amount of normal red cells, white cells and platelets in your blood is reduced – and your health suffers.

Of the many types of leukemia, the most common in young people are acute lymphoblastic leukemia and acute myeloid leukemia. ★★★

# Study Links Fluoridated Water During Pregnancy to Lower IQs

**By Shira Feder and Tracy Connor**

**(Daily Beast)** - An influential medical journal published a study that links fluoride consumption during pregnancy with lower childhood IQs—a finding that could undermine decades of public-health messaging, fire up conspiracy theorists, and alarm mothers-to-be.

The research was expected to be so controversial that JAMA Pediatrics included an editor's note saying the decision to publish it was not easy and that it was subjected to "additional scrutiny."

"It is the only editor's note I've ever written," Dimitri Christakis, editor in chief of JAMA Pediatrics and a pediatrician, told The Daily Beast. "There was concern on the journal's editorial team about how this would play out in the public eye and what the public-health implications would be."

About three-fourths of the United States drinks fluoridated tap water—which the U.S. Centers for Disease Control and Prevention declared one of the 10 greatest public-health achievements of the 20th century because it dramatically reduces tooth decay.

A handful of earlier studies have suggested that prenatal fluoride exposure could affect neurodevelopment, but many experts considered those to be substandard. The new study, vetted by the premier medical publisher in the U.S., is seen as more rigorous.

"When we started in this field, we were told that fluoride is safe and effective in pregnancy," said study co-author Christine Till of York University in Toronto. "But when we looked for the evidence to suggest that it's safe, we didn't find any studies done on pregnant women."

They recruited 512 pregnant women from six Canadian cities and measured their exposure several ways: analyzing the amount of fluoride in their urine; looking at how much tap water and tea they drank; and comparing the fluoride concentration in the community drinking water.

Then, when the women's children were 3 or 4, the researchers gave them IQ tests and crunched the numbers to see if they could find any trends.

"We saw an association between prenatal fluoride exposure and lower IQ scores in children," study author Rivky Green said.

Specifically, they found a 1 mg per liter increase in concentration of fluoride in urine was associated with a 4.5 point decrease in IQ among boys, though not girls. Another translation: The boys of mothers with the most fluoride in the urine had IQs about 3 points lower than the boys of mothers with the least amount.

When the researchers measured fluoride exposure by examining the women's fluid intake, they found lower IQs in both boys and girls: A 1 mg increase per day was associated with a 3.7-point IQ deficit among both genders.

The results are significant enough to warrant a change in behavior, Green said. "What we recommend is lowering fluoride ingestion during pregnancy," she said.

Before publication, the study was subjected to two statistical reviews, with the researchers combing through the data to make sure that the results were not skewed by the mothers' education, income levels, or other factors.

The findings were astonishing to JAMA editors, who had been told throughout their medical training that fluoridation was completely safe and that opponents were wingnuts relying on "junk science."

"When I first saw this title, my initial inclination was 'What the hell?'" Christakis said on a JAMA podcast. "For me, before there were anti-vaxxers, there were sort of anti-fluoriders."

In fact, fluoride has been a boogeyman in conspiracy circles for decades. When water fluoridation became widespread in the U.S. in the 1950s, some claimed it was a Soviet plot to physically and mentally weaken Americans. The far-right John Birch Society, among others, accused the U.S. government using fluoride to usher in socialism—a conspiracy theory famously satirized in Stanley Kubrick's 1964 film Doctor Strangelove.

Some modern conspiracy theorists have claimed fluoridated water is a form of mind control, while others falsely link it to Adolf Hitler. Some allege a corporate conspiracy: They think the dentistry industry or food companies are fluoridating water for their own purposes.

Others still claim fluoridated water causes illness ranging from thyroid dysfunction to cancer. Infowars founder Alex Jones has frequently railed against fluoride in hyperbolic terms, and his site sells anti-fluoride products.

Arguments that the government is medicating people against their will has had an impact. Over the past five years, dozens of U.S. cities have voted to remove fluoride from their drinking water, much to the dismay of federal officials who say the criticism is based on bunk.

According to the CDC, a pile of studies show fluoridated water reduces cavities by 25 percent in children and adults, helps young children develop strong permanent teeth, and protects tooth enamel in grownups.

It's all but certain that anti-fluoride activists, no matter how outlandish their ideas, will seize on the new study results as proof they were right all along. The findings also pose a conundrum for health-care providers and their pregnant patients.

"The effects of this study are comparable to the effects of lead, and if these findings are true there should be as much concern about prenatal fluoride exposure," Christakis told The Daily Beast.

The CDC declined to discuss the study, saying it does not comment on outside research. The American College of Obstetricians and Gynecologists, which recommends that pregnant women use fluoridated toothpaste and mouth rinses, isn't making any changes for now.

"We wouldn't change our guidelines without undertaking our thorough clinical-review process," ACOG spokeswoman Kate Connors said.

Sophia Lubin, an OB-GYN in Brooklyn, New York, said she's never had a patient ask her about fluoridated water, but expects she will be questioned about it now.

"As an obstetrician, you always have to think about two people—the mother and the baby," she said. "And oral health is important for mothers."

She anticipates telling women that if they are truly concerned, they can switch to bottled water during pregnancy. But she doesn't think, at this point, that she will tell patients they should not drink from the tap.

One part of the study that struck her was how much fluoride is in black tea, which soaks it up from soil. She said she is more likely to tell patients to cut back on tea than on water, since it's important they stay hydrated.

"This left me with a lot more questions than answers," Lubin said.

Linda Murray, senior vice president of BabyCenter, the online pregnancy hub, said concerns about fluoride will join an already long list of potential danger zones for expectant mothers.

"It's an anxious time for women as it is. Every pregnant woman wants to do everything she can do to have a healthy baby, and they're hyper-aware," she said.

Pregnant women are already told to avoid too much coffee, raw sushi, fish high in mercury, deli meats, alcohol. But water is in a league of its own.

"You can live without your California roll, but this is an everyday thing, and we tell pregnant people to stay hydrated," Murray said.

She suggested that until there is a broad consensus about how to respond to the study, women should focus on the things they can do to improve pregnancy outcomes: seeing a health-care provider early on, taking prenatal vitamins, eating healthy—and worrying less.

"Stress and anxiety are not healthy for pregnancy," she said.

The study authors noted a number of limitations, the most significant of which is that they did not assess how much fluoride the children were exposed to after birth.

In an accompanying analysis, Harvard Professor David Bellinger said "high-quality epidemiological studies" are needed, but added: "The hypothesis that fluoride is a neurodevelopmental toxicant must now be given serious consideration."

Those kinds of studies take years, though—which doesn't help millions of parents-to-be who are looking for advice now.

"The question that needs to be asked to every pediatrician, scientist, and epidemiologist is what they're going to tell pregnant women," said Christakis, who says he will advise his pregnant friends and family to avoid fluoridated water.

"We can't tell them to wait years for another study. They have to decide what to tell their patients now."

★★★

# Is a Dark Ages disease the new American plague threat?

**By Dr. Marc Siegel**

**(The Hill)** - Diseases are reemerging in some parts of America, including Los Angeles County, that we haven't commonly seen since the Middle Ages. One of those is typhus, a disease carried by fleas that feed on rats, which in turn feed on the garbage and sewage that is prominent in people-packed "typhus zones." Although typhus can be treated with antibiotics, the challenge is to identify and treat the disease in resistant, hard-to-access populations, such as the homeless or the extremely poor in developing countries.

I also believe that homeless areas are at risk for the reemergence of another deadly ancient disease — leprosy, also known as Hansen's disease. Leprosy involves a mycobacteria (tuberculosis is another mycobacteria) that is very difficult to transmit and very easy to treat with a cocktail of three antibiotics.

Yet according to the Centers for Disease Control and Prevention (CDC), there are more than 200,000 new cases of leprosy reported in the world every year, with two-thirds of them in India, home to one-third of the world's poor. The poor are disproportionately affected by this disease because close quarters, poor sanitation, and lack of prompt diagnosis or treatment easily can convert a disease that should be rare to one that is more common.

**Leprosy**

Untreated, Hansen's disease causes disabilities over time, with the peripheral nerves affected and the fingers and toes becoming numb. Multibacillary Hansen's disease, the more serious version, also causes skin lesions, nodules, plaques and nasal congestion. With eye involvement, corneal ulcers and sometimes blindness can occur.

According to the CDC, there are between 100 and 200 new cases of leprosy reported in the U.S. every year. A study just released from the Keck Medical Center at the University of Southern California looked at 187 leprosy patients treated at its clinic from 1973 to 2018 and found that most were Latino, originating from Mexico, where the disease is somewhat more common, and that there was on average a three-year delay in diagnosis, during which time the side effects of the disease — usually irreversible, even with treatment — began to occur.

Leprosy is still more prevalent in Central America and South America, with more than 20,000 new cases per year. Given that, there is certainly the possibility of sporadic cases of leprosy continuing to be brought across our southern border undetected.

And it seems only a matter of time before leprosy could take hold among the homeless population in an area such as Los Angeles County, with close to 60,000 homeless people and 75 percent of those lacking even temporary shelter or adequate hygiene and medical treatment. All of those factors make a perfect cauldron for a contagious disease that is transmitted by nasal droplets and respiratory secretions with close repeated contact.

I am much more concerned about the permanent disabilities that come with leprosy — given that 2 million to 3 million people are affected worldwide — than I am with the associated stigma. Nevertheless, leprosy appearing among the homeless in L.A. is a sure recipe for instant public panic.

*Marc Siegel M.D. is a professor of medicine and medical director at Doctor Radio at NYU Langone Health.* ★★★

*The views expressed herein are the author's own.*

# COMMENTARY Your Right to Speak Out

## Who Inflicts the Most Gun Violence in America? The U.S. Government and Its Police Forces

**By John Whitehead**
**The Rutherford Institute**

***"It is often the case that police shootings, incidents where law enforcement officers pull the trigger on civilians, are left out of the conversation on gun violence. But a police officer shooting a civilian counts as gun violence."***
- Journalist Celisa Calacal

Yes, gun violence is a problem in America.

Yes, mass shootings are a problem in America.

Yes, mentally ill individuals embarking on mass shooting sprees are a problem in America.

However, tighter gun control laws and so-called "intelligent" background checks fail to protect the public from the most egregious perpetrator of gun violence in America: the U.S. government.

Consider that five years after police shot and killed an unarmed 18-year-old man in Ferguson, Missouri, there has been no relief from the government's gun violence.

Clearly, the U.S. government is not making America any safer.

Indeed, the government's gun violence—inflicted on unarmed individuals by battlefield-trained SWAT teams, militarized police, and bureaucratic government agents trained to shoot first and ask questions later—poses a greater threat to the safety and security of the nation than any mass shooter.

In fact, 1200% more people have been killed by police than mass shooters since 2015.

Curiously enough, in the midst of the finger-pointing over the latest round of mass shootings, Americans have been so focused on debating who or what is responsible for gun violence—the guns, the gun owners, the Second Amendment, the politicians, or our violent culture—that they have overlooked the fact that the systemic violence being perpetrated by agents of the government has done more collective harm to the American people and their liberties than any single act of terror or mass shooting.

Violence has become our government's calling card, starting at the top and trickling down, from the more than 80,000 SWAT team raids carried out every year on unsuspecting Americans by heavily armed, black-garbed commandos and the increasingly rapid militarization of local police forces across the country to the drone killings used to target insurgents.

The government even exports violence worldwide.

Talk about an absurd double standard.

If we're truly going to get serious about gun violence, why not start by scaling back the American police state's weapons of war?

I'll tell you why: because the government has no intention of scaling back on its weapons.

In fact, all the while gun critics continue to clamor for bans on military-style assault weapons, high-capacity magazines and armor-piercing bullets, the U.S. military is passing them out to domestic police forces.

There are now reportedly more bureaucratic (non-military) government agents armed with high-tech, deadly weapons than U.S. Marines.

While Americans have to jump through an increasing number of hoops in order to own a gun, the government is arming its own civilian employees to the hilt with guns, ammunition and military-style equipment, authorizing them to make arrests, and training them in military tactics.

Seriously, why do IRS agents need AR-15 rifles?

For that matter, why do police need armored personnel carriers with gun ports, compact submachine guns with 30-round magazines, precision battlefield sniper rifles, and military-grade assault-style rifles and carbines?

Short answer: they don't.

In the hands of government agents, whether they are members of the military, law enforcement or some other government agency, these weapons have become routine parts of America's day-to-day life, a byproduct of the rapid militarization of law enforcement over the past several decades.

Over the course of 30 years, police officers in jack boots holding assault rifles have become fairly common in small town communities across the country. As investigative journalists Andrew Becker and G.W. Schulz reveal, "Many police, including beat cops, now look more and more like combat troops serving in Iraq and Afghanistan."

Does this sound like a country under martial law?

You want to talk about gun violence? While it still technically remains legal for the average citizen to own a firearm in America, possessing one can now get you pulled over, searched, arrested, subjected to all manner of surveillance, treated as a suspect without ever having committed a crime, shot at and killed by police.

You don't even have to have a gun or a look-alike gun, such as a BB gun, in your possession to be singled out and killed by police.

There are countless incidents that happen every day in which Americans are shot, stripped, searched, choked, beaten and tasered by police for little more than daring to frown, smile, question, or challenge an order.

Growing numbers of unarmed people are being shot and killed for just standing a certain way, or moving a certain way, or holding something – anything – that police could misinterpret to be a gun, or igniting some trigger-centric fear in a police officer's mind that has nothing to do with an actual threat to their safety.

With alarming regularity, unarmed men, women, children and even pets are being gunned down by twitchy, hyper-sensitive, easily-spooked police officers who shoot first and ask questions later, and all the government does is shrug, and promise to do better, all the while the cops are granted qualified immunity.

Killed for opening the front door. Bettie Jones, who lived on the floor below LeGrier, was also fatally shot – this time, accidentally – when she attempted to open the front door for police.

**Killed for running towards police with a metal spoon.** In Alabama, police shot and killed a 50-year-old man who reportedly charged a police officer while holding "a large metal spoon in a threatening manner."

**Killed for running while holding a tree branch.** Georgia police shot and killed a 47-year-old man wearing only shorts and tennis shoes who, when first encountered, was sitting in the woods against a tree, only to start running towards police holding a stick in an "aggressive manner.".

**Killed for driving while deaf.** In North Carolina, a state trooper shot and killed 29-year-old Daniel K. Harris – who was deaf – after Harris initially failed to pull over during a traffic stop.

**Killed for brandishing a shoehorn.** John Wrana, a 95-year-old World War II veteran, lived in an assisted living center, and was shot and killed by police who mistook the shoehorn in his hand for a 2-foot-long machete.

**Killed for holding a garden hose.** California police were ordered to pay $6.5 million after they opened fire on a man holding a garden hose, believing it to be a gun. Douglas Zerby was shot 12 times and pronounced dead on the scene.

**Killed for looking for a parking spot.** Richard Ferretti, a 52-year-old chef, was shot and killed by Philadelphia police who had been alerted to investigate a purple Dodge Caravan that was driving "suspiciously" through the neighborhood.

**Shot seven times for peeing outdoors.** Eighteen-year-old Keivon Young was shot seven times by police from behind while urinating outdoors. Young was just zipping up his pants when he was struck by a hail of bullets from two undercover cops. Allegedly officers mistook Young who was 5'4," 135 lbs., for a 6' tall, 200 lb. murder suspect whom they later apprehended. Young was charged with felony resisting arrest and two counts of assaulting a peace officer.

This is what passes for policing in America today, folks, and it's only getting worse.

Remember, to a hammer, all the world looks like a nail.

Yet as I point out in my book *Battlefield America: The War on the American People*, "we the people" are not just getting hammered.

We're getting killed, execution-style.

Violence begets violence: until we start addressing the U.S. government's part in creating, cultivating and abetting a culture of violence, we will continue to be a nation plagued by violence. ★★★

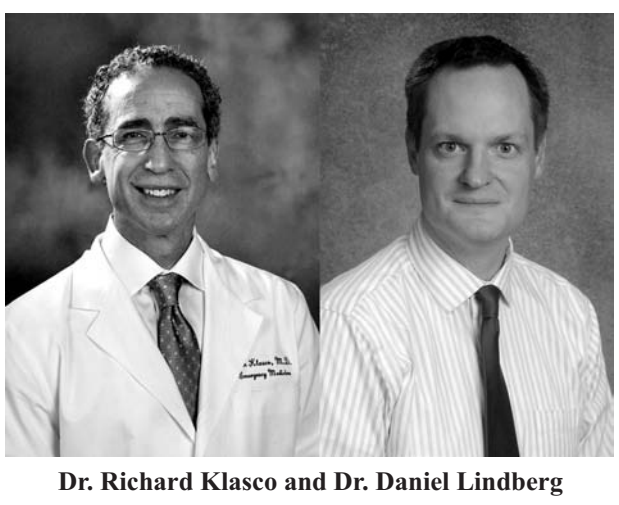
## The Doctor Will Accuse You Now

**By Andrew Brown**

**(The Hill)** - A recent essay in Time Magazine called for a massive expansion of the nanny state through mandatory medical screening of children for signs of child abuse. The proposal, which is based on the assumption that racial bias is causing doctors to miss some cases of abuse, would strip doctors of the ability to apply reasoned, clinical judgment to cases and would require them to subject children to a battery of x-rays whenever bruising or other marks are noticed. Proponents of the plan – not its opponents, mind you – have given it the appropriately dystopian moniker, "think less, screen more."

Perhaps as shocking as the plan itself is how nonchalant the essay's authors, Dr. Richard Klasco and Dr. Daniel Lindberg, are about the life-altering consequences of their proposal. In an apparent attempt to downplay the harm that their plan will cause, Klasco and Lindberg wrongly suggest that the worst that will happen if they get their way is "some non-abused children will be screened, and some non-abusive parents will be offended."

The real worst-case scenario happened to my friends, Rana and Chad Tyson, and it was far from merely an "uncomfortable byproduct." While changing their infant daughter's diaper, Rana and Chad noticed that she was not moving one of her legs and would recoil in pain whenever it was touched. Being the good parents they are, the Tysons immediately took her to her regular pediatrician. After being evaluated by the pediatrician, they were instructed to go to a local children's hospital where the daughter who displayed symptoms and her twin sister were subjected to the same battery of x-rays utilized by the "think less, screen more" approach.



**Dr. Richard Klasco and Dr. Daniel Lindberg**

Those x-rays revealed that both had what appeared to be multiple healing fractures around their knees and ankles. Rather than attempting to find a medical explanation, doctors at the hospital contacted Child Protective Services. All three of the Tysons' children were removed by the state and placed in a kinship foster placement. The family would be separated for five months while Rana, Chad, and their children's pediatrician worked to figure out the cause of the fractures.

Ultimately, the doctors discovered that the twins had several medical conditions — including a genetic disorder (Ehlers Danlos Syndrome), Vitamin D deficiency, rickets, and osteopenia of prematurity — which make them more susceptible to spontaneous fractures. Based on this evidence, a judge ordered the children to be returned home to their parents. But reunification wasn't the end of the story. It took two years of legal appeals before the allegations of abuse were dropped and Rana and Chad were cleared of wrongdoing. The process was so expensive the family was forced to file for bankruptcy.

As traumatizing as their experience was, Rana and Chad were ultimately reunited with their children in a relatively short period of time. Other families who have contact with the child welfare system aren't so lucky. Nationally, most children who enter the foster care system will stay there for a little over a year and less than half will ever return home to their parents. Separating children from their families has long-term negative consequences and is a decision that should not be taken lightly.

**"7.5 million children were reported to child protective services as possible victims of abuse and 3.5 million children actually received a CPS investigation. Of these, 674,000 children – less than 10-percent of those reported – were confirmed to be victims of abuse."**

Klasco and Lindberg do get one thing right — there is a bias in the child welfare system against poor and minority populations. According to one study, 53-percent of African American children will experience a child welfare investigation by the time they reach age 18. Their solution, however, couldn't be more wrong. "Just screen everyone" is a terrible way to approach solving the problem of bias within the system. Moreover, it's incredibly dangerous. During fiscal year 2017, the most recent year we have data, 7.5 million children were reported to child protective services as possible victims of abuse and 3.5 million children actually received a CPS investigation. Of these, 674,000 children – less than 10-percent of those reported – were confirmed to be victims of abuse.

The problem isn't under-reporting; it's over-reporting that puts additional strain on a child welfare system that's already stretched too thin and increases the odds that children in actual danger of harm will fall through the cracks.

Rather than following Klasco's and Lindberg's advice that parents shouldn't "get mad" when they find themselves under suspicion of abuse as a result of their draconian "screen everyone" plan, parents should get mad.

Come to think of it, we should all get mad at this call to waste valuable time and taxpayer resources on a fool's errand that will result in needless investigations, violations of the constitutional rights of untold number of families, and, tragically, more children placed in harm's way.

*Andrew Brown (@MrACBrown) is the director of the Center for Families and Children at the Texas Public Policy Foundation.* ★★★

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

# COMMENTARY

## The Dangerous Urge To Do Something

**By Judge Andrew Napolitano**

**(Townhall)** - When tragedy strikes, as it did in two mass killings in August of this year, there is always the urge to pressure the government do *something*. Governments are animated by the belief that doing something -- any demonstrable overt behavior -- will show that they are in control. I understand the natural fears that good folks have that an El Paso or a Dayton episode might happen again, but doing something for the sake of appearance can be dangerous to personal liberty.

When the Constitution was written, the idea of owning arms and keeping them in the home was widespread. The colonists had just defeated the armies of King George III. The colonial weapon of choice was the Kentucky long rifle, while British soldiers used their army-issued version of Brown Bessies. Each rifle had its advantages, but the Kentucky (it was actually a German design, perfected and manufactured in Pennsylvania) was able to strike a British soldier at 200 yards, a startlingly long distance at the time. The Bessies were good for only about 80 yards.

Put aside the advantages we had of the passionate defense of freedom and homeland, to say nothing of superior leadership, it doesn't take any advanced understanding of mathematics or ballistics to appreciate why we won the Revolution.

It is a matter of historical fact that the colonists won the war largely by superior firepower.

Six years after the war was over, delegates met in Philadelphia in secret and drafted what was to become the Constitution. The document, largely written in James Madison's hand, was then submitted to Congress and to the states, which began the process of ratification.

By then, Americans had already formed two basic political parties. The Federalists wanted a muscular central government and the Anti-Federalists wanted a loose confederation of states. Yet the memory of a Parliament that behaved as if it could write any law, tax any event and impair any liberty, coupled with the fear that the new government here might drift toward tyranny, gave birth to the first 10 amendments to the Constitution -- the Bill of Rights.

The debate over the Bill of Rights was not about rights; that debate had been resolved in 1776 when the Declaration of Independence declared our basic human rights to be inalienable. The Bill of Rights debates were about whether the federal government needed restraints imposed upon it in the Constitution itself.

The Federalists thought the Bill of Rights was superfluous because they argued that no American government would knowingly restrict freedom. The Anti-Federalists thought constitutional restraints were vital to the preservation of personal liberty because no government can be trusted to preserve personal liberty.

Second among the personal liberties preserved in the Bill of Rights from impairment by the government was the right to self-defense. Thomas Jefferson called that the right to self-preservation.

Fast-forward to today, and we see the widespread and decidedly un-American reaction to the tragedies of El Paso, Texas, and Dayton, Ohio. Even though both mass murders were animated by hatred and planned by madness, because both were carried out using weapons that look like those issued by the military, Democrats have called for the outright confiscation of these weapons.

Where is the constitutional authority for that? In a word: nowhere.

The government's job is to preserve personal liberty. Does it do its job when it weakens personal liberty instead? Stated differently, how does confiscating weapons from the law-abiding conceivably reduce their access to madmen? When did madmen begin obeying gun laws?

These arguments against confiscation have largely resonated with Republicans. Yet -- because they feel they must do something -- they have fallen for the concept of limited confiscation, known by the euphemism of "red flag" laws.

*Photo: Mitch Barrie/Flickr*

The concept of a "red flag" law -- which permits the confiscation of lawfully owned weapons from a person because of what the person might do -- violates both the presumption of innocence and the due process requirement of proof of criminal behavior before liberty can be infringed.

The presumption of innocence puts the burden for proving a case on the government. Because the case to be proven -- might the gun owner be dangerous? -- if proven, will result in the loss of a fundamental liberty, the presumption of innocence also mandates that the case be proven beyond a reasonable doubt.

The Republican proposal lowers the standard of proof to a preponderance of the evidence -- "a more likely than not" standard. That was done because it is impossible to prove beyond a reasonable doubt that an event might happen. This is exactly why the might happen standard is unconstitutional and alien to our jurisprudence.

In 2008, Justice Antonin Scalia wrote for the Supreme Court that the right to keep and bear arms in the home is an individual pre-political right. Due process demands that this level of right -- we are not talking about the privilege of driving a car on a government street -- can only be taken away after a jury conviction or a guilty plea to a felony.

The "might happen" standard of "red flag" laws violates this basic principle. The same Supreme Court case also reflects the Kentucky long gun lesson. The people are entitled to own and possess the same arms as the government; for the same reason as the colonists did -- to fight off tyrants should they seize liberty or property.

If the government can impair Second Amendment-protected liberties on the basis of what a person might do, as opposed to what a person actually did do, to show that it is doing something in response to a public clamor, then no liberty in America is safe.

Which liberty will the government infringe upon next?

★★★

## Central Bankers' Desperate Grab for Power

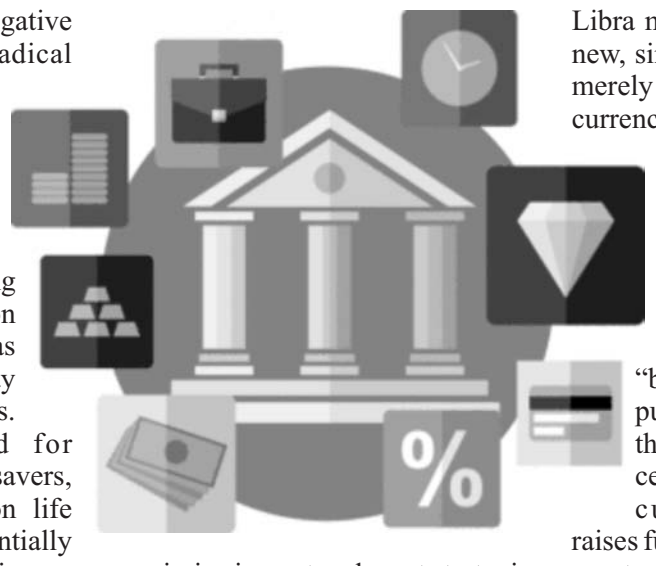
**By Ellen Brown**

**(Truthdig)** - Central bankers are out of ammunition. Mark Carney, the soon-to-be-retiring head of the Bank of England, admitted as much in a speech at the annual meeting of central bankers in Jackson Hole, Wyo., in August. "In the longer-term," he said, "we need to change the game." The same point was made by Philipp Hildebrand, former head of the Swiss National Bank, in

**Philipp Hildebrand**

a recent interview with Bloomberg. "Really, there is little if any ammunition left," he said. "More of the same in terms of monetary policy is unlikely to be an appropriate response if we get into a recession or sharp downturn."

"More of the same" means further lowering interest rates, the central bankers' stock tool for maintaining their targeted inflation rate in a downturn. Bargain-basement interest rates are supposed to stimulate the economy by encouraging borrowers to borrow (since rates are so low) and savers to spend (since they aren't making any interest on their deposits and may have to pay to store them). At the moment, over $15 trillion in bonds are trading globally at negative interest rates, yet this radical maneuver has not been shown to measurably improve economic performance. In fact, new research shows that negative interest rates from central banks, rather than increasing spending, stopping deflation and stimulating the economy as they were expected to do, may be having the opposite effects. They are being blamed for squeezing banks, punishing savers, keeping dying companies on life support and fueling a potentially unsustainable surge in asset prices.



So what is a central banker to do? Hildebrand's proposed solution was presented in a paper he wrote with three of his colleagues at BlackRock, the world's largest asset manager, where he is now vice chairman. Released in August to coincide with the annual Jackson Hole meeting, the paper was co-authored by Stanley Fischer, former governor of the Bank of Israel and former vice chairman of the U.S. Federal Reserve; Jean Boivin, former deputy governor of the Bank of Canada; and BlackRock economist Elga Bartsch. Their proposal calls for "more explicit coordination between central banks and governments when economies are in a recession so that monetary and fiscal policy can better work in synergy." The goal, according to Hildebrand, is to go "direct with money to consumers and companies in order to enliven consumption," putting spending money directly into consumers' pockets.

It sounds a lot like "helicopter money," but he was not actually talking about raining money down on the people. The central bank would maintain a "standing emergency fiscal facility" that would be activated when interest rate manipulation was no longer working and deflation had set in. The central bank would determine the size of the facility based on its estimates of what was needed to get the price level back on target. It sounds good until you get to the part about who would disburse the funds: "Independent experts would decide how best to deploy the funds to both maximize impact and meet strategic investment objectives set by the government."

"Independent experts" is another term for "technocrats" — bureaucrats chosen for their technical skill rather than by popular vote. They might be using sophisticated data, algorithms and economic formulae to determine "how best to deploy the funds," but the question is, "best for whom?" It was central bank technocrats who plunged the economies of Greece and Italy into austerity after 2011, and unelected technocrats who put Detroit into bankruptcy in 2013.

Hildebrand and his co-authors are not talking about central banks giving up their ivory tower independence to work with legislators in coordinating fiscal and monetary policy. Rather, central bankers would be acquiring even more power, by giving themselves a new pot of free money that they could deploy as they saw fit in the service of "government objectives."

### CARNEY'S NEW GAME

The tendency to overreach was also evident in Carney's Jackson Hole speech when he said, "we need to change the game." The game-changer he proposed was to break the power of the U.S. dollar as global reserve currency. This would be done through the issuance of an international digital currency backed by multiple national currencies, on the model of Facebook's "Libra."

Multiple reserve currencies are not a bad idea, but if we're following the Libra model, we're talking about a new, single reserve currency that is merely "backed" by a basket of other currencies. The questions then are who would issue this global currency, and who would set the rules for obtaining the reserves.

Carney suggested that the new currency might be "best provided by the public sector, perhaps through a network of central bank digital currencies." This raises further questions. Are central banks really "public"? And who would be the issuer—the banker-controlled Bank for International Settlements, the bank of central banks in Switzerland? Or perhaps the International Monetary Fund, which Carney happens to be in line to head?

The IMF already issues Special Drawing Rights to supplement global currency reserves, but they are merely "units of account" which must be exchanged for national currencies. Allowing the IMF to issue the global reserve currency outright would give unelected technocrats unprecedented power over nations and their money. The effect would be similar to the surrender by European Union governments of control over their own currencies, making their central banks dependent on the European Central Bank for liquidity, with its disastrous consequences.

**Mark Carney**

### TIME TO END THE "INDEPENDENT" FED?

A media event that provoked even more outrage against central bankers in August was an op-ed in Bloomberg by William Dudley, former president of the New York Federal Reserve and a former partner at Goldman Sachs. Titled "The Fed Shouldn't Enable Donald Trump," it concluded:

**Alan Greenspan**

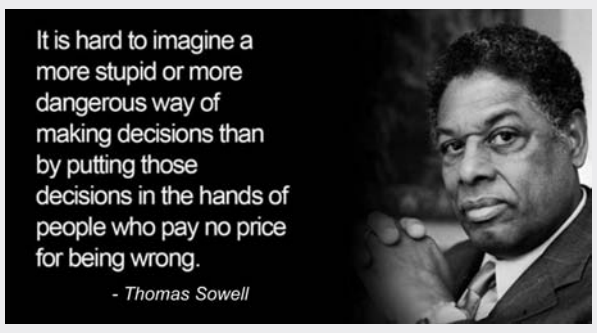
There's even an argument that the [presidential] election itself falls within the Fed's purview. After all, Trump's reelection arguably presents a threat to the U.S. and global economy, to the Fed's independence and its ability to achieve its employment and inflation objectives. If the goal of monetary policy is to achieve the best long-term economic outcome, then Fed officials should consider how their decisions will affect the political outcome in 2020.

The Fed is so independent that, according to former Fed chair Alan Greenspan, it is answerable to no one. A chief argument for retaining the Fed's independence is that it needs to remain a neutral arbiter, beyond politics and political influence; and Dudley's op-ed clearly breached that rule. Critics called it an attempt to overthrow a sitting president, a treasonous would-be coup that justified ending the Fed altogether.

Perhaps, but central banks actually serve some useful functions. Better would be to nationalize the Fed, turning it into a true public utility, mandated to serve the interests of the economy and the voting public. Having the central bank and the federal government work together to coordinate fiscal and monetary policy is actually a good idea, so long as the process is transparent and public representatives have control over where the money is deployed. It's our money, and we should be able to decide where it goes.

*Ellen Brown is an attorney, chairman of the Public Banking Institute, and author.* ★★★

# Qualified Immunity is an Unqualified Disgrace




**By C.j. Ciaramella**

**(Reason)** - In 2014, a Colorado social worker allegedly strip-searched and photographed a 4-year-old girl without a warrant. The mother sued on behalf of her traumatized daughter, but the two courts that subsequently dismissed the case never ruled on whether the girl's Fourth Amendment rights were violated.

Instead, a U.S. district court and the 10th Circuit Court of Appeals ruled that the caseworker was shielded from the lawsuit by the doctrine of "qualified immunity," which essentially allows public officials to violate a constitutional right as long as the right has not yet been clearly established in the courts. Reason Foundation (the nonprofit that publishes this magazine), the Cato Institute, and the American Civil Liberties Union (ACLU) have now filed petitions asking the Supreme Court to review the current standard for qualified immunity.

The ACLU's petition is on behalf of Alexander Baxter, a Nashville man who was bitten by a police dog while he had his hands in the air, surrendering. Baxter sued, alleging excessive force, but the 6th Circuit Court of Appeals ruled in 2018 that it wasn't clear using a police dog to apprehend him while his hands were raised was unconstitutional.

Judges of all stripes have assailed qualified immunity. Justice Clarence Thomas wrote in 2017 that the doctrine should be revisited, while Justice Sonia Sotomayor has bemoaned its effects on lawsuits over police misconduct.

U.S. Circuit Judge Don Willett, who was reportedly on President Donald Trump's shortlist for the Supreme Court, wrote in a 2018 decision that "to some observers, qualified immunity smacks of unqualified impunity, letting public officials duck consequences for bad behavior—no matter how palpably unreasonable—as long as they were the first to behave badly."

In 2017, the 4th Circuit Court of Appeals overturned a lower court's ruling that granted qualified immunity to a police officer who obtained not one but two warrants to take naked pictures of a 17-year-old boy suspected of sending sexually explicit photos to his 15-year-old girlfriend. The officer then allegedly forced the teen to masturbate in front of him so he could get a picture of his erect penis.

"A reasonable police officer would have known that attempting to obtain a photograph of a minor child's erect penis, by ordering the child to masturbate in the presence of others, would unlawfully invade the child's right of privacy under the Fourth Amendment," the court wrote.

Under qualified immunity, state actors can get away with almost anything. There's nothing constitutional about that! ★★★

Continued from page 1 • James Faire Set to Mediate Claims Against Okanogan County

prosecutors representing six separate counties in Washington reached the conclusion that the appeal should be voluntarily withdrawn because "the State is unlikely to succeed at trial in disproving Mr. Faire's claim of self-defense beyond a reasonable doubt."

However, the self-defense argument is but a part of this case. The case was dismissed because of the misconduct by the Prosecuting Attorney and others. The court found a violation of Criminal Rule 8.3(b) saying that "the combined effect and consequences of the state's actions prevent the defendant from having a fair trial" - from the Memorandum Opinion Granting motion to Dismiss, p. 12.

The court also found a violation of Criminal Rule 4.7(h)(2) finding that the Prosecuting Attorney had breached his continuing duty to disclose matter or information and finding that dismissal was necessary as a result.

Finally, the court found a violation of the standard set forth in *Maryland v. Brady*, 372 U.S. 83 (1963); *State v. Straka*, 116 Wn.2d 859, 882 (1991). In dismissing the case, the trial court found "governmental misconduct so prejudicial to the defendant that he is denied the opportunity for a fair trial." The court also found that dismissal was appropriate "given the egregious nature of the cumulative misconduct" and that the "cumulative effect of the government's actions, or inaction, constitutes sufficient bad faith that dismissal is required."

However, the tort claim which has been properly served on Okanogan County concerns more than just the Brady violation and other violations of due process. Mr. Faire was also incarcerated for eight months and remained on electronic monitoring for an additional eight months.

After thirty months the state on its own motion dismissed the five original felonies – First Degree Murder; Second Degree Felony Murder; First Degree Assault; First Degree Trespass, and First-Degree Theft – they had lodged against Mr. Faire. None of these charges could be sustained. Okanogan County, given the facts which were presented once the witnesses were actually interviewed, realized it could not demonstrate intent, and the First-Degree Murder charged was dismissed.

Complainant Richard Finegold admitted in two separate interviews that he had granted Mr. Faire permission to enter onto the property, to stage his personal items on the property, and even to stay in the residence, having given him the key. As a consequence, the state could not sustain any trespass charge, let alone First-Degree Trespass. Prosecutor Karl Sloan was present at these interviews, when Finegold admitted to filing a false police report.

Okanogan County when discovering that the GoFundMe account belonged to the defendants and that they had spent nearly double the amount raised in the account for the intended recipient, attempted to reduce the charge to Third Degree Theft, only to discover that venue was completely improper. The case was dismissed and referred to Snohomish County, who simply declined to prosecute.

Okanogan County could never prove intent on the First Degree Assault charge, as the person who had allegedly been assaulted at the time, George Abrantes, was repeatedly beating on the windshield of Mr. Faire's truck, the driver's side door, rear view mirror and driver's side-window with a makeshift, but exceedingly deadly weapon comprised of an oversized steel padlock and an approximately 24-inch section of logging chain, with the stated purpose of trying to break the glass to "pull him off the wheel." James Faire was clearly fleeing, in fear of his life and that of his wife's during the heat of George Abrantes' unprovoked, murderous assault.

As a consequence, Okanogan County recognized that it could not sustain any of the requisite felonies for Second Degree Felony Murder and dismissed it as well. James Faire spent 30 months facing these egregiously false and malicious charges which would have never been brought had the Sheriff's Department engaged in a competent and complete investigation before placing Mr. Faire under arrest. Ex-Okanogan County Sheriff Frank Rogers announced the case solved and the perpetrator(s) were in custody, or words to that effect, on KREM 2, a live television broadcast, less than 24 hours after the incident occurred. This rush to judgment took place before any meaningful investigation could possibly begin.

However, instead of reaching the conclusion that WAPA quickly reached when it read the file, Okanogan County continued to press forward with restated charges including Vehicular Homicide and Vehicular Assault and completely ignored the evidence before it concerning the crimes actually committed by the witnesses. Professor Gregory Gilbertson summarized these crimes as follows:

*Finally, it is this writer's analysis and opinion that a Class A felony under Washington State Law, to wit Assault 1st degree, was the proximate causes in the death of Debra L. Long. Specifically, Debra Long died as a result of George Abrantes commission of Murder in the first degree under RCW 9A.32.030, (a.k.a. Felony Murder in the first degree).*

*It is this writer's opinion that Debra Long died because George Abrantes assaulted and attempted to murder James Faire. As previously noted, Mr. Abrantes repeatedly and viciously attempted to strike James Faire in the head, face, neck, and spine with a deadly impact weapon. George Abrantes' assault upon James Faire so thoroughly menaced, traumatized, distracted, and disoriented him that in his overwhelming fear of death or great bodily harm he accidentally ran over Debra L. Long while fleeing for his life from George Abrantes.*

James Faire was arrested on June 18, 2015. As previously stated, Mr. Faire was convicted on television, by ex-Sheriff Frank Rogers within 24 hours by the statements made by Sheriff Rogers (retired), who, without having set foot on the crime scene, reported to all of Okanogan County and Washington State that they had already captured the murderers, who he referred to as "squatters." You can view the KREM 2 news video on the US~Observer website.

Mr. Faire was subjected to a First-Degree Murder charge for 30 months. His legacy will always be "he who was charged with murder." In this electronically connected world, Mr. Faire has been subjected to constant harassment and even death threats associated directly to the original and uninformed stance which Okanogan County recklessly and maliciously assumed, regarding the characterization of the events and of Mr. Faire. These attacks have not waned in light of the dismissal of his case and no one can speculate on when or if they ever will. Okanogan County's actions have and continue to cause James and Angela Faire egregious emotional pain and reputational damage.

According to current Okanogan County Prosecutor Arian Noma's statement prior to him being elected, *"The Faire case is an example of prosecutorial misconduct, incompetence at best. A prosecutor must think, investigate, and learn the events and facts before charging anything – something that obviously didn't take place in Faire's case. It's taken three years [now four years] to get this case dismissed, which equals many months of lost liberty; many months of being in jeopardy of losing liberty. It will take years for the Faires to rebuild their lives and they were not even guilty or convicted of any crimes. Despite this, just being charged, their reputations will be affected forever."*

Okanogan County has never publicly or privately apologized for its vengeful prosecution of James Faire. Even as late as May of 2019, Okanogan County through its appellate attorney expressed a determination to reverse the decision of the trial court and convict James Faire of crimes they knew or should have reasonably known he did not commit.

Mr. Faire believes that there is substantial corruption in Okanogan County, particularly within the prosecutor's office, the public defender's office, and the Sheriff's Department. He believes a 42 USC §1983 action will unveil the remarkable depths of this corruption and that a jury will be keenly interested in curtailing this action hereafter.

***Editor's Note: The US~Observer has covered the Faire false prosecution from day one. All Faire case articles can be found at www.usobserver.com.***

***Anyone with information on Attorney Paul Kirkpatrick, the Kirkpatrick & Startzel P.S., the insurance fund representing Okanogan County or any of the players in this case are urged to contact Edward Snook at 541-474-7885 or via email at editor@usobserver.com.***

***Our readership should look forward to an update on the results of the upcoming Mediation and why it either fails or succeeds.***

★★★

Continued from page 1 • Father Who Publicly Criticized Judge Over Son's Death ...

**Jonathan Vanderhagen**

Facebook to help him heal and inform others. Soon after, he found himself arrested, locked up and facing trial.

Michigan Prosecutors assert Vanderhagen committed the crime of, "malicious use of a telecommunication device," a misdemeanor charge. Vanderhagen claimed his public comments were a way to lash out at the family court judge who denied Vanderberg sole custody after the boy's mother was not taking his son to important doctor appointments.

According to a Washington Post article:

*"My Son's case 100% contradicts everything you claim to represent," [Vanderhagen] wrote in one post on July 8, accompanied by photos of Rancilio hugging her father at a ceremony to join the Michigan governor's task force on child abuse. "So wait Rachel you claim to be an advocate for 'child abuse & neglect' ... very interesting ... does my son Killian not fall into that category, does he not matter?!?!"*

*In several posts from early July, he shared some of the judge's personal social media posts and suggested that Rancilio needed to be removed from her seat on the bench.*

*"I won't stop till changes are made, people are held accountable, careers are ended, & these kids get the justice they deserve," he wrote in one of his Facebook posts.*

*"At no time does he threaten harm or violence," the police officer's police report stated.*

*The harsh words left the judge upset. What Vanderhagen viewed as free speech, Rancilio deemed a threat. The 35-year-old Chesterfield Township, Mich., man was arrested for his Facebook posts in July, and spent almost two months in jail awaiting a trial. He then posted bail, and took to his keyboard, again criticizing the judge. He was arrested again and tried.*

According to the Detroit Free Press, at trial, the judge stated on the witness stand, "I thought he was going to kill me and bury me after he was done." She continued, "I was scared. I was afraid something bad was going to happen to myself or my children."

Vanderhagen was acquitted at trial in mid-September. It took only 26 minutes for jurors

to reach a not guilty verdict according to Vanderhagen's attorney. After his acquittal, Vanderhagen told reporters, "I am thankful the jury could see the truth." This case is a shining example of government overreach. As a public figure, especially a government employee, criticism can, and should be protected. At no time did Vanderhagen's posts threaten violence against the judge. Kudos to the jurors for understanding that! ★★★

Continued from page 1 • Guardian/Conservator Problems ...

Attorney Steven Cade

Cade states, *"In fact, neither lawyer had authority to file such a document on Ms. Huglins behalf."* To make matters worse, according to information, within a matter of weeks Yela and Rudolph had billed thousands of dollars for which Huglin received no benefit. Cade states, *"the putative conservator has already begun squandering Ms. Huglin's assests and income."* Cade filed another motion for fraud with regard to Yela and Rudolph's fees. In Cade's motion "To Vacate Judgment Awarding Fiduciary & Attorney's Fees And Costs" he states, *"the fraud here is simple. The conservator is required by law to notify the protected person of the fee petition. Yela, certified to the court that she did so by mailing."* However, before the mailing, Yela had all Huglin's mail forwarded to herself. Cade states, *"the conservator's mailing was actually a mailing that was directed to herself, the conservator."* As a result, the protected person was not given notice even though Yela's proof to the court made it look otherwise, *"and the conservator knew it"* Cade stated. In her declaration Huglin added, *"I no longer receive any mail at my residence except mail Yela has opened and then decided to forward. To this date I have not received a mailed notice of the petition filed by Yela or her attorney for fiduciary or attorney's fees."*

Ruth Huglin

In Washington County Circuit Court Cade is representing the family of another ward that Yela is both guardian/conservator of. One family member found evidence that Yela had allegedly instructed the caregiver she hired to begin drugging their father with the powerful sedative Serequel days prior to a scheduled doctors visit, then abruptly stopping the medication shortly thereafter.

On March 22, 2019 Cade's office filed a declaration and evidence of the chemical restraint of their elderly father by Yela. In the accompanying motion Cade states, *"Even though his dose of the powerful sedative Seroquel had been doubled a few days before the visit, he was physically capable of attending."* In addition to chemical restraint the family alleges Yela withheld medical care and committed emotional abuse and Medicare fraud by lying about her ward's diagnosis to Medicare. The family further alleges, *"What Yela did was pass Pat Terrill off as an RN at the intake meeting with the hospice RN and then providing false information ... like that he was incontinent, had congestive heart failure, required being lifted ... all totally false."*

Once we "got a copy of the hospice intake form she could see what Yela had done to falsify information, which was fraud". The family states they filed complaints with the Department of Justice, Oregon Medical Board, Law Enforcement, Medicare and Adult Protective Services (APS). The family has reason to believe that as a result of their complaints and evidence against Yela that in July of 2019 Yela made a plea deal with APS related to the Medicare fraud and chemical restraint. Yela has since resigned as guardian and conservator of their father.

Yela has caught the attention of our state representatives such as Rep. Nancy Nathanson, who recently sponsored HB 2601A - just confirmed by Rep. Nancy Nathanson's office and reads in part as follows:

**"If guardians exceed the power allowed in SB2601-A, the families can go to court (without an attorney) to address guardians excessive control/power. This should be a huge help to many families. It is also retroactive meaning guardians will have much less power over their clients and families. HB 2601-A goes into effect on January 1, 2020."**

Of the eight exhibits presented to the Senate Committee On Judiciary on May 6, 2019, five were complaints related specifically to Ann Yela. Nathanson has stated that dealing with Yela is "an ongoing nightmare" after speaking to family members of Yela's Wards. One exhibit was an article written and published by the US~Observer, titled: ***Feeding Off Faulk Trust Assets – Criminal Charges Filed Against Wrong Individuals***.

It's no surprise that the Guardian/Conservator Association (GCA) of Oregon did not support the bill as it could make it difficult for guardians/conservators like Yela to perpetrate their alleged crimes. Interestingly, according to one witness, "Yela once sat on the board of the GCA" - that should tell you something. Many of these abuses have been reported to the GCA, who reportedly have done nothing.

Rose Henley

Yela's activities were first brought to the attention of the US~Observer when investigating for the article on Jack Dunn and Rose Henley. We learned that they were targeted by Yela and others for speaking out on behalf of their longtime friend and neighbor Wayne Faulk, who Yela had become guardian/conservator over. This, after they discovered Linda Faulk, Wayne's former sister-in-law, had allegedly "committed fraud and bilked over a half million dollars from Wayne Faulk's trust." The reported "theft" was

Wayne Faulk

allegedly later covered up by Yela, her attorney Nathan A. Rudolph, APS's Jr Oleyar and Detective David Lundervold of the Clackamas County Sheriff's Office (CCSO).

Police report #16-25621 was filed in September 2016 with the CCSO about Linda Faulks' alleged theft, along with an abundance of evidence, yet the report was closed as "unfounded" and no arrest was made of Linda Faulk. A letter from Wayne's former attorney alleges otherwise. On October 15, 2016, Eric Kearney wrote to his then client Wayne Faulk, *"I have provided the conservator (Ann Yela) with information and notes from the file regarding evidence of Linda's mismanagement of the trust and your personal money."* This is in addition to the evidence already provided to CCSO. The information about Linda Faulk was also provided to Clackamas County District Attorney's Office.

This leaves us all wondering, when will the true criminals be prosecuted? Meanwhile Henley and Dunn still await

Attorney Nathan Rudolph

trial on false charges. Their trial has been reset again to January of 2020.

Clackamas County District Attorney John Foote and his assistants who are handling this false prosecution should be ashamed of themselves! They should drop the false charges immediately or they will live with the public record that they falsely prosecute innocent people – not a good legacy at all when their names and positions are attached…

***Editors note: It was recently disclosed that Patricia Piazza, Ann Yela's partner as late as 2017, has serious complaints about herself as well – we are currently investigating these complaints among others.***

***Anyone with information about corrupt Guardians/Conservators or any of the individuals in this article are urged to contact the US~Observer at 541-474-7885 or send email to editor@usobserver.com.***

★★★



# Looking for Angels, and Asking for Prayers

**Our family is a cancer family; dad, mom, brother - all died of cancer. I've had it twice, and my brother Dennis, has cancer yet again. I live in Idaho, Dennis lives in Ann Arbor, Michigan. I'm 73, Dennis - who will always be my "little" brother - is 63.**

**My brother Dennis is fighting for his life. Not only is he fighting cancer, he's fighting the debt he incurred from the first two battles he won against it, years ago. Dennis has been trying to pay these bills off for years.**

**Earlier in this year, Dennis found himself back in the ER, as he could not breathe. After spending a few days in the hospital, he walked away with a tracheotomy and even more debt.**

**On August 15, 2019, he had another operation, which removed his larynx (voice box). Also, two tubes were put in his throat, and a flap was rebuilt so he can breath and eat, hopefully. He will be fed through a tube for two months or more - not sure if and when he will ever be able to talk again.**

**Dennis cannot work anymore. He was trying to retire from his semi-part-time, almost full-time job, as a janitor at the U of M Hospital. The retirement funds will be less than what he was making while working. He only has enough money for about two months rent. He hasn't been financially able to own a car for well over 10 years.**

**Recently, Dennis was back in the hospital, and in the operating room again. There were problems with the tubes in his throat. They think this fix will stop possible future infections.**

**Dennis has always worked and paid his bills but he no longer can. Things are urgently needed; money to pay for the hospital, food and rent. Dennis could use help with rides as well, both to and from the hospital. If anyone from the Ann Arbor area reads this and would like to help, please reach out.**

**He is my little brother and I've given what I can, so now I'm asking for your help, and prayers, too.**

**Please, help my little brother fight. Even more, help him to live. Go to:**

**www.gofundme.com/f/ehb9g-help-my-little-brother**

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# Leading expert explains why you would falsely confess to a crime you did not commit

**By Kim Cornett and Michelle Cho**

**(NBC News)** - Would you confess to a crime you did not commit?

Many people would respond instantaneously with a firm, "No." But they do and often, says Saul Kassin, one of the country's leading experts on false confessions.

"Your belief that you would never confess to a crime you didn't commit is your frame of reference for evaluating others. And it's a fair frame of reference. We do it all the time," Kassin said in an interview with NBC's Lester Holt.

Kassin, a professor of psychology at the John Jay College of Criminal Justice, has been researching false confessions for over 30 years. He says false confessions can happen to anybody, not just certain types of people.

Kassin explained that one reason people falsely confess is because they feel set up and believe they will be prosecuted or convicted whether they confess or not. Once the suspect believes they have evidence of guilt, the interrogation shifts gears.

"What the suspect hears, even if the detective doesn't explicitly say so, is, 'Oh, they don't think this is a big deal. Well, OK, then maybe confession will result in some degree of leniency,'" Kassin said.

He explained that in the United States, it is legal for a detective to lie about evidence to a suspect.

"Imagine you're 14, 16, 17 years old or, at the moment the crime happened, you were drinking. And imagine now you're being told that your fingerprints were found at the ... at the scene, or imagine you're told that the victim's blood was found on your pillow, or that you failed a polygraph, which is infallible," he said.

"Now, you may actually start to wonder, 'Wait a second. You claim you have this objective evidence and the police can't lie, right?' is what the average person thinks."

He said a typical interrogation can take up to four hours, but false confessions cases have had interrogations of up to 20 hours.

"People have a breaking point. And time breaks people down," Kassin said. "Time brings with it fatigue, a deprivation of certain need states. Particularly important is that people being interrogated are sitting alone in a room; no friends, no family, not a lawyer present."

**CENTRAL PARK FIVE**

In 1989, a white female jogger was beaten and raped in New York's Central Park. Yusef Salaam, Antron McCray, Kevin Richardson, Korey Wise and Raymond Santana were arrested and quickly branded the "Central Park Five."

They were all convicted on what they always maintained were coerced confessions, depicted in the Netflix series, "When They See Us." To them, the confession was a lifeline.

"You're talking about seasoned, veteran detectives 20-years-plus on the force. They do this in their sleep. That playing field is already unleveled, for kids," Santana told Holt. "So you walk into that situation not knowing anything.

**The Central Park Five**

The unknown. And it's all about the pressure. They apply so much pressure on you.

"It's estimated that we was in those rooms for 15 to 30 hours. No sleep. No food. Nothing. Just pressure. Large amounts of pressure."

McCray said he started to lie because his father told him to tell the officers what they wanted to hear.

Richardson was just 14 years old at the time.

"I was wondering how I could get out of this. And I thought, 'Well, as they was coaching me and telling me the names of people it was like a multiple choice, an exam. Antron, Raymond, pick one.' I put it down, so he was coaching me with that," Richardson said. "So you really don't know until you really in that, in that predicament. And all we wanted to do at 14 was go home. I just wanted to get home."

Kassin said: "The average person scratches his or her head. Wait, you thought you were gonna confess to involvement in a rape and go home? What were you thinking? What they were thinking has a lot to do with the minimization tactics that were used in the interrogation.

"Take a close look at the jogger confessions. Nobody confesses to raping the jogger. They implicate the others. Each of them pitches himself as having played a minor role; others raped her. That's different than getting five confessions. They didn't confess. Each one actually saw his own confession as a ticket home."

Although there was no DNA evidence linking the five defendants to the crime, two juries convicted them based on the false confessions.

"Confession evidence has always been considered something of a gold standard," Kassin said. "Legal scholars in the U.S. have recognized that when you have a confession, you're basically gonna get a conviction at trial."

Their convictions were vacated in 2002 after another man confessed to the crime. They all served between six to 13 years in prison.

**JEFFREY DESKOVIC**

According to the Innocence Project, a national organization that works to exonerate the wrongly convicted through DNA testing, 28 percent of exonerations obtained from using DNA evidence involved defendants who made false confessions. Of those, 49 percent were 21 years old or younger at the time of their arrest.

Jeffrey Deskovic was just 16 years old when he was arrested for the 1989 rape and murder of his classmate Angela Correa in Westchester County, New York.

He was interrogated for six to seven hours.

"Being desperate to get outta there, I latched onto that false promise, and I made up a story based on the information which they gave me in the course of the interrogation," Deskovic told NBC News.

His interrogation and confession were not videotaped.

Despite the lack of physical evidence connecting Deskovic to Correa's rape or murder, he was convicted in 1991. He spent 16 years in prison before he was exonerated in 2006 based on a re-examination of DNA evidence, after the Innocence Project took on his case. His conviction was later overturned.

A 2007 report from the Westchester County District Attorney on Deskovic's case said adolescents are "at a higher risk for confessing to a crime they did not commit."

The report also noted "the police failure to create a complete taped record of their interrogations of Deskovic was likely a major cause of this erroneous conviction."

Deskovic recently graduated from Pace Law School in May and is working to become a lawyer. Through his foundation, The Deskovic Foundation, he works to help the wrongfully convicted.

**Jeffrey Deskovic**

Kassin said that if that all interrogations are videotaped from start to finish, the number of false confessions would be reduced.

"Everything in basic psychology and research suggests that if there is a camera present in the room, detectives will likely dial down the use of certain tactics that they know judges and juries won't like when they see it," he said.

He said a complete video recording would offer to judges, juries and prosecutors an objective look at what was said and done.

"I'm convinced that the presence of a video camera will make fact-finders more accurate fact-finders," Kassin said. "The idea that I'd know a false confession if I saw one? No. Not if you're only watching the confession. But you stand a better chance if you're watching the whole process before that confession is taken." ★★★

# No Matter Who Wins in 2020, There Will Be Blood

**By William L. Gensert**

**(American Thinker)** - The machinations of an illiberal left, on display in its ever-increasing violence accompanied by the ululations of a propagandist media in contravention of an imaginary "white supremacist" right, have riven the nation into diametrically opposed camps.

The right will never accept socialism, while the left will accept nothing less.

**TRUMP WINS**

Those on the left will not allow a Trump victory, even should he win the popular vote and the Electoral College. They are used to getting what they want and like spoiled brats, have learned that tantrums work.

Should Donald Trump prevail in his bid for a second term, the left will go insane, deploying every "insurance policy" weapon at their disposal to negate four more years of the Orange Man. What Obama, Comey, and Brennan et al. did to Trump in his first term will seem mild in comparison to what the left is planning should he win.

Antifa, the military arm of the Democratic Party, has not spent the last three years practicing and organizing merely to sit on the sidelines. They have used the interregnum to mobilize and learn tactics, while probing to find what government will allow, media will trumpet, and the public will endure.

The skirling "resistance" has morphed from pajama-boy blobs of perpetually offended little dictators and pussy-hat sporting shriekers into balaclava-wearing avengers who crave the opportunity to put deplorables in their place and give them the government they deserve good and hard. They will flood the streets after a Trump victory in their Antifa costumes looking to bust the heads of anyone near enough to become part of their 15 minutes of YouTube fame.

It will start in the cities -- the Democrat-run cities, of course -- where the political leadership will provide them a measure of protection against identification and arrest. Seattle, Portland, LA, San Francisco, NYC, Chicago, Atlanta, Boston, and Baltimore, among others, will become flashpoints of unrest.

The riots will be portrayed by the media and the Democrats as a groundswell of support for deposing a racist president. They will bemoan the necessity of the violence, destruction, and loss of life, but remind Americans that "the people have spoken." Some among the Antifa will be championed. In lockstep, both the New York Times and the Washington Post will run headlines calling them: "The New Founding Fathers." People who fight back will quickly grow in number -- even as the media label them "white supremacists." Blood will be spilled.

China, Iran, Russia, and Venezuela will plead for calm and offer to mediate the evolving humanitarian crisis…

**TRUMP LOSES**

The right will never believe the Democrats didn't cheat their way to victory; in addition to understanding that a Democratic President will undemocratically implement policies by executive order that are inimical to their interests and desires.

Many on the right are weary of leaders who prioritize good press over good policy, and who prefer losing gracefully over winning ugly. They believe they did build that and that they have not yet made enough money and are fed up with being portrayed as ignorant and evil just because of political disagreements. Eight years of Obama and three years of watching his slow-motion coup have made them angry.

Tone-deaf to this silent majority and emboldened by victory, the new president will borrow Barry's "pen and phone" and start issuing executive orders throwing open our borders, banning fossil fuels, and of course, implementing "common sense" gun control. Buoyed by media, the new president will start with universal background checks and a gun registry.

Eventually, the president will overreach, signing an order for gun confiscation, euphemistically called, "mandatory buybacks." Antifa and their ilk will flood the streets in support of seizing these "weapons of war." Media will declare, "It's the will of the people."

And for the right, that will be the last straw (plastic or paper).

The left doesn't understand that every gun owner is a single-issue-voter; millions will refuse to give up their guns. And, many gun owners in this country will not go "meekly into the night," there will be "rage" against what they will see as a usurpation of their constitutional rights.

Confiscation will go well at first, with gun owners in the cities acquiescing to the knock on the door in the middle of the night and the intimidation of, "Papers please."

But in flyover country, a different scenario will play out. Most gun owners will hide their weapons and most local police departments will accept that, not wanting to jail their neighbors. Resistance will be broad, perhaps encompassing hundreds of millions of Americans. Barack Obama, for once in the dismal history of his efforts to kill the America we love, will be proven correct. Americans do "cling to their guns."

The media will call it "white supremacy," but a still unregulated internet will be rife with videos of an out of control government battling its own citizens.

The president will call for mobilizing the National Guard. Some governors will refuse, and army units now overseas will be sent home to deal with the growing unrest. Mistakes will be made and there will be gunfire in the streets; people will die on both sides. The president will desperately call for martial law.

Many Army, National Guard, and police will defect, or desert, or simply refuse orders.

What will happen after that is anybody's guess. ★★★

# Articles and Opinions

To the Editor letters for publication are encouraged – they must be typed, a maximum of 400 words or less in length. Please submit high-resolution photographs and/or artwork. Contact Editor for permission to submit in-depth articles up to 1,750 words, plus graphics. Opposition opinions are always welcome.

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*"We declare that all men, when they form a social compact are equal in right; that all power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, and happiness and they have at all times a right to alter, reform, or abolish the government in such a manner they think proper. This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people."*

**Get involved & send YOUR comments or concerns to the Editor**
**editor@usobserver.com**



Continued from page 1 • "Queen for a Day" Dr. Sorensen Finds Justice ...

against him. Ms. Sugar was also one of the teachers at the seminars he attended.

At the insistence of his lawyers and advisors, Dr. Sorensen sent letters – which he did not write but had signed – to the Grand Jury, a Federal Judge, the Assistant Prosecutor handling the investigation against him, Assistant United States Attorney (AUSA) Matthew Kirsch, and others. The government interpreted the letter as a threatening instrument used to attempt to obstruct the investigation. This would lead to the most serious charge against him, under 18 USC 1503, Obstruction of Justice – a crime that carries a potential prison sentence of ten years.

Sorensen hadn't questioned his advisors when they handed him what many jurors might well consider threatening letters to the officials investigating him. He also sent letters to Ms. Sugar and numerous other clients of both Ms. Sugar's and the organization she worked in tandem with, Financial Fortress Associates.

Dr. Sorensen had also been advised by Michael D. Beiter, Jr. At the time of Sorensen's indictment, Beiter was serving a 300-month sentence at the Federal Correctional Institution Estill for filing false claims for tax refunds and conspiracy to defraud the IRS. The statute for this crime carries Ten Years in the Federal Pen. Bieter was the original architect of the tax plan Sorensen was advised to use. No one thought Dr. Sorensen should know this before selling him the plan.

### THE GOVERNMENT'S CORRUPT ENDEAVOR

In addition to the charge of Obstruction of Justice, Dr. Sorensen was charged with the smaller offense of, 26 USC 7212 (a), corrupt endeavor to impede the IRS. The government claimed he failed to pay $1.5 million in taxes due from the years 2002 to 2007. Both indictments were issued in September of 2013. Corrupt Endeavor was the Government's newest pet project charging instrument – it's a charge that could be morphed into many things. Making it part of a tax case had the effect of eliminating the necessity of proving willful intent to violate the law.

Even though Dr. Sorensen was one of those out-of-the-box medical thinkers who was very successful, he also trusted just about everyone. In fact, he was "Mr. Gullible." Many people have heard of offers from a Nigerian Prince who would make them wealthy if only you can give him a loan. But, how many have been conned into making the loan? Very few statistically. However, Dr. Sorensen was one of the rare ones who flew overseas to meet the Prince. He was lucky to escape.

In the beginning of his criminal tax troubles, Sorensen ended up with a distinguished law firm out of California, Hochman, Salkin, Toscher & Perez. Dennis Perez represented him. Perez is one of the most respected tax lawyers in the country. Perez even lectures about civil and criminal tax defense all over the country.

After reviewing the case, Perez wisely discussed pleading guilty with him. Perez also wisely convinced him to answer questions that Sorensen had been ordered to answer by a Federal Judge but had at that point not yet answered. Sorensen had been held in contempt for that. And that contempt was part of the indictment against Sorensen for Obstruction. Sorensen, through his lawyer, Perez, did the one and only thing that a trial lawyer would later be able to use to defend him, he ultimately obeyed the court order and served AUSA Kirsch with all of the documents he had previously been held in contempt of court for not providing.

Then Perez did something that most criminal defense trial lawyers will advise clients to be more careful about. He set him up for what is commonly called a "Queen for a Day" meeting.

### QUEEN FOR A DAY, GUILTY FOREVER?

The "Queen", the person who is being investigated, meets with the prosecutors, and if he can make them happy, they cut a deal. The typical agreement, however, is that the Queen gets nothing except the promise of consideration of a deal, if the government likes what he has to say. Often, they go back and forth until the government really likes what they say, and then they either make a deal or don't make a deal. The government is usually by agreement, not allowed to use any of the statements unless no deal is made and the case goes to trial, and the Queen gets on the witness stand.

These meetings are almost never recorded. Recording wouldn't usually help the Government much. They go like, "Did you know you were cheating on your tax returns?" …. "Not really". … "Counsel you need to take your client out of the room and talk with him, this isn't going to result in a deal being made." Eventually counsel, knowing the game, gets his client to be more compliant and say things that will hurt him if he takes the stand. And a deal is almost always made.

But if there is no deal, defenses are often given up. The free-look into how a person testifies makes him/her a much easier target if they were to go to trial. That person has waived so many rights they become very difficult to defend. In tax cases it almost always includes jail time unless the deal is made with a snitch, who may be a friend, the client's own CPA – who in this case was Rita Sharp and who testified eagerly against Dr. Sorensen – or the client's own lawyer – in this case Melissa Sugar. If the person were to take the stand during their trial, without a deal, and if the government disagrees with what they said, then witnesses in the room during the "Queen for a Day" meeting, usually the special agent, get on the stand after the person's testimony, and explain their version.

Reporters and Trial Lawyers will tell you that this witness, a professionally-trained government employee, is generally more institutionally believable than the accused person, because they have status and witness training. Therefore the government's version is rarely disbelieved by the jurors.

Even an innocent person can easily say incriminating things. In Dr. Sorensen's case he truthfully admitted that he had seen some red flags and probably should have done more research. On nearly everything else, Sorensen and the Special agent, would, at trial, disagree on.

The only time there is an upside of throwing yourself on the mercy of the prosecutor is when you have no chance of winning your case and no intention, no matter what happens, of actually going to trial. If your lawyer has a working relationship with the prosecutor and trusts him completely, then a fair deal might be worked out.

The downside is obvious. With very few exceptions, never accept a "Queen for a Day" invitation if you are innocent or if there is any chance of a trial. A difficult trial to defend then becomes impossible to defend unless the lawyer can avoid putting the client on the stand, or has an incredibly effective cross for the agent who will take the stand and tell the jury their version of what the client said "confidentially" in the "Queen for a Day" meeting.

This reporter has been unable to find a criminal tax trial where Dennis Perez was lead counsel and a jury returned with a verdict of "Not Guilty" on all counts. In fact, I reached out to Mr. Perez via email and asked, "how many criminal tax cases have you successfully defended through trial to acquittal?" There has yet to be a response.

While Perez was probably sufficient for tax computations or an agreed plea, and did a great job by having Sorensen submit the documents, he really did Dr. Sorensen a disservice by recommending the meeting. Once the "Queen for the Day" performance was finished, if Sorensen originally had a 50/50 chance of not guilty on both counts, it was probably reduced from 50% to 1%.

### ENTER THE HAGEMANN SLAYERS - MINNS & ARNETT


When Sorensen was asked to sign the confession typed-up for him – negotiated by his counsel, Perez – the government included swearing to facts that he believed were not true. So, the doctor refused the deal and told his counsel he wanted to go to trial. Ultimately, Sorensen found and hired the law firm that had beaten special agent Hagemann in the Moran trial in 2007, Minns & Arnett – in the Moran case though, there had been no "Queen for a Day" meeting to contend with.

The first thing that Minns filed on behalf of Sorensen was a witness list that included the name of the assistant US attorney who was trying the case. Minns told AUSA Matthew Kirsch that he had an obligation to withdraw as a conflict as a material witness because the government wanted to prove that he had received a nasty letter from Sorensen, and the defense wanted to prove that Sorensen had ultimately obeyed the court order and had delivered the materials to Kirsch, the AUSA.

This caused a series of hearings and arguments. The court and the Government suggested that the best way to handle it was to simply stipulate that those facts were true and let the trial proceed.

Minns disagreed saying that he felt the most effective way to try the case was to put Kirsch on the witness stand and have him truthfully testify that he didn't feel threatened by Sorensen. Minns also wanted to show that, contrary to the representations in the indictment, Sorensen had ultimately obeyed the court order as he had hand-delivered the materials to the witness, Kirsch, right after he retained competent counsel in Perez.

It is never a good idea, if you have a choice, to personally rile-up the Judge.

The choice here was to let in facts by stipulation, but not through witnesses. Minns explained that this was his trial choice and he would not take the AUSA off the witness list. The court explained he could order it stricken and Minns should voluntarily take Kirsch off. Minns refused. The court had denied the motion to recuse the AUSA as a witness three times. Finally realizing Minns would not back down he re-examined the position and decided to give the AUSA the chance to either get another lawyer on the case and get an extra 30 days to find one and get prepared, or dismiss the count.

The AUSA offered a compromise: Go to trial on one count only, the one where Kirsch was not a witness, sever the other one out, and let Sorensen have two trials. Minns objected to that. He would not waive the speedy trial act which this scheme could have impacted. The court then re-set the trial date for the following week and gave the government until that Friday – just a few days – to make a decision.

So, the government's choice was between going forward with a new lawyer, which would move the case forward (which might also violate the speedy trial act), or dismiss the ten-year count.

On that Friday, the government made the decision to dismiss the count of Obstruction with prejudice and go forward with the Corrupt Endeavor charge. Dr. Sorensen had been facing fifteen years and two counts. He was now facing five years and one count which was almost the same as the plea bargain he was offered and had turned down.

When a professional, Doctor, Lawyer, Realtor, has a felony conviction, it also has serious professional ramifications on top of prison and fines.

In an income tax case, the amount of the alleged income is calculated into the sentence guidelines and usually decides how much time the accused must serve. That can also be the case in Obstruction. On Corrupt Endeavor it is not the deciding factor.

When the Sorensen trial went forward and the government had completed its case, it was Sorensen's turn and Minns objected because the corrupt endeavor count was being used instead of income tax evasion. All income tax evasion cases require willful evasion, which means the accused must understand the law and make a conscious decision to violate it. That is not the case in Corrupt Endeavor. Even though he was right, Minns was overruled.

Dr. Sorensen then took the stand and admitted there were "red flags" he should have taken more seriously. He, however, had put his faith in his advisors, believing they knew the law; that he, himself, had always tried to follow the law and be a good citizen.

Because Sorensen testified, the court allowed the government a rebuttal witness. IRS special agent Hagemann, who had been present at the "Queen for a Day" meeting, virtually called Dr. Sorensen a crook and a liar and that he had all but confessed during the meeting. Hagemann's reported mischaracterizations were damning, and the judge disallowed the defense from calling their own rebuttal witness. This witness, a local lawyer who is highly respected and has great credibility, would have testified that Hagemann's representation of the meeting was not at all accurate.

### GUILTY?

At that time in the US there had not been a "not guilty" in the decade before on a tax-related Corrupt Endeavor count. This case was no exception, and without doubt, because of Hagemann's "twisted" recollection, Dr. Sorensen was convicted.

Although only one year of prison was recommended after lawyer Ashley Arnett masterfully handled the pre-sentencing, the Judge deviated from that suggestion and ordered 18 months. It was a far cry from the potential of 5 years, but no picnic, either. Unless the conviction was thrown out, Dr. Sorensen would be branded a felon for life.

As this case was going up the ladder of appeals, another case Marinello v. United States was also going up to the Supreme Court. Marinello, was argued by Matthew S. Hellman, a master appellate lawyer of the firm Jenner & Block. In 2018, using virtually the same argument Minns had made for Sorensen in the 2014 Denver Trial, the corrupt endeavor for most tax crimes was tossed out, Marinello was reversed.

### "NOT GUILTY"

A month later Sorensen's *Coram Nobis* appeal was filed on that same theory. The court held it for nearly ten months before tossing out the remaining conviction against Sorensen.

With that ruling, Dr. Sorensen got his life back.

A review of the court's order vacating the conviction makes it clear that the court did not believe Sorensen was actually innocent. It appears the judge believed the law required him to vacate the conviction on a serious legal technicality of charging Sorensen with the wrong crime. Since history can't be redone, and since the doctor no longer has a criminal record, no one will ever know if the unfavorable slant was in part caused by the materials obtained in the "Queen for a Day" meeting.

This reporter does not believe in the practice of "Queen for Day" rituals for innocent clients or clients who have a defensible case. And of course, any client hiring Minns & Arnett, has a defensible case by statistical definition.

The corrupt endeavor act, used for income tax cases, was itself a little "corrupt" allowing government to try tax cases without the nearly century-old protection of willfulness instruction. The lawyers for Marinello and Sorensen are all to be congratulated for their efforts to eradicate this inappropriate government prosecution tool. It is very possible, without the "Queen for the Day" to deal with, Sorensen might have won the verdict outright.

### THE SCORECARD

The first battle ended with the Sorensen's defense beating the obstruction count – One.

The next was a win for the government who secured a greatly diminished felony conviction and only 18 months out of a possible five year sentence – One.

However, the war ended in 2019 with the government's conviction overturned and there being no felony record – Sorensen's defense TWO, Government ZERO.

That is how impossible cases are won – you keep fighting and you have those on your side that just don't give up.

As for Ms. Sugar? It has been reported that she went to prison. Justice, how sweet it is…

Congratulations Michael Minns. It was another masterful case.

*Dr. Sorensen declined to comment.* ★★★

# Orlando officer fired after arresting pair of 6-YEAR-OLDS at school

**(RT)** - An Orlando school resource officer lost his job after he arrested two children at a Florida elementary school over trivial misbehavior. All charges against the children were dropped following public backlash.

Orlando Police Chief Orlando Rolon said on Monday that the officer behind the arrests had been fired, apologizing to the two children and their families and adding that the case made him "sick to [his] stomach."

"It was clear today when I came into work that there was no other remedy than to terminate this officer," Rolon said in a statement. "As a grandfather, I can understand how traumatic this was for everyone involved."

The police chief added that he issued a "special notice" to the police force to "ensure this does not occur in the future."

**Kaia, one of the two six-year-olds**

The two children were taken into custody separately by officer Dennis Turner last Thursday, though it is not clear exactly what prompted the two arrests. One child was processed at the local Juvenile Assessment Center before being released to a family member, while the other youth was brought back to her school without being processed.

**Ex-officer Dennis Turner**

Meralyn Kirkland, the second child's grandmother, told WKMG-TV that the treatment was excessive, saying, "No 6-year-old child should be able to tell somebody that they had handcuffs on them."

Kirkland said she was shocked to receive a call last Thursday from the Lucious and Emma Nixon Academy, where her granddaughter Kaia attends first grade, informing her of the child's arrest.

"I said, 'What do you mean, she was arrested?' They said there was an incident and she kicked somebody and she's being charged and she's on her way," Kirkland continued, explaining that Kaia suffers from a sleep condition that occasionally causes her to act out.

State Attorney Aramis Ayala confirmed earlier on Monday that her office would not pursue charges against the children and is working to clear their records. Both children, one of which has not been named, faced a battery charge.

"The criminal process ends here today. The children will not be prosecuted," Ayala said. "I refuse to knowingly play any role in the school-to-prison pipeline."

Reactions online and around the country were no less harsh, with the ACLU weighing in to slam the charges as "ridiculous" and "traumatizing."

Another legal activist, Scott Hechinger of the Brooklyn Defender Services, condemned the arrests as "child torture."

# Bill giving servicemen and women largest pay raise in 9 years passes

By Adrian Mojica
WZTV

**WASHINGTON, D.C.** - The U.S. Senate Appropriations Committee has approved a bill which will give a 3.1% pay raise to our men and women in uniform.

Tennessee Sen. Lamar Alexander, who sits on the committee, says it is the largest pay raise for military service members since 2010.

In addition to the raise, the bill also includes funding for research and development of advanced technologies. In a statement release, Alexander calls the funding a "record."

"Governing is about setting priorities and this bill shows our priority is the men and women who serve in our armed forces. This funding bill provides a total of $694.9 billion for our national defense, a $20.5 billion increase over fiscal year 2019. The bill also includes a 3.1 percent pay raise for the men and women who defend our freedoms – including those serving at Fort Campbell, Naval Support Activity Mid-South in Millington, and Arnold Air Force Base, in Tullahoma," Alexander says.

The bill will next be sent to the full Senate for consideration. ★★★

**Continued from page 1 • Vietnam Veteran Targeted by Unjust System?**

which he believes is rife with corruption.

Crisp says that his current legal situation started in 2013 when a protection order was awarded against him to a tenant he had living in his house. According to Crisp, her name was Teresa Vick and at that time he says she and the person staying with her were allegedly involved with drugs. It has been reported that Vick currently resides in Akron, Colorado.

Crisp maintains that Vick had not paid rent, and that when he found out that "Vick was using drugs" and allegedly had a pedophile living with her, he asked them to leave. They wouldn't. Crisp then went to the Kit Carson County Sheriff's Department to have them help him. Unfortunately for him, they refused to get involved, telling him he had to go through the confusing and lengthy process of eviction.

**Undersheriff Travis Belden**

Even though Crisp was renting his home out, he didn't know the intricacies of landlord-tenant law and found himself struggling to understand why, as the property owner, he couldn't just have someone removed – especially if that someone wasn't paying their rent. Why would the law be so one-sided as to do away with protections for the property owner?

Admittedly, Crisp overstepped and took matters into his own hands by shutting off the utilities which were in his name. He claims to have never stood in the way of them initiating services in their own names. Instead, the tenants called the sheriff's department claiming Crisp had threatened them, something he adamantly denies.

Deputy Travis Belden responded – Belden is now Kit Carson County Undersheriff. It's been alleged that Belden got a statement from Mike Santella stating Crisp had told him that he was going to kill the tenants. According to Crisp, Santella insists he did not tell then-deputy Belden anything of the sort.

However, according to Crisp, the statement was read into the record by Deputy Belden in front of Kit Carson County Judge Michael K. Grinnan. Even without Vick ever showing up in court, she was successful in getting a protective order against Crisp. As stated by Crisp, Judge Grinnan just didn't believe him when he told the judge he hadn't said those things.

When Crisp finally got Vick and friend to move, he petitioned the court for the removal of the protection order. Again, court was convened, and "the accuser never appeared." In fact, Vick allegedly never showed up to any hearing – so much for the right to face your accusers! This time the judge simply altered the order allowing Crisp to enter a store and school, both places he had previously been barred from entering.

But Crisp reportedly thought the protection order had been dismissed completely. Even still, he requested a Colorado Bureau of Investigations report on himself, to see if he had anything that kept him from exercising his 2nd Amendment right to purchase a gun. According to Crisp, the report came back clean. So, he went to buy a gun. That's when he was arrested for violating his protective order and charged with contempt of court.

Crisp recalled what happened next, "I got a public defender to represent me on the violation and told him I had done a background check and CBI. He didn't care about that and he didn't try anything except to attempt to get me to take a plea bargain on a lesser charge. I told him it's just a nice way of saying I was guilty and I wouldn't ever admit guilt to something I didn't do." Crisp continued, "Soon, I went back before the judge for a pretrial hearing. On the way back in, the public defender said that I wouldn't win my case. So, after we got the trial date set, I asked Judge Grinnan for another attorney. The judge wanted to know why, and I told him I did not feel I was being represented. Judge Grinnan got angry with me when I told him my attorney wouldn't look into anything. He told me to get my own attorney and then told me to get out."

Crisp then retained Jacob Starkovich.

Before Starkovich could argue the contempt charge, Crisp was again being targeted for harassment. It's a charge the prosecutor's used to try to leverage a plea deal from him.

According to Crisp, this harassment allegation arose from a woman named Brianna Kinkade who Crisp says he had loaned money to and had not been paid back. With his SSD, "Crisp was the perfect mark." Kinkade allegedly feigned being frightened of Crisp once he asked for repayment.

Like many others who face real psychological/social skills issues, it was reported that Crisp was immediately disbelieved and Kinkade's allegations given undue weight. Not only did Crisp have the prior protective order working against him, most people – especially law enforcement – just don't understand and know how to deal with individuals who suffer from PTSD and SSD.

It was the fact Crisp had the previous protective order that Kinkade used to her benefit in her "Victim Impact Statement" where she wrote, "As I know for a fact that he has a restraining order against him already for threatening a couple's life, I feel that he should serve jail time …"

One has to wonder how Kinkade knew he had a previous protective order in the first place. Did Crisp tell her about it, and she used it to her advantage? Did a deputy tell her, thereby negating the principle that in every allegation the accused is innocent until proven guilty? Either way, Crisp was already guilty in the eyes of the law; especially in the eyes of Undersheriff Belden, who to this day allegedly intimidates and heckles Crisp, both off and on duty – some Kit Carson County residents have intimated that Crisp isn't the only one the undersheriff abuses.

Crisp, however, never gave up fighting for the truth, and with Starkovich's aid was able to get his original contempt charges dismissed. But Crisp found himself with another protective order, one that law enforcement were all too eager to violate him for.

On one occasion, Crisp had gotten gas at a store where Kinkade had worked. He did not see her vehicle and didn't think she was there. He never saw her. However, he was pulled over and arrested later in Yuma. According to Crisp he was held in jail for 3 days while his PTSD increased in severity. He maintains that he plead with the deputies to help him and they wouldn't. On the 3rd day, Richard Crisp hung himself.

Luckily he survived.

It wasn't long after that when Judge Grinnan again sat over Crisp, this time at trial.

According to Crisp, information that he had loaned money to Kinkade and had not paid him back was kept from the jurors. Crisp was found guilty.

Crisp recalled, "At the sentencing, I had a character witness named Jerry Rowe who said he has known me for over 30 years, and that I was a honest man. He said I had trouble dealing with my Vietnam experience, but was honest. And that if I said it was a loan, it was. The judge said that even if it was a loan, I didn't handle it right. To me, the judge knew she lied but allowed me to be railroaded anyway."

Crisp wants people to know that while he might not have a filter, and sometimes doesn't know how to act, he cares greatly for others. He wants law enforcement to take their oaths seriously and truly serve and protect their fellow citizens, not be the boot that steps on their necks. He wants people to know that he felt abused by law enforcement while in their care, and the justice system as a whole.

One thing is true, law enforcement either doesn't know how to deal with individuals who require special handling, or they just don't care to. Either way, the system is broken and people like Richard Crisp are those who pay the heaviest price.

We reached out to Undersheriff Belden for comment and clarification. He has not responded. We also sought comment from both Teresa Vick and Brianna Kinkade. Vick has not responded to our questions. Kinkade could not be reached but we will keep trying. We will update the article in the event they contact us.

Crisp maintains his innocence on all of his charges and would like his convictions overturned.

As long as the justice system criminalizes those that have real social and psychological issues, and doesn't offer them the support they truly need, you can bet Crisp and vets like him will end up facing more allegations and ultimately, more time in jail.

***Editor's Note: Anyone with information on injustices in Colorado, Teresa Vick, Brianna Kinkade, Judge Michael Grinnan, Undersheriff Travis Belden or anyone mentioned in this article, please contact the US~Observer by calling 541-474-7885 or sending an email to editor@usobserver.com.***

★★★

# Life Is Better Than Ever

## Don't believe news reports — we're healthier, richer, and safer than ever before.

By Maxim Lott and John Stossel

**(Reason)** - News reports often give the impression that human beings have wrecked the earth, the middle class is disappearing, and the world is getting more dangerous.

"We are destroying the planet," Michael Moore says on CNN. MSNBC says that "the middle class is disappearing." The media warn us about things like a "deadly Ebola outbreak."

This negativity comes from the way humans are wired by evolution, says Reason Editor in Chief Katherine Mangu-Ward.

She tells John Stossel: "If you are a caveman who hears a little rustling in the weeds, and you say, 'Oh, it's probably fine,' the other guy who says, 'It's probably a tiger,' that's the guy who lives. That guy was our ancestors."

But our instincts are wrong, she says. We needn't be so scared.

The cover of the August-September 2019 issue of Reason features a glass that's completely full. Inside the magazine, you'll read about how there is less war and more food. And we're healthier, while working safer and more fulfilling jobs.

Mangu-Ward points out that today we have medical breakthroughs that would've once been called miracles. Deaf children receive cochlear implants that allow them to hear for the first time. Artificial limbs "allow the lame to walk."

"These are things that, in another era, would have caused the founding of an entire religion!" says Mangu-Ward.

Stossel pushes back: "What about this constant complaint from the media?...The middle class is shrinking."


"Mostly it's because people are getting richer," Mangu-Ward responds.

She's right. A graph in Reason shows that about 50 years ago, 53 percent of people were middle-income, making between $35,000 and $100,000 per year. Although that statistic has since fallen to 42 percent, the reason is that many people moved into upper-income brackets. The share making more than $100,000 rose from 8 percent to almost 28 percent. (These numbers are inflation-adjusted.)

"Pestilence, War, Famine, and Death are All on the Decline," was the subtitle of another article in the issue.

"You wouldn't know that watching news programs," Stossel said.

"That's right, and yet it's absolutely true," added Mangu-Ward.

Even with the rise in terrorism, she notes, "There are fewer wars and fewer people die in those wars than has ever been true in the past."

Stossel pushes back again: "Lately, life expectancy dropped a bit."

"Overall, that is the tiniest blip," Mangu-Ward replies. The long-term trend is still up.

An article titled "How Work Got Good"argues that people are more fulfilled in modern jobs.

"A couple hundred years ago, work was dangerous," Mangu-Ward adds. "It was very easy to die at work...work was extremely boring, even for people that had good jobs. Jobs are pretty interesting now, and they mostly don't kill you, and we should be grateful for that."

But there are problems, and Reason's editors understand that. The back half of the magazine is filled with the bad news: misery in Venezuela, threats to an open internet, the new popularity of socialism.

"Everything that's bad is politics, everything that's good is the market." Mangu-Ward argues. "Life gets better. We have the opportunity to look to a future where those trends will continue—if we can just manage to keep politicians from screwing it up." ★

# Virginia county's entire board of supervisors has been indicted

By Zack Budryk

**(The Hill)** - State police announced Tuesday that all of the top government officials in a Virginia county have been indicted in connection with an investigation of financial crimes, according to The Washington Post.

Daniel Whitten

Fourteen people were charged as part of the probe into alleged money laundering and embezzlement inside the local economic development authority, including all five members of the Warren County Board of Supervisors, according to the Post.

The grand jury also charged former Warren County Schools Superintendent Luke Drescher and former County Attorney Daniel Whitten.

Another of the defendants, former Warren Supervisor Ron Llewellyn, said the officials were charged in relation to claims that they did not react properly to indications former economic development authority director Jennifer McDonald embezzled tens of millions in agency money. She has been charged with nearly 30 felony counts.

"I don't know how we should have known earlier," said Llewelyn, who served on the authority board at the time of the alleged crimes. "The accountants are supposed to do their job. Am I supposed to go and ask them if I can review their books and their auditing positions? I'm not in a position where I would understand it if I saw it."

Local activists have claimed McDonald's alleged crimes would only have been possible if she had co-conspirators inside the county government, according to the Post. "It's not every day that your entire government gets arrested," Melanie Salins of the Warren County Coalition, an anti-corruption community watchdog group, told the Post. "It's so shameful."

★★★

# Lawyers appeal acquittal of energy bosses over Fukushima disaster

**(AFP) Tokyo, Japan** — Japanese lawyers Monday appealed a ruling clearing three energy firm bosses of professional negligence in the only criminal trial stemming from the 2011 Fukushima nuclear meltdown, a court official said.

The three men were senior officials at Tokyo Electric Power Company (TEPCO), the operator of the Fukushima Daiichi plant, and had faced up to five years in prison if convicted.

The men — Tsunehisa Katsumata, 79, Sakae Muto, 69, and Ichiro Takekuro, 73 — were accused of professional negligence resulting in death and injury for failing to act on information about the risks from a major tsunami, but they argued the data available to them at the time was unreliable.

"The lawyers filed an appeal today," a Tokyo District Court spokeswoman told AFP.

An online petition demanding an appeal was launched following the acquittal ruling of last week and more than 13,500 people have signed.

The presiding judge said that the verdict turned on the "predictability" of the massive tsunami that swamped the nuclear plant in March 2011 after a 9.0-magnitude undersea earthquake.

No one was killed in the nuclear meltdown, but the tsunami left 18,500 dead or missing.

The ex-TEPCO executives faced trial in relation to the deaths of more than 40 hospitalized patients who died after having to be evacuated following the nuclear disaster. ★★★

**The US~Observer's services have defeated over 5,000 false charges to-date.**

# 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 prosecution for false charges 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 $200.00 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 prosecuting 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 by investigating the accusers, the prosecutors – everyone involved with your case. In other words, complete an in-depth investigation before you are prosecuted and make the facts public, forcing a just outcome.

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

# Faces of the US~Observer's VINDICATED

### Angela Nobilis-Faire

"I want you to know how very grateful I am to each one of you. There are not enough words that can express what is on my heart and in my mind. Simply put, you saved my life; you have saved James' life."

**Charges**

Murder - 1st Degree
Vehicular Homicide
Manslaughter
Vehicular Assault
Assault - 1st Degree
Assault - 2nd Degree
Trespass - 1st Degree
Theft - 1st Degree
Theft - 2nd Degree

**Status: Dismissed**

### James Faire

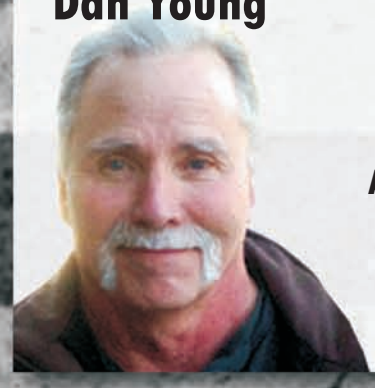
"If it wasn't for the US~Observer being involved and promoting the truth in my case I very well could have died in jail. I almost certainly would have never seen any amount of freedom. And without doubt, the prosecutors would have never, in a million years, stopped their unjust prosecution of me. Few will ever know the time spent on this epic war for righteousness, truth and justice."

### Rusty Liscoe — Felony Grand Theft/RICO

"I want to thank you for all you have done - from the bottom of my heart. You defeated my false RICO charges."

**Status: Dismissed**

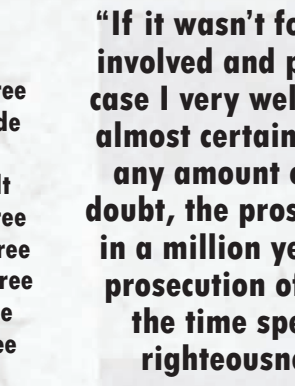
### Dan Young — Menacing & Reckless Endangerment



"Having spent over $50,000.00 in Attorney's fees, Doctor bills, etc., your services were well worth it."

**Status: Acquitted**

### Assault — Stan Strange




"My jury acquitted me in 13 minutes. I even won a settlement. I can't thank you enough, US~Observer!"

**Status: Acquitted & Compensated**

### Sex Abuse — Timothy Tignor



"My false sex abuse charges were dismissed before an unnecessary third trial thanks to the US~Observer. Praise Jesus!"

**Status: Dismissed**

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