Promoting Excellence in Investigative Journalism

US OBSERVER
Vindicating the Innocent

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SYSTEM DYSFUNCTION:

Abused Boy Proves Honesty with Passed Polygraph, Still Taken

Child's Welfare Ignored – Judge Bailey Orders Boy Seized from Caregivers, Given to Alleged Abusers.

By Ron Lee
Investigative Journalist

Judge D. Charles Bailey

Washington County, OR – *"I'm not leaving because you hurt me when I was a little kid, and I'm not going to let that happen again. I have proof."* Abuse survivor, six-foot-tall, almost 15-year-old Keegan McCleary can't stay silent anymore – he feels abandoned by all the state agencies and processes that are supposed to help him. For 8 years he's been pushed through the Washington County, Oregon, Family Court in a custody case that started

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INJUSTICE UNVEILED:

Michael Quiel's Relentless Battle for Truth in the Face of Government Conspiracy

Michael Quiel has invested years and much more money than what they say he owes to prove he is innocent and owes nothing. If he was guilty, why would he waste his money?

By US~Observer Staff

Michael Quiel's fight for justice has cost him more than money

Phoenix, AZ – Amidst the intricate legal saga surrounding Michael Quiel, shocking revelations emerge of government lawyers conspiring with Quiel's own attorney, Christopher Rusch (AKA Christian Reeves), to secure a false conviction. The 2013 criminal trial, which saw Quiel facing a litany of charges, now stands as a testament to potential collusion that tarnishes the integrity of the legal process.

The false charges brought against Quiel in 2013 included conspiracy, filing false tax returns for 2007 and 2008, and failure to file FBARs (Foreign Account Reporting Forms) for the same years. Rusch, the only conspirator, pleaded guilty to conspiracy, while Quiel was acquitted of the conspiracy charge, and failure to file FBARs, casting doubt on the coherence of the prosecution's case.

Examining the charges raises perplexing questions. Rusch, as Quiel's advisor, recommended against filing FBARs, a fact acknowledged by the jury in their acquittal on the conspiracy and FBAR charges. The crux of the matter lies in the contradiction: if Quiel, guided by his

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Rethinking Prosecutorial Immunity: Ensuring Accountability in Pursuit of Justice

By Kelly Stone
Investigative Reporter

Justice should be blind.

In the intricate dance of the legal system, prosecutors play a pivotal role, entrusted with the solemn duty of upholding justice. However, the acknowledgment that prosecutors, like any human beings, are susceptible to corruption and flaws prompts a critical examination of prosecutorial immunity. This legal doctrine, intended to shield prosecutors from personal liability, faces scrutiny due to instances where intentional actions, such as the withholding of exculpatory evidence and the under-charging of guilty parties, have led to wrongful convictions and harm to crime victims.

Prosecutorial immunity, designed to protect prosecutors from civil lawsuits for actions taken within the scope of their duties, has long been a cornerstone of the legal system. Yet, the potential for abuse, particularly in cases where prosecutors intentionally under-charge guilty parties to secure quick convictions, raises questions about the continued appropriateness of this doctrine.

This intentional under-charging of a guilty party is a practice that ultimately harms crime victims and distorts what society sees as justice. This practice should not be shielded by prosecutorial immunity. Crimes involving victims deserve the full weight of justice, and

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Nevada Churchill County DA Downplays Violent Crime Against Elder?

By Edward Snook
Investigative Reporter

DA Arthur E. Mallory

Fallon, NV - Gone are the days when victims of crimes felt justice was served at the hands of those who profess to practice it. In fact, it has become commonplace for prosecutors to offer alleged perpetrators a deal to get an easy conviction, even when the crime is statutorily heinous. At times this can leave the victim feeling violated all over again. That's how William "Snick" Lee professes to feel regarding an incident where he alleges to have been sucker-punched while he was out for a walk in his slippers on an easement near his home.

Lee an 82-year-old, now "half-way crippled," native Nevadan was born and raised in Fallon. In fact, Snick lives in the family home where he was raised and taught to farm by his parents Bill and Jo Lee. There is no doubting that Lee gets loud, and that to some he can come across abrasive, but according to a background report, he has never been charged with a crime and he isn't known to be a liar.

According to Lee, on the morning of April 15th, 2023 while on a walk, he watched as his 57 year-old neighbor, Jay Moon, came toward him off Moon's property. In Snick's own words, *"He [Moon] jumped the fence at*

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INVESTIGATION UNDERWAY:

Lakeview, Oregon Corruption
BUSINESS OREGON WAS WARNED!

By US~Observer Staff

Lakeview, OR - Concerned citizen Dalton Johnson of Fort Rock, Oregon repeatedly warned Business Oregon not to grant money to the Town of Lakeview / L.E.T 911 Call Center and now Johnson claims that $200,000 of taxpayer money has been stolen after they failed to listen to him and others.

If Mr. Johnson's allegations prove to be correct, he has uncovered a large criminal operation. Look for our full report in the next edition of the US~Observer.

Editor's Note: Have information regarding Business Oregon or Lakeview's "stolen" funds? Contact us today at 541-474-7885 or by emailing editor@usobserver.com. ★★★

WRONGLY CONVICTED:

Florida Justice System Literally Torturing Innocent Man

By Edward Snook
Investigative Reporter

Zane Crowder

Zane Crowder, now 35 years old, has been wrongly incarcerated in a Florida prison, by Judge Jan Shackleford of Pensacola, Florida since he was 23 years old. While Zane's tragic story is long and involved, the following facts are indisputable:

Zane was convicted based solely on allegations by Shyane Ellis, aka Shyane Rene, an eight-year-old at that time, that Zane touched her privates.

There was no physical evidence in support of the accusation, even though the girl was thoroughly examined by a medical professional. The examining professional confirmed there was "no physical evidence of any damage to the vaginal area." There was "no vaginal discharge

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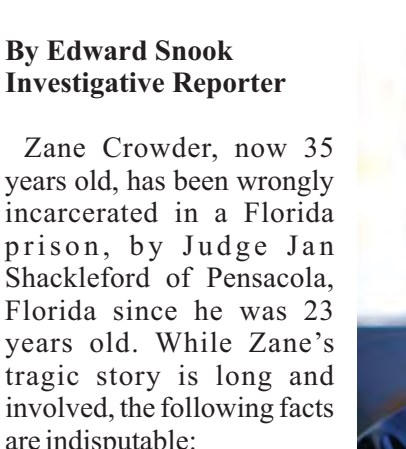

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Preventing Wrongful Convictions More Needed Than Exonerating the Wrongly Convicted

By Raymond Lexington

In a justice system fraught with complexities, the existence of organizations dedicated to preventing wrongful convictions before they occur is paramount. The US~Observer, a publication championing truth and justice, aligns its mission with the preemptive justice initiatives of organizations like the Innocence Project. Together, they emphasize the need for proactive measures to address systemic flaws in the criminal justice system, showcasing the profound impact they can have on individuals, communities, and the very fabric of our legal system.

GUARDING AGAINST INJUSTICE: THE US~OBSERVER'S WATCHFUL EYE

The US~Observer, through its commitment to truth and vindication, plays a crucial role in guarding against injustice by scrutinizing legal proceedings and investigative processes. By bringing attention to potential irregularities in cases before convictions occur, the US~Observer acts as a preemptive force against wrongful incarcerations.

IDENTIFYING AND ADDRESSING SYSTEMIC ISSUES: A COLLABORATIVE EFFORT

Preemptive justice initiatives, exemplified by both the US~Observer and the Innocence Project, contribute to identifying and addressing systemic issues that lead to wrongful convictions. They shed light on factors such as eyewitness misidentification, unreliable forensic evidence, false confessions, and inadequate legal representation. By actively working to reform these aspects, these organizations collectively strive for a more equitable and reliable legal system.

PRESERVING INNOCENCE AND INTEGRITY: A DUAL COMMITMENT

The core principle driving preemptive justice efforts is the preservation of innocence. The US~Observer and the Innocence Project, each in their own way, actively work towards maintaining the integrity of the justice system. By proactively intervening in cases where individuals might be wrongly accused, they collectively aim to ensure a fair and just legal process.

COMMUNITY IMPACT AND TRUST IN THE SYSTEM: A SHARED GOAL

The ripple effects of a wrongful conviction extend far beyond the individual directly affected. Families, communities, and society at large bear the burden of a flawed legal process. By preventing wrongful convictions, organizations like the US~Observer and the Innocence Project contribute to the restoration of trust in the criminal justice system. This trust is essential for maintaining a healthy and cooperative relationship between law enforcement, the legal system, and the communities they serve.

ADVOCACY FOR REFORM: A UNIFYING VISION

Preemptive justice organizations, like the US~Observer and the Innocence Project, play a dual role as advocates for systemic reform. They leverage their expertise and insights to push for legislative and procedural changes aimed at preventing wrongful convictions. Through research, education, and collaboration with policymakers, these organizations work towards creating a legal framework that minimizes the risk of unjust incarcerations.

The efforts of organizations like the US~Observer and the Innocence Project, focused on preemptive justice, are crucial for fortifying the foundations of our legal system. By actively working to prevent false convictions, and overturn wrongful convictions, these organizations champion the principles of fairness, integrity, and justice, fostering a society where innocence is preserved, and the rights of individuals are protected from the very inception of legal proceedings. ★★★

THE EXONERATED

Marvin Haynes Exonerated After Wrongful Conviction

Marvin Haynes - *Photo by Azhae'la Hanson / North News*

By US~Observer Staff

Minneapolis, MN — Marvin Haynes, who spent almost two decades behind bars for a crime he did not commit, has finally been exonerated and released. Haynes, convicted of first-degree murder as a teenager in 2005, was freed after the recent overturning of his life sentence.

During a news conference streamed by KSTP on Dec. 11, Haynes expressed his journey of perseverance: "A lot of people neglected me when I was trying to tell my story and put it out there; people didn't want to listen to it. But I was relentless."

In 2005, at the age of 16, Haynes received a life sentence for the 2004 shooting death of 55-year-old Randy Sherer during an armed robbery at a flower shop, as reported by the Star Tribune.

Minneapolis police arrested Haynes based on a tip and claimed to have fingerprints, DNA, and surveillance footage linking him to the crime. However, Haynes consistently maintained his innocence, asserting in a November courtroom appearance, "I wasn't there. I'm innocent, 100 percent."

Contrary to what detectives told Haynes, Hennepin County Attorney Mary Moriarty clarified, "Mr. Haynes' conviction rested almost exclusively on eyewitness identification. There was no forensic evidence, such as fingerprints or DNA. There was no video connecting him to the crime. The murder weapon was never recovered."

Haynes, sentenced at 17, had his case championed by his family, with his four sisters testifying that he was at home asleep when the shooting occurred.

"I wasn't there," Haynes reiterated during the courtroom appearance, surrounded by supporters. "I'm innocent, 100 percent."

Haynes' release was made possible by the efforts of the Great North Innocence Project, which worked to prove his innocence. On Dec. 11, Judge William Koch signed an order for Haynes to be "promptly released" from Stillwater prison.

Addressing Haynes directly, Moriarty expressed deep regret: "To Marvin Haynes: You lost the opportunity to graduate from high school, attend prom, have relationships, attend weddings and funerals, and be with your family during holidays. For that, I am so deeply sorry. And for that, I commit to correcting other injustices and to making sure that we do not participate in making our own."

Haynes, now 35, emotionally thanked his sister and the Innocence Project during the news conference, emphasizing the sacrifices made by his family in fighting for his innocence. His first post-release priority is to reunite with his mother, whom he has not seen in three years.

As Marvin Haynes steps into newfound freedom, his case serves as a poignant reminder of the enduring pursuit of justice and the impact of wrongful convictions on the lives of the innocent. ★★★

Triumph Over Injustice: Thomas Clardy Exonerated After Nearly Two Decades Behind Bars

By US~Observer Staff

Thomas Clardy

In a significant victory for justice, Thomas Clardy, convicted of a 2005 murder in Madison, has been exonerated after spending nearly two decades behind bars. The Tennessee Innocence Project (TIP) played a pivotal role in the exoneration, celebrating a June 2023 ruling that overturned Clardy's 2007 murder conviction and life sentence. The sole evidence supporting his conviction, a cross-racial eyewitness identification made nearly a month after the crime, was deemed unreliable. TIP, working diligently for nine years, will continue representing Clardy in ongoing proceedings, advocating for his full exoneration.

Clardy's conviction rested solely on a single cross-racial eyewitness identification, lacking any physical evidence tying him to the crime scene or additional witnesses placing him there. Pre-trial evidence, only tested later, implicated different unrelated suspects at the crime scene, underscoring the flawed nature of Clardy's conviction.

Maintaining his innocence throughout the two-decade ordeal, Clardy's relentless fight for justice bore fruit in June 2023 when a federal district judge in Nashville, Judge Aleta Trauger, overturned his conviction. The ruling highlighted the denial of effective assistance of counsel at Clardy's original trial, a violation of his constitutional rights. Judge Trauger further noted the deficient performance of Clardy's original lawyer, who failed to present expert testimony on the limitations of eyewitness identifications.

Expressing the gravity of the situation, Tennessee Innocence Project Executive Director and Lead Counsel Jessica Van Dyke stated, "Mr. Clardy has lost years of his life serving a prison sentence for a crime he did not commit. We believe in Mr. Clardy's innocence, and we will continue to fight for his innocence and freedom."

The legal battle continues, with the Tennessee Attorney General's Office appealing the decision to the U.S. Court of Appeals for the Sixth Circuit. Despite this, Clardy's legal team filed a motion for his immediate release, a request granted by Judge Trauger. Clardy, finally freed from the shackles of wrongful incarceration, walked out of prison to reunite with friends and family after 17 long years. ★★★

THE EXONERATED CONTINUED...

Exoneration Celebration: Harlem Native Jabar Walker Freed After 25 Years

Jabar Walker - *Image: Elijah Craig II/Innocence Project*

By US~Observer Staff

In a momentous turn of events, Jabar Walker, a Harlem native, has been exonerated after spending 25 years behind bars for a double murder conviction. The culmination of a tireless effort by the Innocence Project and the Manhattan District Attorney's Office, the exoneration follows a thorough joint reinvestigation.

The breakthrough came as key witnesses, John Mobley and Carlos Jimnenez, recanted their testimonies, introducing substantial doubt about Walker's guilt. Vanessa Vigo, the sole eyewitness, faced credibility challenges that further questioned the integrity of the initial conviction.

Vanessa Potkin, director of special litigation at the Innocence Project, emphasized the struggle for truth within the legal system. "There's a big problem among police, prosecutors, and the system where nobody cares about the truth. And once you're convicted, people just fight to uphold the conviction," Potkin commented.

The collaborative effort involved interviews with over 30 witnesses, reaffirming Walker's consistent claims of innocence. While celebrating the victory, advocates shed light on the limited capacity of legal nonprofits, with 12 similar cases awaiting attention. They underscored the critical need for increased funding to support more wrongfully convicted individuals seeking justice.

Jay Holder, director of the National Executive Council at the Columbia Center for Justice, highlighted the importance of equitable budgets. "We believe that from the society and communities that are impacted by these cases, their budget should look like the police budget. If they had the budget, we'd see a lot more people free," Holder stated.

Surrounded by jubilant family members, Walker expressed his gratitude for the long-awaited freedom. His mother, Patrice Walker, shared in the emotional release, stating, "A lot of tears, a lot of happy tears."

US~Observer Editor's Note: We believe it is critical to keep innocent people from ever being convicted in the first place. Our services have helped many stay out of prison. If you face false charges, contact us immediately - 541-474-7885. ★★★

Injustice Rectified: Miguel Solorio Exonerated After 25 Years of Wrongful Imprisonment

By US~Obsevrer Staff

After enduring 25 years behind bars for a murder he did not commit, 44-year-old Miguel Solorio was finally released from Mule Creek State Prison on November 13. In the parking lot, his legal team from Santa Clara University School of Law's Northern California Innocence Project (NCIP) awaited him, having fought for this day for over a year.

"This nightmare started when I was 19 years old. I'm now 44. This was going to be my 25th Christmas in prison. Being home this year will be the best present ever," said Solorio, expressing his gratitude for the end of a harrowing ordeal.

Solorio's wrongful arrest in 1998 for a fatal drive-by shooting in Whittier, Calif., led to a life sentence without parole. Despite compelling evidence of his innocence, law enforcement honed in on Solorio based on an uttered nickname during the crime.

"This case is a tragic example of what happens when law enforcement officials develop tunnel vision in their pursuit of a suspect," remarked NCIP Staff Attorney Sarah Pace. "Law enforcement officers put their own judgment about guilt or innocence above the facts."

The case against Solorio heavily relied on flawed eyewitness practices, specifically the use of photo arrays. UC San Diego eyewitness and memory expert Dr. John Wixted's research revealed the problematic nature of repeated showings of a suspect's image, causing irreparable contamination of witnesses' memories.

"The law needs to be changed to reflect the new consensus: a witness's memory should be tested only once," emphasized Pace. "Lives are at stake."

In October 2023, the district attorney acknowledged the new scientific consensus, stating, "New documentable scientific consensus emerged in 2020 that a witness's memory for a suspect should be tested only once, as even the test itself contaminates the witness's memory."

Miguel Solorio

The reliance on false testimony further marred Solorio's case. A police investigator falsely testified at trial, claiming that Solorio's alibi witness, Silvia, had not provided critical information about the crime. Silvia's credibility was undermined, and the defense attorney and prosecutor failed to correct this misinformation during the trial.

Santa Clara Law student Caitlin Edwards and alumna Selamawit Solomon J.D. '23, working on the case for the entire 2022-2023 academic year, played pivotal roles in summarizing trial transcripts, attending strategy meetings, and drafting Miguel's habeas corpus petition.

Reflecting on the profound experience, Edwards noted, "It was a literal lifetime that he was locked up. To be able to be a part of this, and to turn the wheels of justice no matter how slowly… was the best experience of my life and in law school."

Solorio's case is the third instance where L.A.-based clients represented by NCIP have been exonerated based on flawed eyewitness practices. All three cases involved Latinx men, convicted at a young age and sentenced to life in prison. The exoneration of Solorio underscores the urgent need for legal reforms to align with scientific consensus and prevent the irreversible contamination of crucial evidence. ★★★

Philadelphia Man Eddie Ramirez Exonerated After Decades of Wrongful Imprisonment for Murder

By US~Observer Staff

In a remarkable turn of events, 47-year-old Eddie Ramirez, who spent nearly thirty years behind bars for a murder he did not commit, is on the brink of freedom. On November 30th, the Court of Common Pleas granted the motion by the Philadelphia District Attorney's Office to dismiss all charges against Ramirez, just one month after his conviction for a 1995 robbery-murder was vacated.

The Philadelphia District Attorney's Office, led by Larry Krasner, had asserted a month prior that the court *"agreed that Eddie Ramirez's conviction for a brutal 1995 robbery-murder in a Northeast Philadelphia laundromat should be vacated."*

Ramirez and co-defendant William Weihe were convicted in 1998 for the brutal killing of Joyce Dennis, who was found beaten to death after a late-night robbery at a laundromat. Despite a lack of physical evidence tying Ramirez to the crime, he was sentenced to life imprisonment based on statements from friends, including Weihe, who later pleaded guilty to third-degree murder in exchange for a five-year sentence.

The District Attorney's office revealed that *"nearly all statements implicating Ramirez from fellow teenagers in his friend group – several of which were obtained after questioning by a police detective without a partner, guardian, or attorney present – have since been recanted."* Moreover, some witnesses claimed they were threatened and coerced by the police into implicating Ramirez in the murder.

Detective Paul Worrell, involved in obtaining the confessions, was noted to *"have a pattern and practice of eliciting false confessions dating back to at least 1992,"* with several of his other convictions also being vacated.

A spokesperson for Krasner highlighted the withholding of substantial evidence that supported Ramirez's trial defense for over 25 years. The spokesperson expressed, *"It was not until District Attorney Larry Krasner took Ramirez as part of his Post Conviction Relief Act litigation."*

Eddie Ramirez

Krasner's office initiated a Post Conviction Relief Act review and officially informed the court in August that Ramirez's constitutional rights were likely violated, emphasizing the need for him to "get relief."

"The relief granted today is an acknowledgment that Mr. Ramirez's rights were violated, that he did not receive a fair trial, and that had certain information not been suppressed by police and prosecutors at the time, that the jury might well have reached a different conclusion," Krasner said in a news release.

Following the review, the District Attorney's office decided not to pursue the vacated charges. A spokesperson for the office issued an apology, stating, *"As a representative of the institution, I believe the Philadelphia DA's Office should be accountable for its errors and misconduct, including that of long-gone prosecutors and prior elected DAs. On behalf of the DAO, I apologize to the Court, to the victim's family, and to Mr. Ramirez and his family for the effect that past violations of his rights had on this case and on everyone involved."*

★★★

In The News

WHAT THE?!

Biden Administration Ties School Lunch Funding to Progressive Gender and Sexuality Policies

By US~Obsevrer Staff

President Joe Biden

In a groundbreaking move, the Biden administration has mandated schools to align with progressive ideologies on gender and sexuality, linking compliance with federal aid for free and reduced-price school lunches. Legal experts anticipate this as the precursor to a series of rules intertwining federal education funding with far-left policies in these areas.

The controversy surrounding school lunch funding emerged in May 2022 when the U.S. Department of Agriculture (USDA) announced a shift in its interpretation of Title IX, expanding protections against discrimination to include sexual orientation and gender identity. The Food and Nutrition Service (FNS) of the USDA, responsible for school lunch funding, became a focal point of this transformation.

As a consequence, educational institutions receiving federal aid, such as Pell grants, FAFSA, or federally subsidized school lunch funding, must conform to the revised Title IX interpretation or risk losing financial support. This unprecedented redefinition of the statute carries significant legal and financial implications, compelling schools to navigate the complex and politically charged issues of gender and sexuality.

Sarah Perry, a legal expert at the Heritage Foundation, emphasized the magnitude of this departure from traditional Title IX interpretations, dating back to 1972. The broadened definition equating sex with sexual orientation and gender identity introduces complexities for schools, potentially impacting facilities usage and pronoun usage.

Efforts by Senate Republicans to overturn the USDA reinterpretation through the Congressional Review Act failed, sparking criticism. U.S. Sen. Roger Marshall denounced the Biden Administration's approach, asserting that it jeopardizes school lunch funding for low-income children, characterizing it as an attempt to weaponize funds for a radical agenda.

Legal challenges ensued, with nearly two dozen states jointly contesting the USDA reinterpretation. Drawing on Tennessee's success in challenging a similar federal effort, the states aim to resist the sweeping changes. The legal battleground may intensify as more schools challenge the new interpretation, potentially reaching the U.S. Supreme Court due to the nationwide implications of Title IX.

The Department of Education is anticipated to release additional rules aligning with the USDA's approach, likely in spring 2024. The delay in finalizing these rules stems from substantial pushback and concerns raised by critics.

Beyond education, the redefinition of sex to include sexuality and gender identity is expected to reverberate across various federal agencies, marking a transformative shift in government policies. ★★★

Portland Public Schools to Determine Disciplinary Measures on the Basis of Race and Gender

By Evan Poellinger

(MRCTV) - Portland, Oregon Public Schools faculty will be adjudicating discipline by weighing students' racial and gender identities under a new collective bargaining agreement. The agreement states that its purpose is "to minimize the use of exclusionary discipline and to maximize instructional time, while repairing harm done within the school community."

The agreement further delineates that the disciplinary plan "utilizes research based in racial equity and social justice, restorative justice, and trauma informed."

The disciplinary plan reveals in detail what it means to be "informed" by racial equity and social justice. In the case of "continuous disruptive student behavior," the plan authorizes the school to create a "support plan" for the student. This plan "must take into consideration the impact of issues related to the student's trauma, race, gender identity/presentation, sexual orientation, disability, social emotional learning, and restorative justice as appropriate for the student."

Furthermore, the document also requires that all staff submit to "implicit bias, antiracism, and culturally responsive practices training."

Both students and parents have expressed strong reservations about the policy, which was negotiated on November 26. "How do they know what to intervene with?" Lincoln High School senior Casey Marotta asked in an interview with Portland's KGW8 News. Rebecca Heinrichs, a parent, argued that the policy "takes away the dignity of the child and the choice in autonomy," referring to the new policy as being full of "implied racism" and "completely backwards."

It appears that, in the interest of racial and social equity, Portland Public Schools is ironically choosing to treat students differently on the basis of their skin color and sex. ★★★

Former Baltimore City Prosecutor Marilyn Mosby Convicted on Federal Perjury Charges

By Kelly Stone

Marilyn Mosby - *Image: Edward Kimmel/Flickr*

A federal jury has convicted Marilyn Mosby, the former Baltimore City State's Attorney, on two counts of perjury. The charges stem from her falsification of an application to withdraw retirement funds early during the Covid-19 pandemic, allegedly to purchase two vacation homes in Florida. Mosby now faces a potential maximum penalty of five years in prison for each count.

The conviction follows allegations made in January 2022, asserting that Mosby lied about her finances to acquire an eight-bedroom house near Disney World and a Gulf Coast condominium. Reportedly, she used $90,000 withdrawn from the city retirement plan and provided false information on mortgage documents.

In both mortgage applications, Mosby misrepresented her tax obligations to the IRS, claiming she did not owe back taxes when, in reality, she and her husband were facing a $45,000 lien. Records indicate she purchased a Kissimmee house for $545,000 and a Longboat Key condo for $476,000. The indictment alleges that she falsely claimed the house would be her residence to secure a better interest rate, despite having plans to turn it into a short-term rental. Additionally, she is accused of lying about a $5,000 "gift" payment from her husband, Nick Mosby, whom she filed for divorce from in July.

Once the youngest top prosecutor in any major American city and a prominent "progressive prosecutor" for eight years, Mosby, along with her now-estranged city council president husband, constituted a significant city power couple. The conviction, following a three-day trial, likely marks the end of Mosby's legal career.

The trial, marked by delays and procedural complexities, pitted Mosby's court-appointed defense lawyers against the U.S. Attorney's Office, known for previously securing the imprisonment of the city's mayor for fraud.

Mosby's defense argued that the pandemic disrupted her plans to operate a side business, citing eligibility under the Coronavirus Aid, Relief, and Economic Security Act. They contended that the guidelines for withdrawing the funds were vague.

Prosecutors countered, asserting that Mosby prioritized greed over truth, especially given her salary increase to $248,000 in her day job. The defense also presented evidence suggesting that Mosby's original intention to operate the business was influenced by political considerations, leading to false statements about her plans.

Despite her notable achievements, including the criminal prosecution of six city police officers involved in the Freddie Gray case, Mosby's legal troubles have unfolded. The evidence presented against her was described as overwhelming, and observers, such as former States Attorney David Plymyer, commend the preparation and trial execution by the U.S. Attorney for the District of Maryland, Erek Barron, and his team.

Elected as state's attorney in 2014, Mosby's career saw both successes and controversies, culminating in her defeat in the 2022 spring primary. Separate mortgage fraud charges are also pending against Mosby, with trial dates yet to be scheduled. ★★★

Nevada Prosecutor Arrested Trying to Lure Child for Sex

By US~Observer Staff

Tanner Castro

A deputy district attorney from Clark County, NV, Tanner Castro, was arrested on October 13, 2023, in Henderson, NV, facing charges related to the attempted luring of a child for sex, according to online court records.

Castro, a licensed Nevada attorney since October 2022, has been charged with attempting to lure a child or mentally ill person through computer technology for sexual conduct and attempted statutory sexual seduction by a person over 21, as stated on the Henderson Justice Court website.

The arrest report reveals that Castro used Kik and Snapchat to engage in "sexual in nature" conversations with an undercover law enforcement officer whom he believed was a juvenile girl. Subsequently, he agreed to meet for a sexual encounter and was apprehended upon arriving at Whitney Mesa Park in Henderson.

District Attorney Steve Wolfson confirmed on Monday that Castro has been terminated from his position. His attorney, Craig Hendricks, declined to comment on the charges.

Castro, a May 2022 graduate of Boyd Law School, had been working as a prosecutor since last month, following his tenure as a clerk in the district attorney's office from March to September. His legal experience also includes roles as a law clerk and judicial clerk in Clark County District Court and as a judicial extern for U.S. District Court in Nevada from May 2020 to August 2020.

His LinkedIn page details his responsibilities with the federal court system, stating, "My duties included drafting orders for recommendation and review on a variety of matters, including social security and criminal matters."

As a legal intern with the district attorney's office in 2018, Castro contributed to basic office duties such as filing and transcribing jail call recordings, along with assisting in trial work and witness preparation, according to LinkedIn.

As of October 14th, Henderson jail records did not show Castro in custody. ★★★

Cruz's 'Free Speech Act' Challenges Pronoun Mandates

By US~Observer Staff

Senator Ted Cruz (R-Texas) introduced the *"Safeguarding Free Speech Act"* recently, aiming to grant federal employees and contractors the right to sue for damages, collecting amounts of up to $100,000 if a federal agency or department compels them to use biologically-inaccurate personal pronouns.

In a press release, Cruz highlighted that the legislation would prevent federal agencies from mandating employees or contractors to use personal pronouns conflicting with an individual's biological sex. The senator attributed the need for this bill to what he perceives as a new government policy infringing on employees' constitutional rights to free speech and freedom of religion.

Cruz pointed to the Department of Health and Human Services' (HHS) "Gender Identity Non-Discrimination and Inclusion Policy for Employees and Applicants," issued on October 11th, 2023, as the catalyst for the proposed legislation. According to Cruz, this policy compelled speech by requiring HHS employees and contractors to use colleagues' "preferred pronouns," even if those pronouns don't align with biological reality.

He argued that this speech mandate violates the First Amendment, compelling government employees and contractors to affirm the idea that "gender identity" can be separated from biological sex, violating both the Free Speech and Free Exercise Clauses.

The bill explicitly prohibits federal agencies or departments from requiring employees or contractors to use another person's preferred pronouns if incompatible with their sex or a name other than a person's legal name.

Under the proposed legislation, a court may award various forms of relief, including temporary, preliminary, or permanent injunctive relief; compensatory damages; and punitive or exemplary damages, capped at $100,000. The court may also grant reasonable attorney fees in any action under this subsection.

US~Observer Editor's Note: This legislation needs to be codified protecting every citizen from compelled speech, not just those who work in or for the US Government. ★★★

Uncovering the Hidden Toll: U.S. Prison Deaths Soared by 77% in 2020, Reveals Comprehensive Analysis

By Ron Lee

A recent analysis of U.S. prison mortality in 2020 has exposed a staggering 77% increase in death rates from the previous year, shedding light on the profound impact of the Covid-19 pandemic and revealing inconsistencies in reporting incarcerated deaths. The study, published in Science Advances, is the most comprehensive examination to date, encompassing data from 49 state and federal Departments of Corrections. The research, led by Naomi Sugie, an associate professor at the University of California Irvine, underscores the need for improved policies, transparency, and data on prison fatalities.

The study originated from the PrisonPandemic project, initiated in 2020 amid California prison lockdowns due to the pandemic. Sugie and her team, motivated by the lack of communication and transparency during the lockdowns, embarked on an archival project. The findings not only highlight the overall mortality surge but also reveal disparities in how states reported inmate deaths.

While the Bureau of Justice Statistics reported approximately 2,500 U.S. prisoners dying of Covid-19-related causes, the study points out that this figure doesn't capture the full impact. Increases in natural deaths and other causes, such as suicide, accident, homicide, trauma, or overdose, contributed to the overall spike. Surprisingly, unknown causes saw significant increases in 2020, indicating systemic failures in healthcare provision and increased health risks within prison populations.

The researchers emphasize the systemic failures that heightened illness risks and limited medical care access, attributing these failures to staff shortages and insufficient medical resources. The impact of pandemic-related measures, including lockdowns and solitary confinement, exacerbated mental health conditions among prisoners. The study calls attention to the need for better policies to prevent future pandemics and emphasizes the lack of transparency regarding deaths in prison facilities.

Moreover, the researchers argue that understanding the mortality toll of the Covid-19 pandemic necessitates accounting for incarcerated individuals, given their heightened health risks, economic disadvantages, and higher likelihood of being people of color. Despite the Death in Custody Act Reporting Act, there has been no publicly available information on mortality in U.S. prisons since 2019, highlighting the urgency for improved data transparency and comprehensive policies.

★★★

AI's Rapid Advancement Raises Concern

By US~Observer Staff

Eric Schmidt

Former Google CEO Eric Schmidt warned that current guardrails implemented by AI companies are insufficient to control the potential harm that AI capabilities might pose to humanity in the next five to ten years. Speaking at Axios' AI+ Summit in Washington, D.C., Schmidt drew parallels between the development of AI and the introduction of nuclear weapons at the end of World War II.

Schmidt expressed concern about the rapid evolution of AI, emphasizing the urgency to address the dangers that arise when computers gain the ability to make independent decisions, especially in accessing weapons. He noted the potential risk of AI systems not providing accurate information, making it challenging to discern the truth. While two years ago, this critical point was estimated to be 20 years away, Schmidt indicated that some experts now believe it could be only two to four years.

To tackle this issue, Schmidt proposed the creation of a global organization similar to the Intergovernmental Panel on Climate Change (IPCC). This entity would serve to provide accurate information to policymakers, enabling them to understand the urgency of the situation and take appropriate actions.

Despite these concerns, Schmidt remains optimistic about the potential positive impact of AI on humanity. He highlighted these prospective benefits, such as AI-powered doctors and tutors, which he believes will contribute positively to the world. However, he stressed the need for proactive measures to ensure that AI development aligns with ethical and safety considerations. ★★★

IRS team reports rise in crypto tax investigations

By Turner Wright

(Cointelegraph) - According to the fiscal year 2023 report, the IRS unit investigated failures to disclose crypto holdings and report on capital gains for transactions.

The Criminal Investigation (CI) Unit of the United States Internal Revenue Service (IRS) reported an increase in the number of investigations around digital asset reporting.

In its annual report released on Dec. 4, the IRS investigative arm said it had initiated more than 2,676 cases in which it had identified more than $37 billion related to tax and financial crimes in the 2023 fiscal year. According to the team, it had observed an increased use of digital assets, resulting in a rise in related tax investigations.

"These investigations consist of unreported income resulting from failure to report capital gains from the sale of cryptocurrency, income earned from mining cryptocurrency, or income received

in the form of cryptocurrency, such as wages, rental income, and gambling winnings," said the Criminal Investigation Unit. "CI is also seeing evasion of payment violations, where the taxpayer fails to disclose ownership of cryptocurrency in an attempt to shield holdings."

Starting in 2019, the IRS began requiring U.S. taxpayers to specifically report on digital asset transactions — a question it has continued to add to tax forms in every subsequent year. In the report, CI Chief Jim Lee said that "most people using cryptocurrency do so for legitimate purposes," but digital assets pose a risk for financing terrorism, ransomware attacks and other illicit activities.

Since it began increasing efforts to investigate crimes involving cryptocurrency in 2015, the IRS has seized more than $10 billion in digital assets. The government body has also proposed new regulations on brokers' reporting requirements to reduce instances of tax evasion.

★★★

Alabama Journalists Arrested and Gagged from Reporting on Grand Jury Investigations

By Edward Snook

Local newspaper publisher Sherry Digmon and reporter Don Fletcher faced arrest on October 27 in Atmore, Alabama, accused of disclosing information about a grand jury investigation related to the Escambia County School Board. The arrests come amid a tumultuous period for the county's school board, where Digmon serves as a member. Digmon is alleged to have approved an article containing grand jury information, while Fletcher is accused of revealing details from the investigation in his reporting.

Sherry Digmon

Don Fletcher

Both journalists were released on bond and, as a condition of their release, were ordered by District Judge Eric Coale to refrain from communicating about ongoing criminal investigations, including schools, until they become public record.

"Both journalists have been released on bond," reported Atmore News staff, adding that they "were ordered by District Judge Eric Coale and signed statements agreeing as a condition of their release on bond that they were to have 'no communications about ongoing criminal investigations including schools and other(s) until they are public record.'"

Digmon also faces two felony counts of violating state ethics law, accused of using her school board position to solicit a thing of value by selling over $2,500 in advertisements to the board. Despite the charges, both journalists maintain their innocence.

"I do not know all the facts here, but based upon what I have seen so far, it is my opinion reporters who receive and publish unsolicited tips about the actual issuance and service of a grand jury subpoena do not violate Alabama grand jury secrecy laws unless they coerced someone to provide the information," said Dennis Bailey, general counsel for the Alabama Press Association.

The charges against the journalists have sparked controversy, with organizations like the Freedom of the Press Foundation (FPF) and the Committee to Protect Journalists condemning the arrests. FPF Director of Advocacy Seth Stern asserted that arresting journalists for reporting the news is unconstitutional and criticized the district attorney for failing to maintain grand jury secrecy.

"Authorities should drop the charges immediately. But that's not enough. The journalists should sue, and those responsible should be investigated and disciplined," said Stern.

In the article at the center of the controversy, Fletcher reported on an October 12 meeting of the Escambia County School Board, where County District Attorney Stephen Billy revealed an investigation into potential misuse of federal COVID-19 relief funds. The report included information about subpoenas issued in September to financial officers and a bookkeeper within the school system.

The arrests of Fletcher and Digmon have raised concerns about press freedom, with the Alabama Press Association's general counsel, Dennis Bailey, expressing skepticism about the charges. The Committee to Protect Journalists labeled the arrests an "outrage" and called for the immediate dismissal of all charges, emphasizing the vital role journalists play in local communities.

In response to the charges, Theodore J. Boutrous, an attorney with experience in similar media law cases, stated, "The arrests of Digmon and Fletcher in Escambia were extraordinary, outrageous, and flatly unconstitutional."

As the legal battle unfolds, the journalists plan to challenge the charges, and the broader implications of the case for press freedom have drawn comparisons to past incidents where journalists were arrested for reporting on sensitive matters. The Freedom of the Press Foundation urged authorities to drop the charges, emphasizing the need for journalists to be able to report news that authorities would prefer to keep secret.

★★★

FBI Director Warns of Elevated Terrorism Threat, Citing Recent Hamas Atrocity

By US~Observer Staff

FBI Director Christopher Wray has issued a stark warning to the Senate Judiciary Committee, stating that the United States is currently facing the highest risk of a terrorist attack in years. Wray, addressing the 'threat matrix,' pointed to numerous 'blinking red lights everywhere,' emphasizing the increased danger following the October 7 Hamas atrocity in Israel. The FBI is intensifying efforts to counter threats against Jewish and Muslim communities in the U.S., with concerns raised about the influx of fentanyl from Mexico and potential terrorist risks associated with migrant crossings at the southern border. Wray underscored the urgency of renewing Section 702 of the Foreign Intelligence Surveillance Act, crucial for staying ahead of foreign threats.

★★★

Government Seizes Control of Rancher's Land for Endangered Bug Habitat

JOHN YEARWOOD
"They turned my land into a permanent government wildlife preserve and made me pay for it," says John Yearwood. "… And they did it all by pretending it's in the Constitution."
(Photo by Texas Public Policy Foundation)

By Chris Bennett

(AGWEB.com) - Stellar service as a decorated combat veteran with the 101st Airborne in Vietnam meant nothing when the government wanted control of John Yearwood's farm.

In the name of a tiny arachnid less than a tenth of an inch long, federal officials declared three locations on Yearwood's Texas ranchland as critical habitat under the Endangered Species Act. *"They took away my property's value with the stroke of a pen for a creature that's not even endangered,"* he says.

Intent on regaining full rights to acreage owned by his family for over a century, Yearwood took his case up the legal chain, but eventually was denied a hearing by the U.S. Supreme Court. *"This was never about a bug,"* he says. *"This was always about government control."*

Bottom line, if Yearwood squashes a bug in Texas, is he interfering with federal power?

Absolutely, insist agency bureaucrats. *"Hell no,"* responds Yearwood. *"There is no shame in Washington."*

THE CRACK

Since 1871, John Yearwood's family has owned 865 acres of rocky land in central Texas' Williamson County. A small portion is tillable, but the vast majority of the slightly rolling, shallow ground is conducive to cattle, rather than row crops. In 1971, the Texas Department of Agriculture deemed Yearwood's operation as a "Family Land Heritage Property," a designation given to AG properties kept in the same family for at least 100 years.

(Photo by TPPF)

In the early 1990s, the Texas Department of Transportation expanded a road parallel to Yearwood's ranch and asked for permission to survey his land.

"They were coming on with eminent domain no matter what I said. I let them on and everything went off the rails. They had experts and PhDs with their clipboards for geological and biological studies, and they had people with government contracts looking for protected species. In other words, I had a bunch of people on my land motivated by far more incentives than highway construction."

Enter for a survey; stay for the Endangered Species Act.

The government studies, purportedly performed as a function of highway expansion, revealed three small cracks on Yearwood's property, i.e., cave fissures in the limestone ground. Within the caves, Yearwood was told, lived bone cave harvestman — pale orange, eyeless arachnids less than an inch in length, found exclusively in Texas.

Based on the Endangered Species Act, Yearwood's land was tagged as critical habit for the bone cave harvestman. In a flash, his private land was under government control. According to federal bureaucrats, a permit to develop any ground within 35' of the cave openings would cost Yearwood $400,000. Any activity within 345' of a cave's extension — the underground edge of the cave's furthest point — would cost $10,000 per acre.

Further, Yearwood faced a federal crime charge of one year in prison and a $50,000 fine for a "take" of the bone cave harvestman. A take, as defined by the feds, is "harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting" members of the bone cave harvestman species "or attempting to engage in any such conduct."

"They turned my land into a permanent government wildlife preserve and made me pay for it," he says. *"They grabbed 600' of road frontage and devalued my property forever. They took away my development rights and told me I'd get in big trouble for hurting the bug or its habitat. And they did it all by pretending it's in the Constitution."*

Government studies revealed three fissures on Yearwood's land, and within, bone cave harvestman—pale orange, eyeless arachnids less than an inch in length.
(Photo by TPPF)

THE BREACH

In 2014, Yearwood filed suit, represented pro bono by Texas Public Policy Foundation (TPPF).

Chance Weldon, senior attorney and director of litigation for Center for the American Future at TPPF, contends the federal government is overstepping constitutional bounds. *"The government has created a system beyond the Constitution where the cost of preserving species is on private individuals. There are real-life consequences for people's homes and land, such as loss of property value."*

In the lawsuit, Yearwood's claim was direct: The federal government had no power to regulate a species found exclusively in Texas.

When the ESA was passed in 1973, the sweeping authority behind the law derived from Congress' power to regulate commerce (Commerce Clause), granted in Article I, Section 8 of the Constitution: The Congress shall have Power … To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

JOHN YEARWOOD FAMILY
From left, Priscilla, John, and Jeb Yearwood. Since 1871, the Yearwood family has owned 865 acres of rocky land in central Texas' Williamson County.
(Photo by TPPF)

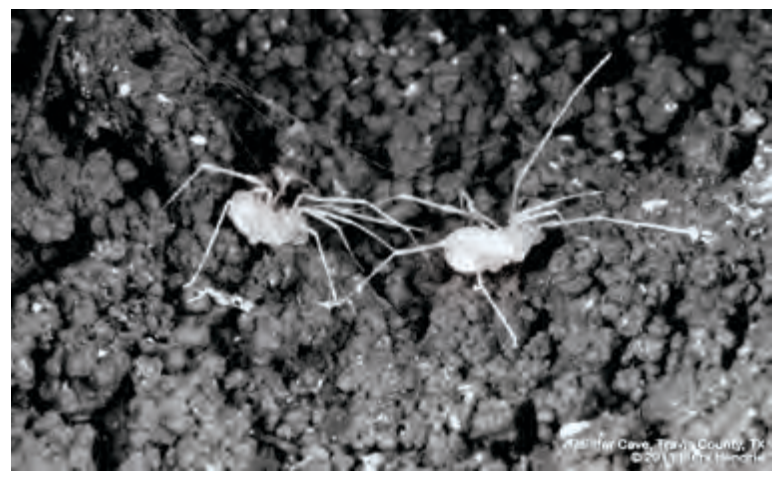
Yet, what does a bone cave harvestman have to do with interstate commerce regulation? Further, did the framers of the Constitution give the federal government justification to control private land via the Commerce Clause in the case of a tiny arachnid found exclusively in Texas that is neither bought nor traded?

"The Founding Fathers never envisioned federal authority to regulate local land use in this way," says Weldon.

"The federal government claimed if Mr. Yearwood hurts an insect on his property, he interferes with interstate commerce," Weldon continues. *"That is a crazy theory of federal power. This arachnid only lives in Texas and never moves more than a couple feet from its home. There is no market in other states for this insect. This is a breach of fundamental private property rights and it's unconstitutional."*

Yearwood calls the Commerce Clause *"a weapon."*

"Don't tell me our forefathers wrote the Commerce Clause because they wanted authority over bugs in a hole in Texas," he says. *"No sir. That interpretation is how the government leaves the law behind and crosses over into oppression."*



BONE CAVE HARVESTMAN SPECIES
"They took away my development rights and told me I'd get in big trouble for hurting the bug or its habitat," Yearwood says.
(Photo by Photo by Piers Hendrie, Wikipedia Commons)

THE TWIST

Once into the court system, the merits of Yearwood's case—the facts on his land—were lost beneath a layer cake of constitutional interpretation, culminating in SCOTUS' decline to hear his claims.

"I knew I'd lose, but that didn't matter," Yearwood explains. *"I fought this case for everyone. There were plenty of other landowners in same boat with me, plenty before me, and there'll be plenty more to follow."*

"Our Constitution is a brilliant document and we're required to follow it. It's not supposed to be optional," Yearwood adds. *"I have no agenda beyond freedom and private property rights."*

Insult to injury, in Yearwood's eyes, the bone cave harvestman federal endangered status is questionable. *"When they found the bug on my land, it was supposedly only on five spots in the entire state. As of now, they've found it on close to 200 locations and counting. Once they knew what to look for, they found it everywhere. It's still listed as endangered, but I don't believe it ever was."*

Far better than most, Yearwood understands the real-world implications of bureaucratic action. Currently, a separate portion of his land is undergoing gas line installation: *"Atmos is putting a line through and they've got me by eminent domain. At least they pay, unlike the ESA, for a 50' easement. However, I've now lost 95% of my road frontage to the Department of Interior by ESA or Atmos by eminent domain."*

Undaunted, Yearwood says his case was rigged from the get-go. *"At the end of the day and behind closed doors, even government bureaucrats know the Commerce Clause is a flimsy excuse to control private land. They also know if the Commerce Clause was interpreted properly, the wheels would come off so many of their regulatory laws."*

"The truth in land rights cases is irrelevant in court," Yearwood adds, *"and that's exactly how government officials have twisted our Constitution. It's way past time for landowners to speak up, demand accountability from our representatives, and recognize we've allowed the bureaucracy to become the fourth branch of government."*

US~Observer Editor's Note: Mr. Yearwood would do well to contact the US~Observer. In fact anyone facing property right issues should call 541-474-7885. ★★★

Supreme Court Set to Deliberate on Key Property Rights Cases

By Kelly Stone

Washington, D.C. — The upcoming Supreme Court term is poised to delve into two consequential property rights cases, both raising critical constitutional and public policy questions. *Sheetz v. County of El Dorado, California* is scheduled for argument on January 9, 2024, while a week later, on January 16, the Court will hear *Devillier v. Texas*. Both cases have attracted significant amicus support and promise to shape the legal landscape.

THE UNCONSTITUTIONAL CONDITIONS DOCTRINE: *SHEETZ V. COUNTY OF EL DORADO, CALIFORNIA*

Sheetz v. County of El Dorado focuses on the unconstitutional conditions doctrine, specifically challenging a California county's "Traffic Relief" road improvement program. Financed through a "monetary exaction" scheme imposed on building permit applicants, the case questions the nexus between the exaction and the program's stated public purpose.

George Sheetz, compelled to pay a substantial fee for a residential permit, challenged the exaction in state court. However, the California Court of Appeal upheld the exaction, citing an exemption for legislatively imposed exactions from review under the unconstitutional conditions doctrine. Critics argue that the constitutional injury remains the same, regardless of the entity responsible for the exaction.

Amicus support from the American Planning Association contends that permit exactions fund crucial governmental goals benefiting communities. However, critics argue against forcing individuals to bear burdens that should be borne by the public as a whole.

The Sheetz case questions whether constitutionally relevant distinctions exist between legislatively and administratively imposed exactions, warranting the former's exemption from unconstitutional conditions doctrine review.

THE SELF-EXECUTING NATURE OF THE FIFTH AMENDMENT: *DEVILLIER V. TEXAS*

Devillier v. Texas explores another takings jurisprudential question, probing whether a landowner must have state authorization to sue for constitutionally guaranteed just compensation when their property is physically taken.

The case arises from the Texas Department of Transportation's construction of a flood-preventing barrier causing repeated flooding of landowners' properties. The state removed the inverse-condemnation suits to federal court, arguing that the claims can only be brought under 42 U.S.C. § 1983, but since a state is not a "person" under the statute, the claims must be dismissed.

Despite the Supreme Court's precedent in First English Evangelical Lutheran Church v. Los Angeles County, recognizing a direct cause of action under the Fifth Amendment for a state's uncompensated taking, the state focused on procedural issues, avoiding the constitutional question. The Supreme Court's grant of the petition signals an interest in addressing this constitutional dilemma.

With last term's ruling in *Tyler v. Hennepin County, Minn.*, setting a precedent by rejecting attempts to undermine Fifth Amendment protections, observers anticipate more rulings affirming property rights in the upcoming term. Chief Justice Roberts, in that case, emphasized, *"The taxpayer must render unto Caesar what is Caesar's, but no more."*

★★★

Continued from page 1 • Abused Boy Proves Honesty with Passed Polygraph, Still Taken

with abuse allegations against his father — allegations which have been ignored this whole time by Clatsop County Prosecutor Ron Brown. For the last 5 years, Keegan has been thriving under the custodial care of his maternal grandparents, Ann and Dave Samuelson, but as of this publication that has all changed. Keegan has been forced by the Family Court into the home and hands of his alleged abusers — a prospect which previously triggered night terrors, severe trauma, anxiety and horror for this brave young man.

Terry McCleary

Keegan's safety, his security, his very life has been determined by one man: Washington County Judge D. Charles Bailey. Bailey has never talked to Keegan to know what he wanted, nor did it appear to Keegan that Bailey cared about him in the slightest, seeing as though he ruled to disregard all evidence of the abuse Keegan states he suffered.

All this was gleaned from letters and conversations Keegan shared with US~Observer's Editor-in-Chief, Edward Snook.

"Keegan is right," Snook said, recalling that on August 4th, 2023, Judge Bailey signed an order, in a hearing where Keegan had no representation present (ex parte), removing Keegan from the Samuelson's and giving custody to Keegan's father, Terry McCleary. The problem: Terry McCleary, according to Keegan, had been physically, mentally, and sexually abusive to him. It is something that Keegan had disclosed on many occasions to doctors, counselors, family, child services, and anyone else who could potentially help protect him.

"You can't get more corrupt than having Judge Bailey look the other way when counselors, even state agencies step forward and say there has most likely been abuse at the hands of the McCleary's, and then Bailey rules to hand Keegan over! In fact, he seems more interested in soaking the Samuelson's for all they are worth than providing Keegan with a safe environment." Snook went on to say, *"And let's not forget that Bailey made this ex parte, backroom, ruling AFTER Keegan's federal lawsuit had been filed where Bailey is named as a defendant! This is a clear case of retaliation and there is no one looking out for Keegan, other than Ann and Dave Samuelson and the US~Observer."*

HISTORY OF FEDERAL SUIT, AND SAMUELSON'S STATE CONTEMPT CHARGES

Through his attorney and grandparents, in May of 2023, Keegan filed a federal civil rights lawsuit against everyone associated with trying to give him back to those who he believes hurt him. Not only does this include his father but his father's mother, Connie McCleary, who had an open case by the Office of Training, Investigations and Safety (OTIS) of "founded" sexual abuse against Keegan. Those allegations, however, never stopped Connie McCleary from being present at hearings regarding Keegan's custody or making herself present at every other turn involving Keegan, her son, Terry, or Keegan's mother, Kristin.

Even though there have been multiple reports of abuse, the district attorneys in the counties where the alleged abuse took place are not moving forward with the charges against Terry McCleary. Some have speculated that this is politically motivated as Connie McCleary, Terry's mother (Keegan's paternal grandmother) used to be involved in county government, and Clatsop County District Attorney, Ron Brown has an axe to grind with the Samuelsons – something you can read about online in previous articles of the US~Observer.

With parties inside the Washington Family Courthouse coming forward on the condition of anonymity, recent hearings have come to light wherein the Samuelson's are being held in contempt for not handing Keegan over after the August 4th ruling. According to these parties, Ann and Dave Samuelson are being separately charged $500.00 per day while Keegan stays in their custody. They have further suggested that both Samuelsons have been purposely improperly served so that this case could move forward.

In fact, the US~Observer received the following account of a hearing held on November 1, 2023:

The hearing started off with Philip Jones asking for default judgment against Dave Samuelson, who wasn't there, because he had not been served properly. The papers had only mentioned Ann Samuelson, but Mrs. Samuelson did not have any chance to even say that, before Judge Bailey agreed to a default that would amount to about $60k and counting.

Mrs. Samuelson stayed calm and mentioned that she had been denied counsel. Judge Bailey said that under the 6th amendment, she could only have a right to counsel if she faced jail, but this was just about money. That's primarily what this case has always been about — how to get the Samuelson's money by putting the child in jeopardy and forcing them to jump through costly hoops hoping to save him.

Mrs. Samuelson talked about the truly important issues — that the grandparents, who had been given permanent custody because both of the parents had been deemed wholly unfit, had spent hundreds of thousands of dollars caring for him, healing him from the abuse, and now Bailey's ruling jeopardized his healthcare, mental wellbeing, and his safety.

When Mrs. Samuelson mentioned the upcoming appointment at OHSU for the child's chest injury, caused by his father shooting him in the chest, the judge just snorted.

Judge Bailey did not want any discussion about his decision, because he felt 100% confident in it. When Mrs. Samuelson said he had no idea of the destruction he was wreaking on the life of the young child, whom he had never met, Bailey burst out "I'd like to meet him."

That begs the question: why hasn't he? Why did he abdicate his duty to do what was in the best interest of the child?

He blamed the Samuelsons for defying his god-like judicial wisdom, and reminded everyone that he was not just an officer of the court, but Judge Bailey actually said, "I am the court."

Judge Bailey had previously ignored ALL the therapists' testimony of the horrific abuse the child had suffered, therapists who worked with the boy when he first disclosed abuse at age 6, and those who worked with him for years. The Judge had all those reports stricken from the record. He deferred to pediatrician Dr. Charlene Sabin, who spoke to the child for maybe 30 minutes, but who advocated for his abusers. Dr. Sabin has a known track record of being an adherent of the fully discredited theory of Pedophile Richard Gardiner's Parental Alienation Syndrome. She literally said the kid "should learn to be safe" with his abuser, rather than protecting him.

When Mrs. Samuelson pointed out that Bailey had just plain failed to rule on the motion for professional supervision since BOTH parents had been deemed unfit by another judge, Judge Raines, Judge Bailey did what he does best and ignored it. Just as he ignored it when she pointed out that he failed to rule on a motion for clarification. It's as if he blames the grandparents for protecting the child. It was clear that he was angered that they didn't roll over and hand the child to his abusers.

When Mrs. Samuelson said that she cannot physically put a kid who is 6-feet-tall in a car and make him go to his abusers, it seemed to register. She said she could put her 3-year-old other grandson or newborn granddaughter in a car and make them go somewhere, but not a teenager. She made it clear; he does not want to go. Will not go. That seemed to register.

Bailey told her to tell the boy that UNLESS he goes with the McClearys, his grandparents will be charged $500/day each. Mrs. Samuelson said she would not put that on him, and Bailey said, well, he is old enough to have consequences. Again, failing in any way to give consequences to the child's alleged abusers. It appears that our family court system is a predatory arena where abusers are frequently given custody and protective parents are bled of all funds in desperation to keep a child safe.

Mrs. Samuelson said it was ridiculous to levy a fee like that, when the money should be going to care for the child, for his braces or college fund. She noted that Judge Raines had said they were wealthy grandparents.

Bailey then railed at Mrs. Samuelson for depriving the child of the pleasure of the company of his abusers now that she has spent a fortune stabilizing and caring for him. He completely overlooked the laws that said there must be a change in circumstance for modification, which Mrs. Samuelson pointed out, and noted that there had been none. She reminded Bailey of the tenant that says the statue clearly states the best interest of the child is not to be in the custody of someone who has been sexually, physically, or emotionally abusive. He ignored that these people have shattered his psyche and only through patience, love, careful stability has been able to attain a level of competence that would never have been possible in the hands of a mother who, according to police reports has struggled with substance abuse, domestic violence, and mental health issues, leaves the poor child in trauma, or with the father who the boy alleges physically and sexually abused him, and who had no interest in caring for him, or with the grandmother who allegedly sexually abused him.

Mrs. Samuelson noted that her daughter, the child's mother, Kristin, had been a caring and protective parent but that the family court system had contributed to her psychotic break, and that they had lost a daughter. I had the sense that Kristin's siding with her son's abusers disgusted the child so much, there was no going back from that.

Ron Brown

Mrs. Samuelson noted in court that there were more instructions for adopting a cat at the shelter than the utter lack of provisions in Bailey's Judgment for them taking the child. In fact, Bailey just mandated, "Parents alternate weeks. Switch to be made at 5 on Sundays." That was it. Nothing about school or insurance or vacations or visits or activities or health conditions. Nothing. Two lines as opposed to 28 pages, which is more often the case.

Towards the end of the hearing, it did seem to dawn on him that Mrs. Samuelson was right that she could not physically make the child go to his biological parents. Phil Jones suggested that if she could make him go to school or Karate, she could make him go to his abusers. Mrs. Samuelson noted, "He wants to go to school. He doesn't want anything to do with the people who abused him. He will run away." She then asked, "Would you rather have him on the streets or safe?" She was told anything she says about what the boy will do or say is hearsay, and she was not allowed to say anything the boy had said. The child's voice was not allowed anywhere, because it was hearsay. Judge Bailey never brought him into chamber for questioning or put him on the stand. Bailey just erased his voice, just like he struck the record of the abuse. The previous four therapists who had been vocal about the authenticity of the child's account of the abuse, had their testimony stricken from the record.

Further, Bailey denied there was any duty by the court to keep a child safe.

Mrs. Samuelson noted that if he were a girl, he was of an age where he could choose an abortion. He is clearly old enough to know where he wants to live. And he will not live with his abusers.

Bailey then told the parents, they would be better off writing him a letter, if they love him and are open to a relationship with him. He did caution them that if they force this, it will not turn out well for anyone, and he urged them not to force this. He intimated it wouldn't be a long-term situation at any rate. Judge recognized that the child will emancipate at 16 anyway, which is just a year away, and that it was too late for a relationship at this stage. Yet, recognizing it, he still ruled to force it, and left it to the abusive parents to do the "right thing," which they have not done in 8 years.

ATTEMPT TO TAKE KEEGAN

Just days later, Sunday, November 5th, the McCleary's showed up at Ann and Dave Samuelson's to take Keegan into their control. A video uploaded by a family friend showed them ask for Keegan to come with them and Keegan refused. He stated that he was hurt by his father, and he refuses to be hurt again. He said he had proof.

His paternal grandfather, Terry McCleary Sr., said, *"... It's not going to happen again."*

As his father stepped toward him, Keegan reeled back in obvious fear and ran into the home and locked the door.

Terry Sr. shouted out to Ann and Dave Samuelson, *"That's a $1,000.00 on you today."* Later he said, *"Next time we come back we're taking him. Next time, you're going to be in jail."*

In the background, Kristin Samuelson, Keegan's mother, shouted out toward her mother, *"You $1,000.00 whore!"*

At that point, Keegan reached out to the US~Observer saying, *"I'm good,"* when asked if he was alright after the attempt to take him and his mother's outburst. He went on to say that he looks forward to the day he can be emancipated and live with whoever he wants, because that would be his grandparents, Ann and Dave, who have given him the very best life he could have had for the last 5 years.

SUPPORTING ALLEGATIONS OF ABUSE

Connie McCleary

It has been rumored that Connie McCleary's case with OTIS has been deemed "undetermined" for undisclosed reasons. The US~Observer would like to know what that conclusion was based on, considering Keegan never had a chance to tell his side of the story. However, we have been informed by Keegan that he has just provided them with this evidence – the passed polygraph – in the hopes that this time, they will believe him and do something to help him.

According to Keegan, OTIS and Child Services have thus far failed to do what they promised him; to hold the McClearys accountable for their behavior toward him. In fact, Keegan recently recorded a phone call to the Child Service's Hotline where he told them about his passed polygraph. He told them that CPS promised to keep him safe, and they aren't doing it.

Keegan maintains the polygrapher noted there was no deception whatsoever on any of the responses. Keegan says he was asked the following questions:

Were you abused by Terry McCleary and Connie McCleary?

He says he responded with, ***"Yes."***

In the last five years, have you had nightmares about possibly seeing Terry and Connie?

Again, he says he responded with, ***"Yes."***

Did Dave or Ann Samuelson ever tell you to lie or make up a story about the abuse?

Keegan was strong in saying that he said, ***"No."***

So, what now CPS, OTIS, Judge Bailey and everyone else involved? What are you going to do now that the victim has proven it himself? HE IS THE VICTIM! He's had no coaching. What he has stated time and again is the absolute truth, according to a scientific tool that you continue to use to determine whether or not you pursue a case or not!

"It is abhorrent that these people and agencies act out of retribution for being named in a federal lawsuit." Snook raged.

At the end of the day, Oregon law has been violated by those who say they uphold it, and one young man is their clear victim, but Keegan will remain silent no longer, and you better believe he is finding his voice.

"I want to help other kids who are going through scary family court situations, and I'm going to keep telling the truth, so they can see it's okay for them to stand up for themselves." –Keegan McCleary

On November 27th, 2023, Keegan was taken into the custody of those Judge D. Charles Bailey had ruled in favor of after ignoring, and concealing, the years of abuse allegations from the record, and turning a blind-eye to the good the Samuelson's have brought to Keegan's life in the five years he has been in their care.

Instead he seeks to punish them for being good guardians to a boy who has, without doubt, suffered trauma.

It has been reported to the US~Observer that the first day of school after he was taken by the alleged abusive parties, Keegan was dropped off over an hour and a half late, with no excuse given.

How's that for the first act of a "responsible" parent?

Keegan deserves better. He deserves to be with the people of his choosing: Ann and Dave Samuelson.

Edward Snook's Note: I have spoken with Keegan numerous times and received the results of the polygraph test. I have thoroughly checked out the polygrapher. There is no better polygrapher and the test is valid and conclusive.

What amounts to further child abuse in this case by Judge Bailey, Prosecutor Ron Brown, numerous counselors and even Keegan's own attorneys forces me to speak out on behalf of Keegan. You will all pay for this unbelievable atrocity. If not now, then when Keegan is old enough to pursue his own civil rights lawsuit and certainly when God judges you – you will all look for a rock to hide under! I cannot find words strong enough to describe how despicable your actions toward Keegan have been, but I can assure you this, your friends, neighbors and families will know what you have done before I am finished.

Now hear this loud and clear: If what I have accused you of weren't true you would obviously sue me for defamation. You would never dream of doing so because the truth is an absolute defense against defamation. Further, you realize that Keegan McCleary would be my first witness to take the stand – and we all know he has a lot to testify to.

Lastly, tell these people to do what is right by Keegan and give him back to the Samuelsons!!!

Reach out to Judge Bailey:

Phone: 503-846-8888 ext. 70595
Email: D.Charles.BAILEY@ojd.state.or.us

Reach out to Ron Brown:

Phone: 503-325-8581
Email: da@ClatsopCounty.gov

★★★

The views expressed herein are the author's own.

COMMENTARY

Your Right to Speak Out

The White House Goes Rogue: Secret Surveillance Program Breaks All the Laws

By John & Nisha Whitehead

"We are rapidly entering the age of no privacy, where everyone is open to surveillance at all times; where there are no secrets from government."
— William O. Douglas, dissenting in *Osborn v. United States* (1966)

(The Rutherford Institute) - The government wants us to believe that we have nothing to fear from its mass spying programs as long as we've done nothing wrong.

Don't believe it.

It doesn't matter whether you obey every law. The government's definition of a "bad" guy is extraordinarily broad, and it results in the warrantless surveillance of innocent, law-abiding Americans on a staggering scale.

For instance, it was recently revealed that the White House, relying on a set of privacy loopholes, has been sidestepping the Fourth Amendment by paying AT&T to allow federal, state, and local law enforcement to access—without a warrant—the phone records of Americans who are not suspected of a crime.

This goes way beyond the NSA's metadata collection program.

Operated during the Obama, Trump and now the Biden presidencies, this secret dragnet surveillance program (formerly known as Hemisphere and now dubbed Data Analytical Services) uses its association with the White House to sidestep a vast array of privacy and transparency laws.

According to Senator Ron Wyden, Hemisphere has been operating without any oversight for more than a decade under the guise of cracking down on drug traffickers.

This is how the government routinely breaks the law and gets away with it: in the so-called name of national security.

More than a trillion domestic phone records are mined through this mass surveillance program every year, warrantlessly targeting not only those suspected of criminal activity but anyone with whom they might have contact, including spouses, children, parents, and friends.

It's not just law enforcement agencies investigating drug crimes who are using Hemisphere to sidestep the Fourth Amendment, either. Those who have received training on the program reportedly include postal workers, prison officials, highway patrol officers, border cops, and the National Guard.

It's a program ripe for abuse, and you can bet it's getting abused.

Surveillance, digital stalking and the data mining of the American people—weapons of compliance and control in the government's hands—haven't made America any safer, and they certainly aren't helping to preserve our freedoms.

Indeed, America will never be safe as long as the U.S. government is allowed to shred the Constitution.

The Fourth Amendment was intended to serve as a protective forcefield around our persons, our property, our activities, our communications and our movements. It keeps the government out of our private business except in certain, extenuating circumstances.

Those extenuating circumstances are spelled out clearly: government officials must have probable cause that criminal activity is afoot (a higher legal standard than "reasonable suspicion"), which is required by the Constitution before any government official can search an individual or his property.

Unfortunately, all three branches of government—the legislatures, courts and executive offices—have given the police state all kinds of leeway when it comes to sidestepping the Fourth Amendment.

As a result, on a daily basis, Americans are already being made to relinquish the most intimate details of who we are—our biological makeup, our genetic blueprints, and our biometrics (facial characteristics and structure, fingerprints, iris scans, etc.)—in order to clear the nearly insurmountable hurdle that increasingly defines life in the United States: we are now guilty until proven innocent.

Warrantless, dragnet surveillance is the manifestation of a lawless government that has gone rogue in its determination to do whatever it wants, whenever it wants, the Constitution be damned.

Dragnet surveillance. Geofencing. Fusion centers. Smart devices. Behavioral threat assessments. Terror watch lists. Facial recognition. Snitch tip lines. Biometric scanners. Pre-crime. DNA databases. Data mining. Precognitive technology. Contact tracing apps.

What these add up to is a world in which, on any given day, the average person is now monitored, surveilled, spied on and tracked in more than 20 different ways by both government and corporate eyes and ears.

This creepy new era of government/corporate spying—in which we're being listened to, watched, tracked, followed, mapped, bought, sold and targeted every second of every day—has been made possible by a global army of techno-tyrants, electronic eavesdroppers, robotic snoops and digital Peeping Toms.

The government has a veritable arsenal of surveillance tools to track our movements, monitor our spending, and sniff out all the ways in which our thoughts, actions and social circles might land us on the government's naughty list, whether or not you've done anything wrong.

Rounding out the list of ways in which the Techno-Corporate State and the U.S. government are colluding to nullify the privacy rights of the individual is the Biden Administration's latest drive to harness the power of artificial intelligence technologies while claiming to protect the citizenry from harm.

In his executive order on artificial intelligence, President Biden is calling for guidelines on how the government will use AI while simultaneously insisting that corporations protect consumer privacy.

Talk about ironic that the very government that has been covertly invading our privacy rights wants to appoint itself the guardian of those rights.

Tell me this: how do you trust a government that continuously sidesteps the Constitution and undermines our rights? You can't.

A government that repeatedly lies, cheats, steals, spies, kills, maims, enslaves, breaks the laws, overreaches its authority, and abuses its power at almost every turn can't be trusted.

At a minimum, you shouldn't trust the government with your privacy, property or freedoms.

Whatever else it may be—a danger, a menace, a threat—the U.S. government is certainly not looking out for our best interests.

Remember the purpose of a good government is to protect the lives and liberties of its people.

Unfortunately, what we have been saddled with is, in almost every regard, the exact opposite of an institution dedicated to protecting the lives and liberties of its people.

Indeed, the government has a history of shamelessly exploiting national emergencies for its own nefarious purposes.

Terrorist attacks, mass shootings, civil unrest, economic instability, pandemics, natural disasters: the government has been taking advantage of such crises for years now in order to gain greater power over an unsuspecting and largely gullible populace.

That's exactly where we find ourselves now: caught in the crosshairs of a showdown between the rights of the individual and the so-called "emergency" state.

All of those freedoms we cherish—the ones enshrined in the Constitution, the ones that affirm our right to free speech and assembly, due process, privacy, bodily integrity, the right to not have police seize our property without a warrant, or search and detain us without probable cause—amount to nothing when the government and its agents are allowed to disregard those prohibitions on government overreach at will.

This is the grim reality of life in the American police state: our so-called rights have been reduced to technicalities in the face of the government's ongoing power grabs.

While surveillance may span a broad spectrum of methods and scenarios, the common denominator remains the same: a complete disregard for the rights of the citizenry.

With every court ruling that allows the government to operate above the rule of law, every piece of legislation that limits our freedoms, and every act of government wrongdoing that goes unpunished, we're slowly being conditioned to a society in which the Constitution means nothing.

Any attempt by the government to encroach upon the citizenry's privacy rights or establish a system by which the populace can be targeted, tracked, monitored and singled out must be met with extreme caution.

Dragnet surveillance in an age of pre-crime policing and overcriminalization is basically a fishing expedition carried out without a warrant, a blatant attempt to circumvent the Fourth Amendment's warrant requirement and prohibition on unreasonable searches and seizures.

What we need is a digital "No Trespassing" sign that protects our privacy rights and affirms our right to be left alone.

Then again, as I make clear in my book *Battlefield America: The War on the American People* and in its fictional counterpart *The Erik Blair Diaries*, what we really need is a government that respects the rights of the citizenry and obeys the law.

★★★

The Money Supply Continues its Biggest Collapse Since the Great Depression

By Ryan McMaken

(Mises.org) - Money supply growth fell again in October, remaining deep in negative territory after turning negative in November 2022 for the first time in twenty-eight years. October's drop continues a steep downward trend from the unprecedented highs experienced during much of the past two years.

Since April 2021, money supply growth has slowed quickly, and since November, we've been seeing the money supply repeatedly contract year over year. The last time the year-over-year (YOY) change in the money supply slipped into negative territory was in November 1994. At that time, negative growth continued for fifteen months, finally turning positive again in January 1996.

Money-supply growth has now been negative for twelve months in a row. During October 2023, the downturn continued as YOY growth in the money supply was at –9.33 percent. That's up slightly from September's rate decline which was of –10.49 percent, and was far below October 2022's rate of 2.14 percent. With negative growth now falling near or below –10 percent for the eighth month in a row, money-supply contraction is the largest we've seen since the Great Depression. Prior to this year, at no other point for at least sixty years has the money supply fallen by more than 6 percent (YoY) in any month.

The money supply metric used here—the "true," or Rothbard-Salerno, money supply measure (TMS)—is the metric developed by Murray Rothbard and Joseph Salerno, and is designed to provide a better measure of money supply fluctuations than M2. (The Mises Institute now offers regular updates on this metric and its growth.)

In recent months, M2 growth rates have followed a similar course to TMS growth rates, although TMS has fallen faster than M2. In October 2023, the M2 growth rate was –3.35 percent. That's down from September's growth rate of –3.35 percent. October 2023's growth rate was also well down from October 2022's rate of 1.42 percent.

Money supply growth can often be a helpful measure of economic activity and an indicator of coming recessions. During periods of economic boom, money supply tends to grow quickly as commercial banks make more loans. Recessions, on the other hand, tend to be preceded by slowing rates of money supply growth.

It should be noted that the money supply does not need to actually contract to signal a recession and the boom-bust cycle. As shown by Ludwig von Mises, recessions are often preceded by a mere slowing in money supply growth. But the drop into negative territory we've seen in recent months does help illustrate just how far and how rapidly money

supply growth has fallen. That is generally a red flag for economic growth and employment.

The fact that the money supply is shrinking at all is remarkable because the money supply in modern times almost never gets smaller. The money supply has now fallen by $2.8 trillion (or 13.1 percent) since the peak in April 2022. Proportionally, the drop in money supply since 2022 is the largest fall we've seen since the Depression. (Rothbard estimates that in the lead-up to the Great Depression, the money supply fell by 12 percent from its peak of $73 billion in mid-1929 to $64 billion at the end of 1932.)

In spite of this recent drop in total money supply, the trend in money-supply remains well above what existed during the twenty-year period from 1989 to 2009. To return to this trend, the money supply would have to drop at least another $3 trillion or so—or 15 percent—down to a total below $15 trillion. Moreover, as of October, total money supply was still up 32 percent (or $4.6 trillion) since January 2020.

Since 2009, the TMS money supply is now up by nearly 186 percent. (M2 has grown by 141 percent in that period.) Out of the current money supply of $18.9 trillion, $4.6 trillion—or 24 percent—of that has been created since January 2020. Since 2009, $12.2 trillion of the current money supply has been created. In other words, nearly two-thirds of the total existing money supply have been created just in the past thirteen years.

With these kinds of totals, a ten-percent drop only puts a small dent in the huge edifice of newly created money. The US economy still

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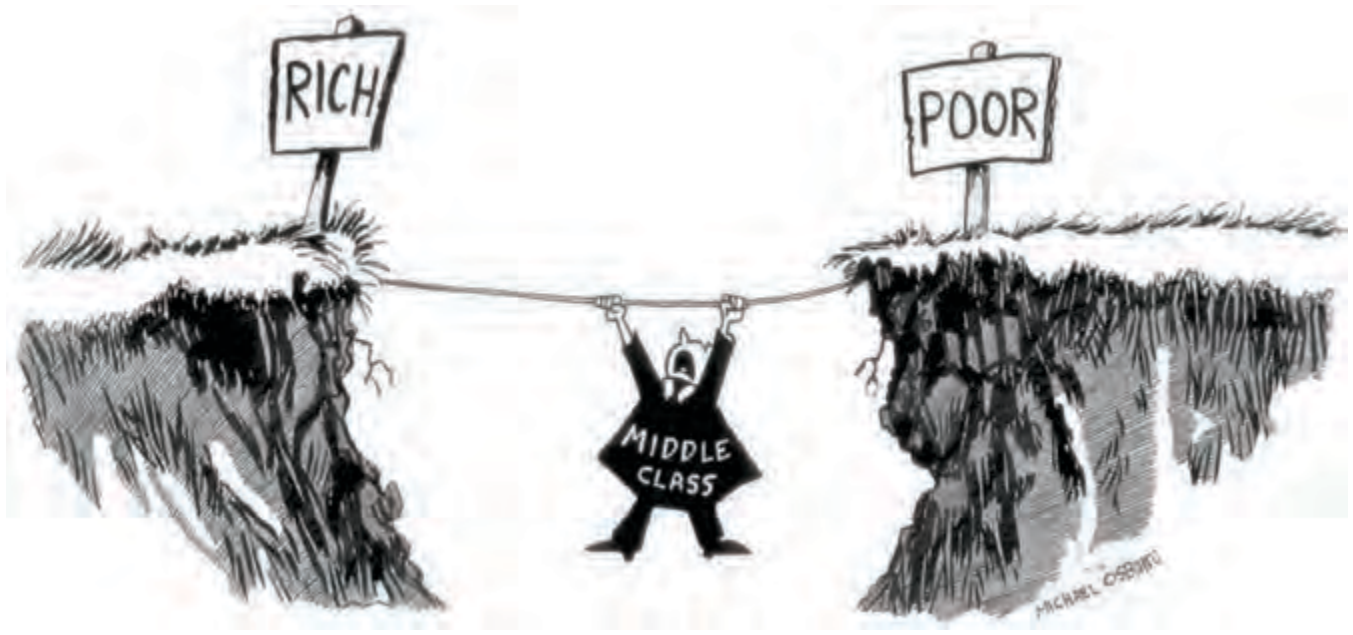
"Our lives begin to end the day we become silent about things that matter." --Martin Luther King, Jr.

COMMENTARY

Are You Still Middle Class?

By Charles Hugh Smith



Defining the middle class is a perpetually popular parlor game because it's well-known that the foundation of widespread prosperity is a broad-based middle class and a sturdy ladder of social mobility that enables those below the middle class to work their way up to middle-class security.

The topic is also a perennial favorite because the middle class is losing ground. By basic measures of income, it's slipped from 60% of the populace to 50%.

A strong case can be made that assessed by characteristics of middle-class security and prosperity rather than income, the middle class has effectively shrunk to 10% of households as only the top 30% of households earn enough to afford what was within reach of the top 60% in decades past.

By definition, the top 20% cannot be "middle class." The top 20% is comprised of the upper-middle class, the wealthy and the super-wealthy (the 80–95% bracket, top 5% and top 1%).

Attempting to define the middle class by income alone is futile due to regional differences in costs and purchasing power. A $100,000 annual household income that will barely pay rent and necessities in a major metro city can stretch considerably further in smaller cities far from high-cost zones.

Regardless of income, households that are living paycheck to paycheck don't qualify as middle class if we qualify "middle class" by the following characteristics…

WHAT IT TAKES TO BE MIDDLE CLASS

In *"Why the Middle Class Is Doomed"* (April 2012) I listed five "threshold" characteristics of membership in the middle class:

1. Meaningful health care insurance (i.e. not phantom coverage that only kicks in after thousands of dollars are paid in cash).

2. Significant equity (25–50%) in a home or other real estate.

3. Income/expenses that enable the household to save at least 6% of its net income.

4. Significant retirement funds: 401(k)s, IRAs, etc.

5. The ability to service all debt and expenses over the medium term if one of the primary household wage earners loses their job.

I then added a taken-for-granted sixth:

6. Reliable vehicles for each wage earner that are fully covered by insurance.

Author Chris Sullins suggested adding these additional thresholds:

7. If a household requires government assistance (SNAP, Medicaid, rent subsidies, etc.) to maintain the family lifestyle, their middle class status is in doubt.

8. A percentage of non-financial hard assets such as family heirlooms, precious metals, business equity, rental income property, land, etc. that can be transferred to the next generation, i.e. generational wealth.

9. Ability to invest in offspring (education, extracurricular clubs/training, etc.).

10. Leisure time devoted to the maintenance of physical / spiritual / mental fitness.

Wait, There's More

Correspondent Mark G. suggested two more features:

11. Continual accumulation of human and social capital (adding new skills, expanding social networks and markets for one's services, etc.)

And the money shot:

12. Family ownership of income-producing assets such as rental properties, bonds, etc.

The key point of these thresholds is that propping up a precarious illusion of consumption and status signifiers does not qualify as middle class.

To qualify as middle class (that is, what was considered middle class a generation or two ago), the household must actually own/control wealth that won't vanish if the investment bubble du jour pops, and won't be wiped out by a medical emergency.

In Chris' phrase, "They should be focusing resources on the next generation and passing on generational wealth" as opposed to "keeping up appearances" via aspirational consumption financed with debt.

MIDDLE CLASS NO LONGER

So how much does it cost to meet these qualifying standards?

Two generations ago, public school teachers, health care workers, skilled craft workers and others with median-level incomes could meet all of these qualifications, for the purchasing power of their earnings was extremely high compared with now.

A median wage bought a lot of shelter, vehicle, health care, college education, etc.

According to the U.S. Census Bureau, real median household income was $74,580 in 2022.

This is the "middle income" that presumably qualifies as "middle class," but it would take extreme frugality and sacrifices to stretch $75,000 to cover the qualifications listed above, even in low-cost regions.

As a general guideline, $75,000 would only stretch to meet these qualifications if 1) the family home was owned free and clear, i.e. no mortgage, either via inheritance or extreme efforts such as building your own home with cash savings…

2) no student loan debt, either by gaining desirable skills outside college or completing college on scholarships, with family financial aid, etc., and no vehicle loan, i.e. a reliable used car/truck that is owned free and clear.

These may strike younger readers as impossible fantasies, but as I've often noted, 40 years ago I worked my way through a four-year university program with part-time jobs and built a house from scratch with only savings, income from temp construction jobs and a $5,000 bank loan ($17,000 in today's dollars) which we paid off in two years.

Even with extreme frugality, this debt-free lifestyle is no longer within reach of the non-wealthy, as costs for college, land, permits and building materials have skyrocketed, along with the costs of health care, insurance, vehicles, childcare, etc.

YOU NEED $150,000

I submit that for most households in higher-cost regions, these qualifications can only be met with an annual household income of $150,000 or more, which according to the Census Bureau is the cutoff level for the top 20% (top quintile) of American households.

According to the Census Bureau, the top 20% earn 52% of all income, and the top 5% earn 23.5% of all income. The top 10% of households have an income of $216,000 or higher, and the top 5% have incomes of $295,000 or higher. The top 1% bracket is $867,000 and up. (TableA-4a, Income in the United States: 2022).

In lower-cost regions, it may be possible for frugal households in the 70–80% income bracket to qualify. According to the Census Bureau, this bracket earns between $118,700–153,000.

This 10% might qualify as middle class. Households earning less would likely qualify only if they inherited significant wealth from their families or received substantial financial aid from their families, such as college paid for in full, a down payment for a home purchase, etc.

In summary: If we set minimum standards for qualifying as middle class by what was within reach of typical American households two generations ago, relatively few households qualify as middle class.

UNSUSTAINABLE

Middle class means more than being able to charge a lavish cruise or foreign vacation on a credit card or buying a new truck with a huge loan. It once meant owning assets, not owing debt on assets.

The percentage of wealth owned by the 50–90% bracket — what we might consider middle class — has declined sharply as wealth has concentrated in the top 10%.

By way of example, the top 10% own 90% of stocks.

Wages are the bedrock of middle-class income and wealth accumulation, and here we see wages' share of the national income has been in a free fall for 45 years. It has recently ticked up, but it is not yet clear if this is just another temporary blip or an overdue clawback of income that has predominantly flowed to capital.

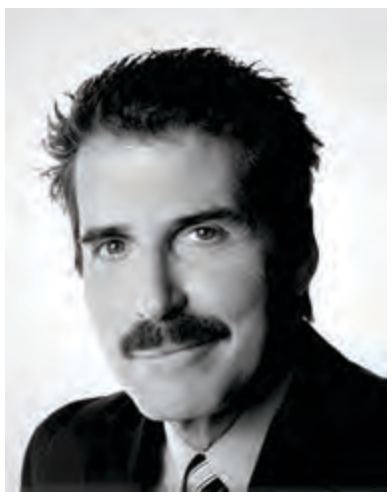
Can an economy in which 10% of the households qualify as middle class claim to offer widespread opportunities for secure prosperity? No, it cannot.

"Middle class" isn't just income or consumption; it demands a toehold of ownership of real assets that offer security, not a lifetime of debt servitude.

As security becomes increasingly precarious and unaffordable, self-reliance offers an alternative to a lifetime of debt servitude.

★★★

Surprise: Capitalism makes people happier and more giving



By John Stossel

(New York Post) - You must be lonely. The media say loneliness is everywhere in America.

A Los Angeles Times columnist says, "There's a mass loneliness crisis going on."

"Capitalism is Making You Lonely," says Jacobin magazine.

Vox claims, "Capitalism makes us feel empty inside."

As usual, the media are just wrong.

"There's no empirical data that actually shows that we feel more lonely now than we did in the past," historian Johan Norberg points out to me. "When researchers compare people with previous generations at the same stage of life, they don't find evidence of increased loneliness."

"But more people live alone now," I say. "I would think that would make people lonelier."

"What they never tell you in the reports," Norberg replies, "is that people who live alone and spend less time surrounded by other people are also more happy with those relationships."

In addition, "When people around the world are asked, 'Do you have relatives or friends you can count on to help you?' people in countries [like America] where more people live alone usually say, 'Yes.'"

But in India and China, more people say they have no one.

"It's the complete opposite of what people expect," Norberg says. "In less market-based societies, 20% to 40% say they have no one to count on if they need help. In the richest and most individualist societies, it's in the low single digits."

On a YouTube channel with 1.7 million subscribers, a socialist says, "Material incentives of capitalists isolate us from nature, each other and ourselves."

Norberg replies, "I understand why those charlatans get an audience, because at times we all feel lonely."

But his new book, "The Capitalist Manifesto," points out how capitalism makes life better, including making people less lonely.

"Every poll shows that people say that they're less lonely in the most market-oriented societies."

I push back. "Under capitalism, people compete. Sounds divisive. Sounds like it would pull us apart."

Johan Norberg
Image: Jesper Sandström

"Feudalism, communism, fascism, that's divisive," he replies. "All are based on getting resources by taking them from somebody else. Capitalism forces us to think, 'What does the other guy want?' The most important aspect of capitalism is cooperation." That's "why every time you buy something, you hear this double, 'Thank you.'"

It's true yet kind of odd. When I pay, both the salesperson and I usually say, "Thank you." It's because I get the product I want, and they get money. I want their product more than the money. They want my money more than whatever they are selling. We both feel we win.

"In the market economy, we do each other services constantly. That's how we get richer," adds Norberg. "No deal ever happens unless both parties think that they benefit."

And here's another twist to that. He says capitalism makes us generous.

"It sounds surprising [but] for many years, lots of researchers around the world have looked at how generous people are when they're playing different economic games."

In one such game, the experimenter gives a person a sum of money and tells him to divide it with a stranger any way he chooses. The only condition: The stranger must accept the offer. If the other person refuses, nobody gets anything.

In capitalist economies, writes Norberg, "the most common offer is to split the amount 50-50; the recipient is so offended by bad offers that they usually say no if offered less than 30%."

Researchers have now done this test all over the world, and to their surprise, they discovered, "People are most generous in capitalist societies."

In fact, on average, they offer twice as much as those in the least-capitalist societies.

"The closer people live to marketplaces, the more generous they are," explains Norberg. "If they constantly buy and sell and negotiate, they begin to take other people's interests into consideration. That's what markets do. They do affect our character, but not in this way that the critics say. They don't make us more divisive and aggressive. They make us more generous."

Capitalism is good in many ways.

★★★

Continued from page 8 • The Money Supply Continues its Biggest Collapse Since the Great Depression

faces a very large monetary overhang from the past several years, and this is partly why after eighteen months of slowing money-supply growth, we are only now starting to see a slowdown in the labor market. (For example, job openings have fallen 22 percent over the past year, but have not yet returned to pre-covid levels.) The inflationary boom has not yet ended.

Nonetheless, the monetary slowdown has been sufficient to considerably weaken the economy. The Philadelphia Fed's manufacturing index is in recession territory. The Leading Indicators index keeps looking worse. The yield curve points to recession. Temp jobs were down, year-over-year, which often indicates approaching recession. Default rates are rising.

An inflationary boom begins to turn to bust once new injections of money subside, and we are seeing this now. Not surprisingly, the current signs of malaise come after the Federal Reserve finally pulled its foot slightly off the money-creation accelerator after more than a decade of quantitative easing, financial repression, and a general devotion to easy money. As of early December, the Fed has allowed the federal funds rate to rise to 5.50 percent, the highest since 2001. This has meant short-term interest rates overall have risen as well. In October, for example, the yield on 3-month Treasurys reached 5.6 percent, the highest level measured since December 2000.

Without ongoing access to easy money at near-zero rates, banks are less enthusiastic about making loans, and many marginal companies will no longer be able to stave off financial trouble by refinancing or taking out new loans. Commercial bankruptcy filings increased sizably during 2023, and continue to surge into the last quarter of the year. As reported by Monitor Daily:

The bankruptcy filing by WeWork in November propelled November commercial Chapter 11 filings to 842, an increase of 141% compared with the 349 filings registered in November 2022, according to data provided by Epiq Bankruptcy.

The case filed by WeWork on Nov. 6 included 517 related filings, according to analysis from the American Bankruptcy Institute, representing the third-most related filings in a case since the U.S. Bankruptcy Code became effective in 1979.

Overall commercial filings increased 21% to 2,252 in November, up from the 1,864 commercial filings registered in November 2022. Small business filings, captured as Subchapter V elections within Chapter 11, increased 79% to 181 in November, up from 101 in November 2022.

There were 37,860 total bankruptcy filings in November, a 21% increase from the November 2022 total of 31,187. Individual bankruptcy filings also registered a 21% year-over-year increase, as the 35,608 in November represented an increase over the 29,323 filings in November 2022. There were 20,250 individual Chapter 7 filings in November, a 23% increase compared with the 16,421 filings recorded in November 2022, and there were 15,280 individual Chapter 13 filings in November, a 19% increase compared with the 12,862 filings last November.

Lending for private consumption is getting more expensive also. In October, the average 30-year mortgage rate rose to 7.62%, the highest point reached since November 2000.

These factors all point toward a bubble that is in the process of popping. The situation is unsustainable, yet the Fed cannot change course without reigniting a new surge in price inflation. Although some professional economists insist that price inflation has all but disappeared, the sentiment on the ground is clearly one in which most workers believe their wages are not keeping up with rising prices. Any surge in prices would be especially problematic given the rising cost of living. Ordinary Americans face a similar problem with home prices. According to the Atlanta Fed, the housing affordability index is now the worst it's been since 2006, in the midst of the Housing Bubble.

If the Fed reverses course now, and embraces a new flood of new money, prices will only spiral upward. It didn't have to be this way, but ordinary people are now paying the price for a decade of easy money cheered by Wall Street and the profligates in Washington. The only way to put the economy on a more stable long-term path is for the Fed to stop pumping new money into the economy. That means a falling money supply and popping economic bubbles. But it also lays the groundwork for a real economy—i.e., an economy not built on endless bubbles—built by saving and investment rather than spending made possible by artificially low interest rates and easy money.

★★★

Continued from page 1 • Michael Quiel's Relentless Battle ...

advisor, believed he wasn't obligated to file FBARs, can he be held criminally liable? The inconsistencies underscore the questionable foundation of the government's case against Quiel. How could he have been convicted of filing false tax returns when there was no conspiracy and no failure to file FBARs?

Judge James Teilborg

At sentencing, US District Judge James Teilborg, acknowledging compelling evidence, ruled that Michael Quiel owed nothing in taxes - ZERO. Despite this ruling, Quiel, deemed not a conspirator, now faces the government's pursuit to financially ruin him through substantial tax demands in a civil suit brought by the government.

Christopher Rusch, now known as Christian Reeves

Rusch, alias Christian Reeves, escaped significant consequences and has since continued selling offshore investment schemes, while the government, fully aware of Rusch's activities, has seen its involved personnel either promoted or retired in the decade since the trial. In stark contrast, Michael Quiel, steadfast in his belief of eventual vindication, has spent over $15 million defending himself and challenging the wrongful conviction.

The narrative of Quiel's legal ordeal is one that unveils a disconcerting alliance between government actors and Quiel's own attorney, raising profound concerns about the erosion of justice and the urgent need for a thorough reexamination of Quiel's case. As Quiel battles not just for his innocence but also against the financial repercussions of a flawed conviction, the overarching question persists: How deeply does the web of collusion extend within the corridors of justice?

THE TAX AUDIT AND RUSCH'S INVOLVEMENT

In 2006, Michael Quiel found himself under the scrutiny of an IRS audit for tax years 2000 to 2003, with Agent Cheryl Bradley leading the investigation. The focus was on a corporate credit card Quiel had used, issued by a Belize corporation. Christopher Rusch, a self-proclaimed offshore tax expert, entered the scene when Quiel sought legal representation.

Cheryl Bradley

Rusch, Quiel's chosen advisor, collaborated with IRS Agent Bradley to negotiate a settlement. A condition of the settlement compelled Quiel to add $220,000 in charges from the Belize credit card to his personal tax returns for the specified years. The tax returns were amended by Rusch, acting as the preparer, and the settlement concluded with Quiel paying taxes and fines in full for 2000 to 2003.

THE SWISS BANK VENTURE AND CRIMINAL INVESTIGATION

Post-audit, Rusch enticed Quiel into various offshore ventures, including a 4% ownership investment in a Swiss Bank operated by Rusch. Despite Rusch's representation and advice, the Swiss Bank venture turned out to be a scam, leading to a criminal investigation in 2010. Accused of conspiring to hide money offshore, Quiel was acquitted of the charges in 2013.

During the trial, Rusch, now a key witness for the government, testified against Quiel, contradicting his earlier role as Quiel's tax advisor and attorney. The trial hinged on Rusch's alleged preparation and filing of amended tax returns, including the reporting of a foreign bank account on Schedule B and FBARs.

CONSPIRACY AND WITHHELD EVIDENCE

The trial, marred by perjury, saw the government presenting a prior audit of the Belize credit card as a focal point. Rusch's contradictory roles, including being Quiel's attorney and lead witness for the government, added complexity. Crucially, the IRS withheld Quiel's Internal Master File (IMF) during trial, containing evidence that would have contradicted the government's narrative.

Quiel's defense repeatedly sought access to his IMF file, but Judge Teilborg denied the requests, culminating in a guilty verdict on filing false tax returns for 2007 and 2008. The government's refusal to release Quiel's tax returns concealed the truth, perpetuating a flawed narrative that contributed to his conviction.

CIVIL PURSUIT AND NEW CO-CONSPIRATORS

Years later, a civil case has been brought against Quiel, seeking $2.1 million in fines associated with tax violations for the years previously determined by the court that Quiel owed nothing. Armed with his IMF file, Quiel exposes the government's conspiracy and perjury, implicating Rusch, Bradley, and others, including the court, in a deceitful narrative. Yet, new government co-conspirators, Tijuhna Green, Charles Butler, and Matthew Uhalde, now spearhead the civil pursuit, using evidence and testimony now discredited.

As Quiel fights not just for innocence but against financial ruin, the resilience of these alleged conspirators raises questions about the pursuit of justice and the lengths to which they will go to maintain a false narrative.

Michael Quiel is highly commended for continuing his fight for justice, literally, at all costs. The government can make every attempt to twist the facts of Quiel's case, but they can never change the truth that has been clearly established on the record - Michael Quiel owed NO taxes, and he did everything to follow the law, unlike his attorney!

Read more about Quiel's case and his fight for exoneration and vindication at www.usobserver.com. ★★★

Prosecutors Agree He Shot a Man in Self-Defense. They're Still Trying to Put Him in Prison.

By Billy Binion

(Reason) - A New York City man is facing several years in prison after killing someone who'd broken into his apartment.

But perhaps most interesting is that, at his arraignment last month, prosecutors did not dispute that LaShawn Craig acted in self-defense when he fatally shot Timothy Jones. Instead, they hit Craig with several charges related to the criminal possession of a weapon, because he did not have a license for the handgun he used to protect himself.

LaShawn Craig

On November 17, Craig, who has no criminal history, was standing outside his building talking to a neighbor when he heard his home alarm go off. After returning to his residence, he found Jones—wearing a mask and gloves—who, after Craig ordered him to leave, reached into his pocket. (It was later determined that he had a Taser.) Craig then fired several shots, after which he called 911.

Law enforcement reportedly labeled the shooting a "justified homicide." While obviously a tragic situation, that's clearly the correct decision. Which also makes the government's choice to prosecute him for criminal possession of a weapon, a violent felony, all the more preposterous. Put differently, Craig should spend years in prison, law enforcement says, not because he used his weapon improperly, but because he used it without first jumping through the barriers—which are both time consuming and financially burdensome—required to register a gun with the government.

Craig is far from the first such defendant. This past summer, Charles Foehner, an elderly New York City man, shot a man attempting to mug him. Soon after, he learned that prosecutors would seek to have him die in prison. But it wasn't because he hadn't acted in self-defense. He had, the proof of which was caught on video. It was because police searched his apartment after the shooting and found that only some of his weapons were licensed with the government.

Jones, whom Craig killed, reportedly had over 20 prior arrests for grand larceny, robbery, and domestic violence, among other convictions; Cody Gonzalez, whom Foehner killed, had at least 15 prior arrests. Like Craig, Foehner has no criminal record. And yet Foehner, if convicted on all charges, would go to prison for far longer than Gonzalez would have had he survived.

Opposition to New York's gun licensing scheme has, refreshingly, attracted some strange bedfellows. The 2022 Supreme Court ruling in New York State Rifle & Pistol Association, Inc. v. Bruen paralyzed parts of New York's restrictive licensing rules governing concealed carry. Among those cheering that result: progressive attorneys.

The year prior, The Black Attorneys of Legal Aid, The Bronx Defenders, and Brooklyn Defender Services submitted an amicus brief, asking the high court to incapacitate New York's approach to concealed carry. As I wrote in June:

They offered several case studies centered around people whose lives were similarly upended. Among them were Benjamin Prosser and Sam Little, who had both been victims of violent crimes and who are now considered "violent felons" in the eyes of the state simply for carrying a firearm without the mandated government approval. Little, a single father who had previously been slashed in the face, was separated from his family while he served his sentence at the Vernon C. Bain Center, a notorious jail that floats on the East River. The conviction destroyed his nascent career, with the Department of Education rescinding its offer of employment.

Now LaShawn Craig will have to add his name to the unenviable list of people who used his gun to protect his life and was prosecuted for it anyway. ★★★

Continued from page 1 • Nevada's Churchill County DA ...

his corals and crossed the concrete ditch. He kept coming and jumped to the easement and came toward me in a hurry. When he got to me, he hit me on the left side of my head and neck and I fell to the ground pretty damn hard."

As reported, Lee sustained a cut across the top of his nose, and his glasses were broken. While Lee refused the offer by a responding sheriff's deputy for aid, Lee later went to the ER to be seen.

"The doctor thought I could have had a broken neck." An x-ray ruled out any broken bones, but it exacerbated a previously existing back and shoulder condition and has led to the possibility of surgeries.

As for his take on why he believes his neighbor did this to him, Snick stated, *"We was good friends for quite a while until one time I was cleaning out the irrigation ditch and he came down and really chewed me out."* Lee continued, *"I went to go talk with him about it and he got right in my face. I thought he was going to hit me then, but he didn't, and I left. From then on Jay would always tell me he was going to sue me."* Lee believes there is a dispute regarding an easement that runs between multiple properties that has fueled the animosity.

William "Snick" Lee

Since the incident, some seven plus months ago, Lee has felt forgotten by the system and afraid of his neighbor. *"Jay is always out there taking pictures of me whenever I am outside. I don't feel safe."* Initially, Lee had a restraining order against Moon but it was not reinstated when Lee was unable to attend a hearing. Since, Moon has acquired his own restraining order against Lee. Lee tried to get a new order against Moon but the judge denied it, which could be construed as going against subsection 1(b) of the Nevada Victim's Bill of Rights, that says a victim should be reasonably protected.

The judgment of those who have been privy to what has transpired since the alleged attack say that Lee is being treated more like a criminal than a victim.

The little information Lee says he has received has come from the Assistant DA prosecuting Moon. According to Lee she said she is also Lee's victim's advocate - an interesting assertion. According to Lee, and his relatives who have met with the prosecutor, there doesn't seem to be a drive to take Moon's case to trial, instead they were told that the DA might offer Moon a plea.

The problem is that what Moon allegedly perpetrated is not currently what he is being charged with. Under Nevada law anyone who physically harms someone over the age of sixty has committed Elder Abuse, which carries with it an enhanced charge as either a gross misdemeanor or a class C felony. It is something Lee as the victim is adamant Moon should face.

It is, however, something that Arthur E. Mallory's District Attorney's office seems already too eager to ignore. So much for the statement on the DA's Churchill County website that reads:

"In our criminal division, we represent the interests of citizens by ensuring that offenders within the county are timely charged with crimes that accurately reflect the offending conduct."

Lee has had to personally ensure that witnesses have been contacted by the sheriff's department regarding the case. One such witness, a former neighbor maintains that Moon harassed and physically threatened him as well.

This constitutes a pattern of Moon's alleged behavior. DA Mallory has the ability to protect the victim in this case and the citizens at large. Dropping charges and going for a nothing plea does not serve justice for anyone.

One thing for Mallory to consider, according to the background report previously mentioned, Lee has not ever been charged with harming another soul, that is not something Jay Moon can claim.

Snick just wants to be left alone in peace and feel protected. Right now, he's afraid that Moon will come after him again. *"I don't move so well, especially since this attack. I'm not a threat to anyone, and I wouldn't stand a chance if he were to come after me again."*

DA Mallory, serve justice and prosecute Moon. A jury needs to decide this case and it appears you are not giving them the opportunity.

Editor's Note: Almost two months ago Edward Snook sent a letter to DA Mallory outlining the injustice of charging Moon with anything other than Elder Abuse. Apparently, he did not take it to heart, and we felt compelled to inform Mallory's constituents. ★★★

Continued from page 1 • Rethinking Prosecutorial Immunity ...

deliberately downplaying the severity of an offense undermines the very essence of the legal system.

Reform in prosecutorial immunity should extend to address cases where intentional under-charging occurs. Holding prosecutors accountable for such misconduct ensures that justice is served not only for those accused but also for the victims affected by the crimes. A crime's classification should accurately reflect its nature, especially when victims are involved, and intentional manipulation of charges compromises the integrity of the legal process.

To strike a balance between protecting prosecutors in the legitimate discharge of their duties and preventing abuses of power, the legal system must establish clearer boundaries for prosecutorial immunity. Robust oversight mechanisms, accountability measures, and, where applicable, independent prosecutorial review boards can play a crucial role in ensuring that intentional misconduct, whether in the form of evidence suppression or under-charging, does not go unchecked.

The over use of the widely accepted plea deal – extortion – with instances of over-charging then dangling the carrot of significantly lessened charges for a quick conversion to a guilty plea, has eroded faith in our system of justice. No longer are the truly guilty facing punishment for their crimes. Consequently, crime victim's and their families are made to face the inequity between what actually happened to them, and what the perpetrator eventually pleaded to having committed. With these instances of intentional under-charging to get a win, corrupt practices of evidence suppression to convict the innocent, and the overall industrialization of our system of justice, reforms that prioritize accountability, transparency, and the fundamental principle that justice must be blind to the roles individuals play within the legal system are essential. Finding the right balance of prosecutorial protection is crucial to upholding the integrity of the legal system and ensuring justice for both the accused and the victims of crime.

★★★

Continued from page 1 • Florida Justice System Literally Torturing ...

Judge Jan Shackleford

or infections."

Zane learned the day of trial that Judge Shackleford was prejudiced toward his attorney Patrece Cashwell.

Attorney Cashwell failed to obtain any expert witnesses for Zane or any other crucial testimony on his behalf.

Zane's one day trial and subsequent conviction occurred on a Friday, creating what many call a "fire house jury". Some of the jurors were caught sleeping during trial according to witnesses. They then voted to convict Zane.

Judge Jan Shackleford subsequently sentenced Zane to Life plus 25 years for allegedly touching his friend's daughter.

It is an absolute fact that Judge Shackleford's sentence was way beyond Cruel and Unusual punishment even if Zane was guilty, which there is strong evidence to the contrary.

Zane has consistently maintained his innocence since the day he was arrested, 13 years ago.

God help Judge Jan Shackleford for committing this travesty of justice.

Who within the Florida Justice System is going to stand up and be accountable? ★★★

The US~Observer

Editor-in-Chief

Edward Snook

Head of Operations, Editor and Investigator

Ron Lee

Investigative Reporters

Kelly Stone

John Taft

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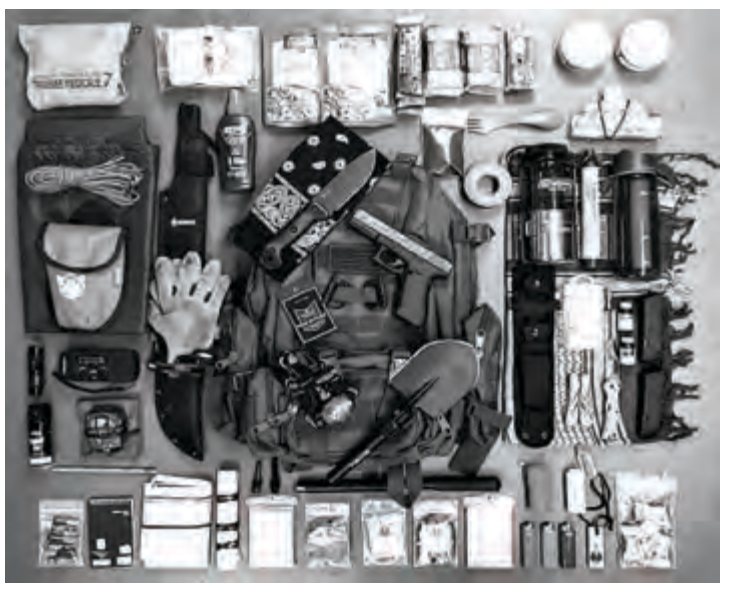
US~Observer
233 Rogue River Hwy. PMB 387
Grants Pass, OR 97527

541•474•7885

Why younger Americans are stockpiling supplies ahead of 2024 election: 'Society unraveling'

By Jesse O'Neill



(New York Post) - Doomsday "prepping" is seeping into the mainstream as Americans of all ages and political persuasions are becoming increasingly worried ahead of the 2024 presidential election about the prospect of a civil war.

Hoarding food, water and weapons was once associated with libertarian extremists, but as a rematch between President Biden and his predecessor, former President Donald Trump, seems all but inevitable in 2024, prepping has become a bipartisan activity, according to a Monday USA Today report.

"On the left, you have people afraid (Trump's) going to declare himself dictator of the United States and people on the left are going to end up as targets in some sort of authoritarian system," author Brad Garrett told the paper.

"On the right, it's general malaise and a fear of society unraveling. They point to these smash-and-grab robberies, riots and protests."

Brekke Wagoner, 39, of North Carolina runs a YouTube channel that offers advice to younger, more liberal urban dwellers about how to prepare for a cataclysmic disaster.

She is worried that if Trump is re-elected, he would fumble the response to a hurricane or other natural disaster that is supercharged by climate change — pointing to his administration's handling of Hurricane Maria in Puerto Rico and the COVID-19 pandemic.

"The intensification of our natural storm seasons is the number one thing that's going to happen to you," she reportedly said.

"An electromagnetic pulse that takes out the electrical grid could happen. A nuclear war might happen. A civil war might happen. But a storm will happen."

Wagoner has a 90-day supply of food stocked up for her six-person family in the event of a similar emergency.

"If you can be prepared, you won't be a drain on the resources needed to help the people who didn't prepare," she told the paper.

"In the face of an apocalypse, I want to come out and calmly help people," she said. "I want to be able to create a society that instead of wanting to shoot every stranger, understands our interdependence and creates a better society."

Not every prepper is influenced by altruism. Retired US Air Force Col. Drew Miller has built seven "Fortitude Ranch" compounds across the country, stockpiled with food, propane, whiskey, solar panels, wells and lots of guns and ammunition.

His members, who pay at least $1,200 a year, are reportedly prepared to flee to the nearest compound in the event of war, nuclear blasts or protesting mobs, and shoot any "marauders" who approach its logged walls.

"We'll have some decent chow here come a collapse," Miller said, while giving USA Today a tour of the spartan accommodations of his southern Colorado compound.

"We guarantee a year of food, but not of toilet paper."

The compound features an armored guard post, sniper positions and an underground bunker for its approximately 100 members.

Miller showed off the weaponry that members would have at hand, including a .50-caliber rifle to fire at approaching vehicles, hunting rifles and a cache of handguns.

In the event of a doomsday scenario, Miller said his group of survivors would be positioned to financially capitalize on widespread urban fatalities and concentrate wealth and resources, not unlike what happened when the Black Death pandemic killed up to 200 million people in the 1300s.

"I want middle-class Americans to survive and we make it affordable to do that," Miller said. "I think eventually things will recover — and I want to be alive for that."

Many of Miller's clients signed up during the widespread racial justice protests and ensuing civil unrest that followed the police murder of George Floyd in 2020.

Even though most of those protests were peaceful, Trump threatened to dispatch the military to clamp down on demonstrators as many large cities suffered property damage.

"There could easily be a civil war during a Biden-Trump election," he said, adding that his group was apolitical and pointing out that many of his members are ex-military and trained in survival.

Over the past year, younger Americas have outpaced Baby Boomers and Gen Xers in prepping for doomsday scenarios, which has blossomed into a $11 billion annual business in the US, according to Finder.com.

Some 39% of Millennials and 40% of Gen Z had spent money on the practice in the past 12 months, compared to 29% of the overall US adult population, the analytic spending website said.

In 2017, years before the COVID-19 pandemic, only about 25% of Americans had loaded up on survival supplies, according to the site.

The recent statistics could be explained by growing societal unease. A USA Today/Suffolk University Poll recently found that more than two-thirds of Americans believe the world is facing either bigger problems than usual or is in the most troubled state they've ever seen.

Prof. Chad Huddleston, an anthropologist at Southern Illinois University Edwardsville, said the surge in prepping is the result of an increased loss of trust in government among younger and more liberal people.

"On one side, people think Trump may bring a New World Order and 'they' will come and get us so we need to be ready," Huddleston reportedly said.

"And then on the other hand you have the communities who think things will get just get worse, so we have to help ourselves."

Garrett, who interviewed hundreds of preppers for his 2020 book "Bunker," said many less hardline preppers were younger liberals who were shocked by the pandemic and the police brutality protests.

"We do have this authoritarian streak running through the right and prepping plays into that. They are prepared for violence, no question," Garrett told the outlet.

"But you're also seeing an increase in militancy on the left. I'm seeing a lot of liberal preppers buying guns, saying that they waited too long. It's an unfortunate arms race that I do think we're going to see escalating as we head into the election, particularly if it's Trump vs. Biden."

Many of Garrett's younger interview subjects were concerned that a second Trump administration would veer autocratic and bungle the impact of climate change.

"You're seeing a lot of people who are not worried about the apocalypse but if the power goes out for three days," he said. "You're seeing more prepping but less extreme prepping."

Wagoner, for her part, rejects a fear-based approach and encourages preppers to think about getting ready for "community survival."

"My perspective is that we are better together," she said, adding that "Jesus would slap the s— out of anyone who had food and refused to help their neighbors who were hungry." ★★★

Evolutionary biology-themed institute works to debunk gender spectrum 'nonsense'

By Daniel Nuccio
Northern Illinois University

(College Fix) - A team of self-styled science communicators are taking a stand against what they view as outright science denial through their new organization, The Paradox Institute, which works to inoculate young people against falling for gender spectra ideology myths and falsehoods.

Zachary Elliott

The institute produces educational materials on the biology of sex that young people find easy to digest, aesthetically pleasing, and "backed up by science," said founder Zachary Elliott in a telephone interview with The College Fix.

The materials include written and audio essays, pamphlets, short animated videos, and podcasts on topics like the "The Denial of Biological Sex," "Why Sex is Binary," and "Defining Sex vs Determining Sex."

"The denial of the two sexes is one of the fundamental issues of our time," the institute's website states.

As the cultural landscape remains saturated with casual rejections of the basic science of sex by young people, educators and policymakers, Elliott said he hopes The Paradox Institute will continue to grow from its roots in 2020.

In the offing are plans to develop a publishing wing to work with authors looking to put out books on topics related to sex and gender, he said.

The standard age-range for the site's audience is late teens through late twenties, he said, adding it's vital the upcoming generation is "educated in the biology of sex and sex differences, so we're really happy that we're reaching that audience."

"We're also reaching parents who have kids with gender dysphoria, providing them with good information," he said.

The institute has consulted with evolutionary biologists such as Colin Wright to ensure the organization's content is consistent with the current scientific literature.

"I'd definitely recommend it to anyone seeking scientifically accurate information on the biology of sex," Wright told The College Fix via email.

In 2022, University of Chicago evolutionary biologist Jerry Coyne similarly praised The Paradox Institute as "a site that looks to be a gold mine of information on human sex, how sex evolved, why there are only two sexes, and on the various disorders of sex development."

One effort by the institute that Elliott said he is particularly proud of is a pamphlet campaign to help combat myths related to so-called gender affirming care.

Asked why he believes so many young people are embracing gender ideology regarding sex and gender spectra and experimenting with different identities, Elliott said there's a component of "a genetic-slash-environment thing and how somebody was raised and their predisposition towards things."

"But there's also a big portion of it right now where it's definitely more of a social contagion."

Many young people, he said, are experiencing feelings of anxiety, isolation, and alienation, as well as dissatisfaction with how they look. The gender industry, he said, gives them something to latch on to in the hope that it will solve their problems. When peers start talking about changing their gender to solve their problems, this reinforces the appeal, he said.

However, it's not just troubled teenagers who are embracing the larger ideology, Elliott noted: "It's people across the board from every demographic."

"People latch onto ideas that they see as fashionable and they're people who are very pulled by the culture and the times of the culture. And that's happened throughout history," Elliott said.

Elliott's "fascination with the biology of sex and desire to learn and educate led him to create the Paradox Institute in January 2020," the website states.

"There's a term I like called 'fashionable nonsense,' and I believe it was coined by Alan Sokal, a physicist who wrote some fake papers that actually got accepted into elite journals, to show the nonsense at the core of the growing postmodernist ideology at the time in the 90s," Elliott said.

He likened gender spectrum ideology to "fashionable nonsense."

"Maybe there are some half-truths in it," he added, "like, for example, the sex spectrum idea tells you that there's this spectrum in diversity between male and female. Well, there's diversity within male and female, but it's within males and within females."

"They try to pull on these half-truths and then they extrapolate out these major conclusions that are just complete nonsense," Elliott said.

"It's a very appealing notion, but when you actually evaluate the claims in detail and understand the scientific literature and the evidence, it's all on a foundation of sand. It's not based in reality."

Other members of The Paradox Institute team include graphic designer Cynthia Breheny, neuroscience PhD student Sammy Stagg, and Talia Nava, who is described on the institute website as having an educational background in cognitive psychology and medical anthropology.

★★★

Articles and Opinions

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Get involved & send YOUR comments or concerns to the Editor

Supreme Court Sets Showdown Over Administrative Law

By Ron Lee
Investigative Journalist

In January 2024, the Supreme Court is set to confront a pivotal question regarding the authority of federal government agencies to interpret their own legal powers. The focus revolves around the longstanding legal doctrine known as Chevron deference, which grants federal agencies considerable leeway in determining the extent of authority delegated to them by Congress.

The court's engagement with this issue is underscored by its decision to hear two cases during this term, with arguments scheduled for January. The addition of Relentless, Inc. v. Department of Commerce alongside the already accepted Loper Bright Enterprises v. Raimondo signifies a deliberate move, potentially allowing Justice Ketanji Brown Jackson, the court's newest member, to contribute her perspective on the matter.

The crux of both cases involves challenges to the authority of federal fisheries regulators to mandate fishing boat operators to bear the costs of on-board compliance monitors. The Department of Commerce, relying on Chevron deference, contends that it has the statutory power to impose such requirements. In contrast, fishing companies argue that the agency has overstepped its bounds.

A key player in this legal drama is the looming prospect of overturning Chevron, a doctrine that has been under fire in recent years. Conservative legal activists view it as unduly empowering federal agencies at the expense of judicial oversight. This sentiment is echoed by critics who argue that agencies possess specialized knowledge crucial for interpreting complex laws governing regulated industries.

The potential consequences of these cases extend far beyond the realm of fisheries regulation. A ruling against Chevron deference could significantly limit the power of federal agencies in various sectors, including environmental protection, prescription drugs, food safety, auto safety, banking, and financial markets. Complicating matters further is the legislative gridlock, making it improbable for Congress to shore up agencies' legal authority.

The Supreme Court has grappled with the idea of overturning Chevron in recent years but has thus far stopped short of definitive action. However, the decision to take up Loper Bright Enterprises suggests a renewed willingness among the justices to reconsider the doctrine's foundations.

Zooming out to the broader landscape of administrative law, recent Supreme Court decisions signal a trend of constraining federal agencies and opening avenues for challenging government regulations. Loper Bright Enterprises, in particular, poses a significant challenge to Chevron, with the potential to reshape the framework that has guided administrative law since 1984.

The Court's endorsement of the major questions doctrine and its scrutiny of the nondelegation doctrine underscore a growing skepticism towards government regulation and a desire to reassert separation of powers. The major questions doctrine, approved in West Virginia v. EPA, requires agencies to refrain from making decisions on issues of extraordinary economic and political significance unless explicitly authorized by Congress. This could trigger regulatory challenges across a spectrum of policy areas.

Simultaneously, the Court's interest in reviving the nondelegation doctrine aligns with its broader agenda of minimizing the administrative state's influence. The Court emphasizes that agencies only possess powers explicitly granted by Congress, signaling a strict approach to limiting Congress's ability to delegate legislative authority.

An additional layer to this evolving legal landscape is the Court's unanimous approval of new procedural avenues for challenging agency actions. In Axon Enterprise, Inc. v. FTC, the Court sanctioned a direct path for pre-enforcement constitutional challenges to agencies' proceedings, providing defendants with an alternative to the traditional administrative process.

For businesses navigating this shifting terrain, the implications are multifaceted. While the recent limits on agency power offer opportunities to challenge regulations, they also pose risks. The potential demise of Chevron and the reinvigoration of doctrines such as major questions and nondelegation could unsettle longstanding regulatory regimes that businesses have relied upon for decades.

As the Supreme Court prepares to delve into these critical administrative law questions in January 2024, businesses must closely monitor the outcomes, as the decisions could reshape the regulatory landscape and impact industries ranging from fisheries to finance.

One thing is certain, the usurping of powers by administrative agencies under the guise of administrative law is what has propelled this issue to the forefront and makes it such an important topic for the continuation of our republic.

As Columbia Law School's Professor of Law, Philip Hamburger, spelled out in his 2014 speech at Hillsdale College:

"… the conventional understanding of administrative law is utterly mistaken. It is wrong on the history and oblivious to the danger. That danger is absolutism: extra-legal, supra-legal, and consolidated power. And the danger matters because administrative power revives this absolutism. The Constitution carefully barred this threat, but constitutional doctrine has since legitimized this dangerous sort of power. It therefore is necessary to go back to basics. Among other things, we should no longer settle for some vague notion of "rule of law," understood as something that allows the delegation of legislative and judicial powers to administrative agencies." ★★★

FLASHBACK…

On April 3, 1965, beloved American Radio Commentator Paul Harvey broadcast what was a prophetic warning.

"If I Were The Devil": A Warning to America From Paul Harvey

"If I were the devil ... If I were the Prince of Darkness, I'd want to engulf the whole world in darkness. And I'd have a third of its real estate, and four-fifths of its population, but I wouldn't be happy until I had seized the ripest apple on the tree — Thee. So I'd set about however necessary to take over the United States. I'd subvert the churches first — I'd begin with a campaign of whispers. With the wisdom of a serpent, I would whisper to you as I whispered to Eve: 'Do as you please.

To the young, I would whisper that 'The Bible is a myth.' I would convince them that man created God instead of the other way around. I would confide that what's bad is good, and what's good is 'square.' And the old, I would teach to pray, after me, 'Our Father, which art in Washington…

And then I'd get organized. I'd educate authors in how to make lurid literature exciting, so that anything else would appear dull and uninteresting. I'd threaten TV with dirtier movies and vice versa. I'd pedal narcotics to whom I could. I'd sell alcohol to ladies and gentlemen of distinction. I'd tranquilize the rest with pills.

If I were the devil I'd soon have families at war with themselves, churches at war with themselves, and nations at war with themselves; until each in its turn was consumed. And with promises of higher ratings I'd have mesmerizing media fanning the flames. If I were the devil I would encourage schools to refine young intellects, but neglect to discipline emotions — just let those run wild, until before you knew it, you'd have to have drug sniffing dogs and metal detectors at every schoolhouse door.

Within a decade I'd have prisons overflowing, I'd have judges promoting pornography — soon I could evict God from the courthouse, then from the schoolhouse, and then from the houses of Congress. And in His own churches I would substitute psychology for religion, and deify science. I would lure priests and pastors into misusing boys and girls, and church money. If I were the devil I'd make the symbols of Easter an egg and the symbol of Christmas a bottle.

If I were the devil I'd take from those who have, and give to those who want until I had killed the incentive of the ambitious.

And what do you bet I could get whole states to promote gambling as the way to get rich? I would caution against extremes and hard work in Patriotism, in moral conduct. I would convince the young that marriage is old-fashioned, that swinging is more fun, that what you see on the TV is the way to be. And thus, I could undress you in public, and I could lure you into bed with diseases for which there is no cure. In other words, if I were the devil I'd just keep right on doing what he's doing."

Paul Harvey, good day. ★★★

US~OBSERVER RECOMMENDED:

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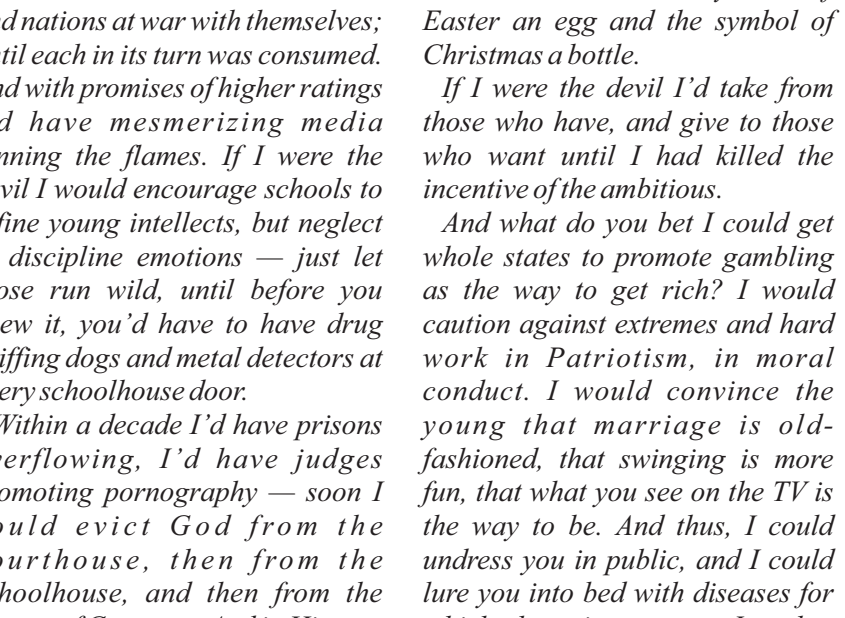

The powerful, profitable, and now on the market, nationally distributed US~Observer newspaper is looking for the right owner.

Established in 1991, the US~Observer has been highly successful. Considered by many as the "champion of the falsely accused and civilly wronged," the US~Observer is more than just news media, it's an organization that completely affects legal cases, elections and much more. The US~Observer is truly one-of-a-kind, which makes the sale of this turnkey operation a great opportunity.

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Call US~Observer's Editor-in-Chief, Edward Snook, at 541-474-7885. ★★★

What in The World Has Happened to Our System of Education?

By Michael Snyder

(endoftheamericandream.com) - Our kids can't really read very well. And it turns out that they aren't very good at math either. But those running our system of education continue to tell us that they are doing a wonderful job. If they just had more funding, they insist, our test scores would go way up. Of course that is complete and utter nonsense. Our system of public eduction was a failure back when I was in school many years ago, and it is much worse now. At this point, only about one-third of all U.S. students in the fourth, eighth, and twelfth grades are proficient in reading…

In 2022, the National Assessment of Educational Progress reported that approximately one-third of students in fourth, eighth, and twelfth grades are proficient in reading. The situation even gets worse for certain groups such as people from a different race, older generations, and those who belong to low-income groups.

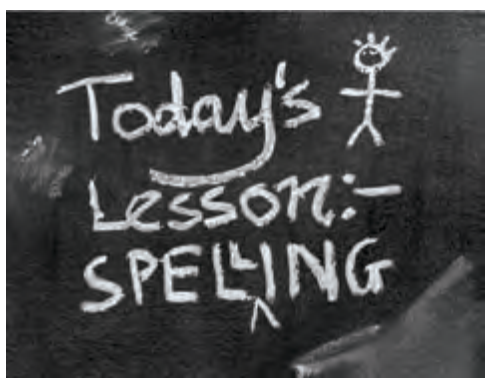
So do you know what this means?

It means that approximately two-thirds of all students in the fourth, eighth, and twelfth grades are not proficient in reading.

Wow, that is really terrible.

And it is also being reported that 40 percent of our students "are essentially nonreaders"…

Biennial testing through NAEP consistently shows that two thirds of U.S. children are unable to read with proficiency. An astounding 40 percent are essentially nonreaders. Most are taught through phonics—a system of instruction based on sounding out letters that is mandated in at least 32 states and the District of Columbia. The phonics method of converting each letter to a particular sound is totally unsuited to the English language. As but one example, e, the most common letter in print, has 11 different pronunciations (end, eat, vein, eye, etc.), including its role as the much-taught "silent e" (tape, cute, fine, etc.). This failure has been endemic from the early days of the country when Benjamin Franklin fought against phonics. The steady expansion of this mode of instruction will not fix the situation.



Isn't that great?

We are headed for a future where approximately 40 percent of the entire population cannot even function in society.

In some areas of the country it is even worse.

In Chicago, only about one-sixth of all third graders are able to read at grade level…

About one-sixth of all third-grade students in Chicago Public Schools can read at grade level. For low-income and minority students, the share of proficient readers is even lower.

They tax the living daylights out of us to fund these public schools.

So where is all of that money going?

One activist that was asked about the current state of affairs openly admitted that "the kids can't read"…

"The kids can't read – nobody wants to just say that," said Kareem Weaver, an activist with the NAACP in Oakland, California, who has framed literacy as a civil rights issue.

This is a national disgrace.

Of course our kids are not too good at math either.

In fact, U.S. students just established another all-time record low on an international exam…

American students scored an all-time low in math on a major international exam, which provided the first comparison of global achievement since the pandemic radically changed education around the world.

According to data released Tuesday, American 15-year-olds had a 13 point plunge out of 1000 on the PISA (Program for International Student Assessment) exam, which was given last year to 620,000 students in 81 countries worldwide.

Yay for our public schools!

We are hitting levels that our students have never hit before!

But even though our students can't read, write or do math very well, they just keep getting moved through the system year after year.

As long as you show up, you are going to pass.

We have become a "participation trophy society" where nobody is ever supposed to fail or feel bad about themselves.

This is true even at a formerly elite institution such as Yale University. At this point, nearly 80 percent of the grades that are given to undergraduates at Yale fall within "the A-range"…

A new report recently revealed that Yale University is apparently handing about grades in the A-range like they are candy. An estimated 78.97% of all the grades given to undergraduates at the prestigious university fell within the A-range.

The surprising development has left both students and faculty alarmed that high grades appear to have lost their value, according to the New York Times. Shelly Kagan, a philosophy professor, said: "When we act as though virtually everything that gets turned in is some kind of A — where A is supposedly meaning 'excellent work' — we are simply being dishonest to our students."

The grade report was put together by economics professor Ray Fair, who noted that the increase in grades started during the COVID-19 pandemic. And it has continued to rise since then, with students averaging a 3.70 GPA, up from 3.60 in 2013-2014. The details of the study were first shared with the Yale Daily News.

How bad do you have to be in order to get a "B" at Yale?

I would honestly like to know.

Of course this isn't just happening at Yale.

All over the nation, "good grades" have essentially become meaningless at our major colleges and universities.

Our kids have come to expect that "success" will just be handed to them, and as a result our system is pumping out millions of young adults that are just like this guy…

On an episode of Caleb Hammer's YouTube show Financial Audit, 41-year-old Brent of Auston, Texas, reveals he has no steady job, no savings and relies on his parents to pay rent. But he refuses to accept work that's "beneath" him.

"You're being a baby," Hammer told him after he confessed he turned down a job at a fast food restaurant. "Why will you not accept the jobs that you feel are slightly beneath you?"

Our system of education is theoretically supposed to be preparing our kids to face the real world, and that just isn't happening.

The real world is not pleasant.

It does not hand out participation trophies.

In fact, there are times when the real world will pick you up and knock the breath out of you.

But now we have vast hordes of young people that cannot deal with the real world, and they are completely and utterly unprepared to deal with the extremely uncertain future that our society is now facing.

We don't do our kids any favors by coddling them.

They need to be challenged, and unfortunately our absolutely pathetic system of education is not challenging them at all.

★★★

Concerns Arise Over DNA Contamination in COVID-19 Vaccines and Potential Health Risks

US~Observer Staff

Clinical pathologist Dr. Ryan Cole has raised alarms about DNA contamination in some COVID-19 vaccines, suggesting a potential link to increased cancer rates, micro-clotting, and autoimmune diseases. In an interview with the "American Thought Leaders" program, Dr. Cole expressed concern over the presence of billions of residual DNA fragments, including molecules derived from Simian Virus 40 (Sv40), in Pfizer's COVID-19 vaccine vials.

The SV40 enhancer gene, although not the virus itself, has been associated with cancer in laboratory animals. Dr. Cole highlighted the health risks associated with the SV40 enhancer, pointing to its nuclear co-localization sequence, which he believes could induce mechanisms leading to mutations and toxicity within cells.

Recent research has indicated that much more investigation is needed to understand the implications of DNA contamination in COVID-19 vaccines, particularly regarding the SV40 sequence. Dr. Cole referenced the phenomenon of "turbo cancers," characterized by aggressive and fast-growing cancers, as an area requiring further exploration.

A review of cancer registry records from 44 countries has shown a rapid rise in the incidence of early-onset cancers, prompting concerns about potential adverse events associated with DNA fragments in the vaccines. Dr. Cole explained that the "turbo cancer" phenomenon might be linked to immune system suppression caused by the DNA fragments.

Microbiologist Kevin McKernan, who worked on MIT's Human Genome Project, highlighted the elevated levels of DNA contamination in COVID-19 vaccines, surpassing health agency requirements. He warned of the potential infiltration of DNA plasmids into the human genome, contrary to statements by regulatory authorities.

Dr. Cole emphasized the need for further research to understand the long-term implications of DNA fragments and expressed skepticism about the unproven nature of lipid nanoparticles, the carriers for mRNA in COVID-19 vaccines. He cautioned against the indiscriminate use of this technology without adequate long-term safety data.

The concerns extend beyond cancer, with Dr. Cole suggesting possible links to immune system issues and blood clotting, particularly related to the spike protein in the vaccines. He hypothesized that unusual clotting patterns might result from the production of considerable amounts of spike protein in some vaccine recipients.

While experts, including Dr. Robert Malone, who played a key role in developing mRNA technology, have raised genotoxicity concerns and called for the recall of the vaccines, regulatory agencies, such as the FDA and EMA, maintain that no safety concerns related to the DNA fragments have been identified. They argue that the benefits of the vaccines outweigh potential risks.

The debate surrounding DNA contamination in COVID-19 vaccines underscores the need for comprehensive research to address unanswered questions and concerns raised by experts in the field. As discussions continue, transparency and ongoing surveillance are crucial to ensuring public confidence in vaccination efforts.

★★★

Closing a Corruption Loophole

By Rick Scott and Demian Brady

Those who serve in Congress should be held to the highest standards, reflecting the immense responsibility entrusted to our public servants. But while Americans would rightly hope that the consequences of violating this trust would be severe, thanks to a loophole in the law, some former members of Congress convicted of corruption and fraud continue to benefit from taxpayer-funded pensions.

This is why the No Congressionally Obligated Recurring Revenue Used As Pensions To Incarcerated Officials Now (No CORRUPTION) Act is a vital ethical reform. The bipartisan No CORRUPTION Act would close a major loophole in federal law that allows convicted politicians to continue collecting federal pensions. Befitting its common-sense nature, the Senate unanimously passed the bill. It awaits a vote in the House.

The loophole stems from well-intentioned laws passed over a decade ago. In 2007, Congress passed the Honest Leadership and Open Government Act (HLOGA) after controversy involving more than a dozen former lawmakers convicted of serious criminal charges who were still eligible for taxpayer-funded pensions worth a combined total of nearly $800,000.

HLOGA specified that conviction for several corruption-related crimes would lead to forfeiture of a congressional pension. Five years later, Congress built on HLOGA with the Stop Trading on Congressional Knowledge Act (STOCK) of 2012. This law added additional crimes that would strip members of their pension.

Under those laws, however, former members of Congress convicted of a felony forfeit their pensions only upon final conviction, which means only after exhausting their appeals. This provides an opportunity for convicted former members to file one appeal after another, dragging out the legal process for several years. All the while, they can continue to collect their pensions even after they have been sentenced to federal prison.

The National Taxpayers Union Foundation first uncovered this loophole after confirming that former Rep. Chaka Fattah (D-Penn.) remained eligible for his estimated $55,000 pension — plus annual cost-of-living adjustments (COLA) — one year after he was convicted in 2016 for racketeering conspiracy, wire fraud, mail fraud and falsification of records.

Since passage of HLOGA and the STOCK Act, no members of Congress have been confirmed to have forfeited their pensions. More recently, former Rep. Steve Buyer (R-Ind.) was convicted of an insider trading scheme that netted him a $350,000 windfall. On Sept. 19, 2023, Buyer was sentenced to 22 months in prison, and his lawyer said that they plan to appeal his conviction. For his time in the House of Representatives from 1993 through 2011, his annual pension could be worth up to $48,000, plus annual COLAs.

The most recent member to find himself in legal trouble is Sen. Bob Menendez (D-NJ), who was indicted for corruption in September. A follow-up indictment in October for operating as a foreign agent adds to the charges that could strip his estimated $70,100 congressional pension.

Laws cannot make retroactive changes to congressional perks, but going forward, the No CORRUPTION Act would cut off pension-eligibility upon initial conviction. This could finally end taxpayer payments to corrupt politicians. The bill would also ensure that convicted former members of Congress who receive a presidential pardon would not get their pensions unless a court overturns their convictions.

In addition to protecting taxpayers, the reform includes a very important protection for the legal rights of the convicted. If an appeal is successful in overturning the conviction, the congressional pension held in abeyance would be retroactively paid in full.

Making Washington work for American families requires real reforms that end the current dysfunction, which is why it is an encouraging achievement that every member of the Senate joined together unanimously to pass this common sense legislation. Rep. Ralph Norman (R-S.C.) recently introduced the No CORRUPTION Act in the House with bipartisan support. It should be a no-brainer to move forward on this bill to hold elected officials accountable and protect taxpayers' hard-earned money.

Republican Rick Scott represents Florida in the United States Senate. Demian Brady is vice president of research at the National Taxpayers Union Foundation.

★★★

Police Invest in Drug Dogs, Then Exploit Them for Profit

By Daryl James & Adam Linthicum

Image: Michaela Pereckas/Flickr

(The Crime Report) - Police dogs do more than protect and serve. They also function as brand ambassadors but a 2023 K9 photo contest designed to do just that backfired when participating law enforcement agencies started cheating to collect the $500 prize.

Blue Line Unlimited, the contest sponsor, had to cancel the vote and choose a winner at random. Instead of spreading goodwill, the friendly competition exposed an integrity problem.

"It is extremely unfortunate to see this happening, especially in a law enforcement setting," Blue Line wrote in a statement.

Bad behavior when the stakes are low highlights the potential for bigger abuses when agencies turn their attention to a multibillion-dollar scheme called civil forfeiture. This law enforcement maneuver, which frequently involves drug-sniffing dogs, allows the government to seize and keep cash, cars and other valuables without a criminal conviction.

Many property owners permanently lose assets without being arrested or even accused of wrongdoing. Agencies can proceed on the flimsiest of excuses. All they need is a hunch that the property is somehow connected to criminal activity. Judges can push back and demand evidence. But many cases—more than 90 percent at the federal level—never make it that far.

Property owners facing civil forfeiture must pay for their own defense, and many give up or lose on technicalities without ever seeing a neutral decisionmaker. Once the process ends, participating agencies can keep up to 100 percent of the proceeds for themselves. Before any of this can happen, they must find the property they want to keep, which requires a search.

This is where police dogs come in.

The Constitution requires probable cause before officers can rummage through personal spaces like car trunks and cabs, and many courts accept an alert from a certified drug detection dog as sufficient to meet this standard.

K9s do not have to detect actual contraband. Often none exists. They can just follow their handler around a vehicle on a leash until the handler announces an alert has occurred. This does not need to be something obvious like a sudden change in K9 behavior. It can be whatever the handler says. Handlers can even use dog toys and hand signals during the process. And because dogs cannot talk, the handler's testimony prevails in court.

Law enforcement agencies count on this. Some handlers jokingly refer to their K9s as "probable cause on four legs." Others describe their K9s as a blank permission slip to snoop.

The ability of dogs to detect drugs is secondary.

What matters most when agencies patrol for profit is the integrity of the humans involved. Marine veteran Stephen Lara saw what can go wrong when a Nevada state trooper led a K9 around his vehicle during a 2021 traffic stop. Musician Phil Parhamovich had a similar experience while traveling through Wyoming in 2017. And volunteer Christian rock group manager Eh Wah faced his own ordeal while traveling through Oklahoma in 2016.

None of these men carried narcotics or anything illegal. But officers said their K9s smelled drugs, creating probable cause to search the vehicles. In all three cases, the agencies found cash and attempted to keep it through civil forfeiture. The property owners' innocence did not matter. Our public interest law firm, the Institute for Justice, represented these men in separate cases, and they eventually got their cash back. Yet civil forfeiture made them vulnerable.

Civil forfeiture also makes drug detection dogs vulnerable. They become unwitting accomplices in the moneymaking scheme and can be abused, neglected and exploited as priorities shift from crimefighting to revenue generation. Tracking the harm can be difficult due to lax or nonexistent K9 reporting standards, but 2023 has produced many troubling cases.

An Indiana state trooper faced allegations of breaking his K9 partner's leg using unreasonable discipline during a training session in March. A West Virginia officer was arrested after his K9 partner went missing in April. And a Utah Department of Corrections officer was placed on leave after his K9 partner died in a hot vehicle in July.

Meanwhile, officials will not say how K9 officer Kumo died in Rains County, Texas. His handler was fired for unspecified "policy violations" in May. Better K9 training, certification, and transparency could help reduce situations like these. But problems will persist as long as agencies can self-fund through aggressive enforcement. Ending civil forfeiture would eliminate the perverse incentive.

New Mexico already has taken this step, and a handful of other states are moving in the right direction. Additional reforms could come at the federal level with the Fifth Amendment Integrity Restoration (FAIR) Act, H.R. 1525, a bipartisan measure reintroduced in March 2023.

Crime should not pay. But agencies have other ways to seize and keep ill-gotten gains without trampling on constitutional guarantees of due process. One method already available is criminal forfeiture, which guarantees the right to counsel and requires a conviction. Additional safeguards, such as sending forfeiture proceeds to the General Fund rather than law enforcement bank accounts, can also ensure integrity. Property owners would be more secure without civil forfeiture. So would K9s. ★★★

CDC Issues Warning Amid Rocky Mountain Spotted Fever Cases in Southern California

By US~Observer Staff

Southern California — Following reported cases of Rocky Mountain spotted fever, the Centers for Disease Control and Prevention (CDC) has issued a warning about the tick-borne illness. Since July, five individuals, four of whom were under 18, have been hospitalized after spending time in a Mexican border city. Tragically, three of them have succumbed to the illness, according to the Washington Post.

Christopher Paddock, a CDC chief medical officer, emphasized the severity of the disease, noting, "This disease is extraordinarily unfortunate because half of the patients die in the first eight days of illness." However, prompt treatment can be effective.

Early symptoms, such as a low fever, headache, and gastrointestinal discomfort, may not appear serious or distinctive, leading to delayed diagnosis, health officials warned. Spread by infected ticks, the disease poses challenges, including the fact that "many patients do not recall being bitten by a tick," as mentioned in the CDC's health alert.

Brown Dog Tick

The agency recommends that healthcare providers consider treating individuals who have recently visited northern Mexico and exhibit symptoms with the antibiotic doxycycline, without awaiting test results.

While Rocky Mountain spotted fever is not a prevalent issue in the US, it is endemic in parts of northern Mexico and the southwestern US. The disease, transmitted by brown dog ticks in the region, does not spread from person to person. All five patients had been in Tecate, a city in the northern Mexican state of Baja California, within two weeks of falling ill.

In Mexico, the fatality rate can exceed 40%, contrasting with a lower rate in the US, according to the CDC.

★★★

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.

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If you prefer email:
editor@usobserver.com

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

Faces of the US~Observer's VINDICATED

Angela Nobilis-Faire

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

Charges

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

James Faire

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

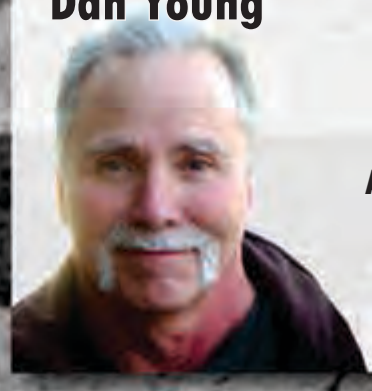
Status: Dismissed with Prejudice

Rusty Liscoe — Felony Grand Theft/RICO

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

Status: Dismissed

Dan Young — Menacing & Reckless Endangerment



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

Status: Acquitted

Assault — Stan Strange

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

Status: Acquitted & Compensated

Sex Abuse — Timothy Tignor

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

Status: Dismissed

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