Promoting Excellence in Investigative Journalism

US OBSERVER
Vindicating the Innocent

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ABUSE OF POWER

Police Retaliate Against Man After Jury Finds Him Innocent

By US~Observer Staff

Roman Serpik

Morrow County, OR - Roman Serpik and his family moved to Oregon long after he was Honorably discharged from the U.S. Army's 82nd Airborne Division. Roman eventually landed a job as a maintenance technician at Green Acres RV Park in Irrigon, Oregon, a rural farming town located close to the Oregon/Washington border. He would later be tasked with handling security for the park.

Within eighteen months of working at Green Acres, some of the residents started to question Roman's character, including co-worker Mary Beach. Roman would eventually get arrested because of the accusations.

Roman was locked-up for a total of 77 days for crimes he was found not guilty of committing. But being wrongfully arrested, then

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SCAMMER ALERT

Have You Seen This Man?

Christopher Rusch, aka Christian Reeves

Have you or someone you know done business with Christian Reeves *(also known as Chris Reeves; aka Christopher Rusch; aka Chris Rusch)*?

Have you been indicted after dealing with him? Have you been cheated out of your finances as a result of investing with him, or at his direction?

Call the US~Observer if you have any information on Mr. Christopher Rusch / Christian Reeves.

541-474-7885

Christopher Rusch, now Christian Reeves, was an attorney who swindled clients, then testified against them ensuring they would go to prison for his crimes.

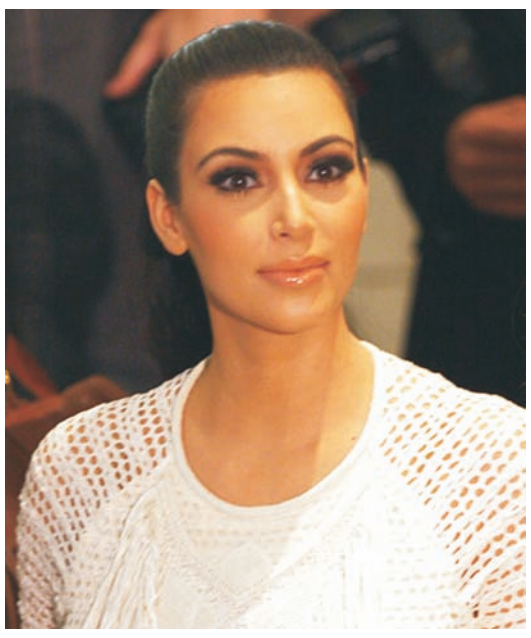
Story "ALERT: Attorney Christopher Rusch Turned IRS Informant!" on page 11

Helping to Keep Innocent Men and Women Free, Since 1991: The US~Observer

By US~Observer Client

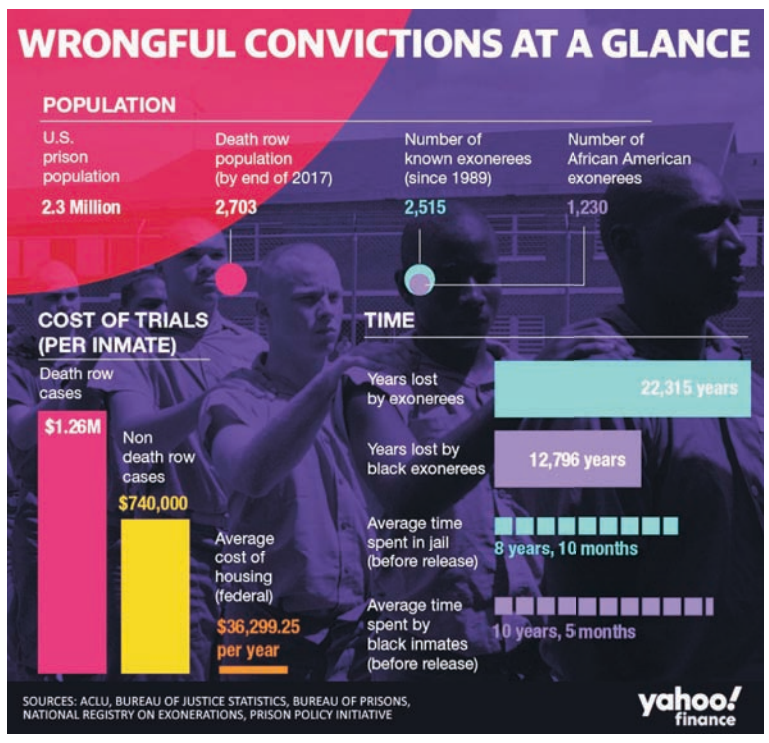
The US~Observer is the only known newspaper in the United States with the sole purpose of helping prevent and overturn wrongful convictions. The US~Observer has helped prevent or overturn thousands of wrongful criminal charges, which can be seen on their website, or by searching for, "usobserver vindicated stories." Not being an attorney driven entity has caused prospective clients some confusion about the US~Observer. After all, the criminal justice system most often requires the use of an attorney. People have been led to believe that when they are in trouble, they must rush to an attorney. What if that was not the only option for someone who is innocent? Simply put, it is not the only option. So, why a newspaper to help the innocent? The real question should be: if you are innocent, why not the US~Observer?

Rather than have the US~Observer explain how they can help you, perhaps you should heed the



Kim Kardashian has also had great success in vindicating those who have been wronged by the judicial system. *Image by: Eva Rinaldi*

US taxpayers spent almost $1 billion incarcerating innocent black people



By Kristin Myers

(Yahoo! Finance) - Over the last few months, the Rodney Reed case has ignited a firestorm of interest, as celebrities, activists, and politicians worked to delay his Nov. 20 execution on the basis that he might be innocent. After facing mounting pressure, a Texas appeals court granted Reed a stay of execution, allowing him to fight allegations that he committed murder more than two decades ago. If he succeeds, Reed would be another of the thousands of black men the United States has paid hundreds of

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INNOCENT & FACING CHARGES

Don't Let False Sex Abuse Charges Ruin Your Life
The US~Observer Can Help You Win

By Edward Snook
Editor-in-chief,
US~Observer

WERE YOU UNJUSTLY ARRESTED FOR A SEX CRIME?

Just like that, you've been swept up into the nightmare of being charged with a sex crime. Not only are you facing potential prison time, you will be paraded in front of your friends, family and neighbors by a media that only tells the public exactly what the government prosecutors and or police hand them. It is life-altering, especially if you are one of the many who are innocent of the crimes for which you are charged. If your charge is one of sex abuse, rape, or

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We've just had the best decade in human history

Little of this made the news - good news is no news

By Matt Ridley

(The Spectator) - Let nobody tell you that the second decade of the 21st century has been a bad time. We are living through the greatest improvement in human living standards in history. Extreme poverty has fallen below 10 percent of the world's population for the first time. It was 60 percent when I was born. Global inequality has been plunging as Africa and Asia experience faster economic growth than Europe and North

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EDDMECRWSS

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acquitted, according to Roman, was not the end of his troubles. Since being acquitted Roman claims local police have mounted a scheme to harass him and his family whenever possible. Roman is greatly concerned for his safety and that of his wife and daughters.

THE ARREST BEFORE THE ACQUITTAL

On September 12, 2018, Deputy Aaron Haak was dispatched to Green Acres RV Park after a call of a man looking into the women's shower was received. According to Deputy Haak's report, Roman had, "walked into the shower room where his (David Clark, the person who called police) wife was earlier in the morning." David, also informed Deputy Haak that Roman had, "surveillance watching space 48 (where David and his wife lived)." Deputy Haak video recorded his contact with David (the video can be viewed online at usobserver.com.)

Deputy Aaron Haak

After a short discussion with David, Deputy Haak then talked to Mary Beach. Mary was also employed by Green Acres at that time and clearly did not care for Roman. According to Deputy Haak's report, Mary claimed, "she was afraid of Roman and he had everyone in the park scared." According to Deputy Haak's police report, Roman is just 5'7" and only 22 lbs. Roman is 5' 8" but weighs much more than 22 pounds - one of numerous errors in Deputy Haak's report. Still, Roman is not a big and intimidating person. This is important because Deputy Haak repeatedly noted in his report how "scared" Mary was of Roman.

David Clark

When asked what Roman did to scare her, Mary reportedly said, "He walked into her residence and threatened her." When asked how Roman threatened her, Mary allegedly replied, "he was puffing up his chest while clenching his fists" while telling her how the park needed to be ran. Roman claimed he never threatened Mary and that Mary had no witnesses or evidence to verify her claim. Roman stated that he simply dropped off rent payments to Mary, a co-worker, from other residents. Mary would process the payments as part of her job. According to Roman, he would leave immediately after dropping off the payments. Roman stated, "there was nothing unusual about it."

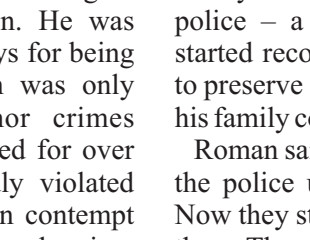
Since Roman was acquitted by a jury of 6 people, one must wonder if Mary really felt as threatened as Deputy Haak's report alleged? If she was threatened, then why didn't she call the police immediately after Roman threatened her? In fact, Mary never called the police to report the alleged threat(s) by Roman. Still, with only a hearsay allegation by one co-worker, Deputy Haak arrested Roman for "criminal trespass 1." Since Roman had allegedly entered Mary's residence two times without being invited, Deputy Haak added an additional trespass charge to Roman's arrest.

THE SHOWER INCIDENT

Two cameras recorded the alleged incident where Roman was accused of going into the Women's shower. One camera was the property of Green Acres, providing security on-site at the RV Park. The other camera was Deputy Haak's personal police body camera. Deputy Haak reportedly recorded the footage from Green Acres Security Camera with his personal police body camera. That should have been enough to prove Roman had not looked inside the shower room, as alleged, and should have exonerated him on the spot. Remember, Deputy Haak was originally dispatched to Green Acres because Roman was accused of going inside the Women's shower room while a female was showering.

Roman stated that he never went inside the shower room. His version of events was that he only looked toward the door of the room and spoke to Angel Frank to see if everything was okay after viewing suspicious activity at the Rec-Room that morning though a Green Acres RV Park security monitor, provided by Green Acres as part of Romans job. Roman was never charged with a crime for going into the women's shower because the video evidence refuted the false accusation. So, what about the footage from the cameras? The footage from each camera was lost according to witnesses. The footage provided to Roman by the Sheriff's office conveniently stops just before the scene where it would prove or disprove if he went inside the shower room or not. One camera not being preserved is strange. Both cameras footage being lost is more than coincidence. Through investigations it was discovered that there is '7 minutes of missing footage' from Deputy Haak's police camera footage. Since Deputy Haak couldn't make the shower incident criminal, he still arrested Roman on 2 counts of Trespassing.

CONTEMPT AND WRONGFUL IMPRISONMENT



Mary Beach

Roman sounded confused at his arraignment. He was brought to court from jail, still in handcuffs behind his back and couldn't read everything on the State's charging documents which were more than one page. He had no legal representation. When he was asked by Judge Dan Hill if he was going to represent himself, Roman replied with a question. He asked about his name being different on the charging documents than what was on his police report. After just a few minutes of talking with the Judge things got worse for Roman. He was held in contempt for asking questions that he wasn't getting answers to. Roman asked about his name again and was held in contempt again. He was locked up for an additional 60 days for being held in contempt twice. Roman was only charged with two misdemeanor crimes (Trespass), yet he was incarcerated for over two months. Judge Hill allegedly violated Oregon law by holding Roman in contempt two times, without giving him a hearing. According to Serpik, in Oregon, if a defendant is held in contempt more than once, they must receive a hearing for the second contempt charge. Roman was never given a hearing.

Roman had also lost his job at Green Acres. His wife and young daughter suffered as Roman was unable to provide for his family while he was incarcerated. Having never been arrested before in Oregon, Roman eventually got an attorney.

Roman Serpik and his wife

LAWYERS PUSH FOR GUILTY PLEA

In total, Roman had three different attorneys before he went to trial. Attorney Jody Vaughan was one of them, and she is no stranger to the US~Observer. Prior to becoming a defense attorney, Jody Vaughan had several jobs as a prosecutor in multiple counties throughout Oregon. She once prosecuted an innocent man in Deschutes County and has made several headlines in the US~Observer for failing to serve justice. Roman paid Vaughan $5,000.00 for her to represent him. Roman claims she attempted to get him to accept a plea deal instead of fighting for him like she allegedly told him before taking his money.

Vaughan has factually attempted to prosecute innocent individuals while acting as an assistant prosecutor throughout Oregon and the US~Observer considers her to be one of the most unethical lawyers in the State of Oregon.

Roman ended up firing Vaughan and hiring Attorney Charles Gillis. Mr. Gillis would eventually litigate Roman's case 11 months after Roman was arrested. Mr. Gillis won a not guilty verdict at trial and Roman's judgment of acquittal was entered on August 2, 2019. The Jurors agreed that Roman had done nothing wrong. Finally, Roman was cleared for crimes that he never committed in the first place but the damage to Roman and his family was already done!

TARGETED BY GOVERNMENT

Since Roman's acquittal he's been struggling to rebuild his life. He claims that he and his family have been constantly harassed by local police – a form of retaliation. Roman has started recording his interactions with police to preserve evidence of the harassment he and his family continue to endure.

Roman said, "I never had any problems with the police until after I was found innocent. Now they stop and harass me every time I see them. They also harass my wife. My Daughter is also suffering. She lost me for several months and suffers with the trauma she experienced as a result of my wrongful imprisonment."

From those in government who attempted to wrongfully charge and prosecute him to those who are continuing to try to ruin his life now, Roman wants to see them held accountable. From everyone else, Roman just wants peace.

Editor's Note: The US~Observer is still investigating those who have attempted to ruin Roman's life. If you have any information regarding anyone named in this article, please email us at editor@usobserver.com or call the US~Observer at 541-474-7885. Your information could benefit Roman and his family!

★★★

Four Decades Later, Three Men Exonerated

(From Left to Right) **Andrew Stewart, Ransom Watkins and Alfred Chestnut, were released and exonerated after spending 36 years in prison for a crime they didn't commit.** *(Photo: CBS News/YouTube)*

By Stacy M. Brown
NNPA Newswire Senior Correspondent

Alfred Chestnut, Ransom Watkins and Andrew Stewart were released and exonerated after spending 36 years in prison for a crime they didn't commit.

The men were teenagers when they received a life sentence in 1984 after being convicted of murdering 14-year-old DeWitt Duckett in Baltimore.

Shawn Armbrust

"Everyone involved in this case — school officials, police, prosecutors, jurors, the media, and the community — rushed to judgment and allowed their tunnel vision to obscure obvious problems with the evidence," said Shawn Armbrust, executive director of the Mid-Atlantic Innocence Project, which represents Watkins.

"This case should be a lesson to everyone that the search for quick answers can lead to tragic results," Armbrust stated.

DeWitt reportedly was shot in the neck following a dispute over a jacket as he walked to class at Harlem Park Junior High School in Baltimore.

Marilyn Mosby, the Baltimore City State's Attorney, reopened the case earlier this year because of lingering questions and recent revelations of corruption in the city's police department that allegedly stretched back for decades.

Chestnut also sent a query to the city's Conviction Integrity Unit, which the Washington Post said included exculpatory evidence that he uncovered in 2018.

An assistant prosecutor who worked on the case in 1984 reportedly said that prosecutors had no reports at the time that would have cast doubt on the guilt of the three men.

Following their conviction, court records were sealed, and it wasn't until a year ago, that Chestnut had successfully obtained the related documents through a freedom of information request.

According to the District Attorney's office, the police records revealed that several witnesses told authorities that the person responsible was an 18-year-old who immediately fled the scene and dumped his weapon.

Instead, the Baltimore police focused their investigation on Chestnut, Watkins, and Stewart. The alleged shooter was fatally shot in 2002.

"On behalf of the criminal justice system, and I'm sure this means very little to you, gentlemen, I'm going to apologize," Circuit Court Judge Charles Peters told the men at a hearing on Monday, November 25.

Peters said the men are entirely exonerated. ★★★

Man sentenced to life for Montrose bar murder set to be exonerated

(ABC NEWS KTRK) Houston, TX - A man who was convicted of murder seven years ago is set to be exonerated after a new suspect admitted to the killing.

Lydell Grant was sentenced to life in prison for the murder of 28-year-old Aaron Scheerhoorn, who was stabbed to death near a Montrose night club in 2010.

Harris County District Attorney Kim Ogg announced Jermarico Carter, 41, has been charged and is in custody in Georgia "following an extensive re-investigation for the crime by HPD detectives."

Ogg said the new charge will lead to the exoneration of Grant.

On Friday night, Chief Art Acevedo issued a rare apology to Grant following the new charge against a different suspect.

Jermarico Carter confessed

"On behalf of the Houston Police Department, I want to extend an apology to Mr. Grant and his family as they have waited for justice all these years," Acevedo said.

According to Grant's attorneys, in addition to eyewitnesses, the state DNA expert testified that Grant couldn't be

Lydell Grant was convicted seven years ago for a murder he did not commit

ruled out as a contributor to the DNA recovered from beneath the victim's fingernails.

That evidence was retested this year by the Innocence Project of Texas, and the DPS crime lab. The conclusion, said Grant's lawyers, was that the tests revealed he is not a DNA match, and it also led them to Carter.

The district attorney's office said detectives learned Carter had been in Houston at the time of the murder in the same area where Scheerhoorn was killed.

"The highest responsibility of a prosecutor is to see that justice is done and insuring that we have the correct individual charged is a baseline responsibility," said Ogg. "To accomplish that in this case, the Houston Police Department and the Harris County District Attorney's Office worked together diligently to identify, track down, arrest and obtain a statement from Carter, who finally admitted to killing Aaron Scheerhoorn."

Ogg said the district attorney's office will begin Grant's exoneration process immediately. ★★★

Wrongfully Convicted Man Suing His Accusers After 27 Years in Prison

By Jeff Charles

(RedState) - In August of 1991, Torriano Jackson was shot dead in front of Louie's Texas Red Hots restaurant in Buffalo, New York. The authorities arrested Valentino Dixon for his murder based on an anonymous tip. He was later convicted and sentenced to 38-and-a-half years to life in prison for killing Jackson. But there was one problem.

Dixon did not commit the murder.

After serving 27 years in prison, Dixon was exonerated and released in 2018 after Lamarr Scott, 46, admitted to the murder. The inmate, who was incarcerated for a different shooting, explained that he was involved in the fight that occurred in front of the restaurant. In court, Scott stated that when the fight broke out, his first instinct was to find a gun that Dixon had given him previously. "I grabbed the gun," he said. "I pulled the trigger and all the bullets came out. Unfortunately, Torriano ended up dying."

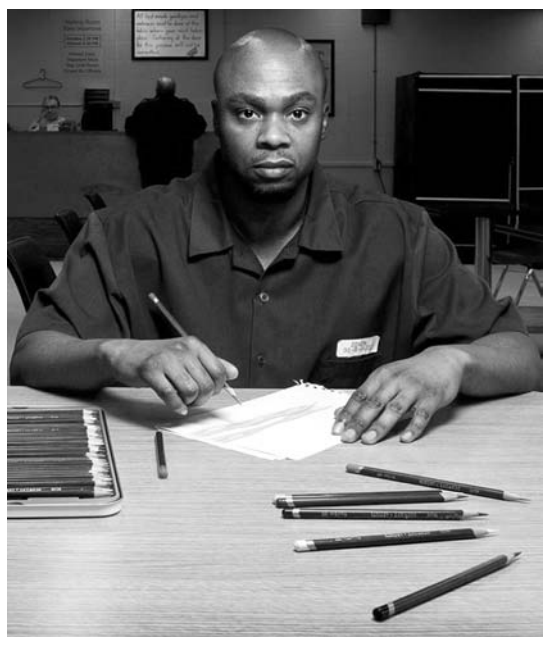
Now, Dixon is filing a lawsuit against the Buffalo Police Department and Erie County District Attorney's Office for his wrongful conviction. His attorney, Donald Thompson, stated that his lawsuit will uncover a culture within the city's justice system that led to other wrongful arrests.

"The culture of the Buffalo Police Department at the time was kind of a wild west show," said Thompson. "There weren't a lot of restrictions in place. I don't think they had the procedures in place, that they may have now."

The lawyer explained that stories about police violating rights were "not uncommon" during the 1980s and 1990s. The suit alleges that the detectives working Dixon's case coerced three witnesses to falsely label him as the perpetrator of the murder. It also claims that the police had been harassing Dixon for a year before the shooting despite the fact that he did not have a criminal record. According to the lawsuit, the police were "pulling him over almost every day, sometimes roughing him up and once raiding and ransacking his house."

Dixon garnered national attention during his time in prison for his artwork depicting golf courses. He was noticed by Golf Digest in 2012, and the magazine published a story about his conviction and worked to help him get his freedom.

Along with coercing and threatening witnesses, the lawsuit claims the police department also fabricated evidence



Valentino Dixon *picture: Golf Digest*

implicating Dixon in the murder. It also states that the authorities destroyed evidence that could have exonerated him.

Erie County District Attorney John J. Flynn pushed back against the accusations, claiming that Dixon was an "up-and-coming drug dealer." Flynn also said: "Mr. Dixon is innocent of the shooting and of the murder for what he was found guilty of, but Mr. Dixon brought the gun to the fight."

Of course, Dixon having a firearm when the fight erupted isn't a crime unless he possessed the weapon illegally — which has not been established. Carrying a gun for self-defense is not against the law. Moreover, there does not appear to have been any evidence suggesting that Dixon gave Scott the gun knowing that he would commit the murder. Either way, it does not justify imprisoning a man for two and a half decades for a crime he did not commit.

It's not yet clear what evidence Dixon has of wrongdoing on the part of the police department and district attorney's office, but if his claims are true, it demonstrates yet another example of corruption in Buffalo's police department. By the way, Buffalo is not exactly a bastion of conservative governance.

Most of the cities in which police corruption thrives are run by progressive politicians who seem to have no interest in holding their law enforcement agencies accountable when they push the boundaries. Unfortunately, this type of corruption is a feature of leftist rule, not a bug.

★★★

In The News

WHAT THE?!

Colorado Police Officer, Who Raped Handcuffed Woman He Was Taking Home From Hospital, Gets 90 Days In Jail

By Shane Croucher

Curtis Lee Arganbright

(Newsweek) - Colorado police officer who forced a handcuffed woman he was supposed to be taking home from the hospital to have sex with him was sentenced to just 90 days in jail followed by four years on probation after admitting the sexual assault. His victim was left with PTSD.

Curtis Lee Arganbright, 41, stopped his Westminster police patrol car during the ride home, ordered the woman out of the vehicle, and forced her to have sex on the front while she was still cuffed, 9News reported, citing an affidavit.

He then made her perform oral sex on him before driving her home, warning her "she better not tell anyone about this," and handed her his business card telling his victim to "call me sometime," the affidavit said about the incident, which took place on August 24, 2017.

The 36-year-old woman had admitted herself to the St. Anthony North Health Campus Hospital in Westminster for alcoholism. Police were called when hospital staff accused her of attempting to steal items from the emergency room.

Arganbright was dispatched but the hospital agreed not to press charges if he took her home. It was on that journey that Arganbright sexually assaulted the woman in the early hours of the morning.

She returned to the hospital the following day saying she had been sexually assaulted. Officers from Broomfield Police were called to the hospital to bring a rape kit.

Arganbright was arrested and, while he was suspended without pay, resigned from Westminster Police Department.

He pleaded guilty to counts of unlawful sexual contact and official misconduct, both misdemeanors. As part of his sentence Arganbright must also register as a sex offender and enter a treatment program, The Denver Post reported.

"The victim in the case was physically unable to be present for the sentencing hearing but her mother told the judge that her daughter was brutally raped and suffers extreme PTSD because of Arganbright's actions," stated a release from the 17th Judicial District Attorney's Office in Colorado.

"Chief Deputy District Attorney Trevor Moritzky told the court that as a Westminster police officer, Arganbright was entrusted with protecting those most vulnerable in the community and that Arganbright abused that trust. He said Arganbright continued to blame the victim. Arganbright chose this victim because she was vulnerable, he said."

Addressing the incident when it first came to light in August 2017, Westminster Police Chief Tim Carlson said Arganbright's actions had a "devastating impact" on the officers working in his department, CBS Denver reported.

"The alleged conduct described in this arrest sickens my soul," Carlson said. "That it describes the conduct of an on-duty officer in my department has left me numb. The impact on the victim in this case is something I can't begin to imagine." ★★★

Decade of Debt: Federal Debt Up More Than $10 Trillion in 2010s

By Terence P. Jeffrey

(CNSNews.com) - The federal debt increased by a record $10,796,419,662,320 in the decade that is coming to a close today, according to data published by the U.S. Treasury.

This was the first decade in the history of the nation when increases in the federal debt averaged more than $1 trillion per year.

The total federal debt accumulated during the decade has equaled approximately $83,967 per household. (The Census Bureau estimates there are currently approximately 128,579,000 households in the country.)

On Dec. 31, 2009, the last day of the last decade, the federal debt stood at $12,311,349,677,512.30. As of Dec. 27, 2019, the latest day for which the Treasury has reported the debt numbers, the federal debt stood at $23,107,769,339,832.41.

That amounts to an increase of $10,796,419,662,320.11 for the decade.

Here is the amount the federal debt has increased (or decreased) in each decade since the 1870s (decreases are in parentheses):

1870-1879	($453,144,228)
1880-1889	($594,761,815)
1890-1899	$504,546,223
1900-1909	$557,435,705
1910-1919	$22,437,089,248
1920-1929	($8,853,892,229)
1930-1939	$25,219,653,626
1940-1949	$215,694,948,787
1950-1959	$33,353,134,626
1960-1969	$80,921,540,499
1970-1979	$473,681,214,874
1980-1989	$2,107,878,000,000
1990-1999	$2,823,097,314,225
2000-2009	$6,535,258,363,286
2010-2019	$10,796,419,662,320

In the decade that ran from 2000 through 2009, the federal debt increased by $6,535,258,363,286.97.

Even when that is adjusted for inflation (from December 2009 dollars to current dollars) it equals approximately $7,783,878,290,000 — or more than $3 trillion less than the debt accumulated in the 2010s.

In the fifteen full decades that have now elapsed since the Civil War, there have been only three decades when the federal government reduced its debt rather than increased it, according to data published in the Treasury Department's monthly debt statements. In the 1870s, the debt declined by $453,144,228. In the 1880s, it declined by $594,761,815. In the 1920s, it declined by $8,853,892,229.

From the 1930s onward, the federal debt has increased in every decade. ★★★

Paradigm Shift: 3 in 4 Believe Natural Remedies Like Cannabis Are Safer Than Prescriptions

By Ben Renner

(StudyFinds) New York, NY — American perception towards prescription drugs and more natural health solutions appears to be undergoing a significant shift. According to a survey of 2,000 Americans, half have used a natural remedy to treat an ailment over prescription medication.

Furthermore, the survey, which was commissioned by Remedy Review, found that almost 75% of respondents believe natural remedies, including cannabis and marijuana products, are safer overall than prescription medications.

In all, 78% believe cannabis should be more widely available as a pain treatment. More specifically, 52% were in strong agreement with that statement, while 27% slightly agreed. Still, over 70% of respondents said there is a persistent negative stigma surrounding natural pain relief remedies, including medical cannabis. Another 78% of the respondents said they have used a natural remedy to treat an ailment at least once.

The study examined the reasons why people choose natural remedies as well. A significant 66% said these treatments were more affordable than prescription drugs, while 56% said they were easier to obtain. Here's an interesting statistic: 50% said they used natural remedies because they didn't want to become addicted to prescription medication.

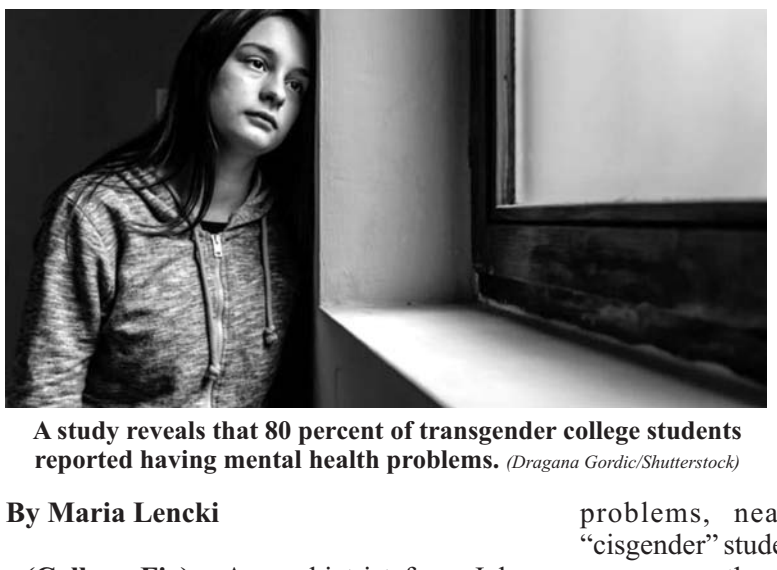
The respondents were also asked to characterize the current state of opioid usage in the United States, and seven in 10 called it a "crisis."

When asked if doctors should be legally responsible for overprescribing opioids and encouraging addiction, eight in ten respondents gave a resounding yes. But, the best way to fight the opioid crisis in the United States, according to 59% of the participants, is to increase regulations on drug companies and the manufacturers that make the opioids.

A few other popular options for fighting the opioid epidemic were legalizing both medical marijuana (55%) and recreational marijuana (43%). However, 79% of respondents also said they wanted more research performed on the medical properties and benefits of cannabis.

Overall, 69% of the respondents said they had used a product that contained cannabidiol (CBD) at least once in their lives, and 33% said they are currently using one. It is also worth noting that many respondents seemed to be a bit uninformed on CBD's exact standing in the medical community. CBD is a legal substance, but it hasn't been fully approved by the Food and Drug Administration (FDA), as 46% of the survey respondents wrongly believed. ★★★

Johns Hopkins professor on child transgender trend: 'Many will regret this'



A study reveals that 80 percent of transgender college students reported having mental health problems. *(Dragana Gordic/Shutterstock)*

By Maria Lencki

(College Fix) - A psychiatrist from Johns Hopkins University has slammed the medical and psychiatric industries for what he says is reckless and irresponsible treatment of patients who claim to be transgender.

Paul McHugh, a renowned psychiatrist from Johns Hopkins University, told The College Fix he believes transgender people are being experimented on because the doctors treating transgender patients with hormones "don't have evidence that (the treatment) will be the right one." He also criticized the manner of treatment given to many children who claim to be transgender.

"Many people are doing what amounts to an experiment on these young people without telling them it's an experiment," he told The Fix via phone.

"You need evidence for that and this is a very serious treatment. It is comparable to doing frontal lobotomies."

VAST MAJORITY OF GENDER MINORITIES REPORT MENTAL HEALTH ISSUES

A recent study published in the American Journal of Preventive Medicine found that 80 percent of gender minority students report having mental health problems, nearly double the rate of "cisgender" students. McHugh believes that in many cases the patient's gender dysphoria is precipitated by mental illness.

"I think their mental problems, often depression, discouragement are the things that need treatment," not gender dysphoria, he argued.

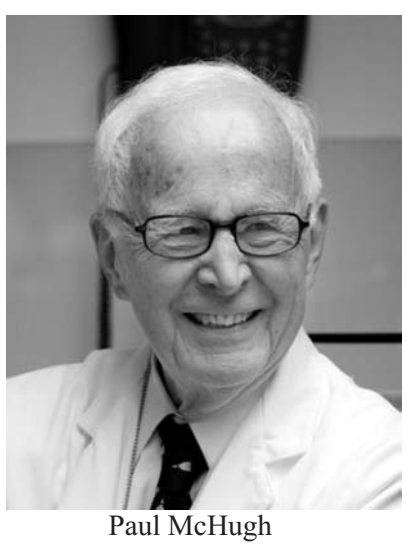
"I'm not positive about this. It's a hypothesis, but it is a very plausible hypothesis, and it would explain why many of the people who go on to have treatment of their body discover they are just as depressed, discouraged and live just as problematic lives as they did before because they did not address the primary problem," he added.

POSSIBLE 'CONTAGION EFFECT'

"I believe that these gender confusions are mostly being driven by psychological and psychosocial problems these people have. That explains the rapid onset gender dysphoria Lisa Littman has spelled out," McHugh said.

The Lisa Littman to whom the professor referred is a researcher at Brown University, who last year published a bombshell report suggesting that some transgender-identified children might suffer from "rapid onset gender dysphoria," a phenomenon in which "one, multiple, or even all of the friends [in a group] have become gender dysphoric and transgender-identified during the same timeframe."

There was significant backlash following Littman's publication of the study, after which Brown censored the report. The study was eventually validated with its results unchanged.



Paul McHugh

LONG-TERM EFFECTS OF CHILD TRANSGENDER TREATMENT

Asked about the possible long-term consequences of the growing practice of helping children develop transgender identities, including with hormones, McHugh expressed pessimism.

"They're going to be in the hands of doctors for the rest of their lives, many of them are going to be sterilized not able to have their own children, and many will regret this," McHugh said.

"Can you imagine having a life where you need to seek doctors all the time, for everything, just to live? Getting your hormones checked, getting everything checked. That is something doctors should like to spare people of," he added.

McHugh thinks that eventually our society will look back on this craze as something of an historical shame. "I believe it will be something like how we think of eugenics now. We will come to regret it when we discover how many of the young people that were injured regret it themselves," he told The Fix.

The doctor stressed that medical professionals should stick to a higher standard of evidence when considering treatment for individuals who claim a transgender identity.

"You can think whatever you want without proof. Be my guest. You can think anything you want, if you like it that way. But don't ask me as a doctor to prescribe hormones or operate on you when I try to do things which are for your benefit," he said.

"My aim isn't to stop people. It's when they draw medical people in. That's when I insist on evidence and what makes more sense." ★★★

Most Americans Believe Basic Human Rights Are Under Siege

By Carson McCullough

(Courthouse News) – Nearly every American believes their basic rights and freedoms are under assault, according to polling data released Monday.

The Harris Poll/Purple Project shows that 92% of Americans say they are fearful that their human rights are under attack and in significant danger. Americans also believe there are a series of rights that are being specifically targeted and are in the most jeopardy, according to the poll.

Americans say the right to free speech is most threatened, with nearly half (48%) of Americans believing that right is under attack. A close second, however, say the right to bear arms, which 47% say is also under siege.

Americans also think that their right to equal justice is in danger. The polling shows that 41% of Americans believe their ability to secure a fair and speedy trial and be considered innocent until proven guilty is routinely under threat.

Rounding out the top five rights Americans say are most in jeopardy are the freedoms of expression and religion, which 37% and 35% say are being attacked, respectively.

John Gerzema, CEO of the Harris Poll, suggests these numbers are a consequence of a continually enflamed political landscape. With political and lobbying entities often utilizing invective language to help garner support for their issues, Gerzema said it becomes more likely that Americans will begin to perceive the threats as presented and entrench themselves in ideologies.

"When you frame something as a threat, it creates a bit of a political response, and it creates division and encampments of special interest," Gerzema said with the release of Monday's poll.

The poll indicates that should many of these fears become realized and basic human rights are lost, many Americans would deeply miss them. A majority (63%) say that they would miss their rights to free speech should it ever be taken from them.

Almost half of Americans voice the same sentiment for the freedoms of expression and equal justice, with 46% and 45% saying they would also mourn the loss those rights, respectively.

Data show that despite political leanings, most Americans (55%) say they would like to see more substantial conversations on these issues to ensure that political divisiveness does not make things worse.

Gerzema said the importance of personal rights and freedoms for Americans should signal that finding common ground in our political landscape is more possible than many would assume.

Lawmakers and Washington power players should therefore focus more on these critical concerns that so many Americans share if they aim to bring the country closer together and help to heal some of the nation's divisions, Gerzema said.

"There is something wonderful going on underneath the surface, and that's what I wish our leaders in Washington would pay attention to. You start to see the true, softer side of America's rough-and-tumble political reality," Gerzema said in the statement. ★★★

Seattle police captain arrested in own department's prostitution sting

By Tribune Media Wire

Randal Woolery

Seattle, WA – A Seattle police captain is accused of sexual exploitation after he was arrested in an undercover operation by his own department.

"Seattle Police arrested a 53-year-old SPD employee last night in an undercover Vice operation in North Seattle," said a Seattle Police Department spokesperson. "The employee was booked into King County Jail with a request for misdemeanor charges, and the information was forwarded to the Office of Police Accountability."

Randal Woolery, 53, was booked into the King County Jail shortly after midnight Thursday and was released less than half an hour later, according to the jail roster.

Sources told KIRO that Woolery offered the undercover officer, who was posing as a prostitute, $40.

A police department spokesperson said the suspect is a 31-year veteran of SPD and was assigned to the Professional Standards Bureau.

The suspect was placed on administrative leave. ★★★

Illegal immigrant charged in killing of grandma of 5 had been previously deported six times, ICE says

By Nate Madden

(Conservative Review) - A Mexican national charged in the hit-and-run death of a Colorado grandmother was in the United States illegally. He had also been previously deported multiple times and had been arrested on suspicion of drunk driving just days before, officials say.

On December 17th in Denver, Colorado, 51-year-old Annette Conquering Bear was killed in a hit-and-run collision while she was crossing the street on the way back from a Walgreens store near her apartment. On the following Monday, the Denver district attorney's office announced formal charges against 39-year-old Juan Sanchez for leaving the scene of a deadly accident and vehicular homicide.

Annette Conquering Bear

Immigration and Customs Enforcement (ICE) told KUSA-TV Monday in a written statement that the suspect "is an ICE enforcement priority" with multiple previous removals from the United States spanning almost two decades. ICE says federal officials removed Sanchez two times in 2002, three times in 2008, and once again in 2012.

Juan Sanchez

The KUSA report also explains that that just four days prior to the accident that killed Conquering Bear, Sanchez had previously been arrested on suspicion of DUI but released after booking because he was "uncooperative," even though a breath test reportedly showed that his blood alcohol level was over twice the legal limit. "Sanchez refused to sit down on the booking bench," and at one point he he "began laying down on the floor [of a jail cell] refusing to listen to any orders," a police report says. ICE says that, in that instance, the suspect was released from custody before ICE could even lodge a detainer on him.

Now, ICE told KUSA, the agency has issued a detainer requesting that it "be given timely and specific notification before [Sanchez] is released from local custody for any reason."

Conquering Bear was a mother of six and a grandmother of five and died just before her 52nd birthday, according to an obituary.

"I wanted to run past the tape, but you can't. It's a crime scene," Daryle Conquering Bear told KDVR-TV about the scene of his mother's untimely death. "The officer removed part of it and I seen the top of her head and I knew that was her. There's nothing you can do." ★★★

Court Gives Immunity to Guards Who Kept Inmate in Cell Covered with 'Massive Amounts of Feces'

By Jerry Lambe

(lawandcrime.com) - A federal appeals court recently affirmed a lower court's ruling in favor of several prison guards who forced an inmate to sleep naked on the floor of a prison cell that was covered in human waste and raw sewage, reasoning that the conditions did not violate the inmate's "clearly established" Eight Amendment rights.

In the lawsuit, Texas inmate Trent Taylor alleged that prison officials at the John T. Montford Unit of the Texas Department of Criminal Justice (Montford) violated his Eight Amendment rights by forcing him to live for nearly a week in utterly squalid conditions.

TAYLOR'S CLAIMS

According to the complaint, which the officials did not dispute, in September of 2013, Taylor was stripped naked and forced to stay in a cell where "almost the entire surface—including the floor, ceiling, window, walls, and water faucet was covered with 'massive amounts' of feces."

He said that he couldn't eat in the cell, because he feared contamination and couldn't drink any water because feces were "packed inside the water faucet."

Taylor was brought to the cell on Sept. 6 and remained there until Sept.10.

On Sept. 11, Taylor was moved to a "seclusion cell" that didn't have a toilet, water fountain, or bed, but did have a drain in the floor where he was told to urinate.

Taylor alleged that the floor drain was clogged, leaving raw sewage on the floor. The drain smelled strongly of ammonia, which made it hard for Taylor to breathe. Yet, he alleged, the defendants repeatedly told him that if he needed to urinate, he had to do so in the clogged drain instead of being escorted to the restroom. Taylor refused.

He worried that, because the drain was clogged, his urine would spill onto the already-soiled floor, where he had to sleep because he lacked a bed. So, he held his urine for twenty-four hours before involuntarily urinating on himself. He stayed in the seclusion cell until September 13. Prison officials then tried to return him to his first, feces-covered cell, but he objected and was permitted to stay in a different cell.

QUALIFIED IMMUNITY

Under the doctrine of qualified immunity, government officials are shielded from civil liability for any conduct that does not violate a person's "clearly established" constitutional rights. But in order for that right to be clearly established, the particular conduct of the alleged violator must have previously established to such an extent as to "placed the statutory or constitutional question beyond debate."

THE COURT'S REASONING

The Fifth Circuit Court of Appeals granted summary judgment for the guards, finding that while Taylor's Eight Amendment rights were violated, the guards were entitled to qualified immunity because the guards didn't have "fair warning" that "their specific actions were unconstitutional."

"The law wasn't clearly established," the Court ruled, basing their decision on the length of time permissible to submit a prisoner to such conditions. "Taylor stayed in his extremely dirty cells for only six days. Though the law was clear that prisoners couldn't be housed in cells teeming with human waste for months on end, we hadn't previously held that a time period so short violated the Constitution. That dooms Taylor's claim."

The Court was also sure to include that slightly fewer extreme conditions than those Taylor was forced to endure could very well be considered constitutional.

"We do not suggest hold that prison officials cannot require inmates to sleep naked on the floor," the Court wrote. "There can be any number of perfectly valid reasons for doing so. Our holding is limited to the extraordinary facts of this case, in which Taylor alleges that the floor on which he slept naked was covered in his and others' human excrement."

Read the full decision in the online version of this article. ★★★

YOUR HEALTH

Research says even "small doses" of Aspirin can cause brain hemorrhage

By Ralph Flores

(Natural News) - Taking aspirin, even in low doses, could lead to bleeding inside the skull, according to a report published in JAMA Neurology.

Researchers from Taiwan and California investigated the link between low-dose aspirin and intracranial hemorrhage, a type of bleeding that occurs inside the skull. While any form of internal bleeding is considered a medical emergency, intracranial bleeding has a relatively high mortality rate. Over 40 percent of patients with intracranial bleeding die within 30 days, and it claims around 20,000 lives in the U.S. every year.

For their meta-analysis, the research team looked at earlier studies that linked aspirin use to internal bleeding. In particular, the team focused on the risk of the following bleeding events in relation to aspirin use:

• **Intracerebral hemorrhage** — where a blood vessel bursts into brain tissue

• **Extradural hemorrhage** (or epidural hematoma) — a bleeding event between the inner surface of the skull and the dura matter that surrounds the brain

• **Subarachnoid hemorrhage** — a bleeding event located within the subarachnoid space, the area between the brain and the tissue surrounding the brain and spinal cord

The researchers reviewed a total of 13 randomized clinical trials involving over 134,000 patients. They found that even low doses of aspirin could potentially increase the risk of any intracranial hemorrhage event. It's worth noting that a "low" dose is anywhere between 75 to 100 milligrams, and over-the-counter aspirin falls in this category at 81 milligrams per pill.

The team also found that Asians and those with low body mass indices were more likely to suffer bleeding in the skull than people who are neither. According to the researchers, this offsets any potential benefit that aspirin might have when it comes to preventing cardiovascular disease.

"Given that the many individuals in the general population have a very low risk of atherosclerotic cardiovascular events, if low-dose aspirin is given universally, adverse outcomes from intracranial hemorrhage may outweigh the beneficial effects of low-dose aspirin," explained Wen Yi-Chang, a professor at Chang Gung University in Taiwan and a co-author of the study.

The study also follows close on the heels of new guidelines from the American Heart Association regarding aspirin use. In the latest guidelines, the AHA noted that aspirin should not be used to prevent cardiovascular disease since it lacks "net benefits."

"By irreversibly inhibiting platelet function, aspirin reduces [the] risk of atherothrombosis but at the risk of bleeding, particularly in the gastrointestinal (GI) tract," the authors wrote in their review.

ALTERNATIVES TO ASPIRIN (THAT WON'T BLEED YOU DRY)

Despite previous warnings, old habits die hard, it seems. A recent study from the Beth Israel Deaconess Medical Center in Boston revealed that millions of Americans still take aspirin every day, regardless of whether or not their physicians recommend it.

Fortunately, natural alternatives to aspirin are available. Here are some of the best:

• **Devil's claw.** This South African herb is well-known for its anti-inflammatory properties. It's used to treat arthritis and muscle pain.

• **White willow.** The bark of the white willow is often referred to as the original aspirin, on account of it being a natural source of salicylic acid — the main component of aspirin.

• **Curcumin.** The active compound of turmeric, curcumin is effective in treating chronic pain and inflammation.

Besides providing effective pain relief, these natural medicines confer other health benefits, but without adverse side effects. This makes them infinitely better and safer to use than harmful aspirin.

Learn more about the adverse effects of using aspirin at Medicine.news.

★★★

New study asks: Should we replace mental health meds with exercise?

By Derek Beres

• Researchers at the University of Vermont believe exercise should be prescribed to patients with mental health issues before psychiatric drugs.

• In a study of roughly a hundred volunteers, 95 percent of patients reported feeling better, while 63 percent reported feeling happy or very happy.

• The researchers suggest that mental health facilities should be built with gyms moving forward.

(BigThink.com) - Exercise has long been prescribed as part of a healthy lifestyle — an important directive, considering that 80 percent of Americans are insufficiently active. Previous research has shown that lifting weights helps lift depression, cardiovascular activities reduce the effects of anxiety, and any type of movement improves mental health.

A new study at the University of Vermont Medical Center published in the journal Global Advances in Health and Medicine takes that last claim one step further: Exercise should be prescribed to patients with mental health issues before psychiatric drugs.

This research follows a growing acknowledgment of the chronic problems associated with SSRIs and other pharmacological interventions. The efficacy of antidepressants diminishes over time, leaving patients hooked as they suffer more side effects than benefits. As Jerome Groopman recently reported in The New Yorker, the field of psychiatry has long offered contentious treatments because we do not have a biology for mental illness. Mental health scripts are guesswork, more of an art than science.

For this study, lead author David Tomasi, a psychotherapist and lecturer at the University of Vermont, alongside the center's Sheri Gates and Emily Reyns, built a gym for the hundred-or-so members of the inpatient psychiatry unit. Tomasi says that most patients in the U.S. are first treated with medications, with exercise-based treatments offered in either a limited capacity or not at all. The center is the first to prescribe exercise as the first form of treatment.

The results were stunning. After leading the patients in structured exercises — each 60-minute session included a combination of strength training, flexibility training, and cardio — 95 percent of patients reported feeling better, while 63 percent reported feeling happy or very happy instead of sad, very sad, or neutral. A whopping 91.8 percent said they were pleased with their bodies during the sessions. Tomasi continues;

The general attitude of medicine is that you treat the primary problem first, and exercise was never considered to be a life or death treatment option. Now that we know it's so effective, it can become as fundamental as pharmacological intervention.

Blame, in large part, Cartesian dualism. The mind-body split has destroyed our understanding of our inherent animal nature. The notion that there's an ethereal process inside the biological workings of our bodies — the ambiguous "soul" — has resulted in a severe disassociation between physical movement and psychology. We've come to believe we can treat the brain separately from the body.

Humans were designed to move. Bipedalism offers us serious advantages in lung capacity and communication systems. Humans are generally weak and slow for mammals, but the combination of mental ingenuity and physical dexterity gave us a competitive advantage, one we've exploited so effectively that, thanks to our technology, we now bow to the cult of the mind while abandoning the reality of our bodies. Yet we're paying the price for our conveniences.

As we enter a world dominated by AR and VR, in which e-sports players actually consider themselves athletes, this disconnection deepens. As Robert McFarlane writes in Landmarks, the removal of nature-based words from our dictionaries to make room for terms associated with technology is another nail in the coffin of our relationship with nature. When we have a richer vocabulary for items on a screen than for what we see when we lift our gaze, we lose a sense of what formed the very essence of who we are.

From escaping predators and chasing prey to squatting for foraging and for the dexterous engagement required to build shelter, our physiological plate was full for eons. Now, we've constructed a world in which most of the population survives by performing minimal physical activity. To believe this would not have profound consequences on our mental health is to be ignorant of the journey that brought us here.

No one involved in the study is suggesting abandoning psychotropic medications — yet. For the time being, the team suggests integrating gyms into psychiatric facilities to conduct more real-world testing. As Tomasi concludes;

The priority is to provide more natural strategies for the treatment of mood disorders, depression and anxiety. In practice, we hope that every psychiatric facility will include integrative therapies — in our case, exercise in particular — as the primary resource for their patients' psycho-physical wellbeing.

This isn't a fusion of mind and body, but a recognition that "mind" needs "body" in order to thrive. A sedentary existence does not ultimately provide meaning. Humans need to own every aspect of our birthright. That a prescription as simple as "move" could alleviate a range of mental health issues is not simplistic, even if it is simple. Of course, its efficacy can only be measured through movement, which is what nature demands of us.

★★★

Eating Chili Peppers Linked to Sharp Drop in Cardiovascular Disease

By Nathan Solis

(Courthouse News) – People who eat spicy foods may sometimes experience heartburn but, according to a new study, chili peppers are actually a heart-healthy choice.

Italian researchers say that people who regularly consume chili peppers cut down their risk of dying from a heart attack by as much as 40%, according to a study published Monday that details the eating habits of a large group of people over an eight-year period.

Ghost pepper. *(Credit: Asit K/Wikipedia)*

The study was conducted by the Department of Epidemiology and Prevention of at Istituto Neurologico Mediterraneo Neuromed in Pozzilli, Italy.

Marialaura Bonaccio, Neuromed epidemiologist and study author, said the added benefit of chili peppers is separate from a person's overall diet.

"In other words, someone can follow the healthy Mediterranean diet, someone else can eat less healthily, but for all of them chili pepper has a protective effect," Bonaccio said in a statement.

Researchers said in their study – published in the Journal of the American College of Cardiology – that people who regularly ate chili peppers cut their mortality risk by 23% for numerous ailments or illnesses. The study subjects are citizens of the Molise region that stretches from the Apennines mountains in Italy to the Adriatic Sea.

These spicy-food lovers also cut down their risk of stroke, according to research from the "Moli-sani" study, which started in 2005 and involves 25,000 subjects. The ambitious study is concerned with the environmental and genetic factors that lead to cardiovascular disease, cancer and degenerative pathologies.

Researcher Licia Iacoviello says the chili pepper's place in Italian and Mediterranean cuisine is associated with anecdotes, traditions and outright magic or folktales.

"It is important now that research deals with it in a serious way, providing rigor and scientific evidence," Iacoviello said. "And now, as already observed in China and in the United States, we know that the various plants of the capsicum species, although consumed in different ways throughout the world, can exert a protective action towards our health."

The Istituto Neurologico Mediterraneo Neuromed collaborated with the Istituto Superiore di Sanità in Rome, the University of Insubria in Varese and the Mediterranean Cardiocentro in Naples.

While chilis may be heart-healthy, a University of South Australia study published in July warned that a diet rich with spicy foods could lead to dementia. That 15-year study of 4,582 Chinese adults over the age of 55 showed a decline in a person's cognitive functions among those who ate more than 50 grams of chili daily.

★★★

Antibiotics May Raise the Risk of Allergies in Infants

By Nicholas Bakalar

(NY Times) - Giving antibiotics to infants may increase their risk for developing allergies, a new study suggests.

Researchers used records of 798,426 children in the Military Health System database from 2001 to 2013, tracking their antibiotic prescriptions in infancy and allergy diagnoses in childhood. About 17 percent of them were treated with one or more courses of antibiotics.

The study, in JAMA Pediatrics, covered prescriptions for five classes of antibiotics: penicillin, penicillin with beta-lactamase inhibitor, cephalosporin, sulfonamide and macrolide.

Taking an antibiotic was associated with a significantly increased risk for anaphylaxis (a serious allergic reaction), asthma, food allergies, and allergies and inflammation of the skin (dermatitis), respiratory tract (rhinitis) and eyes (conjunctivitis). Penicillin increased the risk by 30 percent, macrolides by 28 percent and cephalosporins by 19 percent compared to infants who had been given no antibiotic prescriptions.

The study controlled for cesarean delivery, prematurity, sex, use of antacid medications and the number of days the infants took the medicine.

"This is an association, and more research is needed to determine causality," said the lead author, Sidney E. Zven, a medical student at the Uniformed Services University of the Health Sciences. "We don't want to raise fears of antibiotics. When a child needs an antibiotic, he should absolutely get it. But we have to tell parents why we are, or are not, prescribing them. It's really important to focus on antibiotic stewardship. From my perspective, that's a major implication of the study."

EARLIER STUDY

(NY Times) - Young farm animals are given antibiotics to gain weight. A 2012 study says antibiotics might do the same thing to babies.

When infants use antibiotics in the first six months of life, they are more likely to be overweight at three years of age.

An author of the study says, "it does not mean that antibiotics are bad for you." But the findings say parents should be concerned "about inappropriate use of antibiotics."

It may mean that obesity is not just about diet and exercise.

★★★

Recently Retired USAF General Makes Eyebrow Raising Claims About Advanced Space Technology

By Brett Tingley

(The Drive) - Recently retired U.S. Air Force Lieutenant General Steven L. Kwast gave a lecture last month that seems to further signal that the next major battlefield will be outer space. While military leadership rattling the space sabers is nothing new, Kwast's lecture included comments that heavily hint at the possibility that the United States military and its industry partners may have already developed next-generation technologies that have the potential to drastically change the aerospace field, and human civilization, forever. Is this mere posturing or could we actually be on the verge of making science fiction a reality?

General Steven L. Kwast

WHO IS STEVEN KWAST?

According to his official USAF biography, Lt. Gen. Kwast graduated from the United States Air Force Academy with a degree in astronautical engineering, and also holds a master's degree in public policy from Harvard's Kennedy School of Government. Kwast previously served as Commander of the 47th Operations Group at Laughlin Air Force Base and the 4th Fighter Wing at Seymour Johnson AFB. Kwast boasts more than 3,300 flight hours in the F-15E, T-6, T-37, and T-38 and over 650 combat hours.

Lt. Gen. Kwast most recently served as Commander of the Air Education and Training Command (AETC) at Joint Base San Antonio (JBSA), but retired in August. According to some reports, Kwast was prematurely relieved of his duties at JBSA and blacklisted for promotion after speaking out on space-related issues despite a service-wide gag order. Kwast declined to comment on the reports and retired on September 1, 2019.

Despite the controversy surrounding his removal from his post at AETC, some defense analysts and Lt. Gen. Kwast's own supporters within the Armed Forces were suggesting prior to his retirement that he should be appointed as Commander of the Pentagon's budding Space Force. Kwast has published several op-eds in recent years pushing for the U.S. military to take on a greater role in space in order to ensure American economic dominance and what he sees as the continued proliferation of American values.

GAINING THE HIGH GROUND IN SPACE

Kwast delivered a lecture at Hillsdale College in Washington, D.C. on November 20, 2019, titled "The Urgent Need for a U.S. Space Force." Kwast's wide-ranging speech described the power of new technologies to revolutionize humankind, referencing the competitive advantage the discovery of fire offered to early humans and the strategic value that nuclear weapons offered 20th-century superpowers. When it comes to current revolutionary technologies, Kwast says the *"the power of space will change world power forever"* and that it's up to the United States military to leverage that power:

"As a historian, reflecting on the fact that throughout the history of mankind… technology has always changed world power. But the story of rejecting the new and holding and clinging to the paradigms of the past is why no civilization has ever lasted forever, and values are trumped by other values when another civilization figures out a way of finding a competitive advantage. The nature of power, you either have it and your values rule or you do not have it and you must submit. We see that play out again and again in history and it's playing out now."

As has been common as of late, Lt. Gen Kwast cites rapidly growing Chinese military and technological advances as the reason why the United States must invest heavily in new space-based technologies. *"We can say today we are dominant in space but the trend lines are what you have to look at and they will pass us in the next few years if we do not do something. They will win this race and then they will put roadblocks up to space,"* Kwast argues, *"because once you get the high ground, that strategic high ground, it's curtains for anybody trying to get to that high ground behind them."*

Kwast claims China is already building a *"Navy in space"* complete with the space-based equivalents of *"battleships and destroyers"* which are *"able to maneuver and kill and communicate with dominance, and we [the United States] are not."* Kwast's speech centers on the thesis that the United States needs a Space Force in order to counter Chinese advances and win the competition over the economy of the future and, as an extension, who sets the values of the future:

"Space is the Navy for the 21st century economy, a networked economy that will dominate any linear terrestrial economy in the four engines of growth and dominance that change world power: transportation, information, energy, and manufacturing. [...] Whoever gets to the new market sets the values for that market. And we could either have the market with the values of our Constitution [...] or we could have the values we see manifest in China."

As we've reported previously, there have been hints of radical new technologies under development by the military and, just as in Kwast's speech, Chinese advances have been cited as the reason why these technologies are needed. China has been rapidly expanding its presence in space in recent years, placing a lander on the far side of the moon in late 2018 in what some say was a push to scout natural resources with which to develop a permanent lunar manufacturing center. China has also been developing "mothership" aircraft from which to rapidly and unpredictably launch spaceplanes and other payloads into space. The country has also launched several eyebrow-raising satellites in recent years which some analysts claim could be used in anti-satellite warfare. Beyond all this, they have been investing heavily in a traditional space program that includes many facets of manned and unmanned space technologies that rivals, and in some ways, exceeds our own.

SETTING THE STAGE FOR 21ST CENTURY WARFARE

Kwast argues that the scientists, engineers, historians, and strategists of today have been pushing the U.S. Congress to more heavily and more rapidly fund the Space Force and associated technologies, but there is still some pushback and confusion as to why these are presently needed. Kwast ultimately makes the case that the United States must be able to bring kinetic power, non-kinetic power, and informational power to the battlefield cheaper and faster than its adversaries in order to ensure strategic advantage in space.

Around the 12:00 mark in the speech, Kwast makes the somewhat bizarre claim that the U.S. currently possesses revolutionary technologies that could render current aerospace capabilities obsolete:

"The technology is on the engineering benches today. But most Americans and most members of Congress have not had time to really look deeply at what is going on here. But I've had the benefit of 33 years of studying and becoming friends with these scientists. This technology can be built today with technology that is not developmental to deliver any human being from any place on planet Earth to any other place in less than an hour."

Kwast's comment is only one of several curious comments made by military leadership lately and they do seem to claim that we could be on the precipice of a great leap in transportation technology. We also don't know exactly where he is coming from on all this as it is not necessarily the direct wheelhouse of someone who was running the Air Force's training portfolio, although it does have overlaps. Whether or not the revolutionary aerospace technologies Kwast mentions have actually been developed is one thing, but Kwast's lecture, his recent op-eds, and his supporters make it clear that there are many within the U.S. military and analyst community who have felt that there is a great need to boost investment in American space technologies and the U.S. military's presence in space. That vision is certainly taking root across the Defense Department.

Is all this setting the stage for a new space race that will benefit mankind by furthering scientific and technological development, or is it ushering in the conditions for the first great space war? Only time will tell, but according to Kwast, the technologies needed to win that war may be more science fact than fiction. ★

Yes, your smart devices are spying on you - What can you do?

By Jeffrey Lang

(Movie TV Tech Geeks) - A decade ago, people would have been considered one of those 'aluminum foil hat people' for claiming that their devices were spying on them. In today's world, that's a common refrain. One New Zealand reporter has turned it into a full-time job trying to figure out exactly what all those smart devices are getting out of him and where his information is actually going.

Amazon alone keeps reports on every appliance you connect to Alexa not to mention every time you flip a light switch or make an adjustment to your thermostat. Naturally, the company says that it needs your voice and data to train its AI which will, in turn, be the technology that rules our future. Yes, a decade ago, this would have sounded crazy, but it has become our new reality and opting out isn't as easy as the big tech companies would have you believe.

LETTING THAT SPY INTO YOUR HOME

Did someone unknowingly invite a spy into your home over the holidays? Maybe so, if a friend or family member gave you a voice-controlled speaker or some other smart device.

It's easy to forget, but everything from internet-connected speakers with voice assistants such as Amazon's Alexa to television sets with built-in Netflix can be always listening — and sometimes watching, too. As with almost all new technology, installing such devices means balancing privacy risks with the conveniences they offer.

The research firm IDC estimates worldwide shipments of 815 million smart speakers, security cameras and other devices in 2019, up 23% from 2018. Many of the sales are for gifts.

You could sidestep the risks altogether by returning the devices right away. But if you decide to keep them — and the artificial intelligence behind them — there are a few things you can do to minimize their eavesdropping potential.

YES, YOUR SPEAKERS LISTEN … AND WATCH

Smart speakers such as Amazon's Echo and Google Home let you check weather and appointments with simple voice commands. Fancier versions come with cameras and screens.

Many of these devices listen constantly for commands and connect to corporate servers to carry them out. Typically, they will ignore private chatter and transmit sound recordings only when you trigger the device, such as by pressing a button or speaking a command phrase like "OK Google." Some gadgets also have a mute button to disable the microphones completely.

But there's no easy way for consumers to verify those safeguards. In one case, the Alexa assistant in an Echo device misheard background conversation as a command to send the chatter to an acquaintance — and so it did.

One more catch: Voice commands sent over the internet are typically stored indefinitely and may include conversations in the background. They can be sought in lawsuits and investigations.

To read the entirety of this article log onto usobserver.com or movietvtechgeeks.com.

★★★

The views expressed herein are the author's own.

COMMENTARY

Your Right to Speak Out

Sin Taxes & Other Orwellian Methods of Compliance That Feed the Government's Greed

By John Whitehead
The Rutherford Institute

"Of all tyrannies, a tyranny sincerely exercised for the good of its victim may be the most oppressive. It may be better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may sometimes sleep, his cupidity may at some point be satiated, but those who torment us for our own good will torment us without end for they do so with the approval of their own conscience."—C.S. Lewis

"Taxman," the only song written by George Harrison to open one of the Beatles' albums (it featured on the band's 1966 Revolver album), is a snarling, biting, angry commentary on government greed and how little control "we the taxpayers" have over our lives and our money.

If you drive a car, I'll tax the street,
If you try to sit, I'll tax your seat.
If you get too cold I'll tax the heat,
If you take a walk, I'll tax your feet.
Don't ask me what I want it for
If you don't want to pay some more
'Cause I'm the taxman, yeah, I'm the taxman.

When the Beatles finally started earning enough money from their music to place them in the top tax bracket, they found the British government only-too-eager to levy a supertax on them of more than 90%.

Here in America, things aren't much better.

More than two centuries after our ancestors went to war over their abused property rights, we're once again being subjected to taxation without any real representation, all the while the government continues to do whatever it likes—levy taxes, rack up debt, spend outrageously and irresponsibly—with little concern for the plight of its citizens.

Because the government's voracious appetite for money, power and domination has grown out of control, its agents have devised other means of funding its excesses and adding to its largesse through taxes disguised as fines, taxes disguised as fees, and taxes disguised as tolls, speeding tickets and penalties.

With every new tax, fine, fee and law adopted by our so-called representatives, the yoke around the neck of the average American seems to tighten just a little bit more.

Everywhere you go, everything you do, and every which way you look, we're getting swindled, cheated, conned, robbed, raided, pickpocketed, mugged, deceived, defrauded, double-crossed and fleeced by governmental and corporate shareholders of the American police state out to make a profit at taxpayer expense.

We have no real say in how the government runs, or how our taxpayer funds are used, and no real property rights, but that doesn't prevent the government from fleecing us at every turn.

Think about it.

Everything you own can be seized by the government under one pretext or another (civil asset forfeiture, unpaid taxes, eminent domain, so-called public interest, etc.).

That house you live in, the car you drive, the small (or not so small) acreage of land that has been passed down through your family or that you scrimped and saved to acquire, whatever money you manage to keep in your bank account after the government and its cronies have taken their first and second and third cut…none of it is safe from the government's greedy grasp.

And then you have all of those high-handed, outrageously manipulative government programs sold to the public as a means of forcing compliance and discouraging unhealthy behavior by way of taxes, fines, fees and programs for the "better" good.

Surveillance cameras, government agents listening in on your phone calls, reading your emails and text messages and monitoring your spending, mandatory health care, sugary soda bans, anti-bullying laws, zero tolerance policies, political correctness: these are all outward signs of a government—i.e., a societal elite—that believes it knows what is best for you and can do a better job of managing your life than you can.

This is tyranny disguised as "the better good."

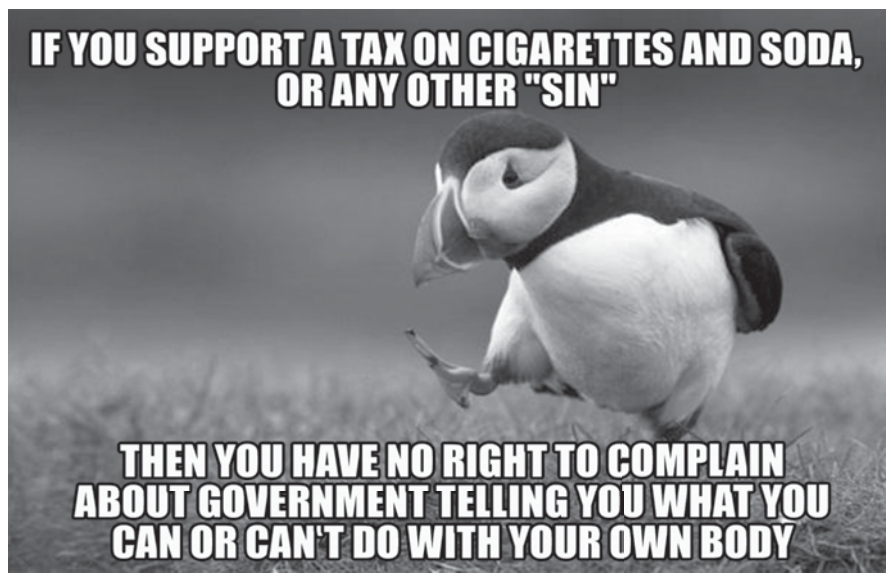
Indeed, this is the tyranny of the Nanny State: marketed as benevolence, enforced with armed police, and inflicted on all those who do not belong to the elite ruling class that gets to call the shots.

So-called "sin taxes" have become a particularly popular technique used by the Nanny State to supposedly discourage the populace from engaging in activities that don't align with the government's priorities (consuming sugary drinks, smoking, drinking, etc.).

Personally, I don't think the government really cares how its citizens live or die: they just want more of the taxpayers' money, and they figure they can rake it in by using sin taxes to appeal to that self-righteous segment of every society that sees nothing wrong with imposing their belief systems on the rest of the populace.

Examples abound.

For instance, a growing number of cities and states (Washington DC, Philadelphia, San Francisco, and Seattle, among others) have adopted or considered imposing taxes on sugary drinks, as much as a dollar more for a two-liter bottle of soda, supposedly in the hopes of forcing



lower-income communities that struggle with obesity and diabetes to make healthier dietary choices by making the drinks more expensive.

The faulty logic behind these sin taxes seems to be that if you make it cost-prohibitive for poor people to pursue unhealthy lifestyle choices, they'll stop doing it.

Except it doesn't really work out that way.

Study after study shows that while sales of sugary drinks decreased sharply in cities with a soda tax, sales figures spiked at stores located outside the city. In other words, people just shopped elsewhere.

You won't convince former New York mayor Michael Bloomberg of this, however. Bloomberg, a 2020 Democratic presidential hopeful, believes the government needs even greater tax powers in order to force Americans—especially poor people—to make smarter lifestyle choices. "When we raise taxes on the poor, it's good because then the poor will live longer because they can't afford as many things that kill them," stated Bloomberg.

Folks, this right here is everything that is wrong with the power-hungry jackals that aspire to run the government today: by hook or by crook, they're working hard to frogmarch the citizenry into complying with their dictates, because they believe that only they know what's best for you.

It's this same oppressive mindset that's been pushing social credit systems (here and in China) that reward behavior deemed "acceptable" and punish behavior the government and its corporate allies find offensive, illegal or inappropriate.

It's the same mindset that supports the government's efforts to compile a growing list—shared with fusion centers and law enforcement agencies—of ideologies, behaviors, affiliations and other characteristics that could flag someone as suspicious and result in their being labeled potential enemies of the state.

It's the same mindset that has government agents spinning a sticky spider-web of threat assessments, behavioral sensing warnings, flagged "words," and "suspicious" activity reports using AI eyes and ears, social media, behavior sensing software, and citizen spies to identify potential threats.

It's the mindset behind the red flag gun laws, growing in popularity as a legislative means by which to seize guns from individuals viewed as a danger to themselves or others. "We need to stop dangerous people before they act": that's the rationale behind the NRA's support of these red flag laws, and at first glance, it appears to be perfectly reasonable to want to disarm individuals who are clearly suicidal and/or pose an

Continued on page 12

A bad defense lawyer cost me six years of freedom - I'm still waiting on my appeal 12 years later

By Chandra Bozelko

(NBC News) - On December 5th, I had another oral argument scheduled in my fight through the Connecticut courts to overturn my 2007 convictions. The lawyer I retained for that trial on identity theft-related crimes conducted no investigation, called no witnesses and, during closing arguments, advised the jury on three occasions that there was no reasonable doubt. In essence, my defense attorney told the jurors to convict me.

But that's not technically what this week's hearing is about. This hearing is about the ineffective counsel I had in 2013, during the appeal of my convictions, which was filed in 2010, over ineffective counsel. If I win, I might get a trial in 2021 to determine if my original counsel was ineffective. If I lose, I will have fought to prove my innocence for nearly 15 years, and only cemented an extremely low standard for attorney performance in Connecticut — namely, that a criminal defense lawyer can work against his client's interests and face zero consequences for it.

In many ways, though, I'm lucky: My bid to overturn my convictions outlasted my punishment — I was released in 2014 — while the freedom of many other incarcerated people is determined by a win in court and a win alone. If they lose appeals like mine, they remain confined.

The courts have held in theory that ineffective counsel is a strong basis to appeal an conviction but, in reality, they rarely hold bad defense lawyers to account. Just ask Adnan Syed, the subject of the hit podcast "Serial," who's challenging his 2000 conviction for murdering his high school girlfriend on the basis of ineffective counsel. The Supreme Court refused to even hear his case last week, even though his defense lawyer failed to call an alibi witness that placed him in the school library with her during the 20-minute time frame the prosecution argued that Hae Min Lee was killed.

The Maryland Court of Appeals, whose ruling was upheld by the court last week, recognized that Syed's attorney failed to do her job but held that it didn't matter because the jury could — not that it did — have had a different theory of the crime and could have viewed other evidence as sufficient for guilt.

There are thousands more people like Adnan and I, despite laws that ought to protect us.

In 1984, the Supreme Court established in a case called Strickland v. Washington that, to succeed in proving that an attorney provided constitutionally deficient representation, an inmate has to prove two things: that the lawyer's performance was deficient; and that the deficiency prejudiced him. In other words, he has to prove that the result would have been different if the lawyer had done his or her job properly.

The impossibility of defense under these circumstances lets attorneys off the hook. Having to prove that the outcome of someone's trial would have been different is already a daunting, hypothetical task under Strickland, but allowing a conviction like mine or Adnan's to stand without further inquiry would eventually mean that any lawyer's performance would pass as effective and competent as long as jurors could just believe you're guilty even if the prosecution's case doesn't prove it.

And it's not as if a dangerous erosion of criminal defense standards hasn't already started. Courts have already betrayed the clients of the attorney who slept through portions of a trial and the lawyer arrested for drunk driving on the way to jury selection. That's how low the bar for effective lawyering is; it's perfectly acceptable for an attorney to sleep during the proceedings or be intoxicated.

It seems — from outside the system — inconceivable that an innocent person can be convicted and sentenced in the United States for a crime he didn't commit, but it happens. The rate of wrongful convictions in the United States is estimated to be somewhere between 2 percent and 10 percent. In a sea of 2.3 million incarcerated people, that means anywhere between 46,000 and 230,000 people are wrongfully charged or convicted.

The University of Michigan tracks all formal vindications since 1989 in the National Registry of Exonerations and has found 2,521 cases where even the system admits that it got the case wrong. There have been 120 of those exonerations in 2019 alone. That means one prisoner's claims of innocence are being vindicated approximately every three days.

Ineffective assistance of counsel complicates many more convictions than we know — 453 of the overturned convictions in the National Registry of Exonerations were complicated by grossly incompetent defenses. But those cases are counted that way in the national registry only because the defendants were successful in their ineffective assistance of counsel claims.

The truth is that, statistically, Syed and I are not likely to succeed. The Strickland decision already makes proving ineffective assistance of counsel a vertical climb, but courts usually don't side with defendants who complain about their attorneys. In a study of the first 255 people to be cleared by DNA evidence, 54 of them claimed that their wrongful conviction was the result of ineffective assistance of counsel. Of those claims, 87 percent were denied; the court sided with the government.

If DNA testing hadn't come along, they might still be sitting in prison. About half of all habeas corpus petitions filed in state courts allege ineffective assistance of counsel; only about 8 percent of them are successful.

Just this February, Justice Clarence Thomas held in a dissent in Garza v. Ohio that defendants have a right to a lawyer, but not to any degree of reliability in that attorney's performance. Essentially, Thomas said you have a right to counsel but not effective assistance from that attorney. The majority didn't agree with him — but the fact that Thomas scribbled such a sentiment endangers everyone in this country.

When I point all of this out, I'm usually met with the same refrains: my case and Syed's are outliers and most criminal lawyers do their job competently and many ineffective assistance of counsel claims may be unfounded. Based on my experience, I disagree. But even if that's true, it shows that we've settled for "most" — not all — defendants to be adequately protected when they're facing prison time. "Most" isn't enough when someone's liberty is on the line.

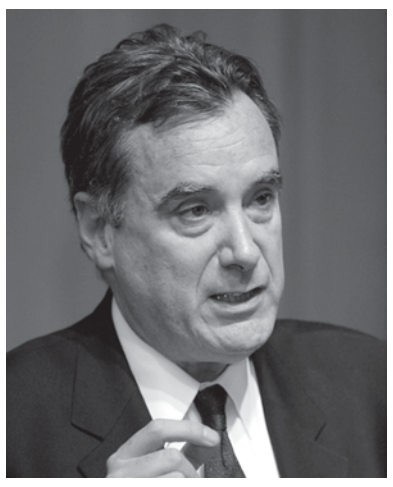
The Supreme Court could have taken the first step in reversing this Sixth Amendment rights crisis by hearing Syed Adnan's case. They chose not to do so, and have imperiled each of our freedoms — not just Syed's.

Chandra Bozelko is the vice president of the National Society of Newspaper Columnists and a 2018 Fellow in Solitary Confinement Reporting. ★★★

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

COMMENTARY

Can We Learn from Prosecutor Misconduct?



By James Doyle

(The Crime Report) - We want wayward prosecutors to be held "accountable." But does "accountable" only mean "punished?"

Or is there room for a "forward-looking accountability" that tries to find and eliminate the underlying conditions that will lead to future wrongful convictions if left untouched?

The growing list of high-profile exonerations features grotesque episodes of prosecutorial dishonesty. We have dozens of cases, imposing decades of wrongful — and avoidable — imprisonment on the wrong individuals, in which buried evidence of innocence would have made a difference.

At least one federal judge has argued that violations of the *Brady v. Maryland* rule requiring prosecutors to disclose evidence favorable to the defense are "epidemic." The National Center on Exonerations reports that professional misconduct was implicated in 54 percent of all exonerations, and in 71 percent of homicide exonerations.

A NEW WEAPON AGAINST WRONGFUL CONVICTION

What infuriates people about this landscape is the nearly complete insulation of prosecutors from any consequences. They are generally immune from civil liability. They are almost never criminally prosecuted. The few widely scattered examples of Bar discipline actions against prosecutors for violations of ethical rules are reported in breathless man-bites-dog tones usually reserved for lightning strikes.

But last April, New York Governor Andrew Cuomo signed into law a bill creating a first-in-the-nation state Commission on Prosecutor Conduct aimed at addressing this problem. After a grueling series of meetings, re-draftings, and resubmissions, the state of New York now has on the books a multi-stakeholder body empowered to reprimand or censure prosecutors and recommend their removal to the Governor.

The Commission's toolbox includes the power to subpoena witnesses and documents, to grant immunity, and to enforce confidentiality regarding its evidence. The internal arrangements of the Commission are intricate: the typed text setting out its membership criteria, notice requirements, and other details runs to seven pages.

The punishments the Commission is authorized to deploy aren't exactly draconian. It can't send anyone to jail, strip anyone of a law license, or impose damages. Still, the Commission's advocates argue that it is better than nothing.

And the state District Attorney's Association certainly seems to see the Commission as significant. That prosecutor's group argues that the Commission is not only worse than nothing, but also unconstitutional on a number of grounds, and it has filed a lawsuit that is currently blocking the Commission's operation.

Even so, the justifiable rage people feel watching prosecutors sail untouched past the lives they've wrecked shouldn't blind us to the fact that while whacking rule-breakers is important, it is also a bad place to stop.

BLAME ONLY, OR PREVENTION TOO?

The Commission provides a new weapon against miscarriages of justice. But the people who study resilience in medicine, aviation, and other safety critical fields would question whether we have aimed this weapon in the right direction.

Their argument would be that this Commission has the potential to do much more than slap wrists and (now and then) harm a career, hoping to make dire examples of individuals. In the safety thinkers' view it is wrongheaded to believe that the challenge consists of protecting safe systems from dangerous humans. They would say that the problem is not humans or systems but humans in systems.

As things stand the Commission's powers are pointed at the past, not at the future.

And the Commission's inquiries now focus "down and in" to find and to punish the renegade individual who is the last in a causal sequence. They do not look "up and out" to identify the conditions and influences that led that player to zig when we now know he should have zagged.

With or without a Brady violation a wrongful conviction is a complex event. A plausible, crowd-sourced case for guilt had to be constructed before the prosecutor even got file, let alone hid the exculpatory contradictions.

The New York Commission is currently oriented towards conducting performance reviews of the work of single lawyers.

But if future safety is our goal we need more than a punitive performance review; we need an event review.

WHACK BAD APPLES, OR FIX UNSAFE BARRELS?

The worst prosecutor in the world can't produce a wrongful conviction on his own. The cops had to arrest the wrong guy; forensic investigations had to miss warning signs; the defense had to fail to uncover evidence of the mistake (and of the prosecutor's misconduct); the judge, jury, and appellate courts had to fumble. A wrongful conviction is a system failure, not the work of one independent player.

Instead of examining the character failings of an individual, the Commission's review could be looking upstream and downstream at people and processes that set the stage or failed to intervene.

And beyond whacking one mole to instill fear in the others (personally, I'll shed no tears over that mole) the Commission could be analyzing the environment created by higher-ups in the prosecutor's office, by tough-on-crime media, by see-no-evil traditions in local courts, and by underfunded defenders—in short, by all the conditions and influences that will still be in play when the next mole comes along.

The fact is, the purely disciplinary process for finding and whacking moles recently has been made much more efficient because (thanks to the indefatigable advocacy of Barry Scheck and others) New York's highest court now requires that trial judges issue "Brady orders" formally requiring disclosure of evidence. When these orders are violated, the violation can

immediately form the basis of a straightforward prosecution for contempt of court.

If deterrence by punishment is our goal the contempt power presents a more direct and immediate route to that result. We should use it.

After an exoneration, media reports of Brady violations conjure up images of swashbuckling prosecutors shattering expectations and arrogantly breaking the rules in order to convict the innocent.

Maybe sometimes that does happen.

But at other times the prosecutor is motivated not by lust for victory but by fear of losing — by cowardice, not arrogance. Sometimes the pressure to persuade judges and juries affects the ability to recognize Brady material as well as the motivation for turning it over. Sometimes the mistaken belief that the defendant is really guilty motivates the shortcuts and violations. Sometimes the prosecutors have been tacitly trained to do just what they have done. Sometimes prosecutors are attempting to fulfill the expectations of their local cultures, not to repudiate those expectations.

None of these choices is excusable, but the fact remains they are different choices -different ways of making sense of the environments the frontline prosecutors find themselves in.

Every wrongful conviction is a tragedy, but as Dr. Donald Berwick, one of the pioneers of medicine's patient safety movement, observed about medical error, every exposed wrongful conviction also provides a treasure house of lessons to learn.

Most of the prosecutors implicated in the known Brady violation cases are not outliers; they were assigned to homicide cases because they were successful veterans in their own offices who rose within their local systems by adapting to them.

Their Brady violations are not just independent "causes" of wrongful convictions; they are symptoms of abiding system weaknesses.

The tantalizing thing about the New York Commission on Prosecutor Conduct is that its architecture would allow for just the sort of forward-looking learning from error that we need. It has a staff; it has subpoena power; it is authorized to grant immunity. It has the ability to offer confidentiality protection to stakeholders who are frightened about civil liability.

It could provide something very close to what agencies such as Massachusetts' Betsy Lehman Patient Safety Center provide in medicine: a neutral ground where all-stakeholders analysis of unexpected outcomes can point to repairs to an unsafe system, and promote public faith in that system.

Explorations along those lines are already underway through the demonstration sites enlisted in the NIJ/BJA Sentinel Events Initiative being assisted by the Quattrone Center at the University of Pennsylvania Law School.

What we need now are state and local institutions prepared to sustain and nourish cultural change: to bring everyone to the table and build the resilience that avoids convicting another innocent citizen, and leaving another dangerous perpetrator free to find new victims.

The Prosecutor Conduct Commission shows us a place where we could make learning from error what it needs to be: a regular, expected, routine practice.

It might be a good place to start. Every state could do it.

James M. Doyle is a Boston defense lawyer and author.

★★★

Old Enough to Vote, Not Old Enough to Smoke

By Debra J. Saunders

(Townhall) Washington - I started smoking in high school and quit in my early 20s. I wish I never smoked, but I did. I thought it was cool until I knew it was stupid. That's when I quit.

Laws that restricted the sale of cigarettes to those 18 or older didn't stop me. Because 18-year-olds can buy for younger teens, anti-tobacco advocates supported raising the legal age of purchase to 21 to make it harder for 16-year-olds to get their hands on tobacco and e-cigarettes.

That's what Congress and President Donald Trump did as the year ended. With little debate while the country was focused on impeachment, they raised the legal age to buy cigarettes and vaping products to 21 by tucking the provision into the $738 billion Defense Spending Act.

Was there robust debate over Washington treating adults who are old enough to vote and old enough to fight in the U.S. military as children who can't make adult decisions?

(Given support on both sides of the aisles for the federal drinking age of 21, along with the 21-year age for the ownership of firearms in some states, the horse is out of the barn.)

Was there any hesitation about Washington abrogating states' rights by imposing a 21-year-old smoking age preferred by 19 states, including California, on the majority of states that have passed no such laws?

Hardly. "Stakeholders," which included tobacco and vaping interests, supported the old-enough-to-vote-but-not-old-enough-to-smoke provision as a sop to stave off attempts to ban flavored vaping products and menthol cigarettes.

Clearly, industry leaders believe that getting rid of flavors would be worse for their business model than a 21-year-old rule for buyers.

Only cranks such as me, who believe in adult rights for adult voters, even think to protest.

Wisconsin radio talk-show host Vicki McKenna, 51, counts herself among those who have issues with two ages of adulthood -- 18 and 21 -- but, as one of the millions of former smokers who kicked the habit when she started vaping, she is willing to accept the higher smoking age as the lesser of two evils.

Her mother and grandmother died of lung cancer. After smoking a pack a day for 23 years, McKenna quit smoking 10 years ago after starting to vape flavored e-cigarettes. Banning e-cigarettes, or their flavors, she argues, would be hazardous to her health.

When she started using e-cigarettes, vaping was not a big political target. That changed, as McKenna sees it, in 2019 when an outbreak of lung disease put more than 2,400 vapers in hospitals, and horribly killed some 54.

The media took a closer look at the practice of manufacturers using flavors to entice kids to vape.

Later, the Centers for Disease Control and Prevention found that most patients with vaping-related lung damage had used products that contained THC, the ingredient that creates the high in marijuana. It became clear that the culprit in these premature deaths was not bubble-gum flavors marketed by big corporations but the black market.

But flavors were on the media's radar, and the nation's politicians felt they had to do something.

Flavored vape products may well have been banned; Trump was heading in that direction.

Then an October survey by McLaughlin Associates showed that vapers in battleground states ardently oppose "banning flavors in all nicotine vapor products" and 83% of them were likely to vote based solely on a candidate's stand on vaping products.

The poll also found that by a ratio of 3-to-1, battleground state vapers supported raising the vaping age to 21.

So Washington raised the national smoking and vaping age to 21, with the industry's blessing, to vapers' relief and few frowns from the opining class.

According to an August Gallup poll, even Americans in the 18-21 age group supported a 21-year-old smoking age by a 2-to-1 margin. They'd vote that they're too young to choose to smoke.

So it's popular. But is it right?

The message from Capitol Hill: 18-year-olds are old enough to choose their government and old enough to die for it, but they are not old enough to make adult decisions on smoking or drinking. There are two ages of adulthood, depending on the situation.

At the same time, many progressives are pushing to lower the voting age to 16, which would be five years sooner than these teens would be able to purchase a glass of wine legally.

Don't they realize where their argument is heading? The subliminal message is that voting is a no-brainer. And if being under 21 makes you too young to make personal decisions, maybe it's too young to vote.

★★★

Continued from page 1 • US taxpayers spent almost $1 billion incarcerating innocent black people

millions to incarcerate. According to the National Registry of Exonerations (NRE), since 1989, 2,515 men and women have been exonerated after proving their innocence.

In total, among all known exonerees, Americans have shelled out a staggering $4.12 billion to incarcerate innocent men and women since 1989, according to a Yahoo Finance analysis. That's largely money spent on trials, and the cost of housing inmates in prison. According to the Bureau of Prisons, in the fiscal year 2017, the average cost to house a prisoner was over $36,000 a year in federal facilities.

But black men make up the majority of those wrongfully convicted — approximately 49%. And since 1989, taxpayers have wasted $944 million to incarcerate black men and women that were later found to be innocent. That number climbs to $1.2 billion when including Hispanic men and women.

In 2019 alone, American taxpayers shelled out nearly $79 million for a combined 105 people who were exonerated this year.

On average, from the time a person enters the criminal justice system until they are exonerated, $1.26 million is spent per inmate who is facing the death penalty. In cases where there is no capital punishment charge, the cost drops to $740,000. With 123 exonerated inmates previously on death row, roughly $155 million was spent to incarcerate them. An additional $1.7 billion was spent to incarcerate the remaining 2,392 people that weren't facing the death sentence. In total, before compensation was factored in, just under $2 billion was spent to imprison innocent people.

"Basically, every stage of the process is more expensive in a capital case," says Cassy Stubbs, director of the ACLU Capital Punishment Project. "The jury selection is a time-intensive process that gobbles up all the court and attorney time. There are more lawyers, a bigger legal team."

And Stubbs says there are the "additional costs of confinement."

"Death row is extraordinarily expensive to maintain. Single cells, all the security provisions they put into draconian isolation are all very expensive," she says.

COMPENSATING THE INNOCENT

The total sum — $4.12 billion spent on all known exonerees — also includes $2.2 billion that taxpayers have paid the innocent in compensation since 1989 for the time they were imprisoned, according to a 2018 NRE study written by George Washington Law Professor Jeffrey Gutman. But while a large sum, only 44% of exonerees have ever received compensation. Of those who did get some form of restitution, the money covered just over 60% of the years lost by exonerees.

Gutman says that the number for both state and civil compensation has gone up since, to $2.47 billion. But, he says, the number is not representative of all those that are known exonerees.

"The reason it isn't higher than that is because there are some who don't seek compensation at all, and those who seek it and are denied," he said.

But if all known exonerees did receive compensation, the numbers would quickly balloon.

Gutman's NRE study finds that on average, exonerees receive compensation from the state worth $70,000 for each year they were incarcerated, and then $307,000 for each lost year from civil suits. If all 2,515 exonerees received compensation for the years lost, they would be owed anywhere from $1.6 billion to upwards of $7 billion. But housing and litigating against innocent men and women isn't just the only cost to society. For each wrongfully convicted person, there's also the years of lost productivity and taxable salaries.

Considering that the average length of incarceration is 8.9 years, the lost salaries of all 2,515 known exonerees in 2019 dollars is roughly $712.2 million, taking into account the median salary of 2004, the median year between 1989 and today.

That's over $700 million that could have been spent paying taxes, investing in the stock market, paying into health insurance, buying consumer products, and supporting their families.

Vanessa Potkin, director of Post Conviction Litigation at the Innocence Project (which represents Reed) says these costs are "just the beginning."

"There is the cost of incarceration — oftentimes that's decades. What does that mean to a family when a father is not present?... And as a family, availing themselves of basically public assistance to stay afloat because the family structure has been devastated by incarceration," she said.

THE SOCIETAL COSTS

But these are just the quantifiable costs.

The cost to a person's family, to their community, and to society at large, says Klara Stephens, a research fellow at the NRE, is not "quantifiable by any measure."

"The toll on people who have incarcerated loved ones — and this isn't exclusive to innocence — it's both an economic cost because that parent can't be economically productive and provide for that child and can't provide care and love," Stephens said. "And with people who are innocent, the difference is the weight of 'we did everything right, and we are still being punished.'"

And, she added, "the cost of knowing the state is willing to execute people for crimes they didn't commit looms pretty large and I would say accounts for the declining popularity of the death penalty."

Potkin agrees, recalling a story of a man who went to prison when his son was only a couple of years old. When he walked out, he had a grandson in his 20s.

"You wonder," she said, "if the grandfather hadn't been wrongfully imprisoned where the grandson would be today. Would he have been able to provide? It's multigenerational, the impact."

Potkin rattled off the list of other things lost: weddings, funerals, experiences, like being a grandparent. "These are people who could be fathers, grandfathers, who have talents that could be contributing to society instead of caged and making a profit for some," she said.

THE OVERREPRESENTATION OF BLACK MEN

And it's black men who disproportionately bear the brunt of loss associated with wrongful convictions. African Americans represent 49% of the known exonerees on the list, despite only making up close to 13.5% of the population in the United States. Whites make up 37% of the list, while Hispanics represent 12% of known exonerees.

In addition to being overrepresented in the justice system, black men in particular spend a longer time incarcerated before exoneration — 10.7 years lost, compared to 8 years for white men.

"It's very clear racism plays a huge role," says Stephens. "In death sentences alone, and death sentences for people who were later exonerated."

She notes that while black and white people use drugs at the same rate, black people are 12 times more likely to be wrongfully convicted for drug possession than white people.

"Murder exonerations with black defendants are more likely to have police misconduct," she added. "And black exonerees are more likely to spend more time in prison than white exonerees."

Stephens speculated that over-policing of minority neighborhoods might play a role. She says that a risk factor to being wrongfully convicted is having been in the criminal justice system before.

But, she added, "in already over-policed communities, that risk factor obviously goes up. You're at a higher risk of being wrongfully convicted for a crime just by living in an overly policed community."

MORE CASES OF INNOCENCE

While these are the costs associated with the 2,515 known exonerees compiled by the NRE since 1989, it's unknown how many more innocent men and women are currently incarcerated.

According to research published in the National Academy of Sciences, 4.1% of those on death row have been wrongfully convicted. According to a 2019 report from the Bureau of Justice Statistics, by the end of 2017 there were 2,703 inmates sentenced to death. With a wrongful conviction rate of roughly 4%, this means approximately 111 people are currently innocent.

Assessing the wrongful conviction rate for the much larger incarcerated population has been harder to determine. Some estimates are as low as 0.027%, while others are as high as 37.7%. However, most accepted estimates range from 1% to 5%. With some 2.3 million people estimated to currently be incarcerated, that means anywhere from 23,000 to 115,000 people are currently wrongfully imprisoned.

Potkin says that the number of people exonerated are "a very small fraction of people in the system."

"It's a number that we are never going to be able to ascertain," she added.

Falsely accused? Call 541-474-7885.

★★★

Continued from page 1 • Helping to Keep Innocent Men and Women Free, Since 1991

words of their past clients – people who are currently enjoying freedom.

Kevin O.

"Your investigative reporting exposed the government's lies before trial. The jury unanimously acquitted me. Thank you. Your services should be used by anyone who is innocent!" *--Kevin O. - Assault, Acquitted*

"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." *--James F. - 1st Degree Murder, Dismissed with Prejudice*

James F.

NEW GROUPS EMERGE TO HELP THE INNOCENT

The United States has recently seen a well needed influx of advocates for the innocent, and justifiably so. We (United States) incarcerate more men and women, per capita, than any other developed nation. And those who have been wrongfully charged or convicted know all too well - there is a dire need for advocates.

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ALERT: Attorney Christopher Rusch Turned IRS Informant!

By Edward Snook
Investigative Reporter

The moment Christian Reeves discovered the US~Obsevrer knew his real identity.

AZ, CA, Offshore – Based on rulings in 2013 from the United States District Court for the District of Arizona and subsequent rulings from the Ninth Circuit Court of Appeals, a person's attorney can blame that person for crimes the attorney actually committed. That attorney can then testify in open court against his client(s), just as Christopher Rusch did in 2013 against Michael Quiel and Steve Kerr. In the case of Rusch's clients, they were sentenced to prison for 10 months each. Rusch had cut a deal, and that has serious implications for anyone dealing with him now.

For Michael Quiel, he was found guilty on two counts of filing false individual income tax returns even though the trial court found that he had ZERO tax liability and had not engaged in any conspiracy to defraud the government! It was an outrageous verdict that is continuing to be challenged to this day by Michael Quiel. Unfortunately, the fact that Quiel had ZERO tax liability was established at sentencing after Quiel had been found guilty by his totally uninformed jury. All the jury heard during trial was that he owed millions in taxes. It was a lie but one that helped convict him – had the US~Observer been involved no one could have been deceived, that's why our services are so valuable!

In October of 2013, we published an article titled "Attorney Rusch turns on clients, Gov't fails to prove tax due." After publishing, we learned that Mr. Rusch changed his name to Christian Reeves in order to get rid of his ruined, given name, and to potentially give himself cover to ensnare more unsuspecting, otherwise law-abiding, citizens in financial schemes that take their money and land them in prison.

The US~Observer was contacted to take on Michael Quiel's case years after his conviction because of that article. We have since started a covert investigation into the activities of Christopher Rusch / Christian Reeves, using a full team of US~Observer investigative journalists, that continues to this day.

THE US~OBSERVER INVESTIGATION

While conducting our initial investigation of Reeves, we found that he would be speaking at a conference in December of 2018 in Dallas, Texas. We were able to obtain a brochure of the conference that showed the scheduled speakers along with their pictures. Shockingly, Christian Reeves, was the only speaker listed without a picture.

To verify that Christian Reeves was in fact Christopher Rusch, and to retrieve as much information as possible, the US~Observer sent one of our team members to Dallas to attend the conference. Once there, our investigator verified that Reeves was indeed Rusch, and quickly obtained other valuable information.

(We have since learned that Reeves was the person who was contracted to produce the brochure by the group putting on the December conference. This means Reeves purposely left his picture off the brochure as to not be exposed as Rusch.)

GOING COVERT

Next, this writer created the alias Ernie Stone along with a fabricated resume, phone number, etc. I contacted Reeves at his San Diego, CA office, telling him I was an investor with roughly $30 million to invest. Reeves initially attempted to pass me off to one of his "partners," David Drummond, who called and informed me that Reeves had given him my contact info. After the call I immediately sent Reeves an email informing him that I would only deal with him and no others – he agreed. (Go online to usobserver.com to view the email chain in its entirety, wherein Reeves described some of the things he would do for Ernie Stone.)

After lengthy discussions, I told Reeves I wanted to hire him to help me invest my money offshore in Belize, Puerto Rico, Panama and/or Mexico, all places that Reeves recommended during our communications – these are some of the identical countries that Rusch promoted to Quiel and Kerr when he was in the process of scamming them. Throughout our conversations Reeves readily gave me legal advice, something he (Rusch) had been disbarred by the California State Bar Association from ever doing again, when convicted of financial crimes of dishonesty.

As our consultations moved forward, Reeves provided me with a proposed contract for his services. Upon agreeing to pay Reeves $30,000.00 for his services, I asked him if he wanted a check or cash. Without hesitation, Reeves stated he would rather have cash. We then agreed to meet in Portland, Oregon on February 8, 2019.

A team member and I arrived in Portland, settled in and waited for Reeves. He arrived on schedule, and we started a lengthy conversation over a cocktail. Upon obtaining the information we were after, I handed Reeves my business card, and informed him my name was actually Edward Snook with the US~Observer. I then hit him with the fact that I knew his former name was Christopher Rusch. My associate snapped pictures as Reeves sat there stunned, starring at my card then back to me. We then asked more questions of this disbarred attorney – not surprisingly, most of his responses were lies.

Before parting ways, I pulled a check out of my pocket and informed Rusch / Reeves that I wanted to pay for his travel expenses as I had agreed, and he refused to accept the check.

The following morning afforded us another meeting with Rusch / Reeves. He was initially closed-off and unwilling to engage but we convinced him that we believed his lies from the night before. We had successfully set another hook into Christian Reeves.

With our time over and Reeves on his way back to San Diego, my associate and I traveled back to our main office where we soon perfected our plans with other team members who had already begun infiltrating Mr. Reeves' deceptive world.

Currently we have spoken to nearly every associate of Christian Reeves, both past and present. Some of these people knew who we were, and others did not. Every one of those we have questioned, except for David Drummond, have denied having any current dealings with Reeves and most claim they will have nothing to do with him and his abundance of dirty laundry. However, we currently have team members entrenched within Reeves' world, continuing to report on the business dealings of several of Reeves' associates and Christian Reeves himself.

RUSCH / REEVES – CONFIDENTIAL INFORMANT FOR THE IRS?

We have obtained plenty of evidence that would lead any prudent person to believe that Christian Reeves, formerly Christopher Rusch worked with the IRS and the United States Attorney's Office (USAO) as an informant and most assuredly still does. We can't publicize much of what we have uncovered yet, since our investigation is ongoing. However, it was his deal-taking and testifying in Michael Quiel's case that proves Rusch was working with the IRS and the USAO in the first place.

From 2006 to early 2010 Christopher Rusch was advising Quiel on taxes and investments. Rusch convinced Quiel and his partner Steve Kerr that certain oversea investments were legitimate and was able to convince the two to invest in the Rusch ventures. Rusch set some of the ventures up in Switzerland, the largest international banking community outside the US. Because Rusch was a licensed attorney at the time with the California Bar, Rusch was allowed to infiltrate two of the most prominent banks in Europe, Union Bank of Switzerland (UBS) and Pictet Bank. The banks that Rusch was working with gave his information to the US Government and the Federal government subsequently arrested Chris Rusch in Panama.

The government then flew Rusch to Miami from Panama for only one reason, to start their diesel therapy. Diesel therapy is simply horrible abuse meant to prepare an individual to comply with whatever the authorities want. For Rusch, diesel therapy was riding in buses from prison to prison as he experienced severe emotional and physical pain and suffering, until he was relocated to a federal maximum-security prison. Rusch was held in prison for 5 months until he finally caved in.

According to Rusch, "When your physical safety is at risk on a daily basis, and you are facing 5 years versus 10 months, it's hard to fight the system." Rusch continued, "the experience I went through with the IRS and Department of Justice was unbearable. In prison I was forced to live with terrible drug dealers and other dangerous criminals."

Having finally broken down, Rusch took a deal and worked with the IRS and the US Attorney's Office in Phoenix, Arizona to successfully prosecute Quiel and Kerr in federal court on tax crimes. Even though Rusch's false testimony against his own clients was obviously obtained under duress, Rusch sold his own soul down the river the day he turned on his own clients.

Quiel was convicted on the two lesser counts of filing false individual income tax returns. He was acquitted on both the Conspiracy to Defraud the United States charge and two counts of Failure to File Reports of Foreign Bank and Financial Accounts. Quiel, Kerr and Rusch all served the exact same sentences – ten months in prison.

Let's figure this out logically, Chris Rusch agreed with prosecutors and the IRS to testify in court that Michael Quiel and Steve Kerr conspired with him to Defraud the US Government; however, the jury acquitted Quiel and Kerr of Conspiracy. The only conspiracy was between Rusch, UBS Bank, Pictet Bank, the US Attorney's Office and the IRS. This is proven by the testimony of a bank officer in open court that Quiel never received any funds from the bank, and even though he was listed as the sole beneficiary on the accounts, he could not access any funds held in the accounts – only Rusch and Rusch's chosen Intermediary were allowed to obtain funds. So, if Quiel wasn't part of Rusch's conspiracy as the jury determined, the only thing the jury used to convict him of anything was the government's assertion that Quiel owed taxes. The reality was he didn't owe anything – a fact that the jury should have been able to hear. Quiel was falsely convicted on a lie. It is a travesty of justice that he had to spend any time in prison at all, let alone the same amount of time as the man who orchestrated and committed the scheme from the beginning!

When Rusch was released from prison he was immediately allowed to travel internationally and continue working in virtually the same financial businesses he was in when he got busted. View the court order signed by United States Senior District Judge James A. Teilborg on Dec. 30, 2014 online.

US~OBSERVER CONCLUSION

I have been investigating these types of cases for over thirty years and the Rusch / Reeves case is the first time I have ever witnessed when a person convicted of a federal, felony crime of dishonesty involving securities, was immediately allowed to continue working in the field of securities and travel abroad, upon their release from prison.

Was the US Attorney's Office in Phoenix involved in the decision to allow Rusch / Reeves to continue the very activities that created this criminal case in the first place? At the very least, they had to have known of Rusch's activities after he entered into their plea agreement and before he was finished serving his post-prison supervision. The truth is however, that Rusch's agreement to falsely implicate his clients was an agreement that originated with the Internal Revenue Service and/or the Department of Justice!

Michael Quiel and his family

Apart from the damage Rusch caused to Michael Quiel by lying about his involvement in Rusch's illegal ventures, Quiel's family was greatly harmed as well. According to Quiel, *"At one point I thought my family had been ruined by the false prosecution they endured right alongside of me. That's one thing that gets overlooked; the immense collateral damage caused to family members when an innocent person is falsely charged, and the outright suffering and loss they go through if their loved one is actually convicted. Thankfully, we have endured. I just hope it doesn't happen to anyone else."*

One thing is certain, with the US~Observer shadowing Christian Reeves – or whatever his name may be in the future – we will make sure to be there for anyone else who he may attempt to deceive, fleece, abuse and feed to government prosecutors.

Editor's Note: Call the US~Observer at 541-474-7885 or send an email to editor@usobserver.com if you have any information regarding Christopher Rusch, also known as Christian Reeves or any of his associates.

Don't miss the next edition of the US~Observer wherein we will expose exactly how Mr. Rusch literally stole Michael Quiel's identity. We will report how Rusch set Quiel and Kerr up to take the fall if he had any problems with his dealings with UBS and Pictet Banks in Switzerland. We will factually show just how Michael Quiel's jury was deceived by the prosecutors in this bizarre case! ★★★

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American media personality, Kim Kardashian, is just one well-known celebrity helping victims of wrongful conviction. NBC's Kristen Dahlgren reported, "Kim Kardashian West has been instrumental in freeing 17 prisoners from life sentences in the past three months. The reality star, who is studying to become a lawyer, has backed individual cases in her push for prison reform."

Several groups on Facebook and other social media also advocate for the innocent, one being Court Victims United.

The Innocence Project (IP) is one of the most well-known advocates for the innocent. A team of attorney's, IP focuses mostly on DNA evidence, helping exonerate people who have already been convicted. IP also uses other professionals to help exonerate their clients.

EVERYONE WHO IS INNOCENT SHOULD CONTACT THE US~OBSERVER

Unlike many groups, the US~Observer has NO waiting list. They are easy to reach, too! Also, the US~Observer helps prevent wrongful convictions, which many groups do not. Jeffrey Deskovic, an exonerated man who is now a defense attorney commented on my husband's false murder case the US~Observer won for him. Deskovic said the, "...rarest of rarest occurrences took place: media (US~Observer) PREVENTED a wrongful conviction, not helped correct one..."

If you are innocent, and are facing false criminal charges, or have already been convicted, you should contact the US~Observer. There are many ways they can help; ways that only having an attorney cannot. They also help those facing unjust civil actions.

Search, "usobserver vindicated stories" online for US~Observer references. Let their clients tell you about their success. The US~Observer may be the only hope you have!

The US~Observer may be reached at 541-474-7885. ★★★

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America's best colleges get even worse on due process for accused students, report finds

By Troy Sargent

Improve your grade by voluntarily adopting proposed federal regulations

(The College Fix) - Despite growing public attention to the importance of due process in college disciplinary proceedings, more elite colleges earned rock-bottom reviews from an education civil-liberties organization this year.

The third annual review of due process on U.S. News & World Report's top 53 college campuses, conducted by the Foundation for Individual Rights in Education, reported an increase in lackluster grades compared to previous years.

In fact, the number of colleges receiving "D" or "F" grades increased from 47 in 2018 to 49 in 2019, according to FIRE.

"Disappointingly, we did not see a significant change overall in the safeguards the rated universities guarantee students from 2017 through this year," the group said.

Seven in 10 reviewed colleges "do not explicitly guarantee students that they will be presumed innocent until proven guilty," two in five "do not explicitly require that fact-finders […] be impartial," and fewer than a third "guarantee a meaningful hearing."

The study reviewed policies for both sexual misconduct and non-sexual misconduct. None received an "A" grade, while four schools – the University of North Carolina-Chapel Hill, Georgia Institute of Technology, Cornell and Stanford – earned one "B" and one "C" grade.

Some of the most elite schools in the country earned "F" for both policies, including Harvard, MIT, Caltech and the University of Notre Dame. Washington University in St. Louis is the only school that offers none of the 10 "fundamental elements of due process" in at least one policy.

Since FIRE did not conduct annual analyses on due process before 2017, it's difficult to discern "how much and in what ways university policies have changed over time," report author Susan Kruth told The College Fix in an email.

But Samantha Harris, vice president for procedural advocacy, told The Fix it was "striking" how many of the F-rated schools "have been sued more than once," showing the danger of schools not reforming their policies.

California colleges are at particular risk because students can seek "writs of mandate" to reverse disciplinary decisions under state law, she said. These actions by students have a "more immediate impact," with eight such actions against the University of California-Berkeley and 10 against UC-Santa Barbara.

There's an easy way for colleges to improve their grades, according to FIRE: adopt the proposed Title IX regulations from the Department of Education, which are set for release early next year. If they did so, colleges would rise to a "C or better" on FIRE's scale, the group said.

Original image by "amboo who?"/flickr

PROTECTIONS FOR STUDENTS 'HAVE COME OUT OF LAWSUITS AGAINST F-RATED SCHOOLS'

The current landscape for college disciplinary proceedings has been heavily shaped by the Obama administration's "Dear Colleague" letter from 2011.

As recounted by Brooklyn College Prof. KC Johnson and journalist Stuart Taylor, co-authors of The Campus Rape Frenzy, the letter ordered colleges to use "the lowest possible standard of proof," instituted double jeopardy for exonerated students, sped up adjudications and "discouraged cross-examination of accusers."

Harris noted that FIRE tried to invalidate the letter by sponsoring a lawsuit against the University of Virginia that directly challenged "the Department of Education's unlawful mandate."

The lawsuit was withdrawn after President Trump's Department of Education rescinded the letter and issued new interim Title IX guidelines. Because Education Secretary Betsy DeVos* undertook a federal rulemaking, unlike her predecessor, her proposed sexual misconduct procedures will be binding law when released.

FIRE's new report grades colleges on whether their disciplinary policies explicitly protect 10 criteria: "meaningful" presumption of innocence, hearing process, right to appeal and cross-examination; "timely and adequate" written notice; "time to prepare with evidence": "impartial" fact-finders and the "right to present" to them; "active participation" of an advisor; and "unanimity or clear and convincing evidence."

Report author Kruth emphasized how the Dear Colleague letter forced "several top universities" to abandon the clear-and-convincing evidence standard they had been using. They included Princeton, Stanford ("in the middle of a case") and the University of Virginia, which was a "central element" in FIRE's litigation against the Dear Colleague letter.

In a blog post last week explaining the report, FIRE said 17 of the 22 schools rated "F" have been sued by accused students "over the lack of fair procedure." Harris said 13 of the 17 have faced at least two lawsuits.

While those cases "have gone in both directions (and some have settled before any disposition)," Harris told The Fix that "some very significant opinions in favor of student rights have come out of lawsuits against F-rated schools." Three are under the jurisdiction of the 1st U.S. Circuit Court of Appeals: Boston College, Brown and Brandeis. The other is UCSB.

Asked whether litigation seems to affected sexual misconduct policies at a campus level, Harris said "definitely yes."

The 6th Circuit's ruling against the University of Michigan in Doe v. Baum, for example, found that "when credibility is at stake, due process requires schools to provide students with a live hearing at which their representative may question the accuser and witnesses." Colleges within the 6th Circuit's jurisdiction "had to change their policies" as a result.

And because of the recent 1st Circuit ruling in Haidak, which found that "due process requires at least the opportunity to cross-examine through a hearing panel," Harris believes colleges in this jurisdiction may change their policies as they did following the Baum decision. ★★★

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"immediate danger" to themselves or others.

And it's the same mindset that allows squadrons of AI censors to shadowban individuals for expressing their unfiltered, politically incorrect opinions and beliefs on social media: all in an effort to keep them in line.

Rounding out this dystopian campaign to impose a chokehold on the populace is a technology sector that has been colluding with the government to create a Big Brother that is all-knowing, all-seeing and inescapable. It's not just the drones, fusion centers, license plate readers, stingray devices and the NSA that you have to worry about. You're also being tracked by the black boxes in your cars, your cell phone, smart devices in your home, grocery loyalty cards, social media accounts, credit cards, streaming services such as Netflix, Amazon, and e-book reader accounts.

Clearly, those helping to erect the prison walls that now enclose us purportedly for our own good are not people that understand the concept of freedom or individual rights.

Unfortunately, this is what happens when you empower the government and its various agencies, agents and corporate partners to act in loco parentis for an entire nation.

All of the incremental bricks that have been laid over the years as part of the police state's prison wall—the invasive surveillance, the extremism reports, the civil unrest, the protests, the shootings, the bombings, the military exercises and active shooter drills, the color-coded alerts and threat assessments, the fusion centers, the transformation of local police into extensions of the military, the distribution of military equipment and weapons to local police forces, the government databases containing the names of dissidents and potential troublemakers—have helped to acclimate us slowly to a life in prison.

Funded with our taxpayer dollars and carried out in broad daylight without so much as a general outcry from the citizenry, these prison walls have been sold to us as a means of keeping us safe behind bars and out of reach of danger.

Having allowed our fears to be codified and our actions criminalized, we now find ourselves in a strange new world where just about everything we do is criminalized.

Even so, how did we go from enacting laws to make our world safer to being saddled with a government that polices our social decisions? As with most of the problems plaguing us in the American police state, we are the source of our greatest problems.

As journalist Gracy Olmstead recognizes, the problem arose when we looked "first to the State to care for the situation, rather than exercising any sort of personal involvement… These actions reveal a more passive, isolated attitude. But here, again, we see the result of breakdown in modern American community—without a sense of communal closeness or responsibility, we act as bystanders rather than as stewards."

Olmstead continues:

[Communitarian libertarian Robert] Nisbet predicted that, in a society without strong private associations, the State would take their place — assuming the role of the church, the schoolroom, and the family, asserting a "primacy of claim" upon our children. "It is hard to overlook the fact," he wrote, "that the State and politics have become suffused by qualities formerly inherent only in the family or the church." In this world, the term "nanny state" takes on a very literal meaning.

Unfortunately, even in the face of outright corruption and incompetency on the part of our elected officials, Americans in general remain relatively gullible, eager to be persuaded that the government can solve the problems that plague us, whether it be terrorism, an economic depression, an environmental disaster, how or what we eat or even keeping our children safe.

We have relinquished control over the most intimate aspects of our lives to government officials who, while they may occupy seats of authority, are neither wiser, smarter, more in tune with our needs, more knowledgeable about our problems, nor more aware of what is really in our best interests.

Yet having bought into the false notion that the government does indeed know what's best for us and can ensure not only our safety but our happiness and will take care of us from cradle to grave—that is, from daycare centers to nursing homes—we have in actuality allowed ourselves to be bridled and turned into slaves at the bidding of a government that cares little for our freedoms or our happiness.

The lesson is this: once a free people allows the government inroads into their freedoms or uses those same freedoms as bargaining chips for security, it quickly becomes a slippery slope to outright tyranny.

Nor does it seem to matter whether it's a Democrat or a Republican at the helm anymore, because the bureaucratic mindset on both sides of the aisle now seems to embody the same philosophy of authoritarian government, whose priorities are to remain in control and in power.

Modern government in general—ranging from the militarized police in SWAT team gear crashing through our doors to the rash of innocent citizens being gunned down by police to the invasive spying on everything we do—is acting illogically, even psychopathically.

When our own government no longer sees us as human beings with dignity and worth but as things to be manipulated, maneuvered, mined for data, manhandled by police, conned into believing it has our best interests at heart, mistreated, and then jails us if we dare step out of line, punishes us unjustly without remorse, and refuses to own up to its failings, we are no longer operating under a constitutional republic.

Instead, what we are experiencing is a pathocracy: tyranny at the hands of a psychopathic government, which "operates against the interests of its own people except for favoring certain groups."

So where does that leave us?

Having allowed the government to expand and exceed our reach, we find ourselves on the losing end of a tug-of-war over control of our country and our lives. And for as long as we let them, government officials will continue to trample on our rights, always justifying their actions as being for the good of the people.

Yet the government can only go as far as "we the people" allow.

Therein lies the problem: we have suspended our moral consciences in favor of the police state.

The choice before us is clear, and it is a moral choice. It is the choice between tyranny and freedom, dictatorship and autonomy, peaceful slavery and dangerous freedom, and manufactured pipedreams of what America used to be versus the gritty reality of what she is today.

Most of all, perhaps, the choice before us is that of being a child or a parent, of obeying blindly, never questioning, and marching in lockstep with the police state or growing up, challenging injustice, standing up to tyranny, and owning up to our responsibilities as citizens, no matter how painful, risky or uncomfortable.

As author Erich Fromm warned in his book On Disobedience, "At this point in history, the capacity to doubt, to criticize and to disobey may be all that stands between a future for mankind and the end of civilization."

As I make clear in my book *Battlefield America: The War on the American People*, if you have no choice, no voice, and no real options when it comes to the government's claims on your life, your movements, your property and your money, you're not free.

Personally, I'd rather die a free man having lived according to my own dictates (within the bounds of reasonable laws) than live as a slave chained up in a government prison. ★★★

Articles and Opinions

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Citizens who have founded and support it believe in the Bill of Rights and Article 1, Section 1, of the Oregon Constitution which states:

"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

America is Now the Divided Republic the Framers Feared

John Adams worried that "a division of the republic into two great parties … is to be dreaded as the great political evil." And that's exactly what has come to pass.

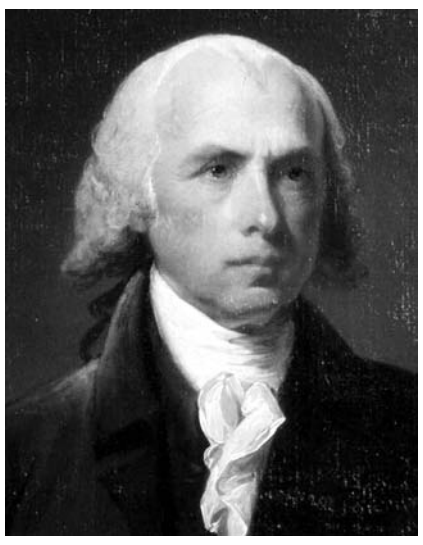
By Lee Drutman
Senior fellow at New America

(The Atlantic) - George Washington's farewell address is often remembered for its warning against hyper-partisanship: "The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism." John Adams, Washington's successor, similarly worried that "a division of the republic into two great parties … is to be dreaded as the great political evil."

America has now become that dreaded divided republic. The existential menace is as foretold, and it is breaking the system of government the Founders put in place with the Constitution.

Though America's two-party system goes back centuries, the threat today is new and different because the two parties are now truly distinct, a development that I date to the 2010 midterms. Until then, the two parties contained enough overlapping multitudes within them that the sort of bargaining and coalition-building natural to multiparty democracy could work inside the two-party system. No more. America now has just two parties, and that's it.

The theory that guided Washington and Adams was simple, and widespread at the time. If a consistent partisan majority ever united to take control of the government, it would use its power to oppress the minority. The fragile consent of the governed would break down, and violence and authoritarianism would follow. This was how previous republics had fallen into civil wars, and the Framers were intent on learning from history, not repeating its mistakes.



James Madison (above), the preeminent theorist of the bunch and rightly called the father of the Constitution, supported the idea of an "extended republic" (a strong national government, as opposed to 13 loosely confederated states) for precisely this reason. In a small republic, he reasoned, factions could more easily unite into consistent governing majorities. But in a large republic, with more factions and more distance, a permanent majority with a permanent minority was less likely.

The Framers thought they were using the most advanced political theory of the time to prevent parties from forming. By separating powers across competing institutions, they thought a majority party would never form. Combine the two insights—a large, diverse republic with a separation of powers—and the hyper-partisanship that felled earlier republics would be averted. Or so they believed.

However, political parties formed almost immediately because modern mass democracy requires them, and partisanship became a strong identity, jumping across institutions and eventually collapsing the republic's diversity into just two camps.

Yet separation of powers and federalism did work sort of as intended for a long while. Presidents, senators, and House members all had different electoral incentives, complicating partisan unity, and state and local parties were stronger than national parties, also complicating unity.

For much of American political history, thus, the critique of the two-party system was not that the parties were too far apart. It was that they were too similar, and that they stood for too little. The parties operated as loose, big-tent coalitions of state and local parties, which made it hard to agree on much at a national level.

From the mid-1960s through the mid-'90s, American politics had something more like a four-party system, with liberal Democrats and conservative Republicans alongside liberal Republicans and conservative Democrats.

Conservative Mississippi Democrats and liberal New York Democrats might have disagreed more than they agreed in Congress, but they could still get elected on local brands. You could have once said the same thing about liberal Vermont Republicans and conservative Kansas Republicans. Depending on the issue, different coalitions were possible, which allowed for the kind of fluid bargaining the constitutional system requires.

But that was before American politics became fully nationalized, a phenomenon that happened over several decades, powered in large part by a slow-moving post-civil-rights realignment of the two parties. National politics transformed from a compromise-oriented squabble over government spending into a zero-sum moral conflict over national culture and identity. As the conflict sharpened, the parties changed what they stood for. And as the parties changed, the conflict sharpened further. Liberal Republicans and conservative Democrats went extinct. The four-party system collapsed into just two parties.

The Democrats, the party of diversity and cosmopolitan values, came to dominate in cities but disappeared from the exurbs. And the Republicans, the party of traditional values and white, Christian identity, fled the cities and flourished in the exurbs. Partisan social bubbles began to grow, and congressional districts became more distinctly one party or the other. As a result, primaries, not general elections, determine the victor in many districts.

Over the past three decades, both parties have had roughly equal electoral strength nationally, making control of Washington constantly up for grabs. Since 1992, the country has cycled through two swings of the pendulum, from united Democratic government to divided government to united Republican government and back again, with both sides seeking that elusive permanent majority, and attempting to sharpen the distinctions between the parties in order to win it. This also intensified partisanship.

These triple developments—the nationalization of politics, the geographical-cultural partisan split, and consistently close elections—have reinforced one another, pushing both parties into top-down leadership, enforcing party discipline, and destroying cross-partisan deal making. Voters now vote the party, not the candidate. Candidates depend on the party brand. Everything is team loyalty. The stakes are too high for it to be otherwise.

The consequence is that today, America has a genuine two-party system with no overlap, the development the Framers feared most. And it shows no signs of resolving. The two parties are fully sorted by geography and cultural values, and absent a major realignment, neither side has a chance of becoming the dominant party in the near future. But the elusive permanent majority promises so much power, neither side is willing to give up on it.

This fundamentally breaks the system of separation of powers and checks and balances that the Framers created. Under unified government, congressional co-partisans have no incentive to check the president; their electoral success is tied to his success and popularity. Under divided government, congressional opposition partisans have no incentive to work with the president; their electoral success is tied to his failure and unpopularity. This is not a system of bargaining and compromise, but one of capitulation and stonewalling.

Congressional stonewalling, in turn, leads presidents to do more by executive authority, further strengthening the power of the presidency. A stronger presidency creates higher-stakes presidential elections, which exacerbates hyper-partisanship, which drives even more gridlock.

Meanwhile, as hyper-partisanship has intensified legislative gridlock, more and more important decisions are left to the judiciary to resolve. This makes the stakes of Supreme Court appointments even higher (especially with lifetime tenure), leading to nastier confirmation battles, and thus higher-stakes elections.

See how this all reinforces itself? That's what makes it so tricky to resolve, at least in a two-party system with winner-take-all elections.

Political science has come a long way since 1787. Had the Framers been able to draw on the accumulated wisdom of today, they would have accepted that it is impossible to have a modern mass democracy without political parties, much as they might have wanted it. Parties make democracy work by structuring politics, limiting policy and voting choices to a manageable number. They represent and engage diffuse citizens, bringing them together for a common purpose. Without political parties, politics turns chaotic and despotic.

The Founders also would have known that plurality elections (whoever gets the most votes wins) tend to generate just two parties, while proportional elections (vote shares in multi-winner districts translate into seat shares) tend to generate multiple parties, with the district size and threshold percentages shaping the number.

But at the time, the Framers believed they could have a democracy without parties, and the only electoral system in operation was the 1430 innovation of plurality voting, which they imported from Britain without debate. It wouldn't be until the 19th century that reformers came up with new voting rules, and until the 20th century that most advanced democracies moved to proportional representation, supporting multiparty democracies.

Had the Framers accepted the inevitability of political parties, and understood the relationship between electoral rules and the number of parties, I believe they would have attempted to institutionalize multiparty democracy. Certainly, Madison would have. "Federalist No. 10," with its praise of fluid and flexible coalitions, is a vision of multiparty democracy.

The good news is that nothing in the Constitution requires a two-party system, and nothing requires the country to hold simple plurality elections. The elections clause of the Constitution leaves states to decide their own rules, and reserves to Congress the power to intervene, a power that Congress has used over the years to enforce the very plurality-winner single-member districts that keep the two-party system in place and ensure that most elections are uncompetitive.

If the country wanted to, it could move to a system of proportional representation for the very next congressional election. All it would take is an act of Congress. States could also act on their own.

Multiparty democracy is not perfect. But it is far superior in supporting the diversity, bargaining, and compromise that the Framers, and especially Madison, designed America's institutions around, and which they saw as essential to the fragile experiment of self-government.

America has gone through several waves of political reform throughout its history. Today's high levels of discontent and frustration suggest it may be on the verge of another. But the course of reform is always uncertain, and the key is understanding the problem that needs to be solved. In this case, the future of American democracy depends on heeding the warning of the past. The country must break the binary hyper-partisanship so at odds with its governing institutions, and so dangerous for self-governance. It must become a multiparty democracy.

This story is part of the project "The Battle for the Constitution," in partnership with the National Constitution Center.

Lee Drutman is a senior fellow in the political reform program at New America and the author of Breaking the Two-Party Doom Loop: The Case for Multiparty Democracy in America. ★★★

Government Standards Are Making 5-Year-Olds and Kindergarten Teachers Miserable

By Lenore Skenazy

(Reason) - Increased academic pressure and testing in kindergarten is bringing everyone to tears—including the teachers.

When Dr. Peter Gray wrote a piece for his Psychology Today blog about kindergarten teachers in Brookline, Massachusetts, protesting dwindling recess time and mandated 90-minute reading and writing blocks, he received a virtual cubby full of comments from kindergarten teachers across the country at just about the end of their jump rope.

"I had to retire in 2017 because I could not take the pressure of having to force my 5- and 6-year-old students to sit with books…no talking allowed," wrote one. "I taught for 18 years and in the last three years…I heard students cry, talk about how they didn't understand, say they hated reading time."

Gray is a professor of psychology at Boston College and a co-founder, along with me, of Let Grow, a nonprofit promoting childhood independence. He writes often about how kids need to play—that this is how they learn how to get along, be creative, make things happen, and grow up. Playtime isn't wasted time: It's intensely educational, just not in a standardized test kind of way. When administrators replace play with academics, the gains are short-lived, but the damage is not.

The teachers writing Gray were in heated agreement—and despair. He curated about a dozen comments, which could almost be used to illustrate Elizabeth Kubler-Ross's five stages of grief.

"I have taught kindergarten for nearly 40 years," wrote one. "Common Core expectations for kindergarten seem to have trickled down from the top, and the people who wrote it thought that they could legislate quicker child development."

Another teacher wrote that she was appalled to hear these words coming out of her own mouth: *"'We do NOT play in kindergarten. Do not do that again!' (to a student building a very cool 3D scorpion with the math blocks instead of completing his assigned task to practice addition.)"*

Despite the requirements and testing, *"I foolishly thought I could sneak art and play in, but I was wrong,"* wrote another disillusioned educator. *"The Curriculum Cops showed up in the class I was doing my student teaching in, and that was the beginning of the end for me. Now I just sub and sneak in fun for the kids whenever I can."*

The problem is that kindergarten has been dumbed up to first grade. That is, the kids are being taught a curriculum once reserved for older kids. This isn't making them smarter. It's just making them more miserable. You too would be ready to throw in the towel (and perhaps a couple of stuffed animals), if you were being prepped with materials like this teacher describes: *"Last week I gave my 5-year-olds a reading assessment that required them to infer the meaning of 'bifocals' after hearing a 5-paragraph story about Ben Franklin (the story had no pictures). This is the kind of madness that permeates curriculum design for kindergarten. I'm retiring earlier than I had planned because I just can't be a part of this any longer."*

> "I'm retiring earlier than I had planned because I just can't be a part of this any longer."

The teachers can quit. The students have a 12-year-stretch ahead of them. ★★★

Continued from page 1 • We've just had the best decade in human history

America; child mortality has fallen to record low levels; famine virtually went extinct; malaria, polio and heart disease are all in decline.

Little of this made the news, because good news is no news. But I've been watching it all closely. Ever since I wrote *The Rational Optimist* in 2010, I've been faced with 'what about…' questions: what about the great recession, the euro crisis, Syria, Ukraine, and Iran? How can I possibly say that things are getting better, given all that? The answer is: because bad things happen while the world still gets better. Yet get better it does, and it has done so over the course of this decade at a rate that has astonished even starry-eyed me.

Perhaps one of the least fashionable predictions I made nine years ago was that 'the ecological footprint of human activity is probably shrinking' and 'we are getting more sustainable, not less, in the way we use the planet'. That is to say: our population and economy would grow, but we'd learn how to reduce what we take from the planet. And so it has proved. An MIT scientist, Andrew McAfee, recently documented this in a book called *More from Less*, showing how some nations are beginning to use less stuff: less metal, less water, less land. Not just in proportion to productivity: less stuff overall.

This does not quite fit with what the Extinction Rebellion lot are telling us. But the next time you hear Sir David Attenborough say: 'Anyone who thinks that you can have infinite growth on a planet with finite resources is either a madman or an economist', ask him this: 'But what if economic growth means using less stuff, not more?' For example, a normal drink can today contains 13 grams of aluminum, much of it recycled. In 1959, it contained 85 grams. Substituting the former for the latter is a contribution to economic growth, but it reduces the resources consumed per drink.

As for Britain, our consumption of 'stuff' probably peaked around the turn of the century — an achievement that has gone almost entirely unnoticed. But the evidence is there. In 2011 Chris Goodall, an investor in electric vehicles, published research showing that the UK was now using not just relatively less 'stuff' every year, but absolutely less. Events have since vindicated his thesis. The quantity of all resources consumed per person in Britain (domestic extraction of biomass, metals, minerals and fossil fuels, plus imports minus exports) fell by a third between 2000 and 2017, from 13.7 tons to 9.4 tons. That's a faster decline than the increase in the number of people, so it means fewer resources consumed overall.

If this doesn't seem to make sense, then think about your own home. Cell phones have the computing power of room-sized computers of the 1970s. I use mine instead of a camera, radio, torch, compass, map, calendar, watch, CD player, newspaper and pack of cards. LED light bulbs consume about a quarter as much electricity as incandescent bulbs for the same light. Modern buildings generally contain less steel and more of it is recycled. Offices are not yet paperless, but they use much less paper.

Even in cases when the use of stuff is not falling, it is rising more slowly than expected. For instance, experts in the 1970s forecast how much water the world would consume in the year 2000. In fact, the total usage that year was half as much as predicted. Not because there were fewer humans, but because human inventiveness allowed more efficient irrigation for agriculture, the biggest user of water.

Until recently, most economists assumed that these improvements were almost always in vain, because of rebound effects: if you cut the cost of something, people would just use more of it. Make lights less energy-hungry and people leave them on for longer. This is known as the Jevons paradox, after the 19th-century economist William Stanley Jevons, who first described it. But Andrew McAfee argues that the Jevons paradox doesn't hold up. Suppose you switch from incandescent to LED bulbs in your house and save about three-quarters of your electricity bill for lighting. You might leave more lights on for longer, but surely not four times as long.

Efficiencies in agriculture mean the world is now approaching 'peak farmland' — despite the growing number of people and their demand for more and better food, the productivity of agriculture is rising so fast that human needs can be supplied by a shrinking amount of land. In 2012, Jesse Ausubel of Rockefeller University and his colleagues argued that, thanks to modern technology, we use 65 percent less land to produce a given quantity of food compared with 50 years ago. By 2050, it's estimated that an area the size of India will have been released from the plough and the cow.

Land-sparing is the reason that forests are expanding, especially in rich countries. In 2006 Ausubel worked out that no reasonably wealthy country had a falling stock of forest, in terms of both tree density and acreage. Large animals are returning in abundance in rich countries; populations of wolves, deer, beavers, lynx, seals, sea eagles and bald eagles are all increasing; and now even tiger numbers are slowly climbing.

Perhaps the most surprising statistic is that Britain is using steadily less energy. John Constable of the Global Warming Policy Forum points out that although the UK's economy has almost trebled in size since 1970, and our population is up by 20 percent, total primary inland energy consumption has actually fallen by almost 10 percent. Much of that decline has happened in recent years. This is not necessarily good news, Constable argues: although the improving energy efficiency of light bulbs, airplanes and cars is part of the story, it also means we are importing more embedded energy in products, having driven much of our steel, aluminum and chemical industries abroad with some of the highest energy prices for industry in the world.

In fact, all this energy-saving might cause problems. Innovation requires experiments (most of which fail). Experiments require energy. So cheap energy is crucial — as shown by the industrial revolution. Thus, energy may be the one resource that a prospering population should be using more of. Fortunately, it is now possible that nuclear fusion will one day deliver energy in minimalist form, using very little fuel and land.

Since its inception, the environmental movement has been obsessed by finite resources. The two books that kicked off the green industry in the early 1970s, The Limits to Growth in America and Blueprint for Survival in Britain, both lamented the imminent exhaustion of metals, minerals and fuels. The Limits to Growth predicted that if growth continued, the world would run out of gold, mercury, silver, tin, zinc, copper and lead well before 2000. School textbooks soon echoed these claims.

This caused the economist Julian Simon to challenge the ecologist Paul Ehrlich to a bet that a basket of five metals (chosen by Ehrlich) would cost less in 1990 than in 1980. The Stone Age did not end for lack of stone, Simon said, arguing that we would find substitutes if metals grew scarce. Simon won the bet easily, although Ehrlich wrote the check with reluctance, sniping that 'the one thing we'll never run out of is imbeciles'. To this day none of those metals has significantly risen in price or fallen in volume of reserves, let alone run out. (One of my treasured possessions is the Julian Simon award I won in 2012, made from the five metals.)

A modern irony is that many green policies advocated now would actually reverse the trend towards using less stuff. A wind farm requires far more concrete and steel than an equivalent system based on gas. Environmental opposition to nuclear power has hindered the generating system that needs the least land, least fuel and least steel or concrete per megawatt. Burning wood instead of coal in power stations means the exploitation of more land, the eviction of more woodpeckers — and even higher emissions. Organic farming uses more land than conventional. Technology has put us on a path to a cleaner, greener planet. We don't need to veer off in a new direction. If we do, we risk retarding progress.

As we enter the third decade of this century, I'll make a prediction: by the end of it, we will see less poverty, less child mortality, less land devoted to agriculture in the world. There will be more tigers, whales, forests and nature reserves. Britons will be richer, and each of us will use fewer resources. The global political future may be uncertain, but the environmental and technological trends are pretty clear — and pointing in the right direction.

This article was originally published in The Spectator's UK magazine.

★★★

New Poll Shows How Badly Media Has Misinformed Public On Guns

By Tom Knighton

(BearingArms) - Right now, guns are being demonized. It seems everyone outside of the die-hard pro-gun factions is entertaining the idea of gun control. After all, we're told, we're in the midst of an epidemic of violence. Guns are killing people wholesale. Presidential candidates are claiming that guns kill more people than anything else. Worse, though, people buy it.

We've already seen how violent crime was actually down for 2018. Yet people think it's worse.

However, I can see how that happens. Crimes that were common simply couldn't be reported on because it's impossible to cover all of them. When they become less common, it's possible to report on them and the perception becomes that the problem is worse rather than better.

I've argued that's part of what happens, but I'm not going to let the media off the hook. Why? Because they've gone out of their way to fail to inform the public on the reality of not just crime but also gun-related fatalities.

Mass shootings may grab the headlines, but suicides are by far the leading category of gun death in America. However, most Americans don't know this, according to a new national poll from APM Research Lab, Call To Mind and Guns & America.

Experts say this misperception is handcuffing suicide prevention efforts.

The poll asked more than 1,000 Americans what they think the leading cause of gun deaths is.

Thirty-three percent of respondents chose homicides outside of mass shootings, while 25% thought that mass shootings caused the most gun deaths. Only 23% correctly identified suicides as the leading cause. The remaining respondents chose accidental shootings or said they didn't know.

In other words, the media has spent so much time and effort prattling on about mass shootings and pushing those as the major problem, people have a skewed perspective on whether or not they're a real problem. A third of the population apparently believes that most people shot and killed are murdered in mass shootings.

Meanwhile, only a small handful are, as the report goes on to note:

In reality, fully 60% of gun deaths in the U.S. every year are suicides.

Horrific as they are, mass shootings represent a tiny fraction of gun deaths in America. They account for a few hundred deaths every year, as compared to an average of roughly 19,000 gun suicide deaths. There were 23,854 suicides by firearm in 2017, according to the U.S. Centers for Disease Control and Prevention.

And even with a murder rate well above other developed nations, gun homicides, which account for roughly 12,000 deaths per year in the U.S, are a distant second compared to suicides.

What bothers me most about this is that suicide is far more preventable. It's a mental health issue that needs to be addressed from that angle. Trying to interfere with gun rights because someone might commit suicide is stupid, in part because it's not the only way to commit suicide but also in part because it completely ignores the suffering a suicidal person is going through. It focuses on the tool and not the human being that is dealing with internal torment.

Yet the media has remained focused on things like mass shootings and murders and has willfully ignored the reality of most so-called "gun deaths" being people taking their own lives. They love to cite the total number of "gun deaths" without bothering to break them down into their component parts such as homicides and suicides. While it would be easy to chalk this up to laziness, the truth is that they've had this pointed out to them enough times to know better.

No, I have to conclude this is willful.

Because of that, the American public is woefully misinformed about just how most people shot and killed end up that way. While I tend to believe that you should never chalk up to maliciousness that which can easily be explained by incompetence, I just don't think that's the case this time around.

Mainstream media? Do your jobs correctly for a change. ★★★

Continued from page 1 • Don't Let Sex Abuse Charges Ruin Your Life ...

pedophilia, you are in a special kind of hell; absolutely no one thinks you are actually innocent. Your only hope is to get the public behind you by exposing them to the facts of your innocence. Once the lies that the police and/or prosecutors used to charge you – and publicly humiliate you – are dispelled, you are on the road to recovery.

Unfortunately, if you buy into the system and trust that a defense attorney alone can get a not guilty verdict in a sex abuse case, you will most often find yourself convicted and ruined. A vast majority of Attorneys just aren't capable of fighting the kind of battle it will take to win your case...

SEX ABUSE 101

Sex crimes are one of the easiest cases for prosecutors to obtain a conviction. They often don't need any DNA or even a secondary witness; they just rely on the accusation alone to get a conviction. Often, the accuser already knows this tragic reality.

But what can a person do, knowing that Justice Department statistics show that 90-plus percent of all criminal cases in the United States end with guilty pleas or verdicts, to defend themselves against being wrongly convicted for a sex crime? Isn't rushing to get an attorney what we've been conditioned to do?

Unfortunately, sex abuse conviction statistics show that defense attorneys lose more often when defending sex abuse crimes than they do with other criminal cases. This is a very grim reality for those who are facing many years or possibly life in prison if wrongfully convicted. And, prison is only the beginning – living a life in public as a registered sex offender is an unimaginable prospect, especially for one who is innocent of the crime.

According to Shawn Tucker, the father of a son whose freedom was almost lost to 16 false sex abuse related charges, the first thing you should do is call the US~Observer at 541-474-7885. *"What they did in my son's case was nothing short of a miracle,"* Tucker said.

Another client, Jessica M., who herself faced life-altering false felony sex abuse charges maintains, *"the US~Observer's services were a fraction of a cost to attorneys I talked to, and their investigation and efforts are what got me totally vindicated."*

WHY THE US~OBSERVER FOR SEX ABUSE CHARGES?

In short, we win. Don't take our word for it, read the testimonials online at usobserver.com or call 541-474-7885 and get the contact information for previous clients whose cases were only won because of the US~Observer. We are effective because we prove our clients are innocent through a thorough investigation and we deliver that evidence to the right people, using proven methods, and it is highly effective.

Our investigative journalists expose the accuser's motive or lack thereof; the absence of physical evidence; the fact that there is no eyewitness or that a supposed eyewitness is lying, inconsistent statements made by the accuser; the lack of DNA evidence; the circumstances of the accuser at the time of their accusation (closely related to motive); the accuser's attempted relationship protection; financial gain by the accuser; the accuser's attempt to protect their image by falsely accusing another, and more.

Time is most certainly of the essence when a person is arrested for or charged with a sex abuse crime. There are two major reasons why time is important. Often, crucial evidence is lost when a witness disappears or dies. Also, it is much easier and far less expensive to resolve a case before there is a conviction.

The US~Observer has seasoned sex abuse professionals who know exactly what it takes to win. While an individual may need an attorney in some instances, attempting to avoid the horrendous costs of hiring one in the first place is solid advice, especially in sex abuse criminal cases. Attorneys have Bar rules they must adhere to just as private investigators have many rules to follow because they are licensed. The US~Observer is not bound, or as I say, "strangled" by rules, which, by design, limit the ability to find and preserve the truth in many instances. Again, obtaining evidence and then delivering that evidence properly wins cases.

REFERENCES ARE IMPORTANT

Again, go to usobserver.com and look at our vindicated clients. A good number of them were once wrongly arrested for a sex abuse crime and fortunately for them, they turned to an organization that gets results in defeating false sex abuse charges. These people were all found innocent, either by having their charge(s) dismissed or by acquittal. You'll see what they say about our help.

Just know that there is an organization that cares about your innocence. It is the US~Observer.

Editor's Note: If you or a loved one are facing false sex abuse charges, pick up your phone and call 541-474-7885 or send an email to editor@usobserver.com. ★★★

If You're in Trouble, We Help

By US~Observer Staff

Many people wonder how a newspaper can help a person facing criminal charges, or those who are being faced with being victimized in a civil issue.

People find it difficult to understand that maybe their first stop when they are falsely accused, charged or abused should be the US~Observer.

So... Why the US~Observer? The answer is quite simple. We win your case.

When an innocent person is charged with a crime, or taken advantage of civilly, the US~Observer conducts a thorough investigation. We obtain evidence that attorneys and licensed investigators cannot obtain because of the many licensing rules they must follow. We have no rules. When an innocent person's life, freedom or property are in jeopardy, we expeditiously get to the truth and facts, no matter what it takes.

CRIMINAL CASES

Concerning false criminal charges, when we have acquired conclusive evidence of innocence we go to the elected prosecutor responsible for filing those false charges, and give him/her the evidence. Then, we demand that they drop the false charges they have filed. If they refuse, we take them into our court – the court of public opinion. Here, the two things they are protective of, or are always concerned with, their reputation and career, become vulnerable.

When we publish about them and the specific abuse they have leveled at an innocent person the game changes. Publicly, they must face their friends, family and community – our court is where accountability begins.

The prosecutor soon finds that the one and only thing that he/she fears is exposure. When they are faced with losing their career and/or reputation they usually do the right thing and dismiss the false charges. If they don't we escalate our exposure until they are forced to accept the truth – the facts!

Keep in mind that as we escalate our efforts publicly, any possible future jury pool is becoming aware of the false charge(s) as they read the facts on the front page of a national newspaper.

When prosecutors file charges they send press releases to the media. We do the exact same thing that prosecutors do except we publish absolute facts, obtained by conducting our thorough investigation; they often rush to judgment and release lies to the jury pool. They do this because it works and ensures them a conviction. We do this because it works and ensures the innocent person a dropped charge or an acquittal.

Again, at the end of the day the prosecutor either drops the false charge(s) or their reputation and career are demolished and they lose at trial. They lose because we were able to obtain crucial evidence that no one else could.

CIVIL CASES

We handle civil cases in much the same manner as our criminal cases. If someone has stolen from you, whether it be your money, property, child or other, we give that person, agency or other the chance to return your property. Often, they comply because they cannot stand exposure – exposure can lead to possible criminal charges and huge civil damages payouts. Before long, they all either do the right thing and comply or they are ruined – ruined by the truth and facts.

If you are in trouble, don't roll the dice with just an attorney.

CRIMES UNANSWERED

Given the US~Observer's track record of defeating false criminal charges, it stands to reason that the US~Observer is definitely the "Go To" when someone is getting away with a crime or dishonest action.

Do you know someone who should be in prison? Did they harm you? Steal from you? Abuse you or someone you know?

Did the justice system turn a blind eye? Were they seemingly above the law?

Contact the US~Observer – We will help ensure justice is served!

★★★

Go to usobserver.com for references. Call 541-474-7885 if you need help.

★★★

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.

Why have a bad day when it's still possible to force justice ... right down their throats?

The US~Observer investigates cases for news. We want to win, just as you want to prove your innocence.

For justice sake, don't wait until they slam the door behind you before contacting us if you are innocent. Preventing a wrongful conviction is much easier than achieving a post-conviction exoneration.

Call Us Today!
541-474-7885

If you prefer email:
editor@usobserver.com

"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 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

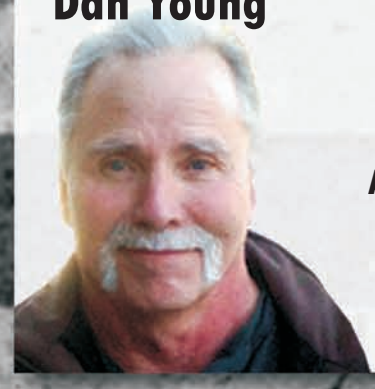
"If it wasn't for the US~Observer being involved and promoting the truth in my case I very well could have died in jail. I almost certainly would have never seen any amount of freedom. And without doubt, the prosecutors would have never, in a million years, stopped their unjust prosecution of me. Few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