Promoting Excellence in Investigative Journalism

US OBSERVER
Vindicating the Innocent

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VICTORY SPOTLIGHT

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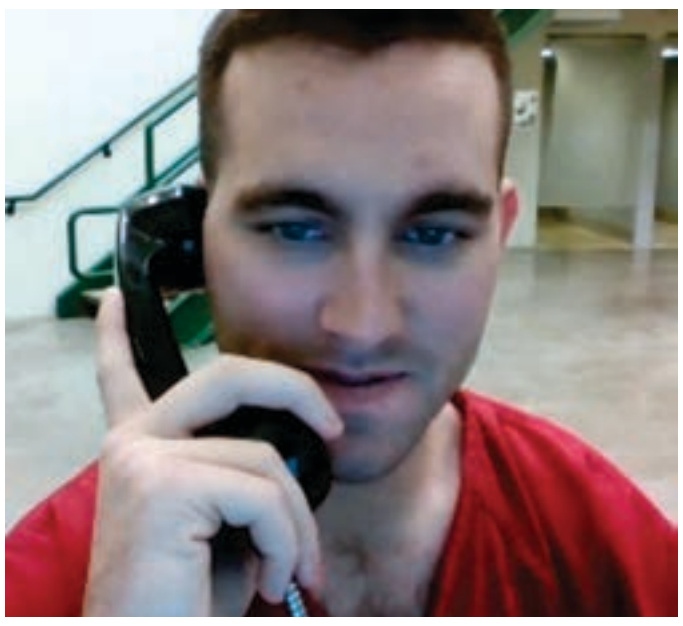
FALSE CONVICTION?

"Sold Out By His Attorney"
Man Claims Wrongful Conviction Forced Him to Plead in Other Cases

By Ron Lee
Editor, Investigative Journalist

Gone are the days - if ever they existed - when only the guilty confessed to crimes in order to get lenience with the court. That's what years of research shows, anyway. It is fact that false confessions, including plea deals for crimes not committed, are exceedingly common, especially in murder and rape cases, where according to falseconfessions.org 92% of all false confessions are men, with the majority being 25 or younger. Yet, most people still wrongly believe that if someone confesses or takes a deal, they did the crime.

Such is the case of Tre Butterfield who is currently incarcerated yet professes his absolute innocence of any wrongdoing in all four claims of sexual impropriety. Tre further claims that his own attorney, Robert Brungardt, helped get him convicted when he wrongly and willfully (against Tre's wishes) told the jury in his opening statements that Tre was, "guilty of rape of a child in the third degree." It was ultimately this maneuver that Tre says forced him to take a plea on two separate cases against him; cases that he thought could easily be defended against, as he had evidence to present which could have exonerated him. These pleas added to his time to serve. Now, with an appeal ongoing, and one count having already been reversed, and



An incarcerated Tre Butterfield

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Children Stolen by Court Duped by Mother?
Okanogan WA Court Takes Children from Father, Christopher Coombes

By Edward Snook
Investigative Reporter

Okanogan County, WA – Christopher Coombes and his two young daughters, ARC age 6 and LFH age 4, were living a quiet life until March 18, 2022, when their lives were abruptly disrupted by the alleged cunning acts of his ex-wife and mother of their children, Carrie Coombes.

Christopher Coombes

According to witnesses, and her own recorded testimony from later that year, Carrie Coombes left her daughters when ARC was three and LFH was a two-week old newborn, shortly after a judge in Alaska awarded custody to Christopher. As Christopher recalls, for approximately 2 ½ years, there was no contact or communication, no effort to support, financially or emotionally, and no inquiry from Carrie regarding their daughter's health and wellbeing.

Earlier this year, Christopher's daughters were taken from their father by Okanogan County Sheriff deputies who were carrying out Court orders that had reportedly been initiated by fraud and carried out by deceived public officials. There was no initial investigation or proper due process,

DHS Stonewalls Loving Grandmother
Bureaucrats Are Ruining Another Child

By Edward Snook
Investigative Reporter

Oregon – Oregon's Department of Human Services (DHS) is actively destroying another Oregon family while allowing abuse of a child in their custody.

Hayden Hayes was taken by DHS in August of 2018, at age six and has been in DHS custody for 4 years. DHS had been using false criminal charges that were dismissed, to keep Hayden from being placed with his biological grandmother Rose Henley. The 2018, Family First Act, supposedly makes it a priority for DHS to place children with family to reduce trauma, yet this out-of-control Agency ignores the law as they placate the public.

DHS has placed Hayden, now 9 years-old in six different foster homes in five months. As a result, Hayden has developed severe behavioral issues, would run from DHS personnel and his foster families at every

Hayden Hayes

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PUBLIC SERVICE ANNOUNCEMENT

Heartfelt "Thank You" To Those Fighting Oregon's Rum Creek Blaze

Firefighters have done an outstanding job fighting the wildfires, like the Rum Creek Fire, in Southern Oregon - Thank You!

Your Right to Legal Representation is No Longer Guaranteed

By Alan Wagner
US~Observer

Oregon has shockingly failed to follow the laws of our country by not providing proper legal representation to people who cannot afford it. The Constitution of the United States clearly states in the sixth amendment all Americans have the right to an attorney in criminal proceedings. Anyone familiar with our legal system knows that attorneys are incredibly expensive. Many people do not have the many thousands of dollars needed to hire an attorney. That's where public defenders are supposed to step in.

In America, unless you have money and I mean a lot of money you have very little chance at justice!

According to the Gideon's Promise website:

"80% of people accused of a crime are represented by a public defender. Despite this reality, prosecutors' offices nationwide receive $3.5 billion more in annual

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both of which, should precede these actions. Carrie and her team of out-of-state lawyers reportedly manipulated all proceedings through the Okanogan Court and even threatened lawsuits and the future employment of members of the Sheriff's Department to push through warrants and escalate the situation without showing any evidence. This was perpetrated by alleging an "emergency", with full knowledge that there was no evidence of any so called "emergency".

In one of his final orders on the day of his retirement, March 31, 2022, Okanogan Superior Court Judge Christopher Culp signed a "**temporary" restraining order until the year 2034** at a hearing where Christopher was not even present. This barred Christopher from any contact with his daughters for 12 years. According to one witness, using false and perjured testimony and underhanded legal tactics, Carrie's Attorneys committed fraud upon the Court and were even so bold as to indicate that they represented Christopher without his knowledge. There was no "show cause" hearing, as a matter of fact, Christopher was never even served with the court orders he was allegedly "interfering" with until after he was arrested for interfering with them.

Carrie Coombes

In essence, Carrie Coombes, with the aid of Attorney Melanie Baillie and Attorney Monica Brennan, both of the Idaho based law office of James, Vernon & Weeks, P.A, Victoria Minto of the Northwest Justice Project, the Washington State Department of Social and Health Services (DSHS), the Okanogan County Sheriff Department (OCS), Okanogan County Prosecuting Attorney and the Okanogan Superior Court, successfully took ARC and LFH from Christopher who held full legal and physical custody of them. Without any investigation or evidence to support the wild allegations from Carrie and her Attorneys, Christopher's daughters were taken, and all possibility of contact cut off for 12 long years. Christopher is not only worried about the whereabouts. safety and well-being of his daughters; he now finds himself erroneously, if not maliciously, charged with custodial interference and violating a restraining order.

Christopher is also the target of a libelous and slanderous smear campaign by a nonsensical internet blogger who has been cyber-stalking Christopher and his friends. Reportedly, this blogger is working with Carrie to provide slanderous media coverage during the Court proceedings in an effort to discredit the credibility of all witnesses against her. The Blogger is maliciously accusing Christopher and his witnesses of belonging to a cult, and other alleged conspiracies. Allegedly, this blogger even made a trip all the way to Tonasket from Minneapolis recently to make threats and continue to stir up the community.

MOTHER ABANDONS DAUGHTERS

According to court documents filed in the Superior Court for the State of Alaska, Third Judicial District at Kenai, Christopher Coombes and Carrie Coombes dissolved their marriage in April of 2018. In the Final Child Support Order, Judge Charles T. Huguelet did not order child support and found reason for the variation of child support stating, "*the Parties shall continue to live together as a married couple and continue to provide for their children as such*."

At the time the dissolution decree was issued, Carrie was days away from giving birth to the couple's second child. When LFH was born, she reportedly requested to "never hold or bond with the newborn baby." Carrie Coombes gave birth to LFH on April 24, 2018, and knowingly and willingly reported the infant's last name as Hezeltine on the birth certificate.

Carrie made it known that she desired to go home to Pennsylvania to be with her parents. Wanting Carrie to have time to heal, Christopher bought her a plane ticket. Two weeks after LFH was born, Carrie Coombes left for Quakertown, PA. Christopher found himself a single father with two very young daughters, not to mention operating his construction business. Graciously, extended family (Hezeltines) had offered assistance to help raise his newborn daughter, a fact that was previously known by Carrie as evidenced by the birth certificate which Carrie signed, and also the following:

On September 21, 2018, Carrie made a video where she made the following statement, presumably from her parents' home in Pennsylvania:

"*Hello, my name is Carrie Coombes. It is September 21, 2018 and I wanted to make a video to confirm that that the decision that I made with my husband earlier this year, I believe it was March through April of 2018 to dissolve our marriage as well as give him sole custody both physical and I forget what the name of the other part of it is but that he has the sole right to make decisions for them. I still agree with that. I was not forced at any point into making that decision and I still stand by that. I also stand by that, for um, the um, other daughter that I gave birth to, Lily Hezeltine, that she should also remain within his custody and that he has the sole right of decision and that that is in the girls' best interest at this time.*"

This video was sent to Ruthie Bisset the day it was made - September 18, 2018. Carrie appeared calm and relaxed in the delivery of her statement. She did not appear forced or under duress.

FAMILY MOVES TO TONASKET, WA

Christopher and the Hezeltines spent from May of 2018 through March of 2019 in search of the perfect piece of property with the intent of building a house so they could continue to raise their families together. The search took the Hezeltines to Kauai and after several visits, Christopher realized it was cost prohibitive. Their research then took them to Tonasket, WA where Christopher rented an apartment which his business, Sage Mountain Studio, LLC would eventually purchase. Due to the COVID pandemic and lockdown, the Hezeltines and LFH were not able to join Christopher in Tonasket until October of 2020.

Then, in November of 2020, Carrie contacted Christopher for the first time since May of 2018. Christopher offered to facilitate provision for her to visit Tonasket and hopefully re-connect relationships with her daughters which had been severed. Unbelievably, Christopher even paid for Carries transportation costs. Carrie made known her desire to get to know their daughters and establish a maternal relationship with them. She also reportedly alluded to the possibility of reconciling their marriage. Eager for his daughters to get to know their biological mother, Christopher welcomed the idea and he reached out to friend and next-door neighbor, Shelly Larson. Shelly had a room available in her home and

Continued from page 1 • DHS Stonewalls Loving Grandmother ...

opportunity, which reportedly resulted in DHS drugging Hayden into compliance. DHS created a child in crisis, when the agency could have placed him with his grandmother rather than traumatize him like this.

Neda Grant, Hayden's therapist states *"I have observed Hayden as being angry, unhappy, incredibly sad and upset."* Rose Hanley claims this was all caused by DHS and her evidence backs up her claim.

Rose Henley

Henley has provided the US~Observer documentation of the alleged abuses Hayden has suffered in states custody. She reports Hayden looks malnourished, has been constantly sick, had rashes and bruises all over his body, had cuts on his face that are now scars, sleeps on an air mattress with a 25lb weighted blanket, has had to endure 18 questionable dental procedures in a single visit, as well as having had a severely broken arm that required pins to be surgically placed so Hayden could regain full use of his arm.

Henley recounts that during a visit at DHS Hayden revealed to her that the reason he could not be with his grandparents, is because they are criminals. Henley reported this to the visitation monitor. At the next visit Hayden stated he got in trouble for revealing that to her. At another visit, Hayden disclosed that he was sleeping in the same bed with his foster parents, which alarmed Henley. Then during a skype call with Hayden from his foster home Henley states she overheard someone in his home calling the police to the residence.

Any time Henley reported her concerns to DHS the agency retaliated by canceling visits at the last minute, reducing visits to once a month, then stopping visits altogether.

Henley is concerned that Hayden is being abused, stating there have been too many red flags, especially surrounding Hayden's severely broken arm. Henley stated that she was informed by DHS social worker Meghan C. Peters, that the cause of Hayden's injury was not immediately known. She reportedly said it took three days before Hayden's foster family sought medical treatment and then only because he would not stop crying. Peters said they delayed seeking treatment because they believed Hayden had a, *"high pain tolerance."* What kind of statement is that, as if that excuses their cruelty for allowing him to suffer for days? Weeks later, *"Hayden fell off a picnic table while unsupervised."*

Meghan C. Peters

Henley states DHS blocked her from getting Hayden's records after she submitted a public records request and a subpoena. Henley believes the agency wants to prevent her from learning the truth about her grandson's injuries and care while in state's custody, and what she believes is the absolute truth! DHS has been trying desperately to change the rules for allowing public access of the agencies abuse records however, publicly, they always put on the facade of being open, honest and accountable.

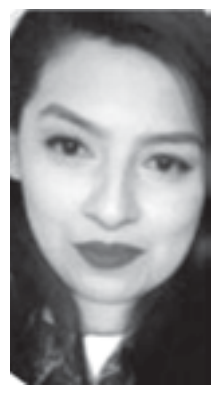
This writer contacted both ODHS Child Welfare Director Rebecca Jones Gaston and Director Fariborz Pakseresht on May 24, 2022, about the alleged abuse of Hayden Hayes, and to date I have received no response. It appears that directors Pakseresht and Gaston are just as unaccountable, non-transparent and dysfunctional as former DHS Director Kay Toran.

In an interview with the Salem Reporter Jones Gaston said, *"the shift away from routinely resorting to foster placements has been profound. She said her agency's workers are working toward being better equipped "to serve more and more kids at home safely with their parents without having to have the trauma of separation. That's the core of everything we've been focused on."* This is the exact "facade" I mentioned above.

DHS has been using the excuse that Henley was charged with theft, and then completely exonerated as their reason for keeping her from her grandson. Henley notified Hayden's social worker that the false charges had been dropped, and she wanted her grandson. Case worker Narumi Moran callously replied:

From: *Moran Flores Narumi L narumi.l.moranflores@dhsoha.state.or.us*
To: *rose*
Date: *Wed, Feb 9, 2022 10:33 am*
RE: *Hayden Hayes*

Hello Rose,



Narumi Moran

The status of your criminal charges does not change the agency's permanency plan for Hayden. Hayden's plan remains adoption, and he remains in the agency's custody. The appeal regarding the termination of parental rights for the mother has been completed; the court affirmed the decision of the termination of parental rights. Hayden is now legally free for adoption, and he is placed in his adoptive home.

You can call the Governor's Advocacy office at 503-945-6904 with any concerns you might have.

Narumi Moran
Social Service Specialist
ODHS Child Welfare D3
4600 25th Ave NE Ste. 110
Salem, OR 97301
Work cell: (971)241-6998
narumi.l.moranflores@dhsoha.state.or.us

Henley reached out to the Governor's Advocacy Office and was contacted by Ombudsman Sarah Burwell. Henley states, Burwell was no help and only parroted the DHS narrative.

Just two months after DHS told Henley her grandson is set to be adopted, DHS stated the foster family changed their mind and will not be adopting Hayden. Moran told Henley she could apply to adopt him. Henley then contacted the adoption coordinator just to find out that the adoption would not be approved because of her past criminal allegations. DHS is clearly giving Henley the run around.

Hayden has loving grandparents that are ready willing and able to have him and he has made it clear many times that he loves them and wants to be with them. Henley states Hayden has never stopped asking, *"why can't I come home with you?"* Henley states, *"I cannot imagine what he is going through wondering why his grandparents are no longer visiting him."*

The conscienceless public employees in this case are not merely bad, they are reprehensible.

Editor's Note: It would be in everyone's best interest if DHS would do the right thing and give young Hayden to his grandmother and her husband while he is still salvageable. If not, I assure this wayward agency and those involved that they will continue answering publicly as well as legally – just ask your former Director Kay Toran…

★★★

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THE EXONERATED

63-y/o Man Exonerated, Citing Former Detective's False Confessions

By Hannah Mackay

Mark Craighead - *Picture: Detroit News*

(The Detroit News) - Mark Craighead was exonerated of a 20-year-old manslaughter conviction Friday after the Wayne County Prosecutor's Office decided against retrying the 63-year-old Detroit resident.

In a virtual hearing before Wayne County Circuit Judge Shannon Walker, Prosecutor Kym Worthy's office dropped the case after exhausting its appeals of Walker's February 2021 order of a new trial for Craighead.

Higher courts upheld the judge's ruling that former Detroit police homicide investigator Barbara Simon employed "interrogation tactics (which) demonstrated a scheme, plan, or system to obtain false confessions," including one from Craighead. The case was dismissed Friday.

Mark Craighead, 63, of Detroit said Friday he was happy to be exonerated of a 20-year-old manslaughter conviction. He participated in the virtual hearing from the campus of the University of Michigan, the location of the Innocence Clinic that helped get his name cleared.

Craighead was paroled for two years in 2009 after seven and a half years in prison, but has since been fighting to clear his name with the help of the University of Michigan's Innocence Clinic.

"I think the process took too long ... but I feel like justice was finally preserved because at the end of the tunnel, I'm finally seeing the light," Craighead said. "The court system is finally seeing the light and granted a dismissal."

He later added: "That's what this verdict means to me, that I can finally enjoy my life like it was before I got incarcerated."

The prosecutor's office wouldn't concede Craighead's innocence as it dropped the case.

"The homicide occurred 25 years ago and Mr. Craighead served his sentence in the case," Assistant Prosecuting Attorney Maria Miller told The Detroit News in an email. "The decision not to re-try the case does not reflect the merits of the case. It is based upon the age of the case, and the ruling of the court that makes it impractical to re-try."

HOW THE CASE DEVELOPED

In July 1997. Craighead's friend Chole Pruett was found dead in his Detroit apartment having been shot four times in the abdomen. Craighead had gotten dinner with Pruett that evening and was the last known person to have seen him alive, said his attorney Dave Moran, a UM law professor who works with the Innocence Clinic.

Craighead claimed he was working at a Sam's Club in Farmington Hills the night of Pruett's death, but he wasn't able to substantiate it. He was convicted of voluntary manslaughter in 2002 after Simon allegedly coerced him into signing a false confession.

"The statement was written by Barbara Simon, not by Mark," Moran said. "That was the only evidence of any kind against Mark, was the statement."

In 2009, the UM's Innocence Clinic took on Craighead as a client and found phone records of calls Craighead made from the Sam's Club break room at the time of the killing. In 2010, Wayne County Circuit Judge Vera Massey Jones denied a motion for relief from judgment, citing the newly found evidence and claims that Craighead's previous counsel was ineffective.

"We should have been successful 12 years ago because we presented really incontrovertible evidence that Mark Craighead was completely innocent and in fact was working in Farmington Hills the night that his friend Chole Pruett was killed in Detroit," Moran said.

At the time, Jones ruled she did not have confidence in the evidence Craighead presented.

NEW EVIDENCE OF MISCONDUCT

Since Jones' ruling, at least four other former prisoners whose cases involved Simon have been exonerated after judges found she had a history of falsifying confessions and lying under oath. Craighead's lawyers from the Innocence Clinic filed for a new trial in 2020, citing these exonerations and affidavits from other former prisoners about Simon's coercion tactics.

"We came back years later with evidence that the detective who tricked Mark into signing a statement that implicated himself had been completely discredited," Moran said. "There's no way a jury would credit the testimony of Detective Barbara Simon, given that she's done the same thing in numerous other cases and falsely convicted numerous other people."

Lamarr Monson was convicted of murder in 1997 after he signed a statement that Simon allegedly wrote, confessing that he killed the victim with a knife. It was later determined that the murder weapon was a toilet lid. After the Innocence Clinic proved Monson's fingerprints were not on the lid, he was exonerated in 2017.

Justly Johnson and Kendrick Scott were also wrongfully convicted of murder in 1999 and imprisoned until they were exonerated in 2018. Simon was involved in their cases and both are suing her and claim she coerced a teenager into naming them as shooters.

"To find out that she (Simon) did many more the same way was expected because, if she did it to me like that she probably did it to everybody," Craighead said. "So I'm finally glad that that came to the light."

Simon retired as a homicide detective in 2011 and worked for the Michigan Attorney General's office until 2021. Simon in the past has not responded to multiple requests for comment.

Mark Craighead sits with his attorney David Moran, who works with the University of Michigan Innocence Clinic that found new evidence showing Craighead was working in Farmington Hills on the night of the killing of his friend in Detroit.

In light of the new evidence, Walker ordered a new trial for Craighead last year after finding that Simon had "repeatedly lied" in other cases, tainting the evidence against Craighead.

The Wayne County Prosecutor's Office appealed Walker's decision but it was upheld later that year. The Michigan Court of Appeals agreed that Simon's history of lying undermined her credibility as a witness. In April, the Michigan Supreme Court denied the Wayne County prosecutor's appeal of the Court of Appeals' decision.

LOOKING TO THE FUTURE

While fighting to clear his name for the last 13 years, Craighead has started the Safe Place Transition Center, a Detroit-based nonprofit that helps veterans re-integrate into society. Now that his name is cleared, he said he wants to take his father on a nice vacation, continue running his business and spend more time with his family.

"My dad is 89 with dementia, so he couldn't really enjoy this victory with me, but he fought tooth and nail, didn't leave any stone unturned to make sure that I was exonerated," Craighead said.

Wolfgang Mueller, Craighead's civil attorney, said they would be seeking compensation under Michigan's wrongful imprisonment compensation law. They could be seeking up to $375,000 based on his seven and half years of incarceration.

"We think that the Police Department is responsible for his conviction, and we'll look at exploring that avenue down the road," Mueller said.

Mueller, who is representing several recently exonerated people in civil cases against Simon, said a systematic review of Simon's cases by Detroit police chief James White would be prudent.

"Where there's smoke, there's fire, and there's a lot of smoke here with at least four people who are suing her under similar circumstances," he said.

Craighead agreed and said he was happy Simon's practices were being brought to light because there are a lot of innocent people in prison.

★★★

Marilyn Mulero Exonerated – Victim of 'Notorious' Dirty Chicago Cop

By Vanguard Staff

(Davis Vanguard) Chicago, IL – The California Innocence Project said Wednesday a Cook County judge this month vacated the wrongful murder conviction of Marilyn Mulero, whom they called "a victim of the notorious former Chicago Detective Reynaldo Guevara who has been linked to dozens of wrongful convictions.

Marilyn Mulero

Mulero, said CIP, "spent nearly three decades in prison for a 1992 murder she did not commit. She is now fully exonerated."

"It has been such an honor to represent Marilyn and once again prove that our faulty criminal justice system sends innocent people to death row. We must end the death penalty," said CIP co-founder Justin Brooks.

CIP noted, "Remarkably, 21-year-old Marilyn was innocent of the murder she was charged with and she was sentenced to death on a plea bargain based on advice given to her by an incompetent trial lawyer. The lawyer had no experience handling death penalty cases, did no investigation, and told her that a plea of guilty was her best option after three short meetings."

CIP added their client's "trial lawyer had advised her to plead guilty to murder without negotiating with the prosecution or with the court to avoid a death sentence. Because she had already pled guilty, the jury and the court had little choice but to sentence 21-year-old Marilyn to death based on her lawyer's terrible advice."

For decades, according to CIP, "attorneys and advocates for Guevara's victims have made the case that homicides investigated by the disgraced former detective Guevara are tainted and that the State's Attorney's Office cannot defend them. Guevara, himself, won't defend his investigations as he repeatedly asserts his Fifth Amendment right not to incriminate himself when confronted with the allegations that he manipulated his investigations and framed the victims."

Mulero is the first and only female victim of Guevara to be exonerated among over 30 Guevara-related homicide convictions overturned to date, according to CIP, adding Mulero is the 190th person in the USA to be exonerated after being sentenced to death and only the third woman on that list.

★★★

Convicted for rape 36 years ago Louisiana man now exonerated

By Alejandra O'Connell-Domenech

(The Hill) - A Louisiana man has been cleared of rape charges he was wrongfully convicted for as a teenager over 30 years ago.

Sullivan Walter, who is now 53, was released from prison after a state district judge dismissed his conviction for a rape that occurred in 1986, according to the Associated Press.

Walter was arrested when he was 17 years old in connection with a rape in New Orleans, where an attacker entered the home of a woman and raped her while holding a knife to her throat and threatening to hurt her then 8-year-old son, according to the outlet.

Orleans Parish District Attorney Jason Williams' office worked with defense attorneys from the Innocence Project New Orleans, a nonprofit focused on freeing the wrongfully convicted or those serving unjust sentences, to have the conviction vacated.

Attorneys argued that the only eyewitness to the attack, the victim, could have misidentified Walter.

"There were some red flags that the eyewitness testimony could well have been unreliable," Emily Maw, an attorney at the DA's office told the AP.

Filings from the DA's office and the Innocence Project list several errors in Walter's case, like years' worth of mistakes made by Walter's previous attorneys and no match between Walter's blood and semen taken from the victim, the outlet added.

Sullivan Walter

Judge Darryl Derbigny, who vacated the case, called the failure to present the blood and semen evidence that could have proved Walter's innocence, as "unconscionable" to say the least.

★★★

In The News

WHAT THE?!

'Freedom of Expression': State Department Stands by $10K Grant to Queer Film Fest

Dept. says it's proud to fund festival featuring incest, pedophilia

By Adam Kredo

(Washington Free Beacon) - The State Department is standing by its decision to spend $10,000 in taxpayer funds on a film festival that featured movies with incest and pedophilia, according to communications with Congress obtained by the Washington Free Beacon.

The State Department is defending a $10,000 grant awarded to Queer Lisboa, an international queer film festival held in Portugal, saying that it has no problem awarding taxpayer funds to a film festival that displayed controversial movies featuring drag queens, acts of incest, and pedophilia.

"The United States strongly supports protecting and promoting the human rights of LGBTQI+ persons," the State Department wrote to Sen. Marco Rubio (R., Fla.), who raised concerns about the grant during a July hearing. "We support freedom of expression and do not censor our grantee's content or products."

The State Department's comments are fueling accusations that it is abandoning its traditional diplomatic responsibilities to drive a radical social agenda that damages the United States abroad. With threats increasing from hostile countries such as China, Russia, and Iran, the State Department is abusing taxpayer funds to push a radical woke agenda, critics like Rubio say.

"Instead of focusing on combating rogue regimes like the Chinese Communist Party, the Kremlin, or the Mullahs in Tehran, the Biden administration is using our diplomats to advance a radical, Marxist social agenda at home and abroad," Rubio told the Free Beacon.

Rubio grilled the State Department's chief diversity and inclusion officer, Gina Abercrombie-Winstanley, about the grant in July, asking: "How would promoting a drag queen film festival in Portugal advance our national interest?"

Abercrombie-Winstanley said she didn't know.

The grant came as part of the Biden administration's push to "support LGBTQI+ and Diversity, Equity, Inclusion & Accessibility efforts" abroad, according to a State Department official.

The grant helped fund "one of the most popular LGBTQI+ film festivals in Europe since 1997," according to the State Department. "The grant supported the screening of the iconic 1991 LGBTQI+ film My Own Private Idaho amongst other films by Gus Van Sant and influential American LGBTQI+ filmmakers, bringing an American perspective and talent to the festival."

Other films included P.S. Burn This Letter Please, a documentary about drag culture in New York City; Saint-Narcisse, a film featuring incestuous twins; and Minyan, a movie about a 17-year-old Jewish boy who leaves his parents to explore New York City's gay scene and later has sex with an adult bartender, as the Free Beacon first reported.

The State Department says the grant to this film festival is just one piece of efforts to promote "human rights and social inclusion of LGBTQI+" people abroad.

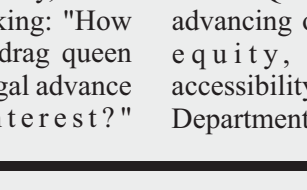
"This award made up one part of our overall Public Diplomacy engagement between the United States and Portugal, supporting our shared values on human rights and social inclusion of LGBTQI+ persons, while advancing our overall diversity, equity, inclusion and accessibility efforts," the State Department told Rubio. ★★★

Denver Public School Tells Students Cops Are Trained To See Minorities as Criminals

By Josh Christenson

(Washington Free Beacon) - A Denver public high school this week showed students a video that claimed police *"have been trained to see people of color"* as criminals.

During an assembly Tuesday, students at Denver South High School watched *"Don't Be a Bystander: 6 Tips for Responding to Racist Attacks,"* Fox 31 reported. The video also claims police target *"gender non-conforming folks and Muslims,"* and instructed students to *"avoid the police,"* who "often treat victims as perpetrators of violence."



Denver South's principal defended the video to parents, saying it was intended to *"provide empowerment for people who may witness these types of attacks."* A spokesman for the school later said the video, produced by the liberal Barnard Center for Research on Women, was not vetted prior to the assembly.

Denver's police chief said he was "disappointed" by the instructional material and that law enforcement are not trained to profile people based on sexual identity or race.

"That training doesn't exist," said Police Chief Paul Pazen. *"That training doesn't exist in this department. It doesn't exist in any police training that I'm aware of in this state or this country."*

Public schools have increasingly incorporated leftwing ideas about race and gender into their curricula. A New York City public school in July encouraged students as young as 10 years old to keep a list of all the "microaggressions" they saw at school and at home, the Washington Free Beacon reported. ★★★

Texas Lawyer, Who Posed as Judge, Arrested After Human Smuggling Incident

By Anna Giaritelli

Timothy Daniel Japhet

(Washington Examiner) - A lawyer arrested in South Texas earlier this month on suspicion of human smuggling told authorities that he was a judge in an apparent attempt to get off, according to a police report obtained by the Washington Examiner.

Corpus Christi attorney Timothy Daniel Japhet was arrested Aug. 13 by Texas Department of Public Safety and Galveston County Sheriff's Department officers working near the border towns of Eagle Pass and Del Rio. Police documents note that Japhet told officers he was a judge, a claim that has not been proven true but became more confusing after a constable claimed on social media that the man was a "federally appointed immigration magistrate."

Police took off after Japhet's rented BMW on that Saturday afternoon for failure to drive in a single lane, according to a report filed by a Galveston County deputy. Japhet had been driving north on a back road that the deputy's report indicated was "used to circumvent the United States illegally" because it bypasses a more accessible road that has a Border Patrol highway checkpoint.

After being pulled over by the sheriff's deputy and state trooper, Japhet refused to turn off the vehicle or exit, according to law enforcement. The deputy then reached in and opened the door from inside. Japhet slapped the officer's hand and was pulled out of the front seat. The officer struggled to detain Japhet as he resisted arrest.

"While attempting to place the male in custody he was yelling 'I'm a Judge, I'm a Judge.' Once I had the male subject in custody, I advised dispatch the male subject was an elected Judge he corrected me and said 'No, I am an appointed Judge,'" the report reads.

The incident became more baffling after Galveston County Sheriff's Constable Jimmy Fullen posted on Instagram that police had arrested a "federally appointed immigration magistrate" on human smuggling charges. Judges and magistrates are different positions, and the deputy's report had made no mention of Japhet working in immigration law.

Fullen spoke with the Washington Examiner on Monday and said Japhet had shown the deputy his State Bar of Texas membership card. The state troopers and Galveston-area deputy were deployed to the border under Gov. Greg Abbott's (R-TX) Operation Lone Star, an initiative to assist federal law enforcement in responding to record-high illegal immigrant apprehensions.

"My deputy took him at his word that he's a federal magistrate. I don't know why he would sit there and throw that out there," Fullen said.

Immigration courts in the United States are run by the federal government. More than 500 immigration judges nationwide make up the court, though they are not appointed by the president. An Executive Office for Immigration Review spokeswoman told the Washington Examiner that it does not have any magistrates. It did not respond to a request regarding Japhet having worked for EOIR, though it is unlikely.

Fullen issued a follow-up post correcting his earlier statements.

"Several day ago I posted and gave details of an arrest of a certain attorney that was arrested for human smuggling and resisting arrest in Kinney County, Texas. I would like to set the records straight on what transpired, who made the arrest and what we've verified since the arrest and or post," Fullen wrote. "[T]he arrestee stated to Deputy Gonzalez several times once in custody that he was a federal Immigration judge. That assertion by the arrested has since been disproved."

Japhet was charged at the state level in Kinney County District Court with four counts of human smuggling. He told local news outlet KIII that he made a $40,000 bail bond after being in jail for six days.

The four men found in his rental car from Corpus Christi were identified by Border Patrol agents as Mexican citizens between the ages of 36 and 48. The men were taken into federal custody and processed at the nearby Border Patrol station in Bracketville, according to the report.

Japhet told KIII that he had been driving from Corpus Christi to a casino in Eagle Pass. He had rented the BMW in Corpus Christi and brought his dog with him. He had pulled his car over on the side of the road in a remote area after going 40 miles past Eagle Pass in order to let his dog go to the bathroom. While Japhet was on the side of the road, two men he described as hitchhikers approached him and asked for a ride. He agreed to drive them, and two additional men approached him and asked for a ride.

Neither the report nor Japhet's account state where he was headed after picking them up. The closest city is San Antonio, a couple of hours' drive east. Fullen took issue with Japhet's claim that he had been headed to Eagle Pass yet was pulled over after going 38 miles past Eagle Pass.

Japhet claimed he was driving erratically to get the attention of police along the road.

"I thought, this is not looking good for me right now," Japhet said. "I made a bad decision."

Japhet faces a warrant request for resisting arrest from the sheriff's department. Texas DPS was the arresting agency on the smuggling charges.

★★★

Former Kansas Police Officer Charged in Series of Alleged Sex Crimes

By Chris Harris

Todd Allen

(PEOPLE) - A 51-year-old former police officer is facing more than 20 criminal charges in Kansas, where he stands accused of committing a series of sex crimes over a period of six years.

Chief Jeff Hooper of the Hutchinson Police Department revealed during a recent press conference that Todd Allen was arrested.

Allen was charged with two counts of rape, three counts of attempted rape, one count of aggravated indecent liberties with a child, two counts of kidnapping, seven counts of aggravated sexual battery, two counts of sexual battery, two counts of attempted aggravated sexual battery and five counts each of breach of privacy and eavesdropping.

Allen posted $250,000 bond for his release. PEOPLE tried to reach him on August 23rd for comment to no avail.

According to Hooper, Allen worked for the department as a patrolmen for more than two decades.

Hooper suspects there could be additional victims out there, and encourages those individuals to come forward as soon as possible.

Hooper alleges the sex crimes happened between 2012 and 2018.

The department had opened at least 17 individual criminal cases against Allen, Hooper said.

"I am appalled and disgusted that somebody who is a suspect in these type of crimes and this type of behavior ever wore the uniform and this badge that I am honored to pin on my chest every day," Hooper said, calling Allen a "predator."

According to Hooper, the years-long string of sexual assaults stopped around the same time Allen retired from the force.

Want to keep up with the latest crime coverage? Sign up for PEOPLE's free True Crime newsletter for breaking crime news, ongoing trial coverage and details of intriguing unsolved cases.

Information provided to detectives helped them identify Allen as a possible suspect.

Hooper also said police recently started receiving calls about a possible prowler or window peeper.

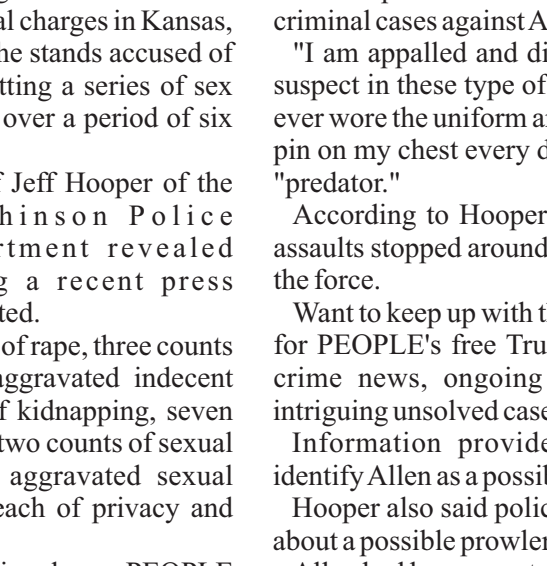
Allen had been arrested in connection with one of those calls, and detectives later linked him to the previously unsolved crimes.

Hooper did not discuss Allen's prior arrest in any detail while talking to the media.

★★★

Georgian chief magistrate judge arrested

By Dal Cannady



Eddie Anderson

(WTOC) Reidsville, GA - A now-former Tattnall County judge finds himself on the other side of the law. He's charged with threatening one of his neighbors.

Eddie Anderson served 14 years as Tattnall County's magistrate judge. But the charges he's facing stem from a situation miles from the courthouse...in a neighbor's garden.

Investigators say Anderson, age 70, went on a neighbor's property and picked produce from the neighbor's garden. A second neighbor saw it on a security camera and called out Anderson on social media.

Investigators say Anderson admits threatening to assault that neighbor. While the threat is a misdemeanor, it qualifies as a violation of oath of office, which itself is felony.

Deputies arrested Anderson on July 25th.

Anderson resigned as judge. July 26th, the county swore in deputy magistrate judge John Mock as the interim. ★★★

Arkansas Cops Suspended After Video of Beating Goes Viral

The video shows three officers kicking, punching, and slamming the man's head into the pavement. State police are now investigating.

By C.J. Ciaramella

(Reason) - Three Arkansas police officers have been suspended pending an investigation by state police after a video taken by a bystander showed them brutally beating a shoeless man outside of a convenience store.

The video, first posted on Twitter, shows two Crawford County sheriff's deputies and an officer with the Mulberry Police Department holding down and battering a man later identified by state police as Randal Worcester, 27, of Goose Creek, South Carolina. The officers knee, punch, and slam Worcester's head into the ground.

Arkansas news outlet KSFM-TV reports that, according to Crawford County Sheriff Jimmy Damante, officers were dispatched on Sunday after receiving a call about a man threatening and allegedly spitting on a convenience store employee:

Sheriff Damante says Worcester then traveled on a bike to Mulberry, near Exit 20, where the Mulberry officer and the deputies met with him. The conversation began calm and Worcester handed them a pocket knife, but the sheriff says Worcester then began attacking one of the deputies by pushing him to the ground and punching the back of his head, leading to what was seen in the video.

Worcester has been charged with second-degree battery, resisting arrest, refusal to submit, possessing an instrument of crime, criminal trespass, criminal mischief, terroristic threatening, and second-degree assault.

There is no bright-line test for when legal use of force by police crosses over into excessive force. Rather, excessive force claims are evaluated under the Fourth Amendment's "objective reasonableness" standard, which judges incidents based on individual factors and from the perspective of a reasonable police officer on the scene. However, slamming a person's head into the pavement is not a standard technique to gain compliance.

"Certainly the blows to the head at the same time you're trying to get a person to put their hands behind their back—think about it," former Philadelphia police Commissioner Charles Ramsey told CNN. "It doesn't make sense. If you're getting hit in the face, you're going to lift your hands to try to protect your face."

"In reference to the video circulating on social media involving two Crawford County Deputies, we have requested that Arkansas State Police conduct the investigation and the Deputies have been suspended pending the outcome of the investigation," Damante said in a Facebook statement. "I hold all my employees accountable for their actions and will take appropriate measures in this matter."

Arkansas Gov. Asa Hutchinson has confirmed that the Arkansas State Police are investigating the incident, and in a statement to The New York Times, the agency said its investigation "will be limited to the use of physical force by the deputies and the police officer."

The incident is just the latest video of apparently excessive force to go viral and lead to police being investigated. In April, bodycam footage of Tulsa police violently arresting an elderly woman with bipolar disorder drew widespread outrage. Last month, a video went viral of a 2016 incident where a Colorado police officer chased and tased a man for holding a "f**k bad cops" sign. ★★★

'Despicable' Former Judges Ordered to Pay Victims $206M

By Newser Editors and Wire Services

(NEWSER) – Two former Pennsylvania judges who orchestrated a scheme to send children to for-profit jails in exchange for kickbacks were ordered to pay more than $200 million to hundreds of people they victimized in one of the worst judicial scandals in US history. US District Judge Christopher Conner awarded $106 million in compensatory damages and $100 million in punitive damages to nearly 300 people in a long-running civil suit against the judges, writing the plaintiffs are "the tragic human casualties of a scandal of epic proportions." From the AP:

• **The kids-for-cash scandal.** In what came to be known as the kids-for-cash scandal, Mark Ciavarella and another judge, Michael Conahan, shut down a county-run juvenile detention center and accepted $2.8 million in illegal payments from the builder and co-owner of two for-profit lockups. Ciavarella, who presided over juvenile court, pushed a zero-tolerance policy that guaranteed large numbers of kids would be sent to PA Child Care and its sister facility, Western PA Child Care.

• **Kids as young as 8 were involved.** Ciavarella ordered children as young as 8 to detention, many of them first-time offenders deemed delinquent for petty theft, jaywalking, truancy, smoking on school grounds, and other minor infractions. The judge often ordered youths he had found delinquent to be immediately shackled, handcuffed, and taken away without giving them a chance to put up a defense or even say goodbye to their families.

• **"Cruel and despicable."** *"Ciavarella and Conahan abandoned their oath and breached the public trust,"* Conner wrote Tuesday in his explanation of the judgment. *"Their cruel and despicable actions victimized a vulnerable population of young people, many of whom were suffering from emotional issues and mental health concerns."*

• **Convictions were thrown out.** The Pennsylvania Supreme Court threw out some 4,000 juvenile convictions involving more than 2,300 kids after the scheme was uncovered.

• **Emotional testimony.** Conner ruled after hearing often-emotional testimony last year from 282 people who appeared in Luzerne County juvenile court between 2003 and 2008—79 of whom were under 13 when Ciavarella sent them to juvenile detention—and 32 parents. *"They recounted his harsh and arbitrary nature, his disdain for due process, his extraordinary abruptness, and his cavalier and boorish behavior in the courtroom,"* Conner wrote.

• **Victim said judge ruined his life.** One unnamed child victim testified that Ciavarella had *"ruined my life"* and *"just didn't let me get to my future,"* according to Conner's ruling. Several of the childhood victims who were part of the lawsuit when it began in 2009 have since died from overdoses or suicide, Conner said.

• **A "huge victory."** It's unlikely the now-adult victims will see even a fraction of the damages award, but a lawyer for the plaintiffs said it's a recognition of the enormity of the disgraced judges' crimes. *"It's a huge victory,"* Marsha Levick, co-founder and chief counsel of the Philadelphia-based Juvenile Law Center and a lawyer for the plaintiffs, said Wednesday. *"To have an order from a federal court that recognizes the gravity of what the judges did to these children in the midst of some of the most critical years of their childhood and development matters enormously, whether or not the money gets paid."*

• **One judge is already out of prison.** Ciavarella, 72, is serving a 28-year prison sentence in Kentucky. His projected release date is 2035. Conahan, 70, was sentenced to more than 17 years in prison but was released to home confinement in 2020—with six years left on his sentence—because of the coronavirus pandemic.

★★★

First settlement reached for health-care workers in lawsuit filed over COVID-19 vaccine mandate

By Bethany Blankley

(The Center Square) – The first settlement in the U.S. has been reached in a class action lawsuit filed by health care workers over a university system's COVID-19 vaccine mandate.

Chicago-based NorthShore University HealthSystem has agreed to pay more than 500 current and former health-care workers a total of $10,337,500 as part of the terms of the settlement. It's also changing its policy to accommodate religious exemption requests and rehiring former employees who were fired or forced to resign whose exemption requests were denied.

Represented by the nonprofit religious freedom organization Liberty Counsel, NorthShore employees sued, alleging they were discriminated against because they were denied religious exemptions from the company's vaccine mandate. The settlement was filed Friday in the federal Northern District Court of Illinois.

The is the "first-of-its-kind class action settlement against a private employer who unlawfully denied hundreds of religious exemption requests to COVID-19 shots," Liberty Counsel said. Its founder and chairman, Mat Staver, said it "should be a wake-up call to every employer that did not accommodate or exempt employees who opposed the COVID shots for religious reasons. Let this case be a warning to employers that violated Title VII."

Title VII of the Civil Rights Act prohibits employment discrimination based on race, color, religion, sex and national origin.

The settlement nearly concludes a conflict that began after NorthShore rejected employees' religious accommodation requests to its "Mandatory COVID-19 Vaccination Policy." Last October, Liberty Counsel sent a demand letter on behalf of the impacted employees but NorthShore didn't change its policy. As a result, Liberty Counsel filed a class action lawsuit.

"If NorthShore had agreed then to follow the law and grant religious exemptions, the matter would have been quickly resolved and it would have cost it nothing," Liberty Counsel said.

While the parties have agreed to the settlement, it still has to be approved by the court. Employees of NorthShore who were denied religious exemptions will receive notice of the settlement and be given an opportunity to comment, object, request to opt out, or submit a claim form for payment within deadlines yet to be established by the court.

The settlement requires NorthShore to change its "no religious accommodations" policy, which it has agreed to do, and provide religious accommodations in every position throughout its company.

Employees who were terminated because their religious exemption requests were denied are now eligible to be rehired, according to the terms of the settlement. They can apply for positions at their previously held seniority level within 90 days of the court approving the final settlement.

NorthShore's director of PR, Colette Urban, told The Center Square, "We continue to support system-wide, evidence-based vaccination requirements for everyone who works at NorthShore – Edward-Elmhurst Health and thank our team members for helping to keep our communities safe.

"The settlement reflects implementation of a new system-wide vaccine policy which will include accommodation for team members with approved exemptions, including former employees who are rehired."

The amount individuals will receive in payments will depend on how many valid and timely claim forms are submitted. If all, or nearly all, affected employees file valid and timely claims, it's estimated that those who were fired or forced to resign after their religious exemption requests were denied will receive approximately $25,000 each. Those who were vaccinated under duress in order to keep their jobs and against their religious beliefs will receive about $3,000 each.

The 13 employees who were the lead plaintiffs will receive an additional payment of roughly $20,000 each. Liberty Counsel will receive 20% of the settlement amount of $2,061,500 to cover attorney fees and costs.

Liberty Counsel's VP of Legal Affairs and Chief Litigation Counsel Horatio G. Mihet said, "The drastic policy change and substantial monetary relief required by the settlement will bring a strong measure of justice to NorthShore's employees who were callously forced to choose between their conscience and their jobs. This settlement should also serve as a strong warning to employers across the nation that they cannot refuse to accommodate those with sincere religious objections to forced vaccination mandates."

Staver added that it was "especially significant and gratifying that this first classwide COVID settlement protects health care workers. Health care workers are heroes who daily give their lives to protect and treat their patients. They are needed now more than ever." ★★★

The Supreme Court Ends Federal Agency Lawmaking

By William L. Kovacs

(The Libertarian Republic) - The decades-long, push by federal agencies to make law through regulation and litigation was ended by the U.S. Supreme Court on the last day of its 2021-2022 term when it announced its Major Questions Doctrine. While the court addressed a rulemaking by the U.S. Environmental Protection Agency (EPA), its ruling limits the power of all federal agencies to engage in lawmaking.

From its first days, the Biden administration was using agencies to impose laws without congressional authority. The court noted it rejected the Biden administration's use of the Occupational Safety and Health Act (OSHA) to mandate 84 million Americans either obtain a Covid-19 vaccine or submit to weekly testing. It also discussed its rejection of the Centers for Disease Control and Prevention's asserted authority to impose a nationwide eviction moratorium to stem the spread of Covid. Recognizing that federal agencies "were asserting highly consequential power beyond what Congress could reasonably be understood to have granted," it took up the EPA's efforts to impose a climate change law by regulation.

The EPA and environmentalists (at times referred to jointly as the "environmental community") sought, without any specific statutory authority, to impose a comprehensive and costly regulatory structure to address climate change. To determine the extent of the EPA's authority, the Supreme Court took up a case brought by the state of West Virginia, West Virginia vs Environmental Protection Agency (WVA v. EPA).

The court reaffirmed the legislative power of Congress holding that agencies cannot legislate without specific congressional authority.

To resolve the issue of whether agencies can make new laws by regulation, the Supreme Court, for the first time, announced the "Major Question Doctrine," for analyzing an agency's authority to regulate. The court made clear that regulatory agencies can only act on matters of economic and political significance if the agency… point[s] to 'clear congressional authority.'"

While the Supreme Court could have narrowly resolved the controversy (EPA's "new found authority" to impose a cap-and-trade scheme for carbon emissions) using statutory construction, it recognized that many agencies were finding "vague language of a long-extant, but rarely used, statute[s]" as authority to regulate major economic and political issues without congressional authorization. The climate debate was the perfect set of facts for clarifying the roles of Congress and agencies.

CONGRESS CONSISTENTLY REJECTED CLIMATE LEGISLATION

The court noted, "Congress, however, has consistently rejected proposals to amend the Clean Air Act to create such a program [regulating climate change]." It cited the American Clean Energy and Security Act of 2009, the Clean Energy Jobs and American Power Act of 2009, the Climate Protection Act of 2011, and Save our Climate Act of 2011. There were many more failed attempts by the environmental community to enact a comprehensive legal structure to address climate change: The Kyoto Protocol (Senate voted 95-0 against ratification), The Paris Agreement (Lacking votes, it was never submitted as a Treaty); McCain-Lieberman, Kerry-Lieberman-Graham, and others that never received a vote. Congress clearly spoke.

EFFORTS TO MAKE LAW BY LITIGATION

Realizing Congress would not impose a massive climate change scheme on American society, the environmental community orchestrated a nationwide litigation campaign to persuade courts to impose such a system. It filed lawsuits across the nation under any statute that might relate to climate change – Clean Air Act, (186), Endangered Species and other wildlife statutes (174), National Environmental Protection Act (322), Clean Water Act (58), miscellaneous land use statutes (168), constitutional claims under the Commerce Clause (20), First, Fifth and Fourteenth Amendments (41); under state laws (464), common law (29), public trust (27) and securities and financial statutes (24). The environmental community had some successes; however, its overreach ended in a defeat for the administrative state.

USING EXECUTIVE ORDERS TO MAKE CLIMATE LAW

On Biden's first day in office, he issued several Executive Orders to address climate change. Biden further directed all executive departments to place a moratorium on oil and gas leasing programs and establish the Social Cost of Carbon to justify the high cost of the regulatory structure. A week later, Biden ordered a whole-of-government approach to address climate change. This order was followed by the SEC's proposed climate disclosure rules which again raise the question of identifying the needed congressional authority.

THE FUTILE REGULATORY MARCH TO CIRCUMVENT CONGRESS ENDS

While the environmental community worked for decades to impose a climate change law by regulation or litigation, it was the Biden administration's sheer arbitrary use of the regulatory process that captured the Supreme Court's attention.

As the environmental community was suffering legislative defeat after defeat, Obama's EPA issued an "endangerment finding" that greenhouse gases contributed to man-made climate change that may endanger public health and welfare. This finding served as the foundation for the EPA's Clean Power Plan (CPP) regulations, the issue decided in WVA v. EPA. The CPP was a cap-and-trade rule. President Trump repealed the CPP and put in its place the Affordable Clean Energy rule that limited EPA's regulatory power to available emission reduction technologies, consistent with the Clean Air Act. On Trump's last day in office, the DC Circuit Court of Appeals vacated the Trump rule; however, before President Biden could reinstate a new CPP rule, the Supreme Court accepted the case for review.

THE SUPREME COURT ESTABLISHES REGULATORY SANITY

While the Supreme Court held that "Congress could not have intended to delegate a decision of such economic and political significance (regulation of climate change) to an agency [EPA] in so cryptic of a fashion," its decision limits the regulatory power of all agencies to enact major political and economic matters unless the agency can point to "clear congressional authority."

Had the environmental community been successful in expanding the authority of agencies to regulate climate change without statutory authorization, many agencies would search for and find "long-extant authorities" to further diminish the role of Congress. By reaffirming the constitutional powers of Congress, and placing limits on the Executive's power to legislate using the rulemaking process, the Supreme Court also solidified its role as a co-equal branch of our government.

The most gratifying aspect of the long battle over the power of EPA to regulate climate change is the ironic ending to the struggle. In the end, the EPA's aggressive regulatory overreach resulted in limits being placed on the regulatory powers of all federal agencies. ★

Why Are Leftists Obsessed With Destroying Hero Culture?

By Brandon Smith

(Alt-Market) - In the movie 'Batman: The Dark Knight' the well regarded district attorney Harvey Dent makes a statement that has since woven itself into our popular culture to the point that we often hear it quoted as if it was said by some ancient philosopher. He noted:

"You either die a hero or you live long enough to see yourself become the villain."

The most predictable interpretation of this is that there is a fine line between doing good and doing evil with the best of intentions. People can start out as heroes and quickly fall to darkness in the name of serving the "greater good." I think there is more meaning behind the quote, however.

There is also the issue of historical revision and the fact that the heroes of yesterday might be considered the terrorists of tomorrow given who is in charge of writing the history books or reporting the news. Sometimes heroes become villains through their own mistakes, other times they are just rewritten that way.

For example, today we hear constant gnashing and wailing from the political left about the "evils" of the Founding Fathers and why they should be erased or canceled from our cultural zeitgeist. They have even attempted to revise the very foundations of American history through their "1619 Project" as they assert that no American accomplishment is valid because EVERYTHING was built around the institution of slavery. They make no mention that slavery has been an institution in every single culture on the planet since civilization began, but that doesn't matter to them.

The goal of the 1619 Project was to diminish or dismiss everything distinctly American, right down to the revolution that founded our nation. What they care about is the deconstruction of heroes, in part because if you can destroy the character of a hero then you might be able to also destroy what they stood for in the process. And, if you can destroy the ideals of a society, it becomes a lot easier to then control that society.

When the political left seeks to undermine the legacy of the founders they aren't just engaging in character attacks against men who can no longer defend themselves, they are also attempting to sabotage the vision those men created – The vision of a free republic outside of the dictates of collectivism and monarchy (rule by the elites).

Obviously the Founding Fathers are no longer alive, but there are millions of people that have carried on their legacy for generations that are in fact still living to see their heroes be made into monsters through revisionism.

But the destruction of heroes goes even deeper than historical rewrites.

Leftists are also targeting the very foundations of heroic archetypes and mythologies by attacking heroic representations in our society. They are seeking to change the nature of heroism by hijacking cultural pillars and erasing beloved stories and characters in order to "reboot" them in the image of the leftist cult. This is usually done under the cover of "diversity and equity" as a means to obscure the true agenda. Let's break down the tactics and motives behind this trend…

REWRITING HEROES TO "REFLECT OUR MODERN ERA"

Woke ideology does not reflect our modern era in any way; it is actually a masked version of the old social models of collectivism and communism, specifically the social Marxism displayed by Mao's Cultural Revolution. The only difference is today we have online struggle sessions and corporations are fully onboard with the movement. When leftists claim they are fighting the system, they have no idea what this really means.

Leftists use the reflection argument all the time to justify the gutting of hero mythologies and replacing them with vapid clones. A recent example would be the latest Amazon release of their Lord Of The Rings prequel series. I wrote about this extensively months ago in my article 'Amazon's Woke Lord Of The Rings Is The Death Rattle Of Social Justice Content.' To summarize, the new Lord of The Rings is designed to spread a political message and undermine the values of the past rather than tell a meaningful organic story that pays homage to Tolkien. Amazon even released their woke Lord of The Rings on the anniversary of Tolkien's death.

Sometimes the propaganda is subtle, and sometimes it's a train wreck in your face.

Specifically, I examined the political left's obsession with injecting their own Cultural Marxism into every new entertainment product as a means to saturate the media space with their ideology. When they say they want to rehash old stories and old heroes but write them to "reflect the world of today," what they are really doing is erasing past ideals and principles and eliminating choice. They don't want you to see the world from different points of view; you are only allowed to see it from THEIR point of view. This is the exact opposite of good story telling.

DIVERSITY AS A CRUTCH AND A CUDGEL

Diversity is meaningless. It serves no purpose in terms of heroic representations. People identify with actions and deeds and principles, not skin color. Leftists in Hollywood do not actually care about diversity of skin color, they only care about two things – Using minorities as a crutch to justify poor storytelling and lazy productions, and using minorities as a cudgel or weapon when they face criticism.

That is to say, when they make garbage media with no imagination or effort, they announce "we got diversity, though," and this is supposed to make you want to watch their products anyway, otherwise you might be "racist." By extension, when you dare to criticize the political pontificating and terrible writing in their media, they can then say "our stories are fantastic, you just don't like us because we hire brown people." See how that works? They use minorities as a shield, either for their ineptitude or their malicious intent, but they DO NOT care about such people if they can't exploit them.

"Diversity and inclusion" is the new slave plantation that leftist elites in Hollywood use to farm virtue points and ESG loans. That's all there is to it. If they actually respected the idea of presenting diverse heroes, they would create original minority heroes and write them well. Or, they would pick minority heroes from real history and avoid implanting current day woke politics into that era.

NARCISSISTS CAN'T WRITE HEROES

It has long been my contention that the leftist ideology is rooted in appeals to narcissism. Everything about it is based in entitlement rather than sacrifice. It is based in demands for special treatment rather than respect for accomplishment and merit. It is based in equity of outcome while eliminating equality of opportunity. A person that has embraced the victim mentality can never be a hero or imagine how a hero would act. They have no relationship to the concept, because narcissists are usually villains in the real world and villains tend to see themselves as victims while they spend their time victimizing others. How else can they justify the evils they do?

NO CONSERVATIVE HEROES ALLOWED

As our media world was overrun with woke ideologues over the years the depictions of heroes and villains have become utterly twisted. Heroes act selfishly with ego and hubris, and villains are usually depicted as either misunderstood people that are only reacting to the trespasses of society, or they are ridiculous exaggerations of conservatives and liberty activists. This trend has become an epidemic in films, television, video games, comic books, etc. Only in the past couple of years has there been mass push-back against the agenda, but there is a long way to go before things can change for the better.

Many of these woke productions fail miserably, but they aren't necessarily interested in box office success or making money. Again, what they care about is saturation, as well as murdering the hero archetype openly where everyone can see. They want to destroy your heroes in front of you and replace them with woke pod people. This is what drives them.

The biggest problem is that most conservatives ignored the culture war while only focusing on fleeting political battles. They acted as if the culture war didn't matter, and in the process we have almost lost our country completely. Future generations need heroic ideals and examples to live by, among real live people as well as in popular media. By ignoring the culture war, conservatives ignored the future.

There are some people out there that are working to change our country's course by producing original media with a heroic message based in American foundations of freedom, individualism, self reliance and meritocracy. I'm working to join them by producing my own graphic novel project based on a survivalist hero. The best we have is Burt Gummer from Tremors – He's great but we need more. Readers who are interested in original non-woke entertainment can learn more about that project HERE.

It's important not to underestimate the power of media in culture. There is a reason why leftists are so obsessive with it; by changing all our heroes to villains they hope to change our values and our behaviors. They aren't just rewriting movies, or characters, or comic books, they are trying to rewrite us.

The only way to stop this is to identify the threat, neutralize the propaganda, and then bring back legitimate hero culture by writing it once again with our own hands and our own deeds.

★★★

States Where the Most Prisoners Are Exonerated

By Angelo Young

(MSN) - The number of wrongfully convicted Americans who have been exonerated has been steadily rising since at least 1989, when the National Registry of Exonerations began closely tracking this trend.

Before 2012, it was rare to have more than 100 convictions overturned in any given year. But since then, the number of exonerations by year has ranged between 103 in 2013 to a record 183 in 2016, when a raft of convictions for drug sale or possession were overturned. (These are states where the most prisoners die.)

An average of three exonerations a week, more than double the rate in 2011, is the new normal. Part of the reason for this trend is an increase in scrutiny of prosecutorial procedures, especially in larger cities, according to a 2016 report in Time magazine. The number of exonerations also varies by state.

To determine the states with the most wrongly convicted people, 24/7 Wall St. reviewed data from The National Registry of Exonerations - a project of the Newkirk Center for Science & Society at University of California Irvine, the University of Michigan Law School and Michigan State University College of Law. States were ranked on the number of people incarcerated in the state who have been exonerated since 1989. Federal cases were excluded. Alaska and Hawaii did not have sufficient data and were also excluded. Data on exoneree compensation came from the Innocence Project, a nonprofit legal organization focused on wrongful convictions. Incarcerated population data came from the Bureau of Justice Statistics, and is for 2020.

Larger population states typically have the most overturned wrongful convictions, but that is not always the case. This suggests scrutiny of the judicial system varies across the country.

Illinois, the country's sixth-largest state by population, leads with 505 exonerations since 1989. By comparison, Florida, the country's third most populous state, has just 81 overturned wrongful convictions since 1989.

Another factor that may play a role is compensation. Not all states provide monetary compensation for exonerees. According to the Innocence Project, a dozen states, including South Carolina (No. 47 on the list), Arkansas (No. 39), and Kentucky (No. 32), have no wrongful conviction compensation laws.

The vast majority of states with no compensation rank in the bottom 25. To compare, Texas, which has the second most exonerations since 1989, compensates exonerees $80,000 per year of wrongful imprisonment.

In states where wrongfully convicted people get compensated, the amount and available social services to help exonerees reintegrate into society varies, and in some states it can be lacking. In some cases, states have so-called "private compensation bills" that deal with compensation on a case-by-case basis that can require exonerees to mount publicity campaigns and yet still be denied compensation, according to the Innocence Project.

Continued from page 2 • ... Children Stolen by Court Duped by Mother?

agreed to rent it to Christopher with the intent that Carrie could stay there while she was in town to reunify with her two daughters. Again unbelievably, Christopher, who is the recipient of very harsh accusations made by Carrie and her Attorneys, paid for her lodging!

FRAUD ON THE COURT

Obviously, Carrie re-entered the life of Christopher and his daughters to create a conflict. Carrie spent time with Christopher in Tonasket, taking part in all daily activities, was seen all around town with her estranged family, witnessed at social events and at city hall meetings with them – all witnesses state she never expressed any fear or concern for her own safety or her daughters. In fact, she decided to move to Tonasket to help homeschool their daughters and Christopher once again paid the rent on a nearby apartment for her. The Coombes' dissolution of Marriage in 2018, found no domestic violence, there is no record or evidence of any abuse, medical reports of abuse or harm, law enforcement reports of abuse or harm or any evidence to validate Carrie's current fearful narrative which has been spread around the Tonasket community.

After an exhaustive investigation, the US~Observer has been unable to find one shred of evidence regarding Carrie's disturbing and wild allegations of abuse, danger, and supposed "fear". Our conclusion is that they are without basis and hold no merit at all. Previous actions, prior to her decision to pursue legal action, most certainly do not line up with her current narrative.

Based on allegedly false testimony given with no evidence, the Court issued an emergency Protection Order. The Okanogan Sheriff Department came out to Christopher's home on March 18, 2022, and found all statements made by Carrie and her informants to be false as shown by their reports, including the obvious lack of abuse, weapons, or "threat" of any kind. The Sheriff's Deputies were told to convert the visit to a Welfare Check by their superiors, which they did. According to OCS Incident #S22-01628 written by Deputy Covarrubias on March 18, 2022:

"During the entire incident Christopher never made any threats, implied or explicit, never yelled or acted irrationally. I did not observe any evidence inside or outside the home of packing or belongings that appeared to be out of place to indicate he was in the process of packing his belongings. The child [ARC] came and spoke with us [Sergeant Everett] and she appeared happy and unafraid. She smiled at Christopher regularly and appeared in good mental and physical health. The home was very clean and orderly. Footage of the child playing and the interior of the residence is visible in the BWC video."

Furthermore, Deputy Covarrubias wrote: *"When Sergeant Everett returned from speaking with the PA and administration he stated, "**we're turning this into a welfare check**."*

Sergeant Everett and the deputies found no areas or items of concern and they left!

This should have ended the matter, however the Okanogan County Sheriff's Office, under the leadership of Sheriff Tony Hawley, became, perhaps unwittingly, involved in this devious scheme, further compromising the impartiality and integrity of an embattled office. The US~Observer has reported extensively on the troubling problems that have plagued the Okanogan County Sheriff's Office.

Judge Culp signed his 12 year "temporary" restraining order on his last day as judge; his nephew, Aaron Culp, is the Okanogan County Sheriff's Undersheriff. Initiated by wild allegations of abuse, violent threat, and the absurd claims of cult activity, the Okanogan Superior Court issued orders which caused the Washington State Department of Social and Health Services (DSHS), the Okanogan County Sheriff's Department (OCS), and the Okanogan County Prosecuting Attorney to be weaponized against members of this community by out-of-state Attorneys and a vindictive ex-wife.

Christopher has not seen or communicated with his daughters since they were forcibly removed from loving homes, their family and friends, and handed over to a woman they barely knew – now over 4 months ago. Carrie has since reportedly fled the state and returned to Pennsylvania claiming, "that he [Christopher] will kill me or the children". Sadly, it would seem Carrie's initial threat against Christopher and the Hezeltines that *"my legal counsel has advised me I can go to a battered women's shelter, initiate legal action to seize the children, gain emergency custody, and then I can cross state lines with the children"* was successful. According to one witness, "this was a carefully orchestrated criminal conspiracy, which involved many State Agencies, aiding and abetting Carrie in her plan, some knowing, some unknowing."

We are informed there is currently an active criminal investigation into Carrie, her Attorneys, and all who facilitated this alleged fraud and conspiracy. Christopher is still facing State criminal charges in Okanogan Superior Court even though according to the Certified Sheriff Service Report, he was not even served with the Court orders he was allegedly interfering with until after his unlawful arrest. Christopher stated:

"In the midst of this heartbreaking and unfortunate situation, I intend to see the story of an honest man with nothing to hide, whose life and daughters have been torn apart, bring reform and change within the departments and public servants who facilitated this. I hold no ill-will against those who were involved or have given false testimony about me, I genuinely have pity for those who were so easily manipulated and coerced by Carrie and her out-of-state Attorneys. I believe that the extreme tragedy of this will spark an awareness and healing within this community as to the serious consequences of unverified slander and hearsay. If this happened to me, it could happen to anyone."

Editor's Note: If you have information on any of the individuals in this case please call the US~Observer at 541-474-7885 or send an email to editor@usobserver.com.

★★★

From page 1

From Murder Charges to Civil Settlement US~Observer Forced Justice for the Faires

By US~Observer Staff


Angela and James Faire

Okanogan County, WA - In July of 2022 the epic tale of James and Angela Nobilis-Faire's wrongfully charged and prosecuted murder case came to its rightful conclusion. With all the evidence pointing to corruption in both the Okanogan County Sheriff's office and the Okanogan County Prosecutor's office, attorneys for the county bent their knee and settled the Faires' federal civil suit for the sum of $850,000.00.

"It's a far cry from what I would have settled for," stated Edward Snook, US~Observer's Editor-in-Chief. *"The Faires won't ever get back the last seven years of their lives, and some can argue that because of the internet, their damages will continue for as long as they are alive. But I'm not them, and they can now move on with their lives in a positive direction."*

In June of 2015, James and Angela Faire were ambushed and physically assaulted by a group of people who had willfully filed false police reports against the Faires prior to the assault. One man, George Abrantes, was wildly swinging a length of heavy chain with an affixed lock, trying to smash James in the head as James tried to steer his vehicle away from the encircling mob. Seeing an opening in front of him, James punched it and sped away. Unbeknownst to the Faires as they fled for their lives, one of the attackers, and the ringleader of the group, Deborah Long, was struck and killed by their truck. According to the only independent witness, Long was bent over in front of the Faires' vehicle in an attempt to either disable it or tie herself to the grill.

When the Faires got within cell phone coverage, they called 911 to report that they had been attacked. When the police arrived, they were told of Long's death and were arrested for murder - the attacking group had all colluded in their witness testimony.

Without doing any real investigation, and only focusing on the undisputed fact that James Faire's vehicle ran over Long, the Okanogan County Sheriff tied the county to a narrative that was not only 100% false but had been contrived by the very people who were the only ones to commit crimes; those who attacked the Faires. The story Sheriff Frank Rogers told through a KREM 2 News broadcast to the public was that the Faires had been squatters and that they escalated a situation to the point to where a woman was killed. He stated it as fact. He didn't presume their innocence or preserve an appearance of impartiality.

From that point on, every prosecutor, detective and deputy acted to convict James and Angela on anything they could come up with, while turning a blind eye to any evidence or witness testimony that would exonerate them. It also didn't hurt that the elected prosecutor, Karl Sloan, was the brother of the lead detective, Kreg Sloan. Together, they sought to hide exculpatory evidence.

Had it not been for the involvement of the US~Observer exposing the evidence, giving a voice to the only unbiased witness, and showing the world the group's plot to frame and ambush the Faires, the Sloans' push to convict at all cost would have worked and James Faire would have never seen freedom. Angela Faire would have faced years in prison as well, not to mention the loss of her husband.

Even with the US~Observer's continuous pressure that forced prosecutor Sloan to end his career early, cost his replacement (interim) prosecutor Brandon Platter his election, it still took years of dedication by the entire staff of the US~Observer to see this story through to its just conclusion.

From the first ruling by Judge Culp, dismissing James Faire's charges with prejudice, to the lengthy fight while the prosecution tried to appeal the ruling, the US~Observer never gave up or gave into the idea that it would be easier to do anything other than to fight for justice.

Shortly after the news broke that the state would not seek to appeal James' dismissal, Angela Faire reached out to the US~Observer saying, *"I want you to know how very grateful I am to each one of you."* She continued, *"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."*

We here at the US~Observer would like to extend our sincere wishes that James and Angela Faire will find the peace they seek, and truly hope they will never again need the express talents of the US~Observer. ★★★

Former sex crimes prosecutor arrested for child porn

By Larry D. Curtis

(KSL TV5) Spanish Fork, UT - A tip led investigators to the arrest of a Utah man suspected of sexual exploitation of a minor. Gary Lee Bell, 66, used to prosecute crimes against children for the Utah Attorney General's Office.

Bell, who worked in the Child Protection Division of the AG's office, is now in the Utah County Jail, held on a no-bail request by investigators who believe he is a danger to children.

"I am requesting Gary be held without bail due…to the egregiousness of the crime," court documents written by investigators state, that also says he is frequently in proximity and a danger to children.

An Aug. 4 tip to the Special Victims Unit of the Utah County Sheriff's Office reported finding six images depicting child sex abuse. Investigators located an email and IP address that led them to believe Bell was involved. A warrant was obtained and executed.

Documents state that during the booking process after his arrest Wednesday morning, Bell was asked what his email address was and he responded with the same one investigators named in the warrant.

The warrant was served at Bell's home in Spanish Fork where probable cause documents state that six images of explicit sexual abuse of children between 6 and 8 years old were found in Bell's possession. Official charges are filed by prosecutors in the AG's office. Bell will be held by the county, suspected of the six felony counts, one for each image specified in documents.

Bell elected not to talk to investigators after he was informed of his Miranda rights. Documents stated that children are frequently in Bell's home and investigators said because of the nature of the crime, it was believed Bell was a danger to them. ★★★

The views expressed herein are the author's own.

COMMENTARY

Your Right to Speak Out

Weaponizing the Bureaucracy:

Who Will Protect Us from the Government's Standing Army?

By John & Nisha Whitehead

(The Rutherford Institute) - The IRS has stockpiled 4,500 guns and five million rounds of ammunition in recent years, including 621 shotguns, 539 long-barrel rifles and 15 submachine guns.

The Veterans Administration (VA) purchased 11 million rounds of ammunition (equivalent to 2,800 rounds for each of their officers), along with camouflage uniforms, riot helmets and shields, specialized image enhancement devices and tactical lighting.

The Department of Health and Human Services (HHS) acquired 4 million rounds of ammunition, in addition to 1,300 guns, including five submachine guns and 189 automatic firearms for its Office of Inspector General.

According to an in-depth report on "The Militarization of the U.S. Executive Agencies," the Social Security Administration secured 800,000 rounds of ammunition for their special agents, as well as armor and guns.

The Environmental Protection Agency (EPA) owns 600 guns. And the Smithsonian now employs 620-armed "special agents."

This is how it begins.

We have what the founders feared most: a "standing" or permanent army on American soil.

This de facto standing army is made up of weaponized, militarized, civilian forces which look like, dress like, and act like the military; are armed with guns, ammunition and military-style equipment; are authorized to make arrests; and are trained in military tactics.

Mind you, this de facto standing army of bureaucratic, administrative, non-military, paper-pushing, non-traditional law enforcement agencies may look and act like the military, but they are not the military.

Rather, they are foot soldiers of the police state's standing army, and they are growing in number at an alarming rate.

According to the Wall Street Journal, the number of federal agents armed with guns, ammunition and military-style equipment, authorized to make arrests, and trained in military tactics has nearly tripled over the past several decades.

There are now more bureaucratic (non-military) government agents armed with weapons than U.S. Marines. As Adam Andrzejewski writes for Forbes, "the federal government has become one never-ending gun show."

While Americans have to jump through an increasing number of hoops in order to own a gun, federal agencies have been placing orders for hundreds of millions of rounds of hollow point bullets and military gear. Among the agencies being supplied with night-vision equipment, body armor, hollow-point bullets, shotguns, drones, assault rifles and LP gas cannons are the Smithsonian, U.S. Mint, Health and Human Services, IRS, FDA, Small Business Administration, Social Security Administration, National Oceanic and Atmospheric Administration, Education Department, Energy Department, Bureau of Engraving and Printing and an assortment of public universities.

Add in the Biden Administration's plans to grow the nation's police forces by 100,000 more cops and swell the ranks of the IRS by 87,000 new employees (some of whom will have arrest-and-firearm authority) and you've got a nation in the throes of martial law.

The militarization of America's police forces in recent decades has merely sped up the timeline by which the nation is transformed into an authoritarian regime.

What began with the militarization of the police in the 1980s during the government's war on drugs has snowballed into a full-fledged integration of military weaponry, technology and tactics into police protocol. To our detriment, local police—clad in jackboots, helmets and shields and wielding batons, pepper-spray, stun guns, and assault rifles—have increasingly come to resemble occupying forces in our communities.

As Andrew Becker and G.W. Schulz report, more than $34 billion in federal government grants made available to local police agencies in the wake of 9/11 "ha[ve] fueled a rapid, broad transformation of police operations… across the country. More than ever before, police rely on quasi-military tactics and equipment… [P]olice departments around the U.S. have transformed into small army-like forces."

This standing army has been imposed on the American people in clear violation of the spirit—if not the letter of the law—of the Posse Comitatus Act, which restricts the government's ability to use the U.S. military as a police force.

A standing army—something that propelled the early colonists into revolution—strips the American people of any vestige of freedom.

It was for this reason that those who established America vested control of the military in a civilian government, with a civilian commander-in-chief. They did not want a military government, ruled by force.

Rather, they opted for a republic bound by the rule of law: the U.S. Constitution.

Unfortunately, with the Constitution under constant attack, the military's power, influence and authority have grown dramatically. Even the Posse Comitatus Act, which makes it a crime for the government to use the military to carry out arrests, searches, seizure of evidence and other activities normally handled by a civilian police force, has been greatly weakened by exemptions allowing troops to deploy domestically and arrest civilians in the wake of alleged terrorist acts.

The increasing militarization of the police, the use of sophisticated weaponry against Americans and the government's increasing tendency to employ military personnel domestically have all but eviscerated historic prohibitions such as the Posse Comitatus Act.

Indeed, there are a growing number of exceptions to which Posse Comitatus does not apply. These exceptions serve to further acclimate the nation to the sight and sounds of military personnel on American soil and the imposition of martial law.

Now we find ourselves struggling to retain some semblance of freedom in the face of administrative, police and law enforcement agencies that look and act like the military with little to no regard for the Fourth Amendment, laws such as the NDAA that allow the military to arrest and indefinitely

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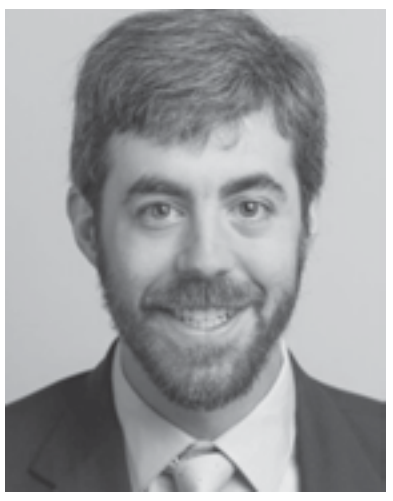

Nearly 50,000 People Were Held in Solitary Confinement in the U.S. Last Year, Study Finds

By C.J. Ciaramella

(Reason) - Despite a number of state reforms over the past decade, nearly 50,000 people were held in solitary confinement in prison systems across the country last year, according to a report released Wednesday.

The report, *"Time-In-Cell: A 2021 Snapshot of Restrictive Housing,"* co-authored by the Correctional Leaders Association and the Arthur Liman Center for Public Interest Law at Yale Law School, estimates that as of July 2021, between 41,000 and 48,000 people were held in isolation in U.S. prison cells.

The report is part of a decade-long study on the number of prisoners held in solitary confinement, the most comprehensive attempt yet made to measure the use of solitary confinement in the U.S., which the authors define as isolation in a cell for 22 or more hours a day for 15 days or more. (In 2011, the United Nations Special Rapporteur on torture concluded that solitary confinement beyond 15 days constituted cruel and inhumane punishment.)

"The Liman report is the gold standard in tracking solitary confinement in US prisons," says David Fathi, director of the American Civil Liberties Union's National Prison Project. *"Unfortunately, this time around 15 states refused to participate, including some of the most notorious users of long-term solitary confinement."*

The reports show a gradual downward trend in the use of solitary confinement. The authors say three states reported holding no one in isolation in July, and two other states reported fewer than 10 people in solitary.

Prior to COVID-19, the daily number sat around 60,000 people, according to 2018 estimates. However, during the pandemic, the number of inmates held in solitary confinement spiked to 300,000, according to a report released by Unlock the Box, a coalition of civil rights groups that oppose solitary confinement.

In 2016, there were at least 67,000 inmates in solitary confinement, according to the survey, and in 2014, there were 80,000 to 100,000. Those numbers are all self-reported by jails and prisons.

Part of the decline is due to state reforms, and part is due to the overall decline in prison populations. Wednesday's report notes that *"between 2018 and 2020, when the last report was published, legislators in more than twenty-five states introduced bills to limit the use of restrictive housing, and some fifteen enacted legislation."*

Advocacy groups put pressure on state prison systems to limit the use of solitary confinement, citing evidence that locking human beings in tiny boxes alone for years at a time has profound negative psychological effects, especially on those already suffering or at risk of mental illness.

Such observations are not new. After visiting Pennsylvania's Eastern State Penitentiary in 1842, Charles Dickens wrote that the "immense amount of torture and agony" inflicted by solitary confinement was largely hidden from public view, and he denounced the practice as *"a secret punishment which slumbering humanity is not roused up to stay."*

Wednesday's report says that prison systems reported a total of 1,138 seriously mentally ill people in restrictive housing.

Advocacy groups also drew attention to the plight of people who had been held in solitary confinement for years, sometimes decades. One of the most notable cases was Albert Woodfox, who spent 43 years in solitary confinement, possibly the longest stint in U.S. history, in Louisiana's notorious Angola Prison. Woodfox was freed in 2016 and died earlier this month

According to Wednesday's report, 6,040 individuals were in solitary confinement for a year or more, and 924 had been in restrictive housing for more than a decade.

"While the apparent decline in solitary confinement is welcome news, the fact remains that the number of people in solitary should be zero," Fathi says. *"Decades of evidence shows the irreversible physical and psychological harm long-term solitary confinement causes. There is no defensible reason for prisons and other detention facilities to keep using long term solitary confinement, which is recognized as a form of torture."*

★★★

Scientific 'Integrity'

By John Stossel

(Townhall) - "Trust the science," say the media.

Polls show that fewer Americans do. There's good reason for that.

"They don't trust science because science is increasingly untrustworthy," says science writer Andrew Follet in my new video. "The only group that trusts science right now is Democrats."

Sixty-four percent of Democrats have "a great deal" of confidence in the scientific community, compared to 34% of Republicans.

Of course, true science -- using the scientific method -- is important. But that's not what much of "science" is these days.

Instead, today government science is misused by progressive politicians.

Example 1: Environmental activists want to limit commercial fishing. They want Congress to pass what they call the "Ocean-Based Climate Solutions Act." It claims climate change is the "greatest threat to America's national security" and offers a dubious solution: close more of the ocean to commercial fishing.

The administration's deputy director of Climate, Jane Lubchenco, told Congress that a scientific paper concludes that closing more of the ocean can actually increase catches of fish.

Really? That doesn't seem logical.

It isn't. The paper was retracted. One scientist called its logic "biologically impossible."

Also, Lubchenco's didn't tell Congress that the paper was written by her brother-in-law! And edited by her!

Did the White House punish Lubchenco for her ethics violations? No. In fact, after her testimony, she was appointed co-head of President Joe Biden's Scientific Integrity Task Force!

Last week, the National Academy of Sciences banned her for five years. Yet she's still on the White House's Scientific Integrity Task Force.

Sadly, much of what's called science today is simply left-wing advocacy.

"New fields like fat studies, African studies, Latinx studies, queer studies," says Follet, "are essentially entirely fake."

Fake? Well, they must be. "Experts" in those fields keep being fooled by people who submit gibberish.

Example 2: A ridiculous paper, "Embracing Fatness as Self-Care in the Era of Trump," was accepted by Massey University's "Fat Studies" conference. The conference then invited the paper's author, "Sea Matheson," to speak.

Attendees gave Matheson's speech rave reviews, praising the paper's description of Donald Trump's "fatphobia" and inviting Matheson to review other work submitted to their "scientific" journal, Fat Studies: An Interdisciplinary Journal of Body Weight and Society.

But Matheson is no scientist. "She" is actually comedian Steven Crowder, who disguised himself as an overweight woman to expose "ivory tower quackery."

Crowder is just the latest person to fool today's so-called science journals. James Lindsay, Peter Boghossian and Helen Pluckrose submitted nonsense papers to "grievance studies" journals like Fat Studies, Sexuality & Culture and Sex Roles.

Seven accepted ridiculous papers.

One that took a section of "Mein Kampf" but replaced references to "National Socialism" with "feminism," was accepted by Affilia: Journal of Women and Social Work.

Gender, Place and Culture accepted a paper that claimed there is rape culture at dog parks.

Follett blames this perversion of science on government. Its science agencies, like much of America, have been taken over by leftists hungry to promote themselves and their agenda.

In science, the way to promote yourself is to get papers published. That often gets you more funding. Government agencies like the National Science Foundation provide most of that funding.

"Nobody wants to publish something

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

COMMENTARY

Police Falsehoods Followed by DA's Failure to Hold Cops Accountable

By Quentin Young

(Colorado Newsline) - A few days after Denver police officers recklessly injured six innocent bystanders when they fired on a suspect in a crowded downtown area, police Cmdr. Matt Clark stood before cameras and presented the official version of what happened.

The suspect *"pulled out a handgun and held it in a manner that the muzzle of the gun was pointed in the direction of the officers,"* Clark said, adding that two of the officers feared the suspect was about to shoot them, so they fired at the suspect. A third officer saw that the suspect *"was pointing that firearm at the officers"* and also fired at the suspect, who was hit six times.

It's chilling to watch that press conference now, because we have come to learn that Clark's account was false.

The suspect, 21-year-old Jordan Waddy, did have a gun, but he never pointed it at the cops. Since the Aug. 16 release of body cam video, we can all see what actually happened, and it demonstrates that the police framed their initial story in a way they hoped would shield them from accountability.

It might be foolish to expect the Denver police to hold themselves to account. What about the district attorney?

Beth McCann, Denver's lead prosecutor, punted the case to a grand jury. Because the stark video evidence indicates that officers fired their weapons without proper justification in a manner likely to put members of the public at grave risk, it looks like McCann, when it comes to cops, wants to avoid doing her job. As former Boulder DA Stan Garnett told The Gazette when asked about the Waddy case, *"Sometimes, DAs appear to use the grand jury as a deflection from a highly controversial case."*

At about 1:30 a.m. on July 17, police responded to a reported altercation in the nightlife-intense area around Larimer and 20th streets. They homed in on Waddy, who walked away from the officers down the sidewalk. Officers were on the street tracking Waddy, and when they caught up with him he put his hands up and backed away in the other direction.

As Waddy faced one of the officers about 10 feet away, he pulled a gun from his pocket, tossed it to the ground and put his hands up. Then the officer shot him. Two other officers also fired at him. It all happened very quickly, but Waddy didn't raise his weapon or point it toward officers, he never assumed an aggressive posture, and, in full view of police, he had disarmed himself by the time officers gunned him down.

An arrest warrant affidavit said Waddy was *"armed with a firearm and pointed the firearm in (officers') direction."* Affidavits are completed under oath, but this is so misleading as to amount to a lie.

Several people besides Waddy were seriously injured. Bystander Bailey Alexander, 24, had bullet wounds in her arm and shoulder. A bullet shattered a bone in the arm of 26-year-old Yekalo Weldehiwet.

"Now, when we have the truth, at least have the decency to come forward and say, 'Yes, we messed up. We need more training, we take full responsibility. We need to reconsider our whole program and take accountability and learn from it," Weldehiwet said about Denver police, according to The Denver Post.

Siddhartha Rathod, an attorney representing Weldehiwet and two other victims, told the Post, referring to the initial police account of the shooting, *"The omissions are as bad as straight-up lies."*

Bodycam footage from the moment Jordan Waddy threw away his weapon and was gunned down. You can see his pistol falling to the ground.

Two days after last month's misleading police press conference, McCann announced she had charged Waddy with three counts of possession of a weapon by a previous offender and one count of third degree assault. She apparently didn't need a grand jury to arrive at those charges. But she proved unwilling to charge officers.

Adding to the appearance that McCann is opting out of holding cops accountable is the infrequency of grand juries in Colorado. A Denver grand jury was asked to investigate police shootings only two other times in the last 30 years, in 1992 and 2004. The cost could be severe erosion of public trust.

Grand juries are part of the English common law tradition and originally were thought to offer defendants protection against corruption and false charges, but today they are an anachronism abolished by virtually every country except the United States and Liberia. Grand jury proceedings are conducted in secret, and the prosecutor wields tremendous, one-sided influence in their decisions. Grand juries typically return an indictment — except when the suspect is a police officer. ★★★

D.A. To Prosecute Domestic Violence Victim for Murder After Saying On the Campaign Trail It Wasn't Murder

Manhattan's D.A. Alvin Bragg campaigned on Tracy McCarter's innocence. Once in office, that was apparently less politically expedient.

By Billy Binion

(Reason) - When Manhattan District Attorney Alvin Bragg was still a candidate for his position, there was a defendant he took a special interest in. "I #StandWithTracy," he tweeted in September 2020. "Prosecuting a domestic violence survivor who acted in self-defense is unjust."

There was a subtext to that message. He was referring to Tracy McCarter, a woman who was charged with murder for killing her estranged—and allegedly highly abusive—husband. It was Cy Vance, who Bragg was seeking to replace in office, who brought that charge against her. The translation: As your district attorney, I won't, and would never, prosecute such a case.

Tracy McCarter

Bragg assumed office in January of this year. As of Tuesday, McCarter is officially headed to trial for murder.

It's not the first time Bragg has failed to apply the principles he won office promising to uphold. There was the case of Jose Alba, 61, a bodega worker who killed an irate customer: In early July, Austin Simon, 35, came behind Alba's workstation, attacked him after his girlfriend's payment was declined, and seemingly attempted to drag Alba out from behind the counter to continue the confrontation. Alba ultimately took a knife and stabbed Simon, who later died from his injuries.

Based on the store's surveillance footage, it appeared to be a fairly classic case of self-defense. Yet Bragg's office charged Alba with second-degree murder, sent him to Rikers Island—one of the most notoriously violent jails in the country—and initially sought a $500,000 bond to ensure he stayed there. This despite running on a platform infused with planks pledging not to overcharge and overincarcerate, and a promise to reform bail policies for pre-trial detention.

After a national outcry, Bragg dropped the charges. But McCarter has not been fortunate enough to attract the same outpouring of attention, notwithstanding the fact that her case also looks like a textbook definition of self-defense, and notwithstanding the fact that Bragg specifically leveraged her misery to distinguish himself from his predecessor.

McCarter was arrested in March 2020 after stabbing her husband, James Murray, who reportedly entered her home, where he did not live, heavily intoxicated, and allegedly threatened her life. She was found trying to administer CPR while screaming for assistance, and her neighbors say Murray had been on a bender in the building. But the grand jury that approved a murder charge against McCarter didn't hear about Murray's drunkenness that day, or his detailed history of violent behavior and abuse, because prosecutors declined to share it.

Bragg, however, could have charted a new course. As the D.A., he has power over which cases he does and does not want to prosecute. As I wrote in July:

Prosecutors enjoy wide discretion on the job—a discretion that Bragg exercises liberally when it suits him. Upon ascending to the top of the D.A.'s office, Bragg announced that he wouldn't prosecute certain crimes, like sex work and marijuana possession. That's not because the New York Legislature had a change of heart on those issues; it's because Bragg has the power not to enforce certain crimes as he sees fit.

Yet not unlike Alba, McCarter encountered a different Bragg from the outset of his time in office. She encountered the tough-on-crime Bragg, who initially fought to make sure she could not leave New York City for psychiatric treatment as a condition of her bail. It was an odd move, particularly when considering this is the same defendant who Bragg insisted should never have been charged with any crime in the first place, much less be subjected to restrictive pre-trial conditions.

"Bragg has demonstrably failed at living up to his campaign promises. He's very much turning out to be the opposite of what he ran on," says Olayemi Olurin, a public defender with the Legal Aid Society of NYC (and a friend of mine). "He drew attention to this case himself…and here he is in office with all the ability to drop the charges."

Alvin Bragg

The latter point bears repeating. Bragg had a very public about-face in the case of Alba, who has since announced he is moving to the Dominican Republic. (Can you blame him?) But Bragg's office has only extended haphazard gestures of mercy toward McCarter. Earlier this week, a judge declined Bragg's request to downgrade the charges from murder to manslaughter — because prosecutors once again did not bother to furnish evidence of her domestic abuse. That evidence includes a 2009 police report detailing Murray's arrests, written correspondence from 2018 in which Murray admits to physical abuse, and a 2019 video of a naked, intoxicated Murray attacking McCarter.

"They affirm, without reference to exhibit or documentation, that she is a survivor of domestic violence," wrote Acting New York State Supreme Court Justice Diane Kiesel. Again, that's not because those exhibits don't exist.

But prosecutors' laziness with that motion just begs the same question once again: Why are they fighting to uphold any charge when they could seek to have it dismissed, as they did in Alba's case? Bragg could, for instance, reconvene a grand jury and actually present the evidence of domestic violence; it is also not unheard of for prosecutors to botch a grand jury hearing if they do not think the case is worth pursuing. So too could Bragg file a request to vacate the charge entirely. Instead, the same prosecutor who publicly called the killing "self-defense" must now ensure it is called murder in court, after admitting again this week—in court—that his office does not think it was a murder.

The ludicrousness of that proposition perhaps makes a bit more sense in the context of political expediency, something that Bragg has navigated clumsily since entering office. "I don't think charges should be brought against Jose Alba, and I think the good thing is for them to be dismissed," says Olurin. Yet Alba's case generated a rare sort of public backlash, particularly in conservative circles, attracting primetime segments on Tucker Carlson's Fox News program. "These progressive prosecutors are very attuned to media attention," she adds.

They are, after all, politicians. But while McCarter may have been useful on the campaign trail, she has proven decidedly less so after the fact.

★★★

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that goes against the paymaster," says Follett. "You don't get published unless the NSF likes your results."

Example 3: The NSF gave nearly half a million dollars to a team that wrote a paper questioning glacier science because it "stems from knowledge created by men."

Absurdities are pushed by the right, too. Some people still claim that man plays no part in climate change or that the climate isn't warming at all. Some say vaccines don't work. But the right's junk science doesn't get backed by government funds.

I'm angry that my tax dollars go to support leftist nonsense.

Unfortunately, most Americans don't care. That's probably because they don't know that government throws so much money at ridiculous progressive advocacy.

"We'll all start caring when the bridges start falling down and the planes start crashing," says Follet. "That's the inevitable end result of this." ★★★

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more evidence being discovered to support Tre's claims, Tre is hopeful he will emerge as another false confession statistic, should his cases be overturned.

IT ALL STARTED WITH A PARTY

On October 1st, 2020, then 25-year-old Tre Butterfield was found guilty by a jury of crimes that allegedly took place five years and five months prior - less than a month after his 20th birthday. It all focused on a party Tre had attended on May 2, 2015 at his friend Cory Owens' house. Tre recalls, *"there was four of us that hung our regularly. Cory, Matt, Josh and myself. This night we planned a party at Cory's. I showed up early to hang out with Cory. We set up a radio and speaker in the garage along with a beer pong table. People started showing up in the afternoon. It turned out to be a decent sized party."*

Cory Owens - *Facebook*

Tre continued, *"Josh, Matt, Breanna and Lilly all showed up together."* Confirmed by recovered text messages, Breanna Brown had dated Tre Butterfield starting in early July of 2014. It ended a few weeks later. According to the texts, she went on to date a guy named Zach who she had admittedly been seeing during her time with Tre. According to Tre, Breanna then went on to date his friend Matt McMillan, and the two were at the party as a couple.

Matt McMillan - *Facebook*

"This was my first time meeting Lilly," Tre recalled of the party, *"and I thought she was 16, just like Breanna."* (It is an important fact, as the age of consent is 16 in the State of Washington.)

Lillian Reese (now Lillian Colonel) and Breanna were long-time friends, having met in elementary school. According to court records, Lilly lived with Breanna and her mother at the time of the party and had for several months, while Lilly's mother went through a divorce. According to Lilly's testimony, she and Breanna were supposed to go somewhere else that night but changed their plans to go to Cory's party.

The afternoon of the party Lilly admitted to have been drinking, along with everyone else at the party. There was marijuana present and a lot of alcohol. Lilly was actually 15-years-old at the time, and according to her testimony, it was the second time she had ever been drinking. Yet, she knew well enough to bring extra clothes and to change early, made clear when she testified at trial saying, *"I was planning on spending the night so I ended up changing my clothes before I drank too much."*

Lilly recalled getting incredibly intoxicated to the point that she says she passed out, not remembering anything until much later.

However, several others, including Breanna, her friend, and Cory, the man who hosted the party, recall that Lilly was not passed out. As the evening wore on, all accounts have Lilly deciding to separate herself from the remaining partygoers and get into Cory's bed. Cory testified that, *"One of the girls had said she wasn't feeling good -- or she was tired -- something about wanting to lay down. And I told her, yeah, that's fine. You can go in my bedroom and lay down, that's absolutely fine."* Breanna testified that Lilly, "wanted to go lay down" but that she had gotten sick prior to getting into bed. Either way, she was left alone in Cory's bed.

Tre readily admits to coming into the room later. *"I had to use the restroom but there was someone in the restroom next to the kitchen. Cory's bedroom door was slightly open and he didn't ever care or mind me going into his room to use the bathroom, so I went in there."*

Tre continued, *"When I walked into his room, I noticed the bathroom light was on with the door open, so I pulled the bedroom door partially closed behind me. We had music playing and as I was walking through his room I was singing along, acting a fool. His bed is to the immediate right as you walk through his bedroom door, the bathroom is in the back left hand corner.*

"I wasn't being quiet about anything, I was buzzed, high and thought I was alone. I used the bathroom, washed my hands, turned to walk out, leaving the bathroom light on like it was. The door was open the whole time. When I stepped into the bedroom from the bathroom that's when I heard a girl say 'Hey.' It startled me. I thought I was alone. I didn't realize anyone was in there. Then I got embarrassed because I realized she heard me singing and how much of a fool I must have sounded like, along with what I must have looked like making my way to the bathroom.

Lillian (Lilly) Reese-Coronel - *Facebook*

"When I looked over to the bed that's when I realized it was Lilly. She was sitting on the edge of the bed with the blankets covering her legs. I said, 'Hey I'm sorry, I didn't know anyone was in here, I would have been quiet. Did I wake you?' She just giggled, laughed and said it was alright and that I didn't wake her. She asked about Josh, Matt and Breanna. I told her Josh was passed out on the couch, and Matt and Breanna were tangled up on the couch making out right before I walked in to use the bathroom."

According to Lilly's testimony, she had passed out sometime earlier during the night and didn't remember getting into Cory's bed, let alone any interaction with Tre Butterfield in that bedroom. In fact, her direct recorded testimony is that she doesn't recall anything until she's woken up by "Breanna and Brad screaming" at her to put her clothes back on. It is interesting to note that according to everyone else's testimony there was no "Brad" present at this point of the night.

Regardless, Lilly says she was only briefly conscious and that she doesn't remember anything until she woke up out on the couch the next day. It was then that the others informed her as to what had "happened" - a fact the prosecutor did well at concealing.

I'd like to point out at this time that I think it possible that Lilly honestly doesn't remember anything, just like she testified. I think it highly probable that everything she believes happened was just told to her by other people who might have had their own agenda, and the trauma she has suffered was really created by them. It could be that Tre's account is completely accurate. How would she know?

I reached out to Lilly via Facebook. She refused to answer any questions and told me

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detain American citizens, and military drills that acclimate the American people to the sight of armored tanks in the streets, military encampments in cities, and combat aircraft patrolling overhead.

The menace of a national police force—a.k.a. a standing army—vested with the power to completely disregard the Constitution, cannot be overstated, nor can its danger be ignored.

Historically, the establishment of a national police force accelerates a nation's transformation into a police state, serving as the fundamental and final building block for every totalitarian regime that has ever wreaked havoc on humanity.

Then again, for all intents and perhaps, the American police state is already governed by martial law: Battlefield tactics. Militarized police. Riot and camouflage gear. Armored vehicles. Mass arrests. Pepper spray. Tear gas. Batons. Strip searches. Drones. Less-than-lethal weapons unleashed with deadly force. Rubber bullets. Water cannons. Concussion grenades. Intimidation tactics. Brute force. Laws conveniently discarded when it suits the government's purpose.

This is what martial law looks like, when a government disregards constitutional freedoms and imposes its will through military force, only this is martial law without any government body having to declare it.

The ease with which Americans are prepared to welcome boots on the ground, regional lockdowns, routine invasions of their privacy, and the dismantling of every constitutional right intended to serve as a bulwark against government abuses is beyond unnerving.

We are sliding fast down a slippery slope to a Constitution-free America.

This quasi-state of martial law has been helped along by government policies and court rulings that have made it easier for the police to shoot unarmed citizens, for law enforcement agencies to seize cash and other valuable private property under the guise of asset forfeiture, for military weapons and tactics to be deployed on American soil, for government agencies to carry out round-the-clock surveillance, for legislatures to render otherwise lawful activities as extremist if they appear to be anti-government, for profit-driven private prisons to lock up greater numbers of Americans, for homes to be raided and searched under the pretext of national security, for American citizens to be labeled terrorists and stripped of their rights merely on the say-so of a government bureaucrat, and for pre-crime tactics to be adopted nationwide that strip Americans of the right to be assumed innocent until proven guilty and creates a suspect society in which we are all guilty until proven otherwise.

All of these assaults on the constitutional framework of the nation have been sold to the public as necessary for national security.

Time and again, the public has fallen for the ploy hook, line and sinker

We're being reeled in, folks, and you know what happens when we get to the end of that line?

As I make clear in my book *Battlefield America: The War on the American People* and in its fictional counterpart The Erik Blair Diaries, we'll be cleaned, gutted and strung up. ★★★

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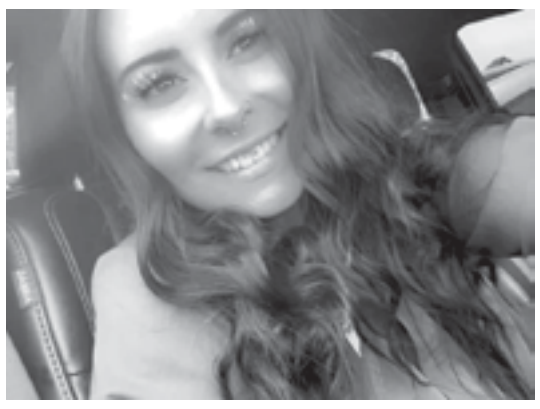
to please never contact her again.

THE CLAIM OF RAPE

Cory testified to have gone looking for Tre after some time had passed, as Tre had not come back from the restroom. He stated that when he opened the door to his room he heard "like moaning, kissing sounds," and he closed the door. He went back out to the others and told them what he had heard.



Breanna Brown -*Facebook*

By all accounts, Breanna and Matt rushed into the room…

According to Tre, Lilly had motioned Tre to sit next to her when he had been talking to her about using the restroom. He sat and after a brief conversation, he says Lilly kissed him and pulled him on top of her. Tre admits having kissed her back but adamantly denies having undressed her or having had sex with Lilly in any way. It's a denial that is backed by forensic science; there was never any DNA evidence of sexual penetration.

Tre does say that Lilly had undressed herself and then unzipped his pants, and that it was when they were in this position that the others came into the room.

Tre explained, *"When they walked in, I was confused as in why they did. I rolled off and sat on the bed. I put myself away. Breanna got mad and asked Lilly what she was doing. Breanna told Lilly to put her clothes on."*

Tre doesn't remember anyone particularly upset in the situation other than Breanna who says that Matt was mad at Tre as well, to the point where he struck a wall.

Tre went on, *"After we all came out of the bedroom Lilly and Breanna went to the couch with Josh. Cory, Matt and I all went out on his back patio. We drank a beer, shared a joint and Matt and I smoked a cig. Cory wasn't ever upset, mad or angry in any way towards me. At this point if Matt was mad, he didn't show it. He was fine.*

"Cory went inside to grab us all another beer. Well, he came back empty handed and asked us if we wanted more. Matt and I both said yes. We went back inside, Cory told me once we got back I wasn't driving home I told him I wasn't planning on it. He said good.

"Matt joined Breanna on the couch with Lilly. They both were talking and all seemed fine. Cory and I grabbed the case and went out back… He grabbed his Green Bay Packers pipe, grinder, and weed from his room. We sat outside for a good amount of time talking, smoking and drinking before he said he was going to go to bed. When we went back inside I noticed everyone on the couch was asleep. There was no more room.

"I grabbed a spare pillow and blanket then walked downstairs to the spare bedroom. When I woke up the next morning Josh and Lilly were gone."

Two days later Tre says he was informed by Matt that Lilly had gone to a counselor and made claims that Tre had, "taken advantage of her."

Fact is, according to court records, Breanna had gone to her counselor and brought Lilly with her. Both girls went into Breanna's counseling session. According to the therapist, Lilly reported she "felt like something had happened." Because it was reported to her, the counselor was duty-bound to call the police.

OTHER CASES AGAINST TRE BUTTERFIELD

According to police reports, the prosecutor chose not to pursue a case against Tre Butterfield in 2015. In 2017, the case was referred back to the prosecutor's office but again nothing happened until new allegations arose in 2019.

Annabelle Bates -*Facebook*

After "the party" Tre moved on with his life, working hard. He had even spent a good deal of time around Lilly who was in a wedding party with him for some mutual friends. They had even exchanged contact information (again). According to Tre, they even danced together at the wedding.

From late 2015 to 2019, Tre was incredibly active in his church, and he found the love of his life.

In April of 2019, Tre was living with his Grandparents in their home and was in the process of moving out. His aunt Brandy and her daughters Annabelle (16) and Yasmine (14) lived there, too, in a trailer on the property.

Yasmine Miller - *Facebook*

It was discovered by high school staff that Annabelle had brought a knife to school. When asked about the knife Annabelle reportedly stated that she was afraid of her cousin, and that he'd been molesting her. Interestingly, Tre was not known to ever go to her school for Annabelle to fear for her safety there. Immediately the school contacted the police.

According to the police reports, there were inconsistencies that Brandy noted in her daughter's story. But soon more allegations would emerge when Yasmine spoke up and told of abuse she had allegedly endured. However, Brandy and both daughters told police that they didn't want a protection order against Tre. In the report, Brandy said she, *"didn't feel it was necessary."*

TRE'S NON-DEFENSE, "DEFENSE"

Over the next fifteen months, police and prosecutors dug up everything they could on Tre. Lilly's case was finally set to move forward, and Breanna Brown was contacted by a detective who remembered she had said something about Tre doing something to her when she was younger, upon which charges were filed. Annabelle and Yasmine's charges were moving forward, too.

The first trial would be Lilly's.

According to Tre, who had secured the services of defense counsel Robert Brungardt, he was made to feel secure about his chances of winning at trial. But as time went by Tre said, "*I noticed he started to change. He grew very rude and mean, cursing at me and my grandparents whenever I would say something he disagreed with, he would call me stupid and tell me I had no idea what I was talking about."*

It reportedly got so bad that Brungardt started dictating to Tre that he was going to admit to raping Lilly and if he didn't, he'd end up in Walla Walla. Tre recalls Brungardt asking him how much time he wanted to do. Tre says he replied with, *"I don't want to do any time, I don't deserve to do any time, I didn't have sex with her. If you say I did, you are lying."*

As we know by trial transcript, Tre's attorney did in fact claim Tre was guilty, without changing Tre's Not Guilty plea - an interesting legal dilemma. *"I had begged him not to before he got up to speak, and my heart dropped the moment those words came out of his mouth."* Tre continued, *"I knew all was lost. He failed me. He did what he wanted. It didn't matter what I wanted."*

After the jury came back with a guilty verdict, Tre was looking at another trial on the criminal charges resulting from Breanna's accusation.

Tre didn't have any other choice but to stay with Brungardt. *"He said if I didn't take a deal, I wouldn't ever see the light of day. He came at me with the deal the day before Breanna's trial. I had less than 24 hours to make a decision. On one hand I do 17.5 years and the other I may never leave prison. I couldn't believe that it came down to this. I told him he did this to me. He just looked away and shrugged his shoulders. He told me if I went to trial, I was going to lose and never get out. He kept saying I needed to take a deal."*

Tre Butterfield

Tre took it. He was sentenced to 210 months – 17 ½ years.

But was Tre *truly* guilty?

We have just uncovered new evidence that shows Lilly was conscious enough to add Tre to her Snapchat account early in the morning on May 3, 2015. This is around the same time she was supposedly passed out, being "taken advantage of." The evidence clearly shows she was building her social media contacts by giving her alleged rapist permission to contact her.

Further, some times associated with allegations from Tre's cousins are reportedly during jobs that took Tre out of town to fight wildfires, among other things.

The fact remains, Tre Butterfield maintains his absolute innocence, and Tre believes his attorney sold him down the river.

Once Tre saw his attorney working against him, he should have fired him on the spot. And he should have never taken a plea deal. It literally cost him years of his life.

We hope the cases against Tre get revisited and he gets his day in court to present all the evidence in his favor. Only then can there truly be justice.

Editor's Note: If you have any evidence for or against Tre Butterfield, please contact the US~Observer immediately by calling 541-474-7885 or sending an email to editor@usobserver.com - our interest is that justice is done, and that all of the evidence is brought to light.

If you find yourself in a similar situation as Tre, and you are innocent, contact the US~Observer right away.

★★★

WANTED

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Traveling to help people who are innocent of the crimes they are facing prosecution for is extremely expensive.

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Parent Sues School Over Transgender Brainwashing

Proselytizing California groomers are running wild

By Matthew Vadum

(FrontPageMag.com) - California parent Jessica Konen is suing her local school district for secretly indoctrinating her 6th grade daughter into the cult of transgenderism, convincing her to change her gender identity, all while urging her not to discuss the situation with her mother because she could not be "trusted."

The behavior of these woke teachers matters not only because parents - as opposed to the government - are supposed to be in charge of raising their own children, but also because transgenderism is a treacherous ideology that threatens the very underpinnings of both our society and Western civilization as a whole.

Jessica Konen

It is not about homosexuality or bisexuality, which Americans have become increasingly tolerant of in recent years. Many Americans are even supportive of transgender people when they are consenting adults, but they do not support groomers' efforts to force impressionable children to renounce their birth sex and pretend to be something they are not. The rise of groups such as Gays Against Groomers, whose members are aghast at reports of little kids being forced to attend drag queen performances, shows that plenty of gays recognize it is wrong to push transgender ideology onto children.

It is about totalitarian thought control. The advocates of transgenderism, backed by the Biden-Harris regime, would force Americans to recognize an individual's professed gender identity even if it doesn't match the person's birth sex. Forcing people to say things they know aren't true is the essence of totalitarianism.

As I have written before, just about no one cared about the previously minuscule number of consenting adults having sex-reassignment surgery or hormone therapy until the Left started to demand that people think of these things as normal and forced these beliefs on children.

The Left doesn't care about how many victims it creates, even as it breaks the fragile bodies of young people who lack the maturity to make informed decisions – decisions that will come back to haunt them in their later years.

Advocated by these radicals, puberty blockers, which can harm young people, are being prescribed for children who are now, because of incessant propaganda, reporting discomfort with their sex in record numbers. Long-term use of these drugs adversely affects brain development, bone density, and fertility but more and more medical doctors are violating the Hippocratic Oath by supporting their use on gender-confused young people.

Which brings us to the case of Jessica Konen, whose young daughter was pressured to join the destructive cult.

Konen is suing with the assistance of the Center For American Liberty, a nonprofit that, according to its website, is "fighting against growing anti-free speech and anti-civil liberties trends." The legal complaint (pdf) in the case was filed June 14 in the Monterey County office of the Superior Court of California.

San Francisco-based attorney Harmeet K. Dhillon is spearheading the legal effort. Dhillon is CEO of the Center For American Liberty.

Parents have "the right to know what is going on in their child's school," Dhillon told Fox News' "The Ingraham Angle," as she explained how teachers pushed the young girl to join an "Equality Club" aimed at convincing students to embrace new gender identities.

"They invited kids, including Jessica's daughter, to be in this club, and they told these kids, do not tell your parents, and specifically Jessica's mom, do not tell them, they cannot be trusted," she said.

"They gave them reading materials about transgenderism. They secretly changed the pronouns, but when in front of the parents, referred to their children by their birth pronouns. Behind the parents' back, in the school, [they] used their new identity. All this was done secretly."

According to the legal complaint, the Spreckels Union School District near San Jose adopted a "parental secrecy policy" that "authorizes minor children to make mature, consequential, and potentially life-altering decisions—such as what gender to identify as; how to express their gender identity, including, but not limited to, females binding their breasts so they look more like males; what name to be called; what pronouns to use; and what privacy facilities to use—with no notification to or input from parents."

Teachers at Buena Vista Middle School in the school district took Konen's daughter, A.G., 11 at the time, and recruited her into an "Equality Club" in which she was advised that she may be transgender and bisexual, two concepts that were not familiar to her. At one point teachers changed the name of the club to UBU, or "You Be You," to avoid detection by parents. A.G. attended Buena Vista from fall 2018 to spring 2021 for the 6th through 8th grades.

A.G. attended a club meeting at the suggestion of a friend after 6th grade instruction began. The girl was not interested in the discussion and decided not to attend future club meetings. But two weeks later a teacher asked her to return to the club, telling her she "fit in perfectly." A.G. began attending the meetings again. Teachers told her at first that she was bisexual even though she did not understand the concept of bisexuality. Not long after, teachers told the girl she was transgender even though she did not grasp the concept, the legal complaint stated.

Teachers were persistent as they encouraged the child to change her name to a masculine name and present as male in order to express the new identity. Despite the emotional trauma they inflicted on the young girl, the teachers told her not to let her mother know about this because her mother supposedly could not be "trusted."

They also forced A.G. to read articles about how to conceal her newly discovered transgender status from her mother. The teachers created a "Gender Support Plan" that directed faculty to call the daughter by a new name, male pronouns, and to allow her to use the unisex teachers' restroom.

The California Department of Education officially encourages young children to embrace transgender identities. Even though the U.S. Supreme Court had held that parents have the right to direct the upbringing and education of their children, it is the department's position that schools ought to keep secrets from parents; its recommended reading list promotes books for kindergartners about students undergoing gender identity transition.

During the brainwashing process, A.G. took on a new gender identity different from her female sex at birth, as well as a boy's name and masculine pronouns, according to the legal complaint.

A.G.'s original identity went down the memory hole as teachers began referring to her by her new name and pronouns. Her name was changed in educational records and she was allowed to use the teachers' unisex bathroom, all without informing her mother.

The school deliberately deceived Konen about her child's assumed gender identity by using the girl's birth name and feminine pronouns when the mother was present. When Konen was not present, the teachers resumed calling the girl by a boy's name and using masculine pronouns.

Teachers told A.G. not to tell "her mother about her new gender identity, and by otherwise concealing facts regarding A.G.'s new gender identity from Ms. Konen."

Konen had said she "supports her daughter, regardless of the decisions she makes. Ms. Konen simply wants to be a part of her daughter's life and exercise her rights as a parent to direct the upbringing of her child."

But the teachers deprived Konen of her parental rights during a crucial phase of her daughter's development by "choosing for themselves how to direct A.G.'s upbringing regarding the major life decision of A.G.'s gender identity, and concealing critical facts from Ms. Konen, her parent."

The teachers' actions "also violated Ms. Konen's and A.G.'s rights under federal and state law and inflicted serious emotional and mental harm upon them."

This case is not an outlier.

As California and federal officials continue to advocate for transgenderism, more such lawsuits are coming.

Count on it.

★★★

A Year Later, the Afghanistan Debacle Festers

By Dave Patterson

(Liberty Nation News) - "The evil that men do lives after them; The good is oft interrèd with their bones," intoned Mark Antony in William Shakespeare's tragedy Julius Caesar. Nothing could be more appropriate to describe President Joe Biden's Afghanistan debacle, which hangs around his neck as a yoke of shame. One year after the US foreign policy and defense leadership team's ignominious withdrawal from Kabul, the image of the disastrous exit remains fresh in the minds of those who witnessed the mess.

On Aug. 31, 2021, the curtain came down on the failed attempt by the United States and its allies to bring Afghanistan into the 21st century as a productive global nation. In a way, the ham-fisted operation to leave the Taliban-overrun country was a fitting reflection of the failure of the 20-year American sojourn. Whatever modest improvement the US mission in Afghanistan may have made, in the end, the Biden administration's mishandling of the departure of American military forces, civilian personnel, and friendly Afghans who assisted was a disaster of historic proportions. Moreover, the many planning and execution blunders were made manifest for the world to see.

Numerous studies and congressional reports have concluded the same thing: The Biden administration's mismanaged withdrawal left consequences that will be visited on the United States for years to come. The Republican members of the Senate Committee on Foreign Relations issued a thoughtful, in-depth, and highly critical indictment of Biden's retreat. "Titled 'Left Behind: A Brief Assessment of the Biden Administration's Strategic Failures During the Afghanistan Evacuation,' the 65-page report is a scathing critique of the administration's lack of planning and bumbling execution removing U.S. military and civilians from the Afghan capital," Liberty Nation reported in its coverage.

THE AFGHANISTAN DEBACLE WILL NOT GO AWAY

Not long after the Senate Foreign Affairs Committee assessed the actions of leadership in departing Kabul, the US Army published a 2,000-page report. Its evaluation was "unequivocal … It was a White House horror show." Much of the evidence points to failure at 1600 Pennsylvania Ave. Biden rejected sound counsel on the withdrawal operation that might have resulted in a smoother process. "But when the president makes a decision, it's time for us to execute the president's decision," the operational commander overseeing the retreat, General Frank McKenzie, gave as his excuse. The consequences of acquiescing "to execute the president's decision" were 13 service members killed at the Kabul airport and a drone strike that murdered an innocent non-governmental organization employee and members of his family, including children. The justification: There was "no time for a thorough and necessary vetting of the required intelligence."

Though a year has passed, the disastrous results linger, and Biden will not be able to change the subject, as Leesa K. Donner, Liberty Nation's editor-in-chief, predicted shortly after the fumbled pullout. "It did not go unnoticed by conservatives that the crisis in Afghanistan spawned the first real questions the Biden administration had to face from its friends in the media," Donner observed. And the fallout continues.

"Thousands of Afghan security personnel, including special forces troops, likely fled to Iran with US equipment and military knowledge as their country fell to Taliban insurgents last year, according to a new report released by House Republican leaders on Monday [Aug. 15]," Leo Shane III reported in the Military Times. So, not only did the Biden national security team leave billions of dollars in serviceable modern weapons for the Taliban to use but also provided an opportunity for Iranians to get their hands on US weapons. Additionally, House Foreign Affairs Committee Ranking Member Michael McCaul (R-TX), appearing on Face the Nation, explained the report revealed there was "no urgency in evacuating America's Afghan partners."

AFGHANISTAN SAFE HAVEN FOR TERRORISTS A YEAR AFTER US DEPARTURE

Whether Biden likes it or not, the Afghanistan debacle is his legacy. His mishandling of the Kabul withdrawal created misery among those who have been left to the merciless Taliban. Reports confirm that as many as 74,000 Afghans who worked for the United States remain trapped inside the Taliban borders.

Furthermore, the prediction that Afghanistan would once again be a haven for terrorists such as Al Qaeda and ISIS has proven true. The drone killing of Al Qaeda leader Ayman Al Zawahiri while he basked in the Kabul sunshine, believing himself protected by the Taliban, is ample evidence the country will be, if it is not already, the stomping ground for global terrorism. If the Taliban was protecting Zawahiri, how many other terrorists and terrorist organizations are being supported?

★★★

Articles and Opinions

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The goal of *US~Observer* is to ensure "due process" and "equal protection under the law."

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

Continued from page 1 • Your Right to Legal Representation is No Longer Guaranteed

funding than public defender offices.

57% of incarcerated men and 72% of incarcerated women were in poverty prior to their arrest. Still, many states are decreasing funding for the public defenders dedicated to protecting these people."

To give further credence to the claim that there's little justice in America without a lot of money, consider this quote from Supreme Court Justice Ruth Bader Ginsburg from April 9, 2001:

"I have yet to see a death case among the dozens coming to the Supreme Court on eve-of-execution stay applications in which the defendant was well represented at trial. People who are well represented at trial do not get the death penalty."

Ruth Bader Ginsburg

Being under-defended by counsel leads to wrongful convictions. As pointed out in the Science article, *More Than 4% of Death Row Inmates May Be Innocent* by Sarah Williams:

"One in 25 criminal defendants who have been handed a death sentence in the United States has likely been erroneously convicted. That number—4.1% to be exact—comes from a new analysis of more than 3 decades of data on death sentences and death row exonerations across the United States."

Public defenders, under the law, must be provided to an indigent person facing serious criminal charges. The right to an attorney is one of the fundamental rights included in the Miranda warnings that police must read to people during their arrest. So, during your arrest, you hear the words "You have the right to an attorney. If you cannot afford an attorney, one will be provided for you." But if you are in Oregon, this may or may not be true. It's shocking to think that one of the first things you hear when you're being arrested may end up being a lie.

Currently, in Oregon, the public defender system is so overwhelmed and underfunded that several hundred defendants don't have legal representation at any given time. Oregon authorities are using COVID as an excuse and that is partially true, but the problem predates COVID. In 2019, attorneys picketed outside the state Capitol for higher pay and reduced caseloads. There was no action to remedy the situation. Then COVID came along and for a while, some courts were shut down. There were no felony or misdemeanor jury trials in April 2020 and access to the court system was greatly curtailed for months. This left many people accused of crimes languishing for months in custody if they couldn't afford to pay for Oregon's cash bail system. You could be innocent of a crime but unable to pay for bail, the courts are closed, and defense attorneys are not available. A lot of your rights as an American just ceased to exist and this problem continues.

According to Fred Dahr, a Texas Defense Attorney, in an article on his website:

Fred Dahr

"If you hired a lawyer, how many hours would you expect her to spend on your case? Forty hours? Twenty? Five? There is obviously no set answer since every case is unique. While there's not a right or wrong answer to the maximum hours that ought to be put into every case, there is a definitely an argument for an inappropriate minimum.

What if you were told that your criminal defense lawyer could only work on your case for 7 minutes? You would be outraged, and rightfully so.

Unfortunately, in New Orleans, that number isn't so far-fetched. According to a study, the average public defender in New Orleans only has 7 minutes to work on a person's case.

You read that correctly. 7. Whole. Minutes.

Now that isn't to say that all states are this understaffed. However, it needs to be noted that many states are completely under-funded and over-worked.

Things have become so bad in places like Fresno, CA, that lawsuits are being filed by the ACLU against the County, claiming that the offices are so understaffed that they cannot provide effective representation. The lawsuit cites statistics estimating the typical misdemeanor public defense attorney in Fresno averages 1,462 cases per year. The recommended caseload? No more than 400. That means that Fresno public defenders are taking on almost 4 times the recommended caseload, and still attempting to give effective representation for each person."

According to an Associated Press (AP) report, some judges have dismissed cases, and some have threatened to hold the state public defender's office in contempt for failing to provide lawyers for people unable to afford an attorney.

Carl Macpherson is the executive director of Metropolitan Public Defender, a large Portland public defender firm. Macpherson has said there are now about 500 defendants going without public defenders statewide and that's just the ones currently known. Macpherson continued, *"If you do not have a lawyer, then your constitutional rights are being violated from the very beginning."*

This problem occurs in many states, as pointed out above, but in Oregon it is especially severe. The rights guaranteed to individuals under suspicion, criminal defendants, and prisoners are fundamental rights that protect all Americans from governmental abuse of power. But time and again now for many years, and now much worse during COVID, in Oregon those rights have been reduced or even denied. In addition to not being able to get a public defender or spending long periods in jail awaiting "due process", just remember that Oregon was the last state in the nation to begrudgingly give up non-unanimous jury verdicts and only after being forced to by the Supreme Court.

Carl Macpherson

As stated in the AP article:

"This is America's dirty little secret: Thousands of people in courtrooms all across the country go to jail every single day without having talked to a lawyer," said Jon Mosher, deputy director of the nonprofit Sixth Amendment Center.

An American Bar Association report released in January found Oregon has only 31% of the public defenders it needs.

Oregon State Senator Elizabeth Steiner Hayward said, *"It's horrifying. I don't want to mince words about this. I am not going to make excuses for this."*

The situation also affects the victims of crime. Cassie Trahan, co-founder and executive director of an Oregon nonprofit that works with victims of sex trafficking, explained that trust in the judicial system, which already was greatly diminished, is at a new low. It's an age-old problem that victims are reluctant to come forward as their confidence and trust in the legal system is low. Now victims see the dismissed cases due to a lack of a required public defender and they are even more reluctant to come forward.

Michael Schmidt

According to the Associated Press, one victim in an upcoming trafficking case "lives in constant fear that it's going to be dismissed."

"In her mind, it's like, 'Now I've outed myself, now I've talked against him, and what's going to happen if he gets off?'" Trahan said of the victim to the AP. *"That's what we're seeing more of, especially in communities of color and groups that don't trust the judicial system anyway."*

And that is a very important part of this discussion. The powers that be, the state legislators, are not the people who would ever avail themselves of the public defender system. So, as they're not poor and they don't have to personally face this situation, it's not a priority. They can afford legal counsel. If it was more personal to them perhaps, they would care enough to solve the problem.

In March of 2022, the Oregon state legislative session ended with lawmakers allocating $12.8 million, enough to hire 36 full-time public defenders, for just some of the hardest-hit counties. Reps. Ron Noble, R-McMinnville, and Janelle Bynum, D-Clackamas, criticized the failure of lawmakers to invest enough to address the state's shortage of public defenders. This led to Bynum voting no to the budget. *"Our public defense system is in shambles,"* Bynum said.

At current caseloads, the Oregon Office of Public Defense Services needs another 1,296 full-time equivalent defense lawyers, according to a January report by the ABA Standing Committee on Legal Aid and Indigent Defense. To provide effective assistance of counsel currently, all 592 contract public defense attorneys in Oregon would have to work 26.6 hours per working day to provide effective assistance of counsel, the report said. That is quite simply unacceptable. This report proves that many of the people with a public defender all have grounds for appeal for ineffective assistance of counsel.

So the State legislature budgeted for 36 out of the 1,296 public defenders needed. That simply means the unconstitutional and illegal situation will continue for many years to come. The State government says they are going to have meetings and work on the problem, but if you look at any other issue in the history of the State of Oregon, meetings like this often do not result in anything positive and just go on for decades.

According to the AP article:

Autumn Shreve, government relations manager for the state Office of Public Defense Services, said the pandemic finally forced the hand of state lawmakers who haven't taken a close look at public defenders in nearly 20 years.

"It's been a rag-tag group of people trying to cover the caseloads year-to-year and because of that there's been a lot of past papering over of problems," she said.

The problem is they often say the same thing for many different problems in Oregon and those problems, more often than not, are seldom solved.

The situation in Oregon's courtrooms continues to be horrific.

If you have a huge, complex case with many charges it will often be impossible to get a public defender qualified to handle a complex case. And those who handle misdemeanors are often young attorneys carrying 100 cases or more at a time. It's important to understand, especially if you've never been in this situation yourself, that many people are innocent of at least some of the charges against them. By not providing proper legal counsel, we are in some cases denying the rights of innocent people.

"You can't keep everything in your head when you have that many clients at the same time. Even things like, you know, 'What's your current plea offer?' I can't remember that for 100 people. Or I can't remember, 'What exactly does the police report say?'" Drew Flood, a public defender at Metropolitan Public Defender, told the AP.

Reading reviews of public defenders online it is common to read a review that says, "In court, the public defender didn't even remember my name." Often what will happen is the overwhelmed public defender will simply encourage you to take the first plea offer and wash their hands of you and move on to the next of the many cases they are assigned. They don't have time or the resources to investigate the charges against you. Inadequate defenses are common and lead to many wrongful convictions. Proof of this is the national registry of exonerations which has 3,105 exonerations since 1989. This is 27,080 years lost to people who have often had an inadequate defense.

This last March the Multnomah County District Attorney Michael Schmidt in Portland said in an op-ed, *"Two weeks ago, and over my objection, a circuit court judge dismissed three cases that ranged from felony-level property crimes to serious domestic violence charges, including strangulation. The cases were dismissed because there was no public defender available to assign to them. As of now, more than 150 felony cases in Multnomah County are in limbo for lack of a public defender, unable to be fully prosecuted without violating the Constitution."*

And that's just the felonies. And people wonder why there is such an increase in crime. The state of Oregon continues to promise to fix the problem and then they fund 36 new public defenders when 1,296 are needed. You might say that there's not enough money in the budget. But according to the Oregon Accountability Project, Oregon state agencies have wasted hundreds of millions of dollars under Governor Brown's watch, from $300 million on a Cover Oregon website that never worked to nearly $300 million in Medicare payments to ineligible patients. And many millions more in unemployment fraud during COVID.

It's time the band aids and lip service on fixing the broken Oregon legal system ended. But this is the state of Oregon's legal system in 2022 and it's not going to be fixed anytime soon. It's a national embarrassment.

How dare the United States chastise other countries for their human rights abuses when we continue to deny very large segments of our population, namely the poor, an adequate defense as guaranteed by the Constitution and so callously disregarded by so many states.

Editor's Note: While the government protections of the people is waning we here at the US~Observer stand ready to assist and defend the innocent. With our investigative skills and legal defense strategies, our ability to aid those being falsely prosecuted is unparalleled.

Should you wish to help those less fortunate, donate to the US~Observer's indigent defense fund, and the US~Observer will fight for those who could otherwise not afford to fight for themselves. Contact editor@usobserver.com to set-up your donation. ★★★

Arizona's New Law Banning People from Recording Police Violates the 1st Amendment

By Shreya Tewari

(ACLU) - It is disturbingly easy to find examples of law enforcement wielding brutal violence against people while claiming to protect or safeguard. Black and Brown communities in particular have long-experienced disproportionate targeting and violence at the hands of law enforcement, and this violence is too frequently lethal. Whether people are exercising their constitutional rights to protest, driving, experiencing a mental health crisis, or even sleeping — there are far too many instances of law enforcement encounters causing harm.

One of the best tools available to hold law enforcement accountable is a video camera —in other words, the right to record. The First Amendment protects our right to record police engaged in official duties. Every federal circuit to consider the right to record — seven out of 13 circuits — has held that this right clearly exists, and most have specified that it applies to law enforcement. In recent years, there have been numerous, tragic deaths at the hands of police that were recorded by civilian bystanders, and that footage has been critical to pushing back on unchecked police brutality. But now, this essential right is under attack.

Arizona recently passed a law that makes it a crime, punishable by up to a month in jail, for people to record videos within eight feet of police activity. Specifically, it prohibits people from recording police if they are within eight feet of an area where the person "knows or should reasonably know" law enforcement activity is happening. This law is a blatant attempt to gut First Amendment protections for recording police. That is why we are suing Arizona to challenge this unconstitutional law, and urging the court to immediately prevent it from going into effect.

Unsurprisingly, members of law enforcement commonly attempt to interfere with recordings of their conduct or harass those who have recorded them in violation of the constitutional right to record. The Arizona law, too, has been framed as "preventing violence and misunderstandings, preventing the destruction of evidence and preventing police officers from harm," but it makes shockingly little effort to hide its true purpose — preventing people from exercising their constitutional right to record. Under this law:

• Standing within eight feet of "law enforcement activity" and holding up a cell phone without making a video recording would be perfectly legal.

• Only "video recordings" are targeted — not writing on a notepad, texting, or setting up a painting easel within eight feet of an officer.

• "Law enforcement activity" is defined extremely broadly — including simply "enforcing the law." In essence, this boils the restriction down to recording "within eight feet of a police officer."

• An officer can "create the crime": Legally recording an officer outside of the eight-foot distance would turn into a crime if the officer moved closer to the person recording and got within eight feet of them.

The law also contains toothless exceptions to the eight-foot distance requirement for recording within a private and indoor place, a vehicle, or when you are the subject of the police interaction. However, each of these "exceptions" falls away as soon as a "law enforcement officer determines that the person is interfering in the law enforcement activity" or, in the case of individuals indoors, that it is "not safe to be in the area." In other words, each exception problematically maintains the power of any officer to shut down the recording based on a subjective determination in the moment of what "interferes" with their "law enforcement activity." To make matters worse, "interference" is not defined at all.

This law is a violation of a vital constitutional right and will severely thwart attempts to build police accountability. It must be struck down before it creates irreparable community harm.

★★★

US Base Ordered To Stop Using Gender Pronouns

(Zero Hedge) - The already increasingly woke US military is going even woker, moving closer to adopting "preferred pronouns" – a trend which has become dogma a fixture of progressive university campuses, according to an internal memo from US Pacific Air Forces (PACAF).

The Washington Free Beacon this week published a screenshot of a PACAF memo circulated among commanders which advises a shift to more neutral language, especially when writing reports, directives, and in daily on-the-job speech. While this order applies to a specific Air Force major command, the instance strongly suggests this is the path all armed forces branches could soon take in the coming months or years.

The partial copy of the internal memo, which was circulated in the form of an email this past May, says: "In accordance with the Diverse PACAF priority, 'We must embrace, promote and unleash the potential of diversity and inclusion.'"

The Beacon writes that it was sent senior leaders and commanders at the Andersen Air Force Base in Guam under the Pacific Air Forces, which it must be noted is among branches tasked with confronting China.

Absurdly, the more 'pronoun sensitive' environment on the remote island base will help enhance the American fighting force's "lethality" – the memo explains.

Across the waters, in Beijing, Chinese officers must be laughing… The email further lays out the following:

Leaders at the base are instructed, "Do not use pronouns, age, race, etc." when writing performance reviews or other materials, such as recommendations for awards. "Competition against near-peer adversaries requires a united focus from the command, the joint team, and our international partners. Welcoming and employing varied perspectives from a foundation of mutual respect will improve our interoperability, efficiency, creativity, and lethality."

The Department of Defense has already for years mandated that classes be given to all enlisted and officer personnel regarding LGBTQ++ sensitivity training – and more recently there's been a move to provide greater accessibility to "gender-transition surgery" – all at the US taxpayer's expense of course.

Just how the gender neutral language directive pushed by US Pacific Air Forces leadership could possibly improve "lethality" is unclear and left unexplained in the content published by the Beacon. ★

White House Climate Science Overseer Sanctioned and Barred By The NAS

For "clear violations of the fundamental tenets of research"

By Steve Watson

(Summit News) - Axios reports that Jane Lubchenco, the deputy director for climate and environment at the White House Office of Science and Technology Policy, has been pulled up by the National Academy of Science (NAS) for editing a paper later found to contain technical errors, as well as having worked with the scientists involved in it, one of which turned out to be her brother-in law.

Jane Lubchenco

Lubchenco was found to have violated NAS Code of Conduct Section 3, which states that "NAS members shall avoid those detrimental research practices that are clear violations of the fundamental tenets of research."

The section also notes "Members should be fair and objective peer reviewers, maintain confidentiality when requested, promptly move to correct the literature when errors in their own work are detected, include all deserving authors on publications, and give appropriate credit to prior work in citations."

Axios notes that Lubchenco commented "I accept these sanctions for my error in judgment in editing a paper authored by some of my research collaborators — an error for which I have publicly stated my regret."

The report also notes that GOP Representatives Frank Lucas of Oklahoma, Stephanie Bice of Oklahoma and Jay Obernolte of California wrote an open letter in February calling for the White House to " consider whether Dr. Lubchenco's leading role in the Administration's scientific integrity efforts undermines public confidence in future policy decisions."

The Republicans also noted that "As an editor at the Proceedings of the National Academy of Sciences (PNAS), Dr. Lubchenco demonstrated a clear disregard for rules meant to prevent conflicts of interest in publishing peer-reviewed studies."

"Now, Dr. Lubchenco is playing a leading role in developing and overseeing this Administration's best practices for scientific integrity. Her violation of one of the core tenets of scientific integrity makes her current leadership role very troubling," the GOP reps. added.

Lubchenco is still inhabiting the role at the White House and has been tweeting and retweeting material related to the so called green energy 'transition'.

★★★

Something Upon Which Americans Can Agree: The FBI and the IRS Suck

By J.D. Tuccille

(Reason) - There's no doubt that both the FBI and IRS are having a tough moment with the public. Perceptions that the national police agency is at war with half of the population have eroded its standing, while Biden administration plans to super-size the tax-collection agency further sour public perceptions of that never-popular arm of government. It might all be very depressing if you work in the public sector, or you could say that Americans are finally gaining a more realistic assessment of deeply flawed federal enforcers.

Recently, headlines have featured massive increases in funding for the IRS and a job ad seeking tax collectors "willing to use deadly force" as well as a high-profile raid by the FBI on the Mar-a-Lago home of former President Donald Trump unprecedented in the country's history. If any publicity is good publicity, this should have been a shining moment for government arm-twisters. But both agencies are viewed with suspicion by much of the public and suffer continuously sliding approval ratings.

Tax collectors are unpopular under the best of circumstances given that they function as licensed muggers in the service of a governing apparatus deeply resented by many of the people from whom they extract funds. In 2015, Bloomberg reported that "IRS workers are miserable and overwhelmed." The article noted that Americans are sour on the revenue service and that even agents' families and friends view what they do with horror. The service's standing has been further worsened by revelations that its agents are political players.

"The IRS has long been disliked, but its employees aren't used to being vilified," Bloomberg's Devin Leonard and Richard Rubin added. "In May 2013 the agency disclosed that it had given extra scrutiny to Tea Party groups that were seeking nonprofit status. To Democrats, the decision to group together Tea Party applications and other politically oriented groups was merely a misguided attempt to find a consistent rule after years of muddled policy. … To Republicans, the IRS's hard look at Tea Party groups proved the service has a political bias."

This is the government agency Americans see getting handed an additional $80 billion even as it advertises for hires eager to "carry a firearm" and "willing to use deadly force." That doesn't go down well with everybody.

Historically, the FBI enjoyed greater public trust than the IRS, though it really deserved nothing of the sort. In recent years, though, its reputation has taken a beating.

"Internal and external reports have found lapses throughout the agency, and longtime observers, looking past the partisan haze, see a troubling picture: something really is wrong at the FBI," Time's Eric Lichtblau reported in 2018. "The FBI's crisis of credibility appears to have seeped into the jury room. The number of convictions in FBI-led investigations has declined in each of the last five years."

In addition to leaks, mismanagement, and internal chaos, the bureau has been plagued by charges of politicization. Led by then-President Trump, Republicans saw a biased agency that favored their political opponents. That impression is fueled by continuing allegations of favoritism from current and former FBI agents compiled by GOP lawmakers, making it relatively easy for Trump to convince supporters that the raid on his home was politically motivated.

Unsurprisingly, public support for both the IRS and FBI have taken a hit. While it's difficult to separate disappearing faith in those two agencies from erosion in the government's overall standing, Gallup found approval of both the FBI and the IRS plunging by 13 points from 2019 to 2021. Like almost everything else these days, there's a partisan cast to those numbers. In this polarized environment, while Americans are divided about the FBI's search of Mar-a-Lago, 76.5 percent of Republicans see "Trump's political enemies" behind the search, according to the Trafalgar Group, while 70.5 percent of Democrats attribute the raid to "the impartial justice system."

The recent empowerment of the IRS breeds more nonpartisan reaction, with 42 percent of Democrats and 48 percent of Republicans fearing increased audits, according to Politico/Morning Consult. While much of the public may believe empty assurances that tax collectors' efforts will be directed at the wealthy, a substantial number disagree, possibly because of recent reports that low-income wage earners are targeted much more often than those with more money.

IRS efforts "resulted in these low-income wage earners with less than $25,000 in total gross receipts being audited at a rate five times higher than for everyone else," Syracuse University's Transactional Records Access Clearinghouse noted in March of this year.

You have to place a lot of faith in assurances from widely distrusted federal employees to think tax collectors will stop going after people who have limited resources with which to defend themselves.

While the headlines about the FBI and IRS are eye-grabbing, the related erosion in support is long overdue. Both government agencies have histories of abusive, corrupt, and high-handed conduct. They also have track records of political weaponization—not against one party alone, but on behalf of whoever is in power against critics and opponents.

"The FBI … has placed more emphasis on domestic dissent than on organized crime and, according to some, let its efforts against foreign spies suffer because of the amount of time spent checking up on American protest groups," the Senate's Church Committee complained in 1976.

"Two years after cases of gross misconduct by senior Internal Revenue Service officials began surfacing, a House committee has determined that the problems are widespread and probably include at least 50 to 60 'serious' examples of abuse of office," The Chicago Tribune reported in 1990.

"Since the advent of the federal income tax about a century ago, several presidents—or their zealous underlings—have directed the IRS to use its formidable police powers to harass or punish enemies, political rivals, and administration critics," The Christian Science Monitor observed in 2013.

"Nearly every examiner in an elite FBI forensic unit gave flawed testimony in almost all trials in which they offered evidence against criminal defendants over more than a two-decade period before 2000," The Washington Post reported in 2015.

That's an impressively awful record for two agencies that are finally losing substantial public support. The IRS and the FBI aren't bad because they're under the control of the wrong political party, they're bad because they've always been rotten to the core. At a moment of national revelation about the flaws of tax collectors and federal cops, Americans need to realize that we're all at risk.

★★★

FBI Misled Judge in Obtaining Warrant To Seize Hundreds of Safe Deposit Boxes

New court documents show that the FBI planned for months to seize and forfeit property found inside safe deposit boxes in an L.A. raid under the pretext of doing an inventory.

By Eric Boehm

(Reason.com) - The FBI told a federal magistrate judge that it intended to open hundreds of safe deposit boxes seized during a March 2021 raid in order to inventory the items inside—but new evidence shows that federal agents were plotting all along to use the operation as an opportunity to forfeit cash and other valuables.

Federal agents failed to disclose those plans to the federal magistrate judge who issued the warrant for the high-profile raid of U.S. Private Vaults, a private business in Beverly Hills, California, that had been the subject of an FBI investigation since at least 2019. When the raid took place, the FBI also seems to have ignored limitations imposed by the warrant, including an explicit prohibition against using the safe deposit boxes as the basis for further criminal investigations.

Those details regarding the planning and execution of the FBI's raid of U.S. Private Vaults are now out in the open after a different federal judge ruled this week that the government could not keep those details out of the public record. As Reason has extensively reported, the raid on U.S. Private Vaults resulted in federal agents seizing and attempting to forfeit more than $86 million in cash as well as gold, jewelry, and other valuables from property owners who were suspected of no crimes. Attorneys representing some plaintiffs who are trying to recover their possessions interviewed the FBI agents who planned the raid, but federal prosecutors tried to keep some details of those depositions redacted.

The unredacted legal documents, filed in federal court on Thursday, show why the government was eager to keep those details under wraps. (Reason submitted an amicus brief in the case arguing that the redacted documents should be made public.)

In the affidavit submitted as part of the effort to obtain a warrant for the search, Assistant U.S. Attorney Andrew Brown wrote that federal agents intended to merely inventory the contents of the seized safe deposit boxes. But the newly unredacted documents show that the FBI had drawn up plans months earlier to forfeit property from the boxes, and failed to inform the magistrate judge about those plans.

"We had already determined that there was probable cause to move forward" with civil forfeiture proceedings against the contents of the safe deposit boxes before the search occurred, FBI Special Agent Jessie Murray said in a deposition, according to court documents.

Those crucial details were omitted from the affidavit submitted to the magistrate judge who granted the warrant that allowed the FBI to search U.S. Private Vaults. As Reason has previously detailed, that same warrant expressly forbade federal agents from engaging in a "criminal search or seizure of the contents of the safety [sic] deposit boxes."

The newly unredacted documents suggest the FBI never intended to abide by that limitation. In a deposition, Special Agent Lynne Zellhart said she drew up "supplemental instructions" for the agents who would be conducting the raid of U.S. Private Vaults. They were instructed to be on the lookout for cash stored inside the safe deposit boxes and to note "anything which suggests the cash may be criminal proceeds." Agents arranged to have drug-sniffing dogs present for the supposed inventory of the contents of the safe deposit boxes—which doesn't do anything to help inventory items, of course, but makes more sense if the actual goal is to initiate forfeiture proceedings.

"The government misled the court about its forfeiture plans when applying for the seizure warrant, intentionally disregarded the warrant's substantive limitations, and conducted a pretextual sham 'inventory' while searching for evidence of criminality," wrote Robert Frommer and Robert Johnson, attorneys with the Institute for Justice, which is representing some of the victims of the U.S. Private Vaults raid.

In court documents, the attorneys say the government's behavior "before, during, and after" the raid at U.S. Private Vaults is a violation of the Fourth Amendment, which protects Americans from unreasonable searches and seizures.

As Reason has previously reported, the inventories themselves were sloppily done, leaving the impression that agents were using the procedure as justification for a fishing expedition. The newly unsealed depositions seem to corroborate that view, as Zellhart's supplemental instructions told agents to note cash that had "strong odors" or was packaged in such a way that might indicate it was connected to drug purchases.

The FBI had been investigating U.S. Private Vaults for more than five years and had previously targeted individuals suspected of using the business to stash the proceeds of criminal activity. In 2019, according to some of the newly unredacted depositions, federal agents shifted their approach and began building a case against the company as a whole.

But the raid that targeted the businesses also swept up the private property of hundreds of people suspected of no crime. In the same way that criminality by a landlord would not allow the police to search every apartment in a building the landlord owns, attorneys for the victims of the raid argue that there was no reason for the FBI to open and rifle through hundreds of safe deposit boxes belonging to people who were suspected of no crimes.

"The 'inventory' was a sham," argue Frommer and Johnson in court documents. "Indeed, the whole idea of inventorying the vault was unreasonable on its face, as the best way to serve the purposes of an inventory would have been to leave the property safely locked away and appoint a receiver to wind down USPV's business without an invasion of privacy."

Unless, of course, that invasion of privacy was the whole point of the raid. The newly unredacted documents seem to suggest it was.

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Faulty Drug Testing May Have Falsely Convicted Thousands in Michigan

(The Crime Report) - Director of the Michigan State Police Forensic Science Division Jeffrey Nye informed state prosecutors in a letter Wednesday that the department's drug tests could not prove beyond a reasonable doubt that drivers were under the influence of cannabis, The Detroit Metro Times reports. The letter was released less than a week after Michigan State Police stopped conducting marijuana blood testing due to false positive results for THC, the psychoactive component of cannabis. The toxicology tests were unable to differentiate between THC and CBD, a chemical component that is not psychoactive and does not cause intoxication.

According to the Detroit Metro Times, Michigan State Police relied on faulty testing to produce criminal charges in about 3,250 cases since March 2019, in which a driver was allegedly under the influence of marijuana and no other drugs or alcohol. Up to 3,250 individuals may have been wrongly charged and found guilty as a result of flawed testing. Following the revelations, defense attorneys are anticipated to start contesting their clients' convictions and state police have stated that they will alert prosecutors about individuals who may have been wrongly convicted.

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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

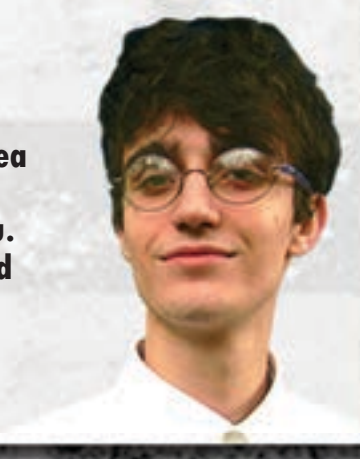
Shawn Yoakum
Employment Discrimination

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

Status: Compensated

Bryan Tucker
Sex Abuse

"I would have taken the plea deal for crimes I didn't commit if it wasn't for you. Thank you. I was acquitted because of you."



Status: Acquitted

Dean Muchow
Government Abuse

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

Status: Cleared

Jessica Morton
Sex Abuse

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

Status: Dismissed

Jose Velasco-Vero
Felony Firearms Crimes

"My case was the first of its kind. You absolutely defeated these unwarranted charges!"

Status: Dismissed

Ella Lee
Assault & Resisting Arrest

"…no amount of reading can convey the heart, the sincerity and dedication of care you receive from these guys. Through their hard work, I got my dismissal papers today… So sweet it is."

Status: Dismissed

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