



THE STING II

Facts Behind the Curtain James Faire's False Prosecution

This case reads like it could be a sequel to the classic film, *The Sting*, where a young con man teams up with a master of the big con to secure a fortune.

By Doug Parris
Investigative Reporter

THE TALE

Okanogan County, WA - On June 19, 2015, Okanogan Sheriff Frank Rogers held a press conference to announce he had detained "squatters" who, after being confronted by the owner of a property in Tonasket, Washington, had intentionally run over a woman twice. That tale went viral in the drive-by media incriminating James Faire and Angela Nobilis as a public relations exercise; in



James Faire

Okanogan, all over Washington, in newspapers and TV, and nationally via the Southern Poverty Law Center.

And for 24 hours or so that story was believable for people ignorant of basic facts in the case — people

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FALSE CHARGES SPOTLIGHT

Turning a Blind Eye to Justice Okanogan County Prosecutor Sloan's Mission to Convict At All Cost

By Edward Snook & Doug Parris
Investigative Reporters

Okanogan County, WA – Facts are pesky little things – especially when they go against what a prosecutor would like to maintain as the truth when seeking a conviction. Some, like Okanogan County's elected prosecutor, Karl Sloan, discard readily available facts – like those the US~Observer provided his office – for more prosecution-friendly investigative speculation and distortion – with which he was provided by his brother, Kreg Sloan, chief case Detective for the Okanogan County Sheriff's Department. As of November 6, 2015, Sloan and Sloan, together, have



Okanogan County Courthouse and Prosecutor Karl Sloan

knowingly and intentionally kept a factually innocent James Faire locked in the Okanogan County Jail for nearly five long months. Sloan and Sloan have more than turned a blind eye to the absolute proof that Faire and Angela Nobilis are completely innocent of the criminal charges filed

against them on June 19, 2015. Moreover, each has overtly skirted the law as it affects their duties.

THE ABSURD AND FALSE CHARGE OF MURDER

In what could only be described as

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Jessica Morton

A Small, Yet Telling Victory: No Contact Order "Stricken" Jessica Morton's Story Continues

By Joseph Snook
Investigative Reporter

Grants Pass, OR - On October 1, 2015 Jessica Morton, who currently faces six criminal charges for alleged sex crimes against a "minor," had her no-contact order with minors, "stricken," in an order signed by Josephine County Circuit Court Judge Thomas Hull. Morton, obviously not the sex offender the prosecution has publicly alleged, can now return to coaching softball and take part in other events involving children. We commend her attorney Nathan Wentz for filing the motion.

Josephine County Assistant District Attorney Mathew Corey did not oppose dropping the no-contact order.

Facing up to 10 years in prison if convicted, having a no contact order with minors stricken was positive news for Jessica Morton and her family, especially considering that she still faces the following criminal charges:

Count 1: Custodial Sexual Misconduct in the Second Degree

Count 2: Sexual Abuse in the Third Degree

Count 3: Custodial Sexual Misconduct in the Second

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Judge Unravels Illegal Activity by Prosecution But Will He Do Anything About It?



Judge David Bury



DOJ's Gary Restaino



Ex-Congressman Rick Renzi

By Rachel Alexander

(Townhall.com) - Monday, October 26, Federal District Court Judge David Bury held an evidentiary hearing in Tucson to consider new evidence that prosecutorial wrongdoing took place during the criminal prosecution of

imprisoned former Congressman Rick Renzi. Specifically, the judge considered whether the the FBI had offered money to — the one "victim" Renzi had allegedly extorted — to change his testimony and make it unfavorable toward Renzi in order to ensure a conviction. As the hearing was ending, the shocking

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COMMENTARY

What does Citizenship mean to you?



By Ron Lee
Verbal Assassin

It used to be that if you wanted something done, you'd do it. If a man or a woman saw a need, they'd fill it. If someone needed help, you'd give it. You did these things not because you were paid to do it or it was expected in some way but rather because it needed to be done. "If not by you then by who," was the mantra. There was no want for praise or money, doing whatever it was, was enough of an accomplishment to garner a modicum of self fulfillment, self worth and aided in the development of self respect. Because of this mentality things got done, needs

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JUSTICE REFORM

Blackmail with Immunity



By Joseph Snook
Investigative Reporter

Prosecutors, the people who are supposed to seek justice, are the very people law abiding citizens should fear most. With law enforcement approval at a reportedly 22 year low, the public sentiment of law enforcement is evidently a problem. But bad cops are one small aspect of the U.S. Criminal Justice System that accounts for the highest incarceration rate per capita in the world.

Criminal Justice reform is a fairly new trend, but how we got here is complex. Laws are created, enacted, and enforced across the country every year. Laws are usually created with good

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CORRUPTION

In six years some 1,000 police officers have lost their badges over 'sexual misconduct'



(RT.com) - Around 1,000 policemen across the US had their licenses revoked and lost their jobs over the last six years on account of numerous sexual offenses that included rape and possession of child pornography, an AP investigation based on official data revealed.

The probe involved examining records from 41 states to see how many police officers' licenses were revoked in 2009-2014 and for which

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like Sheriff Rogers. But, as evidence previously exposed here in the US~ Observer proves, there were no "squatters," no one had been confronted by the property owner, and no one was run over twice.

But Sheriff Rogers erred, not only because the evidence from which he worked had already been bungled and distorted by the Okanogan County Prosecutor's brother, Kreg Sloan, but also because the **actual events** were intimately tied to a **back story** of financial fraud and collusion the detectives *did not know* and *never bothered to investigate* even as prosecutor Karl Sloan's narrative crumbled. The "Tale" seemed to make sense, but every bit of it had been spun by a professional con artist. Her sting, in this case, ended up accidentally killing herself.

Nevertheless, meticulous investigative reporting quickly uncovered the **facts** of a sloppy (and corrupt) police investigation that missed or distorted (and Prosecutor Sloan has covered up) the truth. Just this week blockbuster evidence surfaced further exposing the back-story of the scam.

THE PLAYERS

In order to understand the events at 36 Sourdough Road East on June 18, you need to understand that Sheriff Rogers' (and the Sloan brothers') "Tale," was drawn from a professionally concocted "Sting" staged with live actors by con artist Debra Lynn Long, AKA Stuart, AKA Emery, AKA James, and her partner.

No, Long did not work alone and the scam is ongoing. Although, while alive she was still married to Mr. Long, Debra was quietly "engaged" to her partner, Michael Fritch with whom she lived, in luxury accommodations, at 7665 Swampy Lane in Loomis, California. Between August 2014, when friends found a Sheriff's Sale notice on Michele St. Pierre's door, and June 18, 2105 when Debra lost her life, she and Fritch, by carefully spun deceptions, subordinated and used the four other players, George Abrantes, Michael St. Pierre, Ruth Brooks, and Richard Finegold to accomplish her purposes and secure complete control of everything Michele had. The violence at Sourdough Road that killed Debra is incomprehensible without the Setup to that Sting.

THE HOOK

Debra and Michael Fritch, together, did a "land office" business in the wake of the U.S. foreclosure crisis of 2007-2008. They offered salvation to people who were losing their homes to bank foreclosures. The 2009 Quarter

Three Publication of the Mortgage Bankers Association reported that by September of that year, 14.4% of all U.S. mortgages were either delinquent or in foreclosure. Among other things, there was an epidemic of fraudulent foreclosures by banks in financial trouble. According to Dan Santon of SeaTac Washington (whose home Debra sometimes used as a mailing address), Debra claimed she had saved "thousands" of people from foreclosure. We found otherwise.

BANKS AND FRAUD

We interviewed one person who faced fraudulent foreclosure tactics and found Michael Fritch, who offered "strategies" and eventually introduced him to Debra. This person ended up gradually paying out more than \$25,000 to Fritch, Long, and their associates at Fritch and Long's instruction. At their instruction, this homeowner followed complex, time-consuming and legally ineffectual procedures, including putting the property in a "trust" and eventually lost title to the home even though he could absolutely **prove foreclosure fraud**.

The plain fact of the matter is that putting your property "in trust" may successfully give away your control of it, but simply cannot protect it from a foreclosure already under way.

It is ironic that her scams ended up killing her, because Debra had perfected a "witchcraft" that both destroyed her victims, and controlled her accomplices with poisonous lies. Why would four people falsely accuse James and Angela of theft?... of

Prosecutor Karl Sloan



Pawns in and perpetrators of Debra Long's scam



Top: George Abrantes, Richard Finegold
Bottom: Michael St. Pierre, Ruth Brooks

THE SET UP

Some of the final pieces of evidence of what Debra and Michael were doing just fell into place.

We said it in "The Conspiracy to Frame James Faire ~ The Power of 'Trust'" (US~Observer vol. 2, ed. 35): "... dying people... can frequently be induced to give away all they have..." No one knew this better than con artist Debra Long. Before her death, but after cancer and drug use had made her incompetent to do so, persuaded by Debra that she was protecting those assets, Michele St. Pierre, gave control of all her real estate to Debra's partner, Michael Fritch. Then — on the day Michele actually passed away, just before Debra led her "James gang" members to Tonasket to frame James Faire for theft and trespass, Debra told them — curiously — to keep Michele's death secret.

We know *why*. We have the smoking gun. You see, after Michele passed on, the executor of Michele's estate inevitably became required, by law, to determine Michele's interest in those real property assets she had put in publicly recorded trusts and had claimed as having income. As a matter of statutory duty, Michele's executor petitioned the Snohomish County Superior Court to open the private trust contracts to public examination.

This forced Debra's partner, Michael Fritch out of the shadows.

When he was served with the petition to expose the trusts to light, Fritch recognized the whole sting was threatened by the loss of his secrecy. He panicked and began to respond irrationally. In a letter obtained by the US~Observer, Michael Fritch, makes wild threats to intimidate the executor to withdraw the motion to open the trusts and discloses documents that he would have been better advised to keep secret.

Who is this Michael Fritch and why would he be driven to such panic?

Another Trust Scam

There seems to be little doubt that Michael Fritch and four alleged confederates were charged with some Federal crimes circa 2001, before he met Debra Long. Fritch admits as much. But that is where *his* story conflicts with court records. Fritch claims that he was charged with refusing to be a "tax collector" for IRS employee withholding and that he was the only one who got off because (in his own explanation) he was the only one who stood his ground on the legality of his actions.

Court records tell a different story. The U.S. District Court, Eastern District of California criminal docket for case number: 2:97-mj-00173-JFM says that Fritch and four others were charged with **conspiracy, mail fraud and equity skimming in a real estate case**, where the defendants were alleged **"to have promised eleven home owners facing mortgage difficulties that they could stop foreclosures by transferring their homes to trusts set up by the defendants"** and that the homeowners lost the money they paid the defendants, lost their homes and ruined their credit ratings.

Sound familiar

Apparently to avoid a similar indictment, Fritch made serious sounding threats. But the first thing Fritch's threatening letter did



Angela Nobilis with James Faire

was inadvertently disclose the reason Debra told her "James gang" members to keep Michele's death secret.

On April 13 Michele (also after cancer and drugs had made her incompetent to do so) executed a "General and Durable Power of Attorney" (P.O.A.) document explicitly giving every power conceivable to Debra Long. This is the "holy grail" of con artists. Our initial investigation uncovered that this P.O.A. had been recorded, but Snohomish County's website blocked opening it and said, "You do not have permission to view this document." Thanks to Michael Fritch we now **have** that document. We know Michele was not in her right mind, but NO ONE, in their right mind would have signed such a document.

In direct contradiction of standard P.O.A. language, the P.O.A. Debra wrote explicitly relieves her of any fiduciary responsibility and ALL accountability. With it, Debra could sign any document as if she were Michele, but for her own benefit, not Michele's. She could give away Michele's personal property to anyone as she saw fit. She had everything. Michele's fine art paintings (now missing) or her precious metals (also missing) could be given away or sold as Debra designated — her cash, her accounts, etc. Debra controlled everything.

There was just one problem. As with all Power of Attorney documents, **the powers expired on Michele's death**. When, at Debra's direction, on the day of her death, the James gang went through Michele's belongings, dividing them up; moreover, when, on June 17 at Debra's direction they stole Michele's SUV and illegally took from her possessions and traveled to Tonasket, Debra could show a **legal authority to do so** — unless it became known that Michele was dead. And any of Michele's property that Debra wanted to sell or seize was fair game until the news got out that Michele was dead.

Her death was kept secret to facilitate fraud. But there's more.

THE SHUT OUT

In his attempt to intimidate the executor and shut out judicial review of the trusts, Fritch, amid a fountain of errors of grammar and diction, emits a cascading rainbow of falsehoods about the executor and exposes damaging truths about his own actions.

In one fell swoop, Fritch's letter seems to accidentally address several questions with a single answer.

For what purpose did someone from out of state, who did not know Michele, who had indeed met her only briefly, decide to become the trustee to whom Michele GAVE control of all of her real property?

What did he stand to gain?
What interest does Michael Fritch have controlling (and hiding) the bulk of Michele

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an assault on James and Angela, James (with Angela) attempted to flee in their truck from a physical confrontation brought on by George Abrantes, a madman wielding a weighted chain. Prosecutor Sloan holds conclusive photographic proof of this assault in evidence but has ignored it. A point of interest is that had James Faire really wanted to kill anyone, he could have easily used the pistol he pulled to temporarily keep Abrantes, and others, at bay when he was first confronted and outside of his vehicle, so that he could get back inside the truck and leave. Instead, Faire showed restraint and was obviously only interested in getting away from this violent individual and his fellow instigators/conspirators.

Sloan holds proof, in the conspirators' own statements (contained in police reports), of the conspiracy to entrap and falsely accuse James and Angela. The group of attackers surrounded them, and Abrantes lashed the chain against the truck and windows, doing extensive body damage to the truck and breaking glass. As a direct result of Abrantes' assault and perceived threat to his own life and that of his soul mate, James accidentally and unknowingly ran over Debra Long (who was also on the attack) with his truck, killing her. James' truck also struck Abrantes (who James was turning to avoid, but Abrantes had stepped back toward the truck as he continued to smash it with his chain).

If you were blocked in by a group of out of control people would you plow forward through them to get away, or would you try to back up and move forward, "turning your steering wheel sharply to the right," trying to avoid everyone while still trying to get away? If you were interested in killing, you'd just plow forward (or use the gun you had available), and this simply wasn't the case with James Faire. What happened was an unfortunate accident, resulting from an act of absolute self-defense. It was brought on by the premeditated actions of the conspirators, not the frightened pair who were simply trying to

get away from the violence being wrought against them.

A majority of the facts in this case were outlined in two articles published in the last edition of the US-Observer. One titled, "Escaped with Their Lives, Then Charged with Murder - The James Faire Story." The other, "The Conspiracy to Frame James Faire - The Power of 'Trust'." Google both. They relate the story of a conspiracy to assault, and/or entrap, or kill James and Angela after a common friend of theirs had died.

But, all of this evidence is being ignored, and James Faire is still sitting in jail. Why? Is it because Prosecutor Sloan is covering for his detective brother's incompetent investigation, which led to the murder charges to begin with? Or, is it that he really believes the statements of a group who committed crimes and conspired to bear false witness against the real victims, James and Angela? Or, and most likely, given the fact that Okanogan Sheriff Frank Rogers went on KREM television (to all citizens of Okanogan County) immediately after the incident, claiming that James and Angela were squatters, thieves and basically murderers, the evidence Detective Kreg Sloan "gathered" had to prove that theory out? Or could it be as simple as Prosecutor Karl Sloan covering for both the Sheriff and his brother, due to the fact that they all work together in the conviction business?

Whatever scenario or combination of them is applicable, justice is not being done, and the citizens of Okanogan County should be deeply concerned as Prosecutor Sloan is rapidly proving the many accusations we have received against him to be true. One caller



George Abrantes



Sheriff Frank Rogers

stated, "They have their own brand of injustice in Okanogan County." Another stated, "[prosecutor] Sloan is protecting his brother's [Detective Kreg Sloan] incompetent investigation. They have done this numerous times in the past." And yet another stated, "Faire will never get a fair trial up there. His public defenders have far too many cases - they will never give this man the proper legal assistance."

The deceptions of the Sloans' investigation and prosecution are too numerous to fully list. Here are a few of the key facts:

- When the sheepish Richard Finegold (the "property owner") was interviewed on June 17, the investigation allowed other proven conspirators to literally put words in Finegold's mouth, setting up James and Angela as squatters, engaged in trespass.

- The entire case and investigation are based on false "trespassing" and theft allegations. The day after the gang's assault, however, a "remorseful" Richard Finegold admitted, in writing, that his parroted statement (claiming James had no permission to be on the property) was false, and he included documented proof that it was false, yet the investigation and prosecution has totally ignored it, by keeping Faire incarcerated.

- Richard Finegold, aided by several of his cohorts, over the course of their collective collaboration, collected, seized, embezzled, or stole the personal property of at least seven separate parties (including James and Angela), from items such as furniture he liked, to vehicles. The personal property is reportedly worth more than fifty thousand dollars. To date, Sloan and Sloan have engaged in de facto collusion with Finegold to allow him to keep it, in open violation of RCW 7.69.030.

- When James and Angela's computers were magically "found" in Richard Finegold's car, the investigation seized them, but did not

charge Richard with the theft.

- Investigators failed to examine a cell phone belonging to one "witness" - Ruth Brooks - that had been used to make a video recording of the assault against James and Angela. Even when it was discovered that another witness knew about the recording AND knew that



Richard Finegold

Ruth Brooks had withheld that she had been recording - she was not charged for withholding evidence and no warrant was obtained to search the phone. When Brooks was finally questioned about the recording she simply claimed her phone wasn't working. How convenient and how easy to sell, when the police and prosecutor are protecting certain "witnesses" in their corrupted endeavor to falsely prosecute innocent victims.

- Case investigator Sloan showed no interest in the only witness to the assault who was not a participant, neither a personal friend of the conspirators, nor the defendants. He was ignored the day of the incident. He was even ignored after phoning in a week later to offer testimony, and when he finally showed up the day of the arraignment and walked into the sheriff's office to offer the most complete and unbiased view of the events, they took his statement and then KREG SLOAN "LIED" ABOUT HIS TESTIMONY ON THE RECORD.

RIGHT TO COUNSEL

Way back in June 2015, Okanogan County public defender Nick Blount was appointed to represent James Faire and Melissa MacDougall was appointed to Angela Nobilis. On August 18, 2015 Blount withdrew as James' counsel and Michael Prince and Myles Johnson took over acting as public defenders for Faire - I should stress the word "acting" because, according to Faire, neither one of them got his side of the story or spoke with him about his case before he finally fired Prince on October 12, 2015. It is simply and factually legal malpractice and complete ineffective assistance of counsel for any attorney to fail to work closely with a client who is charged with murder - as serious a charge as there is.

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bribery was exposed, Judge Bury told chief DOJ prosecuting attorney Gary Restaino he wrongly violated Renzi's rights.

Who is Restaino and why was he so intent on convicting Renzi that he would violate the law? His wife, Leezie Kim, worked closely for former Arizona Democratic Governor Janet Napolitano, and Renzi had been rumored to be a potential contender against her for governor in 2006. In 2003, Kim took a sabbatical from Quarles Brady where she was an attorney to serve as the executive director of Napolitano's Governor's Citizens Finance Review Commission. She became the treasurer of Napolitano's 2006 gubernatorial campaign and the treasurer of the Competitive Edge PAC in 2007, which was primarily started to support Napolitano.

Kim next became Napolitano's general counsel in February 2008, and after Napolitano was confirmed as Secretary of Homeland Security, joined her in Washington as a deputy general counsel. Kim left Washington in 2010 after news reports indicated that she was involved in efforts to limit responses to politically sensitive Freedom of Information Act requests. In addition to these active roles, Kim also donated \$400 to the Arizona Democratic Party in 2005 and \$928 to Democratic candidates in 2008.

Like his wife, Restaino is also a staunch Democrat who has donated to numerous Democrats in the past, including Barack Obama, Hillary Clinton, Janet Napolitano and Felecia Rotellini. He contributed money to the Arizona Democratic Party, which turned around and sent out an attack mailer against Renzi prior to the 2006 election. This happened while Restaino was prosecuting Renzi.

None of this activity was ever disclosed to the defense. As anyone with a political pulse from Arizona knows, Napolitano has done more to promote Democrats and destroy Republicans than any elected public official in the state ever, much of it behind the scenes.

Renzi's position all along is that he didn't propose the federal land swap and would not have benefited from it - so there was no illegal activity. He simply thought it was a good deal for all the parties involved - even the Nature Conservancy had testified in favor of the land swap - and started to put the wheels in motion to make it happen. No good deeds go unpunished.

In July, Renzi discovered that the government's key witness, businessman Philip Aries, who was to participate in the land swap, had emailed Restaino in July inquiring where his money for cooperating against Renzi would pay off. Aries had been told he would receive a monetary reward for testifying unfavorably against Renzi. Renzi

believes, and the evidence supports, that Aries initially was going to testify and exonerate Renzi until the government promised him money, which is illegal without providing notice to the defense.

The government engaged in multiple illegal wiretaps of phone calls to Renzi, which were thrown out of the original trial. Ironically, in one recorded call, Aries admitted that it was he - not Renzi - who had proposed the land for the swap, known as the Sandlin property. Yet, during the trial, Aries curiously changed his tune, no doubt due to the promise of reward money, and testified that it was Renzi's idea.

The hearing on Monday was full of contradictory statements - at a minimum, one or both of the two witnesses impeached themselves; at worst, they committed perjury. The primary FBI agent on the case, Dan Odom, kept denying that he offered Aries a payoff for testifying against Renzi. But Aries discussed in length during his testimony how money was offered to him - almost breaking down into tears as he discussed how he was going through a traumatic time in his life when he received the generous offer. Aries filed bankruptcy shortly afterwards, so it was pretty clear he needed the money.

Agent Odom admitted on the stand that he received promotions after his efforts persuading Aries to record phone calls with Renzi and testify against him. He also admitted that he thought Aries should be compensated for his extensive work recording conversations with Renzi and assisting with the case against him - which seemed to clearly contradict his statements that he never offered Aries any money.

In criminal cases where the prosecution has withheld favorable evidence to the defense, a new trial has been ordered. At a minimum, the jury should have been informed of this bias by the prosecution's key witness and alleged victim. With the prosecution's star witness thoroughly discredited as motivated by money, Renzi deserves a new trial.

Judge Bury suggested at the conclusion of the hearing that Aries' credibility had already been called into question during the original trial, so it was less material now. If so, why was Aries allowed to testify to the jury at the original trial as the prosecution's key witness? Regardless, in Horton v. Mayle, a recent case in this Ninth Circuit jurisdiction, the court held that some evidence of bias does not diminish the value of other evidence describing a different source of bias.

This case exemplifies the problem with our legal system: it is fraught with corruption. Federal judges have a cordial relationship with Department of Justice prosecutors and want to keep it that way. No one wants to get on the wrong side of the powerful DOJ, especially when the president is calling the shots and can

have anyone targeted. A former manager at the DOJ told me about a year ago that attorneys there just dutifully and quietly took their walking orders from above, fully aware their bosses were instructing them to target people they didn't like.

Compounding the problem in Renzi's case is the complexity of the case. The left goes out of its way to target conservatives involved in complex business deals, because they know the average American (or juror) does not have the time nor knowledge to understand the facts in these types of cases. Use the phrases "white collar crime" and "public corruption" and everyone will start nodding, even if they have no idea what the facts are - it just sounds vaguely unethical.

New Jersey Governor Chris Christie, a former U.S. Attorney for the DOJ, admitted



Chris Christie

during the third Republican presidential debate,

"It has been a Justice Department that decided that they want to pick who the winners and losers are. They like General Motors, so they give them a pass. They don't like somebody else like David Petraeus, they prosecute them and send a decorated general on to disgrace. It's a political Justice Department."

While General Petraeus may have done an outstanding job as a general, in his personal morals, he failed, which may have put the country at risk. He was prosecuted for far less than Hillary Clinton is accused of. Renzi has suffered for too long in prison since February. Upon first glance, this seems like just any other criminal case. But once you start looking under the prosecutorial spin, the facts just don't convict Renzi and certainly provide no justification for sending him to prison. ★★★



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In The News

WHAT THE?! SPOTLIGHTS

DHS Offering Employers Cash If They Hire Alien College Grads Over Citizens



By Trey Sanchez

(TruthRevolt.org) - Good news, recent alien college graduate! Thanks to President Obama's executive actions and an incentive program launched by the Department of Homeland Security, employers are much more likely to hire you before they would a native college grad. It falls under the department's Optional Practical Training program, which currently gives recent alien graduates a one-year work permit and employers a cash bonus. The new rule not only adds a generous extension, it will also offer a bigger cash payout to employers who hire them.

As the Center for Immigration Studies (CIS) notes, an illegal alien who majored in any of the science, technology, engineering, and math (STEM) fields will get an additional 17 months of permitted work, expanding their initial year guarantee to over two years. DHS has also upped the incentive for

U.S. employers to hire non-citizens by offering them an increase from \$10,000 to at least \$12,000 to hire an alien STEM graduate.

CIS' David North writes:

I searched the proposed rule that appears in today's Federal Register for references to payroll taxes (FICA, the Federal Insurance Contributions Act) and found none. I guess DHS does not want us to know about the generous tax break that both employers and aliens get from this program. I find it intellectually dishonest not to mention this tax break in a long, extremely detailed document on this subject.

All of this leads North to the most plausible conclusion: this is no "training" program as DHS designates, but "just one more foreign worker program that has nothing to do with students" and one that favors "aliens rather than citizens." ★★★

Disney Sacks American Employees, Makes Them Train Their Foreign Replacements



Now the Not-So-Happiest Place on Earth

By Trey Sanchez

(TruthRevolt.org) - Disney is laying off hundreds of American employees in favor of replacing them with cheaper foreign workers. Adding insult to injury, the former employees have 90 days to train their replacements or risk losing their promised bonuses.

It's a loophole many companies are exploiting in the H1B visa law that allows them to bring in foreign labor when there's a labor shortage. According to an attorney who spoke with ABC7 in Sarasota, Florida, there are about 800,000 H1B workers currently in the United States. Their purpose is to "fill highly specialized positions for companies that are unable to find qualified Americans to fill those jobs," Sara Blackwell said.

Blackwell is currently representing two former Disney employees who worked in their high-tech data division for the park. Both men thought they were being called into the vice president's office to be congratulated, as they had both recently been given great performance reviews and have received awards throughout their 10 years of service. But instead, they were given notice along with at least 20 other people. The room was given 90 days to train their incoming Indian replacements and

were offered a bonus for doing so. In America, these high-tech fields can demand salaries that start at or near \$100,000, but the new foreign workers will be paid almost half that.

This was such a blow to these two men, they are no longer encouraging the younger generation to pursue STEM careers -- a favorite of President Obama -- claiming the program is "a joke." One of the men, Leo Perrero, said he felt stripped of his dignity, according to ABC7. He said:

I felt extremely un-American. I felt like I was part of destroying our economy because I had to train a replacement that was going to come here, take my job and potentially take other people's jobs.

The H1B visa law is a hotly debated topic in Florida. Sen. Bill Nelson (D-FL) has asked for a federal investigation into the program's abuses, while Sen. Marco Rubio (R-FL) is looking to allow for more H1B visas to be handed out.

So far, Disney has fired 250 of its American workforce and who knows how many foreign workers have filled those "openings." However, the company has indicated that they have ... added IT jobs for U.S. workers. ★★★

Wrongfully Convicted Man Hopes State Bill Prevents Future Mistakes

By Eddie Small

(DNAinfo) THE BRONX — A man who spent 21 years behind bars after being wrongfully convicted of rape, robbery and assault during the 1980s hopes a bill currently making its way through Albany could help others avoid the same fate.

Al Newton, 54, who was exonerated and freed in 2006, is advocating for a bill that would force investigators to conduct a "blind administration" of photo lineups, meaning the officer overseeing the procedure would not know who the suspect is or where he or she is in the lineup.

"It prevents the officer from intentionally or unintentionally providing hints or cues to the eyewitness to kind of coach them into making a selection," said Nick Moroni, spokesman for The Innocence Project.

The bill would also require police departments to videotape interrogations for people suspected of class A-1 felonies.

Bills similar to this one have come up before, but Innocence Project officials believe this current version has a much better chance of becoming law based on the amount of DNA exonerations New York has seen that stemmed from cases where the suspect was either misidentified or falsely confessed to the crime, according to Moroni.

"Versions of this bill have been introduced for about a decade," he said.

"We feel very strongly that it has a real great shot at



Al Newton

passing this coming session. There have been a series of exonerations that have come to light that have basically proven the need for this."

Newton, who said he had gone to the movies in Brooklyn with his fiancée and her daughter on the night of the attack, believes that a "blind" lineup could have prevented him from being fingered for the crime.

His conviction was based solely on identifications by the victim and a convenience store clerk, according to court papers.

"I was engaged at the time this case happened," he said. "I was planning on getting married, and it tore that relationship apart."

Achieving his freedom was a very lengthy process, as Newton first requested post-conviction DNA testing in 1994, according to a motion to vacate his conviction.

"The hardest thing to do is to try to give it back, as they say, try to prove that you are fully innocent," he said. "Especially when you're innocent."

The real assailant has still not been found, according to The Innocence Project.

Although he supports the bill before the Legislature, Newton said he is not bitter about his own wrongful conviction, despite spending more than two decades behind bars because of it.

Rather, he tries to use his experience as a way to motivate more people to get involved in the criminal justice system.

"When you get that jury notice, don't throw it away," he said. "Go, because we need to become stakeholders and do things that hold the system accountable." ★★★

Conservative targeting accusations, legal issues persist for IRS after Justice ends probe

By Stephen Dinan
The Washington Times

The IRS is still holding up the nonprofit applications of tea party groups, including one that has been waiting nearly six years for approval, as conservatives panned the Justice Department's announcement last week that it had cleared the tax agency, and former senior executive Lois G. Lerner, of any wrongdoing.

The Obama administration's decision, outlined in a Friday afternoon letter to Congress, said the IRS did mishandle nonprofit status applications from conservative groups but said the bad behavior wasn't criminal.

Still, the decision does not end the legal jeopardy for the tax agency, nor does it quell the political battle in which the IRS has lost billions of dollars in funding from a Congress that remains troubled by employees' behavior.

Several lawsuits, including one seeking to be certified as a class action, are still pending against the IRS.

"It's no wonder why so many Americans have had it with Washington and the elite political class who can get away with something like this," said Mark Meckler, president of Citizens for Self-Governance and one of the organizers of the class-action lawsuit.

Yet another case is pending before a federal appeals court after tea party challengers lost at the district court level, where the judge ruled that the IRS targeting stopped in 2013 so there was no longer a case to be decided.

That was news to the Albuquerque Tea Party, which applied for nonprofit status in December 2009 and is still awaiting approval, according to the group's attorneys at the American Center for Law and Justice. Another of the center's clients, Unite in Action, an Ohio group, has been waiting more than three years for approval.

"It's an outrage — a mockery of justice," Jay Sekulow, chief counsel for the American Center for Law and Justice, wrote in a Web memo. The center is pursuing a case on behalf of those and 36 other groups.

The Justice Department handed down its decision more than two years after the internal IRS watchdog reported that auditors singled out tea party groups' applications for special scrutiny and delayed those applications beyond reasonable timelines, preventing the groups from being able to say they were officially recognized nonprofits.

Assistant Attorney General Peter J. Kadzik explained the Justice Department's investigation, picking up from the inspector general's report and detailing documents obtained from more than 80 employees and more than 100 interviews — including with Ms. Lerner, who cooperated with the investigation.

While concluding that IRS employees showed ignorance and a fear of making decisions, Mr. Kadzik said there was no evidence of a political intent to disadvantage the tea party groups — even though that was what resulted.

"Ineffective management is not a crime," Mr. Kadzik concluded. "The Department of Justice's exhaustive probe revealed no evidence that would support a criminal prosecution. What occurred is disquieting and may necessitate corrective action — but it does not warrant criminal prosecution."

Some Republicans questioned the validity of the probe from the beginning, after learning that one of the Justice Department lawyers assigned to the

investigation was a contributor to President Obama's political campaigns.

In its letter Friday, the Justice Department specifically cleared Ms. Lerner, a senior executive in charge of approving the groups' applications, who had authored a number of emails that suggested a bias against the tea party movement.

Investigators said none of the witnesses they interviewed believed Ms. Lerner acted out of political motives and that Ms. Lerner seemed to try to correct the inappropriate scrutiny once she "recognized that it was wrong."

"In fact, Ms. Lerner was the first IRS official to recognize the magnitude of the problem and to take concerted steps to fix it," Mr. Kadzik wrote.

Congressional Democrats said the decision confirmed what they figured out years ago — that there was no underhanded political dealing at the agency.

"Over the past five years, Republicans in the House of Representatives have squandered literally tens of millions of dollars going down all kinds of investigative rabbit holes — IRS, Planned Parenthood, Benghazi — with absolutely no evidence of illegal activity," said Rep. Elijah E. Cummings of Maryland, the top Democrat on the Benghazi investigation and ranking member of the House Oversight and Government Reform Committee.

The House Ways and Means Committee conducted its own investigation into the tea party targeting, as did the Senate Finance Committee. The House panel was the one that voted to refer Ms. Lerner's behavior to the Justice Department for criminal investigation.

Rep. Paul Ryan, Wisconsin Republican and Ways and Means Committee chairman, called the Friday letter "deeply disappointing" but said it wasn't a surprise given the bent of the Obama administration.

He said his committee's probe did find "serious and unprecedented actions" by Ms. Lerner that deprived tea party groups of their rights.

"The American people deserve better than this. Despite the DOJ closing its investigation, the Ways and Means Committee will continue to find answers and hold the IRS accountable for its actions," said Mr. Ryan, who likely will become the next House speaker.

Ms. Lerner's attorneys said in a statement that they were "gratified but not surprised" by the announcement.

"Anyone who takes a serious and impartial look at the facts would reach the same conclusion as the Justice Department," they said.

Ms. Lerner's cooperation with the Justice Department investigation stands in contrast to her interaction with Congress, where she refused to answer questions, invoking her Fifth Amendment right to remain silent — but only after she delivered a statement declaring her innocence.

The House oversight committee concluded that she was not, in fact, able to invoke the Fifth Amendment at that point, and when she refused to answer questions, the House voted to hold her in contempt of Congress.

The Justice Department declined to pursue that case, too, arguing that her claim of Fifth Amendment rights was likely to succeed. ★★★



Prosecutions of US police officers surge over civilian deaths

(RT.com) - A dozen American police officers have been indicted this year, more than at any time over the past decade. The trend may be due to viral witness videos, which law enforcement say are sparking negative attitudes to the police and complicating their work.

On average, five officers have been charged with murder or manslaughter each year since 2005, Philip Stinson, an associate professor of criminology at Ohio's Bowling Green State University, told Reuters. He cautions against jumping to conclusions based on the surge in numbers.

"We can tell for one year, but is that just an anomaly or is it a trend?" Stinson said.

Having worked as a police officer and a lawyer before going into criminology, Stinson, 50, now heads a team of researchers at BGSU who sift through court records and media reports of cases where police have killed civilians. Funded by a grant from the US Department of Justice, the program is called "Police Integrity Lost."

Police in the US have come under increased scrutiny ever since the August 2014 shooting of Michael Brown, an African-American teenager in Ferguson, Missouri. Since Ferguson, killings by police have sparked mass protests across the US. Last week, thousands rallied in New York City for three days of protests against "police terror," reading off the names of relatives killed by police and picketing the notorious Rikers Island city jail.

Between a rising tide of organized protests and the widespread use of cell phone, dashboard and body cameras to record police interactions with the public, more

officers are finding themselves having to answer to the courts for their use of deadly force.

Officer Michael Slager of North Charleston, South Carolina, was indicted for murder after a bystander filmed him shooting an unarmed black man in the back several times in April. Walter Scott had been running away from a traffic stop. Slager was dismissed from the force.

Officer Stephen Rankin of Portsmouth, Virginia, was charged with first-degree murder and the illegal use of a firearm after shooting black teenager William Chapman in a Walmart parking lot. Rankin was charged in September after a thorough investigation of the April shooting. There was no video of the incident, but the autopsy contradicted Rankin's account of events.

Bodycam footage was used to indict Ray Tensing, of the University of Cincinnati campus police, over the shooting of Samuel DuBose during a traffic stop in July. Tensing was charged with murdering the African-American motorist, who was pulled over for lacking a front license plate.

Since Stinson's count focuses on shootings, it does not include the six Baltimore PD officers charged with manslaughter in the death of Freddie Gray, who died in April after severing his spine in a police van. A riot that followed Gray's funeral brought Maryland National Guard onto the streets of Baltimore, and a week-long curfew was imposed in the city. The officers will be tried separately, a judge ruled in September.

Police complain that being in the public eye is making it more difficult for them to combat crime.

Homicides in 35 major US cities have risen by 19 percent on average this year, and non-fatal shootings are up 62 percent, according to a police association survey.

Addressing the rising rates of violent crime, FBI director James Comey argued that the viral videos make officers more reluctant to engage in proactive policing.

"What may appear on YouTube to be police officers harassing people on the street is actually genuine crime deterrence," Comey told an audience of students, faculty and police at the University of Chicago Law School during a conference of the International Association of Chiefs of Police.

The US does not have an official database of civilian fatalities at the hands of police officers. Public databases have been created by California and Texas, as well as several local jurisdictions. According to the Washington Post, there have been 796 fatal police shootings this year; the Guardian has counted 927 deaths from all causes. Over at Killed by Police, another monitoring group, the counter stands at 975 as of October 25.

For police officers to be indicted special circumstances must be involved, such as a victim shot in the back, incriminating testimony from other officers, allegations of a cover-up, or a video recording of the incident, according to recent research by the Washington Post.

While the surge in prosecutions coincides with greater scrutiny of police shootings, expecting more officers to end up in jail over civilian deaths may be premature. Stinson's data shows that of the 47 officers charged from 2005 to 2014, only 11 have been convicted.

Two Men Wrongfully Convicted of Murder in Maryland, Says Innocence Project



David Faulkner and Jonathan Smith Sr., (Photo: WBOC)

By Tyler Butler

(WBOC 16) EASTON, Md.- On Jan. 5, 1987, a home in Easton was burglarized. The owner of the home, 64-year-old Adeline Wilford, was murdered. Thirteen years after her murder, two men were convicted and sent to prison. On Monday, a group called The Innocence Project was in Talbot County court with evidence it believes could vindicate David Faulkner and Jonathan Smith Sr.

The two men have spent 15 years behind bars. But has it all been for a crime they didn't commit?

That was the topic of discussion at the Talbot County Circuit Courthouse on Monday. Lawyers for the two men say they their clients are innocent, and have been all this time.

"Jonathan Smith and David Faulkner were convicted in 2000 based primarily on confessions and incentivized witnesses. These are issues the Innocence Project says result in convictions very frequently," said Bryce Benjet with the Innocence Project.

One of the key pieces of evidence is a palm print found at the murder scene.

"That palm print has now been identified as belonging to someone who has no connection to our clients. Therefore, we've asked for a hearing where all of this evidence can be considered by a judge, because it shows that our clients are innocent," said Benjet.

Unfortunately for these two men, if they are indeed innocent, it's going to be more of a marathon than a sprint to get them out of jail. First they have to go through the motions process, then they have to go through a five day evidentiary hearing to find out if they will then have to go back to trial. In the meantime, the two men stay behind bars.

The hope is that if these two men are innocent, they will soon be released and back with their families.

On March 4, 2016 there will be a motions hearing, the evidentiary hearing is set for the week of April 11, 2016.

High school football player penalized for pointing to sky after touchdown

By Victor Skinner

(EAGnews.org) MEXICO, N.Y. – Mexico High School quarterback Dante Turo believes it's God who gives him the strength and abilities to be successful on the football field.

The junior team leader often points skyward after big plays as a tribute to the Almighty, and his 73-yard run for a touchdown against Vernon-Verona-Sherrill Oct. 17 was no exception, Syracuse.com reports.

The solemn celebration, however, apparently didn't sit well with one referee, who flagged the teen for unsportsmanlike conduct and assessed a 15-yard penalty that ultimately cost his team the game.

"I was just trying to give glory to God," Turo told the news site. "I didn't feel like I did anything wrong or anything that would merit... unsportsmanlike conduct."

Turo appeared on Fox News' "Fox & Friends" with his father, Geno Turo, last Thursday to discuss the incident.

"Pointing up to God is kind of the international symbol of giving praise to Jesus, and that's all I was trying to do," Turo said.

"He wanted to do something at that moment to take credit away from himself and give glory to God," Geno added. "God gives us the ability and the talent. As Christians, we want to be sure to give that back immediately."

Mexico coach Tee Murabito told Fox News he thinks the ref made the wrong call. In the end, Mexico lost 33-31 in the regular season finale.

"I tried to explain to the referee that threw the flag and the head referee, but they just said, it's taunting," Murabito said, according to The Washington Times. "I told them he was praising God. How is that taunting?"

The Mohawk Valley Chapter of Certified Football Officials refused to discuss the call with the media.



Mexico High School quarterback Dante Turo
"I didn't feel like I did anything wrong..."

"It has been a long standing policy that the Mohawk Valley Chapter of Certified Football Officials does not address the media pertaining to penalty calls or any other actions made during a football game," the group's spokesman, Kevin Simons, wrote in an email to Syracuse.com.

The news site showed a clip of Turo's touchdown to an athletic director, a longtime football coach and a football referee for feedback and none of them believed the referee

made the correct call.

"There is no penalty there," the unnamed referee, who has 15 years of experience, told the site. "Nothing occurred. It is not even remotely close to unsportsmanlike conduct. It is not, 'delayed, excessive or prolonged,' by any measurement and that is the standard for high school."

Turo said he tried to discuss the play and his celebration with the official who made the call, and noted he praised God in the exact same way earlier in the game on a shorter touchdown.

"I kind of explained to him that I wasn't trying to do anything arrogant or anything like that. I was just expressing my faith. He just said 'Don't do it again.' Those were his only words," Turo said. "Honestly, I don't think it was right. I wasn't trying to bring attention to myself."

Mexico Academy & Central School District Superintendent Sean Bruno issued a statement after the Fox & Friends broadcast to set the record straight after an anchor mistakenly attributed comments from the Mohawk Valley Chapter of Certified Football Officials to the school district.

Bruno described Turo as an "excellent athlete and a dedicated student who can be counted on to do the right thing."

"From my vantage point, I did not see the actions of our student athlete as an excessive celebration or taunting," Bruno said. "However, I'm not a trained referee, and I was not under the pressure of officiating the game."

Turo's father said he's proud of his son, regardless of the official's call.

"He's brave," he said. "I brought him up to be fearless in the face of opposition."

Turo told the media he doesn't plan to change his in-game celebrations, and fully plans to praise God again the next time he crosses the goal line.

"Without a doubt, I will raise my finger," he said.

★★★

US~OBSERVER NOTE ON FALSE CHARGES:

False prosecutions are getting some well needed main-stream attention these days. Over the past 25 years, the US~Observer has been the lone voice exposing this rampant issue. Our cases, over 4,200 of them, have led to vindication through the use of our services - an achievement no other group, lawyer or agency can claim.

In many cases, our clients haven't needed the use of expensive attorneys, as our investigations and publication are used to expose the truth to the world. It is this exposure that this otherwise beyond reproach system fears, and it works well.

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

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editor@usobserver.com



LIBERTARIAN • li-bər- 'ter-ē-ən

1 : an advocate of the doctrine of free will
2 a : a person who upholds the principles of individual liberty especially of thought and action

-Merriam-Webster

YOUR PERSONAL LIBERTY

Articles of Interest that first appeared on Personal Liberty Digest™ at Personalliberty.com

How to stamp out cultural Marxism in a single generation

By Brandon Smith

There are very few legitimate cultural divisions in the world. Most of them are arbitrarily created, not only by political and financial elites, but also by the useful idiots and mindless acolytes infesting the sullied halls of academia.

It is perhaps no mistake that cultural Marxists in the form of social justice warriors, PC busybodies and feminists tend to create artificial divisions between people and “classes” while attacking and homogenizing very real and natural divisions between individuals based on biological reality and inherent genetic and psychological ability. This is what cultural Marxists do: divide and conquer or homogenize and conquer, whatever the situation happens to call for.

I do not write often about PC cultism and social justice because the supposed movement is only a symptom of a greater problem, namely the problem of collectivism. The only the true and concrete social (group) division is the division between collectivists and individualists: between those who believe the individual should be subservient to the group mind and those who believe the group is meaningless without the individual mind.

I have already spoken on the root dangers and logical inconsistencies of the social justice cult in articles such as “The twisted motives behind political correctness” and “The future costs of politically correct cultism.”

There are many intelligent commentators on the Web who have consistently demolished the PC mob with reason and logic, and I leave that battle to them. In this article I would like to continue my examination but with the goal of presenting some real and tangible solutions. And like most solutions to most problems, it is the individual who is required to draw the line in the sand and change the way he approaches the realm of cultural Marxism. It is not up to groups, organizations or governments.

First, let's be clear, cultural Marxism has already done most of the damage it can possibly do to our way of life. And by destruction, I mean the end of long-standing foundational pillars of society that provide stability and prosperity, including traditional marriage (not government-licensed marriage), family, gender “roles,” etc. (which social Marxists openly boast about tearing down).

In Western nations male suicide rates are way up. Women's proclaimed levels of happiness and contentment are way down, despite the fact that they have had wage equality for decades (yes, the wage gap is a perpetually pontificated white buffalo myth that was debunked years ago by economists like Thomas Sowell), despite the fact that they



lifestyle safer from collectivist intrusions and judgments.

As if the psychological browbeating were not enough, the chemistry of the male body is also being warped by estrogen-imitating chemicals present in industrial products, plastics and soy-based foods. A decline in normal levels of male testosterone and an ever increasing hormonal feminization of younger generations of men and boys is becoming prevalent.

Indirect chemical influences aren't the only threat. Direct drugging of boys with psychotropics in order to subdue their natural tendencies towards physicality and frenetic activity is epidemic in public schools, all with the goal of making boys behave more like girls.

Finally, the erasure of free speech and thought is always the holy grail of cultural Marxists; but this is not always done through government power — at least not right away. Social justice cultists rely more on collective pressure and public shaming tactics to engineer an environment in which people feel compelled to self-censor, rather than deal with the hailstorm of witch hunters and wagging fingers.

Cultural Marxists do use government force to police what they consider thought crimes, but usually in an incremental manner. One day, it's the use of government to demand associations, as with a Christian-owned cake business being forced to work for another party that feels entitled to a gay wedding cake. Another day, it might be a public school being forced to allow boys dressed as girls in the girls' bathroom or locker room. Another day, it might be the implementation of lowered

doesn't matter. Are you employed in a workplace crawling with social justice ideologues? Stop seeing them as part of the equation because they do not matter. Worried about losing a relationship if you make a stand? Say good riddance. This is what must be done by free thinkers if they are to counter and reverse the collectivist nightmare of cultural Marxism.

Feel no shame: Social justice relies on shaming tactics, usually by slandering an opponent with a label that does not really apply to him, in order to control his arguments and behavior. If you don't care about being called a bigot, a racist, a sexist, a misogynist, a homophobe, etc., then there is not really much that they can do to you.

Do not self-censor: This does not mean you should go out of your way to be antagonistic or act like a jerk, but the thought police have power only if you give power to them. Say what you want to say when you want to say it, and do it with a smile. Let the PC police froth and scream until they have an aneurism. Cultural Marxists are generally weaklings. They avoid physical confrontation like they avoid logic, so why fear them?

Realize there is no such thing as white privilege or male privilege: In reality, there is only institutionalized “privilege” for victim-status groups. There is no privilege for whites, males, white males or straight white males. When confronted with such claims, demand to see proof of such privilege. Invariably, you will get a long list of first world problems and complaints backed by nothing but easily debunked talking points and misrepresented statistics. People should not feel guilty for being born the way they are, and this includes us “white male devils.”

Demand facts to back claims: Cultural Marxists tend to argue on the basis of opinion rather than fact. Present facts to counter their claims, and demand facts and evidence in return. Opinions are irrelevant if the person is not willing to present supporting facts when asked.

Let cultural Marxists know their fears and feelings do not matter: No one is entitled to have their feelings addressed by others. And a person's fears are ultimately unimportant. Whether the issue is the nonexistent “rape culture” or the contempt cultural Marxists feel over private gun ownership, their irrational fears are not our concern. Why should any individual relinquish his liberties in the name of placating frightened nobodies?

Demand that society respect your inherent individual rights: Collectivism's ultimate propaganda message is that there is no such thing as inherent rights or liberties and that all rights are arbitrary and subject to the whims of the group or the state. This is false. I have written extensively in the past on inherent rights, inborn psychological contents and natural law, referencing diverse luminaries, scientists and thinkers, including Thomas Aquinas, Carl Gustave Jung, Steven Pinker, etc. Freedom is an inborn conception with universally understood aspects. Period. No group or collective is more important than individual liberty. No artificial society has preeminence over the individuals within that society. As long as a person is not directly impeding the life, liberty, prosperity and privacy of another person, he should be left alone.

Maintain your rights; they do not hurt other people: PC cultists will invariably argue that every person, whether he knows it or not, is indirectly harming others with his attitude, his beliefs, his refusal to associate, even his very breathing. Don't take such accusations seriously; these people do not understand how freedom works.

Say, for instance, hypothetically, that I refuse to bake a gay wedding cake for a couple and I

am accused of violating their rights. I would immediately point out that no one is entitled to a gay wedding cake, baked by me or anyone else and I have every right to choose my associations based on whatever criteria I see fit. Now, a corrupt government entity may claim I do not have that right. But the fact is I do, and no one — not even government — can force me to bake a cake if I don't want to. Also, I would point out that the gay couple in question has every right in a free society to bake their own damn cake or open their own cake shop to compete with mine. This is how freedom works. It is not based on entitlement; it is based on personal responsibility.

Refuse to deny the fact of biological gender: Gender is first and foremost a genetic imperative. Society does not determine gender roles; nature does. A man who chops up his body and takes hormone pills to look like a woman is not and will never be a woman. A woman who tapes down her breasts and gets a short haircut will never be a man. There is no such thing as “transgendered” people. No amount of social justice or wishful thinking will ever allow them to reverse their genetic proclivities. Their psychological and sexual leanings do not change their inborn biological reality.

By extension, we should refuse to play along with this nonsense. I will never refer to a man in a wig and dress as a “woman.” I will never refer to a woman with identity issues as “transgendered.” They are what nature made them, and we should not police our pronouns just to falsely reassure them that they can deny nature.

If you are a man, embrace your role: For thousands of years, men have been the industrial force behind human progress. Today, they are relegated to cubicles and customer service, to video games and Web fantasies, to drug addictions and a lack of responsibility. If we have any hope of undoing the damage of cultural Marxism, modern men must take on their original roles as producers, inventors, entrepreneurs, protectors, builders and warriors once again. They should do this for their own benefit, and not for the approval of others.

You don't have to prove you do manly things to anyone, just go out and do them. Most importantly, become dangerous. Men are meant to be dangerous beings. That does not mean we are meant to be indiscriminately violent (just as women aren't meant to be indiscriminately violent), but we are supposed to be threatening to those who would threaten us. Modern society has not removed the need for masculinity. Train in martial arts, learn tactical firearms handling, go hunting and don't take lip from people. In my opinion, every man should know how to kill things, even if he never plans on using those skills.

Home-school your children: It's simple, if you don't want your kids propagandized, if you truly want them to be free from collectivist conditioning, then you will make the sacrifice and extract them from public schooling. With the introduction of Common Core into U.S. schools in particular, there is no other recourse but home schooling to prevent the brainwashing of cultural Marxism. If you do not do this, you are relying on the hope that your children will escape with their critical thinking abilities intact. Some do, and some don't. Others turn into mindless social justice zombies. You can give them an advantage by removing them from a poisonous environment, and that is what matters.

The insane lie that cultural Marxists seem to have conned themselves and others into believing is that their “activism” is somehow anti-establishment. In fact, social justice is constantly coddled and supported by the establishment. From politicians to judges to media pundits, the overwhelming majority of people in positions of traditional power (even in supposedly conservative circles) have been more than happy to become the enforcers of the social justice warrior agenda, an agenda representing a minuscule portion of the public. There is no establishment for the PC army to fight; the establishment bias works vastly more in favor of their ideology than any other. Cultural Marxists are the establishment. ★★



"It is a statistical fraud when [people] say that women earn only 77 percent of what men earn — and that this is because of discrimination.

It would certainly be discrimination if women were doing the same work as men, for the same number of hours, with the same amount of training and experience, as well as other things being the same. But study after study, over the past several decades, has shown repeatedly that those things are not the same."

--Thomas Sowell

have surpassed men in educational participation and despite the fact that they have total control over family planning.

Marriage rates are at historic lows since the 1970s and the rise of social justice activism. Of course, the argument is often presented that economic decline has more to do with this than cultural Marxism. However, setting aside the rising tide of men who fear being bled dry through divorce settlements based on double standards, the West's economic decline (and thus marriage decline) can be correlated to the increase in overt debt spending. And debt spending is driven directly by socialist legislation, entitlement programs and social welfare addiction, more so even than it can be correlated to military spending.

Therefore, cultural Marxism and its vicious attempts to forcefully “harmonize” wealth through taxation and welfare have indeed caused the very economic conditions by which marriage is made untenable and families are made unstable.

While women become more and more unhappy, men and masculinity are essentially demonized by cultural Marxists (mainly feminists) as “toxic.” This propaganda campaign has been so successful that men in many first world nations are beginning to pursue, for all intents and purposes, an asexual

standards and quotas to force businesses to hire people with victim-group status, even if they are unqualified for the job.

All of these actions impede upon the individual freedoms and privacy rights of others, all under the guise of “equality.” And because cultural Marxists need to constantly observe ever greater modes of oppression and inequality in order to justify their existence, the impositions on individual liberty will never end. Today, people may argue that such impositions are “minor” and not to be concerned over. It is happening to strangers or distant neighbors, not to them; so why should they care? Liberty movement champions know full well why this thinking is idiotic; the trampling of one person's freedom is the trampling of all people's freedom. Totalitarianism is a virus that feeds on one person to the next until everyone is on the menu.

It is not enough anymore to simply continue pointing out the insanity of political correctness; we must also take useful steps toward reversing the destruction already wrought.

And so, here are my solutions, which must be enacted by individuals in their daily lives regardless of the potential backlash. Have leftist leaning friends or family members? It

PERSONAL LIBERTY CONTINUED

Articles of Interest that first appeared on Personal Liberty Digest™ at Personalliberty.com

The American terrorist: White, Christian, owns guns and believes in liberty

By Bob Livingston

The Barack Obama regime has shown once again who it believes are the real terrorists.

The Russian intervention in Syria has revealed what I (and others in alternative media) have been stating for months: that the U.S. war (so-called) on ISIS has been a sham from the beginning.

Since ISIS graduated from the JV team to varsity, the regime has repeatedly told us that ISIS is a threat that must be dealt with. And it was doing so through its plan to conduct an air and drone war, spend hundreds of millions of dollars training and arming a handful of “moderate rebels,” dropping arms randomly across the region, and providing fleets of white Toyota pickups to be outfitted with machine guns. Yet it took only days of Russian airstrikes to do what months of U.S. “action” couldn’t: drive ISIS fighters to cut off their beards and run for their lives to try to blend in with the populace.

Those so-called “moderate rebels” the regime and the neocon war hawks like Senile John McCain and his trained monkey, Lindsey Graham, enlisted or sought to enlist to topple the Syrian government on behalf of the Saudi oil sheiks and our Israeli masters are/were mostly al-Qaida and al-Nusra terrorists. But since they were “our” terrorists, the administration and a handful of U.S. allies have been funding them while telling us they were the good guys.

Meanwhile, the U.S. government and its allies have also been actively funding and arming ISIS. In other words, ISIS was controlled opposition. The U.S. “war” on it has been all for show. The regime obviously does not view ISIS or al-Qaida as terror groups because if it did, it would not be aiding and abetting them.

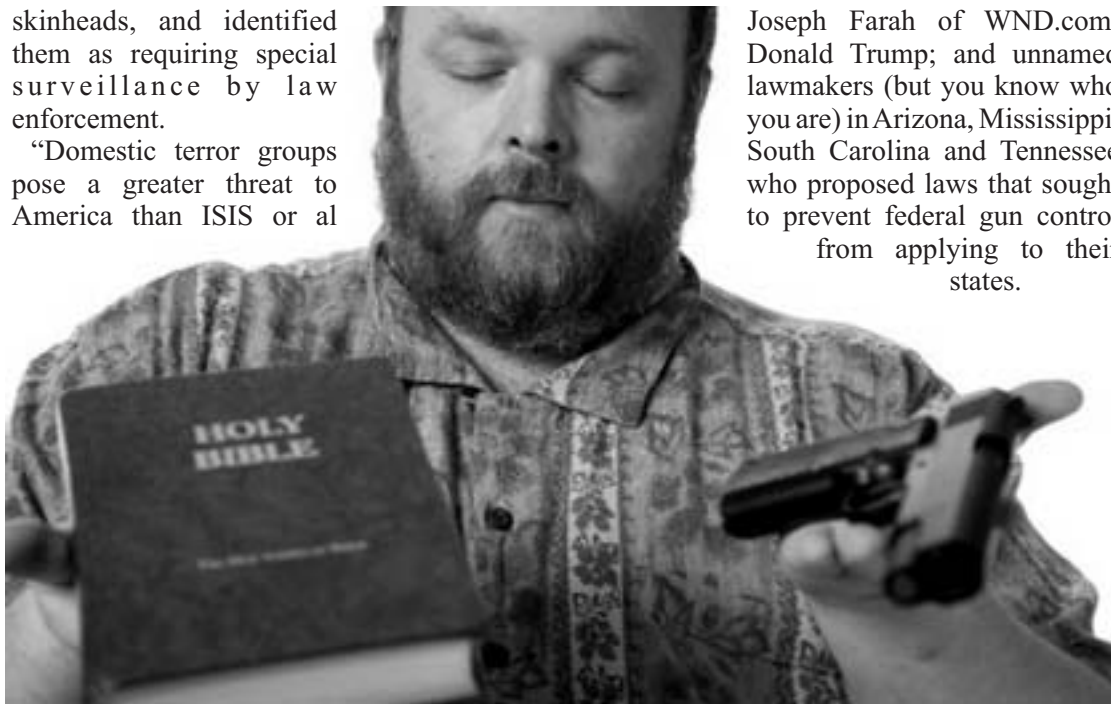
All the while, the regime has worked overtime to expedite the immigration of some of these same Islamists from the war-torn Syrian region (and other parts of the Africa and the Middle East) into the U.S. (and Europe) without so much as a FBI background check equivalent to the type Americans are subjected to if they want to buy a firearm.

The regime’s leader — the undocumented usurper currently despoiling the People’s House — and his anointed successor — the most vile and corrupt woman in the history of American (at least) politics — are now calling for an Australia-like firearms confiscation action on lawful American gun owners while his regime drops arms and ammo willy-nilly across the Middle East sandscape. And this is the same regime that funneled guns to Mexican drug lords and narcoterrorists through Operation Fast and Furious, and to al-Qaida terrorists in Syria through Benghazi, Libya (an operation for which Ambassador Chris Stevens, Information Officer Sean Smith and CIA contractors Tyrone Woods and Glen Doherty paid with their lives).

Now the Obama (no)Justice Department has created a new domestic terrorism czar and whole department to battle the newest greatest threat — behind nonexistent global warming — to America: the white Christian male gun-owning liberty lover. The new department is the evolution of a Department of a Homeland Security program begun in 2009 targeting liberty-loving Americans. That program morphed into a training program in 2013 that instructed local law enforcement to devote extra scrutiny to Christians who believe the Bible is God’s word, Christian “fundamentalists” (whatever those are), Americans who believe the country was founded on godly principles and those who believe the Constitution stands as the law of the land. In training materials, DHS has lumped Christians and Constitutionalists in with a group it calls the sovereign citizen movement, the Ku Klux Klan and neo-Nazi

skinheads, and identified them as requiring special surveillance by law enforcement.

“Domestic terror groups pose a greater threat to America than ISIS or al



Qaeda, a Justice Department official said Wednesday,” proclaimed CNN.com on Oct. 15. “To help combat them, the department has created a new counsel that will coordinate the investigation and prosecution of anti-government and hate groups.” (Obviously, CNN is in on the scam that is ISIS and al-Qaida, though the network doesn’t tell you that when its talking heads are promoting the so-called “war.”)

And who defines what constitutes “anti-government and hate groups?” The notoriously pro-Marxist anti-American Southern Preposterous Lie Center (known in some circles as the Southern Poverty Law Center), which deems anyone who doesn’t embrace cultural Marxism and the latest social justice warrior cause du jour perversion as a hate group that should be “disappeared” into the bowels of the NDAA’s dungeons. Its designation of the pro-family, pro-traditional Family Research Council as a “hate group” prompted the deranged homosexual activist Floyd Corkins to barge into the FRC offices with the intent to slaughter its employees.

For instance, in 2012 the Preposterous Lie Center issued a “summer list” of activists heading up the “radical right.” Among those named were Tenth Amendment Center executive director and sometime Personal Liberty Digest® contributor Michael Boldin.

Boldin’s sin is that the TAC “is on the far right, opposing a whole array of federal laws and regulations. It has gained wide support among hard-line libertarians ...” He “evidently runs the organization from his home,” the SPLC exclaims, as opposed, I guess, to a palatial estate like the one the so-called Poverty Law Center occupies in the heart of Alabama’s capital, Montgomery, that includes six stories, cost \$24 million to build — not counting a \$5.5 million addition — and takes up most of a city block.

Given that Boldin advocates nullification of unconstitutional laws, drawing on the Virginia and Kentucky Resolutions drafted by the notorious un-American activists James Madison and Thomas Jefferson, it’s easy to see where the SPLC’s allegiances lie.

In a 2013 report, the Preposterous Lie Center named a list of “haters” in a “(non)intelligence report,” titled “The Year in Hate & Extremism.” The list consisted of the following “racists” and “extremists”: Sen. Rand Paul (R-Ky.); Rep. Trey Radel (R-Fla.), who has said Obama could be impeached for executive actions on gun control; Sheriff Richard Mack; The Oath Keepers (current and former military and law enforcement who have vowed to uphold the oath they swore to the Constitution); former Constitution Party presidential candidate Chuck Baldwin; Matt Barber of Liberty Counsel Action; Tony Adkins of Conservative-daily.com; Larry Klayman, the founder of Judicial Watch and FreedomWatch; the Family Research Council;

Joseph Farah of WND.com; Donald Trump; and unnamed lawmakers (but you know who you are) in Arizona, Mississippi, South Carolina and Tennessee who proposed laws that sought to prevent federal gun control from applying to their states.

down on government spying (“legitimized” by the George W. Bush regime under the misnamed Patriot Act) and has embarked on an effort to nationalize police and create a host of thought crimes and the new terrorism czar to oversee their enforcement.

As John Whitehead writes for The Rutherford Institute:

[T]he concern with the government’s anti-extremism program is that it will, in many cases, be utilized to render otherwise lawful, nonviolent activities as potentially extremist.

Keep in mind that the government agencies involved in ferreting out American “extremists” will carry out their objectives — to identify and deter potential extremists — in concert with fusion centers (of which there are 78 nationwide, with partners in the private sector and globally), data collection agencies, behavioral scientists, corporations, social media, and community organizers and by relying on cutting-edge technology for surveillance, facial recognition, predictive policing, biometrics, and behavioral epigenetics (in which life experiences alter one’s genetic makeup).

This is pre-crime on an ideological scale and it’s been a long time coming.

Clearly, to the current regime, if you are white, are Christian, own guns, believe the Constitution is the law of the land and not what a majority of a group of nine robe-wearing Satanists say the law is, oppose oppressive totalitarian government, advocate for low taxes and/or are against the Federal Reserve, etc., you are an anti-government extremist — a domestic terrorist — worthy of indefinite detention or worse.

Back in June, The New York Times proclaimed on its opinion pages that:

Law enforcement agencies around the country are training their officers to recognize signs of anti-government extremism and to exercise caution during routine traffic stops, criminal investigations and other interactions with potential extremists. “The threat is real,” says the handout from one training program sponsored by the Department of Justice. Since 2000, the handout notes, 25 law enforcement officers have been killed by right-wing extremists, who share a “fear that government will confiscate firearms” and a “belief in the approaching collapse of government and the economy.”

To that end, the Obama regime has doubled

Making it easier for the addicted public to get its pharmaceutical poison

By Personal Liberty News Desk

Shortening the distance between consumers and the prescription drugs they can’t live without has become a sort of White Stag for the pharmaceutical industry.

Telemedicine — a phone and Internet-based service that enables doctors to consult with patients and prescribe them drugs on demand — is proving to be a lucrative trap to capture more of patients’ elusive dollars.

Telemedicine “uses technology to connect doctors and patients via apps, phones and videoconferencing,” The Fiscal Times (FT) reports. “Telemedicine revenue is expected to grow around 40 percent a year over the next five years, from its current \$645 million to more than \$3.5 billion in 2020, according to a report by IBISWorld.”

The phenomenon has been “rapidly changing” healthcare delivery in America, FT writes, with patients able to simply discuss their symptoms with doctors — with no examination or visit to bog down or delay their trip to the pharmacy.

In fact, “some pharmacies have installed self-service kiosks that patients can use to

video conference with a doctor who could potentially call in a prescription while the



Rite Aid Health Kiosk

consumer is still in the store,” FT reports.

Mainstream reports like the one cited mention the usual misgivings that emanate from the obligatory minority in the medical community: misdiagnosis, over-reliance on remote consultation as a substitute for real-life care, or slow adoption among the tech-averse demographic of geriatric patients.

But there’s been not a peep from the medical community about how much easier it’s getting — by the day — for doctors and pharma companies to shovel more pills into people’s mouths. ***

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COMMENTARY Your Right to Speak Out

The Natural Right to Self-Defense



By Judge Andrew Napolitano

(FOX News) - While the FBI continued to analyze the emails Hillary Clinton thought she deleted and her advisers pressed her to hire a Republican criminal defense attorney in Washington, a madman used a lawfully purchased handgun to kill a professor and eight students at a community college in Roseburg, Oregon. Looking to change the subject away from her emails, Clinton was quick to pounce.

She who has ripped into Republicans for seeking political gain from the four American deaths in Benghazi, Libya, now seeks her own political gain from the dozens of murdered children and young adults in Newtown, Connecticut, and Roseburg. On the heels of the latter and referring to both tragedies, she launched an emotional attack on the two most recent Supreme Court decisions upholding the personal right to keep and bear arms. She offered to "fix" them should she be elected president.

Her so-called fix consists of a dead-on-arrival legislative proposal making gun manufacturers financially liable for the misuse of their products and an executive order determining the meaning of certain words

used in federal statutes.

The liability-shifting proposal is akin to punishing General Motors whenever a drunken driver misuses his Chevy and injures someone. The courts would surely reject that.

The executive order proposal assaults the Constitution. Those in the gun sale business must conduct background checks via computer services offered by the FBI. The background checks look for reports of crimes of violence, domestic violence and mental illness. Private people who occasionally sell their hardware or give guns as gifts are exempt from conducting background checks. Clinton would create a presidentially written and mandated definition of occasional sales and gifts so as to require background checks for all gun transfers – a requirement Congress rejected.

We are 12 months from Election Day 2016, and Clinton has already promised that she would rule by pen and phone rather than govern by consensus.

As a lawyer, Clinton should know that only the federal courts – not the president – can decide what statutory language means. Moreover, if she knew anything about FBI background checks, she would know that they are only as good as the database on which they rely. If a madman hides his mental illness, no database will reveal it.

Her attacks on the Supreme Court decisions were direct. She rejects their characterization of the right to keep and bear arms as a fundamental right – meaning that it is akin to thought, speech, press, association, worship,

travel, etc.

Yet if she were to become president, she would take an oath to uphold the Constitution; that means the Constitution as interpreted by the Supreme Court. The presidential oath of office would require that she execute her duties "faithfully" – whether she agrees with the law or constitutional provision or not. She apparently has no intention of fulfilling the presidential oath of office.

We are 12 months from Election Day 2016, and Clinton has already promised that she would not enforce Supreme Court decisions with which she disagrees.



What did both the Newtown and Roseburg tragedies have in common? Both murderers were madmen. Yet neither had a record of mental illness, so the background checks the anti-self-defense lobby loves would not have prevented either of these killers from buying a gun and using it to murder indiscriminately. If killers are prepared to murder innocent children, does Clinton really think they would obey the laws regulating gun ownership?

Both mass murders occurred in no-gun zones. A no-gun zone is the most dangerous place on the planet when a madman intent on killing enters. No-gun zones are arbitrarily designated on public property by local authorities, stripping law-abiding folks of their lawfully owned guns – their natural right to self-defense – and exposing them to terror and death.

The Constitution does not permit public no-gun zones any more than it does public no-

free-speech zones. If the right to keep and bear arms is truly fundamental, the government cannot interfere with it based on geography. If the Army veteran/college student who stopped seven bullets with his body last week and saved the lives of his classmates (and survived!) had been permitted to carry a gun into the school building, the madman who murdered nine innocents would have been stopped long before police arrived – long before he completed his killings.

The right to keep and bear arms has more than just the Second Amendment to protect it. By characterizing the right as fundamental and pre-political, the high court accepted the truism that this right is merely a modern extension of the ancient right to self-defense. And the right to defend oneself does not come from the government; it comes from our humanity. It is a natural right.

Who among us, when confronted with the terror of nearly certain annihilation, would concern himself with the niceties of the law? Life itself is at stake. The right to self-defense is a manifestation of the natural instinct for survival, borne in the hearts of all rational people.

But Hillary Clinton rejects that instinct because she prefers we become dependent upon the government – as long as she is running it.

The police cannot stop mass killings, because they cannot be everywhere all the time. And madmen willing to kill do not fear being lawbreakers. Guns in the hands of the people give not only tyrants second thoughts but also madmen.

Even madmen fear an early death.
Andrew P. Napolitano, a former judge of the Superior Court of New Jersey, is the senior judicial analyst at Fox News Channel.



By Tho Bishop

Politicians Pander to an Anti-Fed Public

(mises.org) - In his book Liberalism, Ludwig von Mises wrote "The minority that desires to see its ideas strive by intellectual means to become the majority."

In America today, there is probably no smaller – nor more vilified – minority group than those who genuinely desire to see America become a truly liberalized, capitalist society.

For this reason, while CNBC's Republican Presidential Debate was yet another pathetic display of would-be tyrants

battling for the right to one day have their portrait recognized by school children – there was one line of questioning that should give fans of Ludwig von Mises reason for optimism.

Rick Santelli, one of the few reasonable anchors allowed on financial cable news, became the first debate moderator this year to ask any candidate about the Federal Reserve.

Though Texas Senator Ted Cruz began his answer talking about the need for "rules based monetary policy", likely an allusion to the Taylor Rule that has become far too popular with mainstream Republicans, he finished strong talking about an interest in returning to a gold standard:

"I think the Fed should get out of the business of trying to juice our economy, and simply be focused on sound money and monetary stability, ideally tied to gold"

Perhaps less surprisingly, Senator Rand Paul also attacked the Federal Reserve for adding to income inequality by enriching investors at the expense of savors and the need to get the government out of fixing interest rates. While his sloppy, long-winded answer probably didn't win over any skeptical supporters of his father's past campaigns, it is certainly a step up from his days defending Milton Friedman on monetary policy.

Now does this mean that Americans who desire to see an end to our current PhD Standard should rally to wave the banner for either of these junior Senators? Absolutely not. While there is no reason to believe either man has a genuine desire to go any further

than Auditing the Federal Reserve, what is important is that both men found the need to endorse anti-Fed views. They see the market for an anti-Fed candidate and want to be the ones to capitalize on the popular support that comes from that title.

In fact, Senator Cruz has gone even further than Senator Paul in desiring to demonstrate his Austrian credentials. In a recent interview he conducted with Liberty Conservatives, he not only described in detail the impact reading Ludwig von Mises' Bureaucracy had on him, but even went out of his way to bring up Murray Rothbard!

And Cruz and Paul are not outliers.

Ben Carson was criticized by the Washington Post for questioning the wisdom of fiat currency, while Donald Trump has described the impact of today's Federal Reserve with surprising clarity.

The political appeal for advocating a return to sound money shouldn't be surprising. After all, a poll conducted during the previous presidential campaign, a Rasmussen Reports poll found "remarkably high" support for the gold standard among Iowa Caucus goers:

"A majority (57 percent) of those surveyed are favorable to the United States returning to a gold standard and over one-quarter is 'very' favorable to the idea. Only 17 percent are unfavorable to this idea, which equates to a better than three-to-one favorability ratio."

With those numbers in mind, it is no wonder Newt Gingrich - who for all his sins, has never been accused of not being able to read a poll – voiced support for returning to the gold standard, while Michelle Bachmann famously proclaimed a fondness for reading Mises on the beach. It's not quite the days of presidential candidates proclaiming their support for sound money on campaign posters – but it's a step in the right direction.

A better future might not come from a ballot box, but it can be found in winning over the hearts and minds of the people themselves.

There is no greater legacy that Ron Paul left on the American electorate than bringing to light the dangers of our current monetary system and the need to end the Federal Reserve.

CNBC's Republican Presidential Debate was another reminder of the debt we owe to the retired OB/GYN from Lake Jackson, Texas.

Continued from page 1 • What does Citizenship mean to you

were met and help given and our country was great, but we live in a new America now.

Today's America is filled with those who want things done and refuse to work for it. They see needs and require someone else to provide it. They see people in need of assistance and don't want to be bothered or are too afraid to give it. They yell and scream that others are doing things, believing things, saying things the wrong way, all the while with an nihilistic heart turning a deaf ear and blind eye to their fellow human. And they firmly believe that our world would be better if everyone were just ... equal. But their definition of equality begins with monetary wealth and ends with their ideas, selves and causes being held in higher regard than those of whom they disagree.

I was recently on my way home from my office. I was following behind the normal fair of drivers who believe it is their right to drive in a passing lane whilst travelling 10 mph below the posted speed limit - I'll admit to my fair share of contained explosive outbursts from behind the wheel as I try to no avail to use the lane as intended. Ahead of me there was an ocean of brake lights, traffic had stalled more than normal. For the next several minutes we inched our way forward until the obstruction was revealed. A young woman's Bronco II had broken down in the "slow" lane. She was sitting behind her wheel paralyzed as drivers went around her on both sides. I immediately pulled off the road, without even thinking about it. Trying to cross the fast lane was dangerous! People didn't care that I was trying to walk in front of them, they just wanted to get where they were going and I was almost struck several times. When I finally reached her car she seemed relieved someone was there.

"You need a push?" I asked. She smiled. So, I started pushing. But the people in the cars

behind her in her lane couldn't be bothered to wait as we angled toward the edge of the road, they passed her on the shoulder side almost hitting her (us), but we finally made it. She waved a thank you and I headed off to make my way across the highway. It was no easy task as the people just didn't want to stop.

The lesson I learned was, people would rather be inconvenienced by waiting in the safety of their own lives as long as someone else handles whatever crises may arise.

But it's not even that, simple civics isn't even considered today.

People bemoan our infrastructure, GMOs, even global warming, but other than wanting government to intervene I see few who complain about these things stepping up to personally do anything about it.

Recently, my mother sent me a text with a picture of my dad filling a "pothole" (more like a crater) on a California road in the Plumas National Forest. He didn't have to. It's not his job, but he just didn't want to drive over it and didn't think anyone else should either. So he did something. As he was shoveling, a Forestry Department Truck drove by him without so much as even a wave from its occupant. Later, when my folks caught up to the ranger in the small town of Chillcoot, CA they asked him about the pothole. His reply, "I don't work on the road crew."

Government will never be the answer. We alone are the answer. Each of us. It is our duty as citizens to act, not simply hold our hands out and think equality will be given.

Like the man who spoke these words, this is my oath of citizenship, "Ask not what your country can do for you; ask what you can do for your country." Thank you John F. Kennedy, there have been no truer words spoken.

And to my father, thank you for showing me what it means to be a real American. ***



My Dad filling a pothole



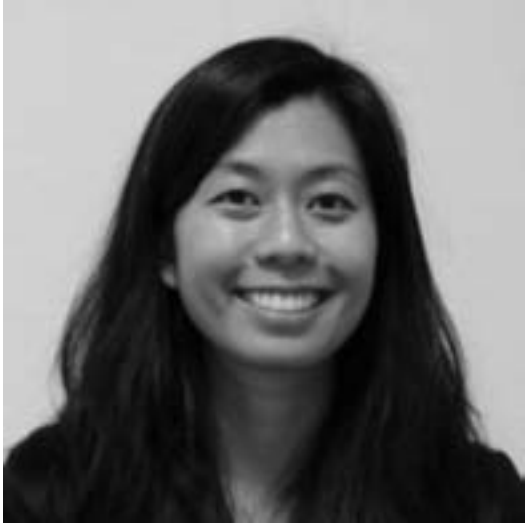
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"Congress has not unlimited powers to provide for the general welfare but only those specifically enumerated.
... A wise and frugal government... shall not take from the mouth of labor the bread it has earned."
--Thomas Jefferson

COMMENTARY



By Tina Peng

(Washington Post) - The Orleans Public Defenders are facing a million-dollar deficit as a result of statewide budget cuts. For a small office like ours, that's devastating. To avoid layoffs, the entire staff will see the equivalent of four unpaid weeks per year in furloughs, increased caseloads and a hiring freeze — and the submission to the Louisiana Public Defender Board of a plan to cut services to the people of New Orleans. We are already stretched thin: Our office represents 85 percent of the people charged with crimes in Orleans Parish but has an annual budget about a third the size of the district attorney's. The American Bar Association recommends that public defenders not work on more than 150 felony cases a year. In 2014, I handled double that.

The United States accounts for less than 5 percent of the world's population but almost 25 percent of the global prison population. The vast majority of people in prison are indigent: The Justice Department has estimated that 60 to 90 percent of criminal defendants nationwide cannot afford their own attorneys and that in 2007, U.S. public defender offices received more than 5.5 million cases.

Public defenders are the only ones who stand up for the vast majority of people charged with crimes in America, and we try to help our clients achieve justice in an often unfeeling legal system that disproportionately ensnares poor people and minorities. But the constitutional guarantee of effective representation for all has fallen short. The funding crisis is nationwide, and it is dire. When people ask how to push back against police misconduct, how to decrease the costs of mass incarceration and how to ensure fairer treatment of our nation's most disenfranchised citizens, part of the answer lies in fully funding public defender's offices and enabling us to represent our clients in a meaningful manner.

I went to law school to be a public defender. My frustration with our office's persistent underfunding is not that it forces me to work long hours, represent numerous clients or make far less money than I would at a private law firm. It is that when we are constantly required to do more with less, our clients suffer.

Because we don't have enough lawyers on staff, the week I passed the bar in 2013, I began representing people facing mandatory life

I'm a public defender. It's impossible for me to do a good job representing my clients.

sentences on felony charges. In Louisiana, people with as few as two prior nonviolent felony convictions can face mandatory life imprisonment on charges as minor as possession of a syringe containing heroin residue or, until recently, possession of a single joint. Defendants who cannot afford to make bond can sit in jail for 60 days while the district attorney decides whether to arraign them. An unconstitutionally high caseload means that I often see my new clients only once in those two months. It means that I miss filing important motions, that I am unable to properly prepare for every trial, that I have serious conversations about plea bargains with my clients in open court because I did not spend enough time conducting confidential visits with them in jail. I plead some of my clients to felony convictions on the day I meet them. If I don't follow up to make sure clients are released when they should be, they can sit in jail for unnecessary weeks and months.

Local constraints exacerbate these problems. Saying it lacks resources to provide adequate mental health treatment in its jails, the Orleans Parish Sheriff's Office has moved our clients with high mental health needs to a prison more than an hour away. Limited visitation hours make it almost impossible to see clients there on days we need to be in court. And recent attrition, coupled with the hiring freeze, has rendered many lawyers overwhelmed by cases transferred to them on top of their existing ones. One attorney whose transferred client was jailed on a bail-jumping charge did not have a chance to look at the file for close to a month, when the client's next court date approached. At that point, he realized that the client had never been served to appear for the court date on which he allegedly jumped bail. The attorney immediately and successfully moved for the judge to release the client. By then, though, "he had a newborn baby he didn't see, because I didn't look at the case for a month," the attorney said.

For other clients, my office considers how serious their cases are before deciding how many resources to devote to them. We have only nine investigators to handle more than 18,000 felony and misdemeanor cases each year. One investigator describes being so overwhelmed that he is often unable to canvass for relevant surveillance footage until it has already been deleted. Another investigator said that recently, in a span of a week and a half, she was assigned three cases carrying sentences of mandatory life without parole. A year ago, she would have received one such assignment a month. Those cases all had preliminary examinations — the only pre-indictment hearing at which the client's

attorney can cross-examine police officers — in the same week. Working around the clock, the investigator completed full investigations for two of those cases. For the third, she was able only to knock on one witness's door twice.

We similarly have to ration our social work and client welfare services. Cutbacks mean we are limited in our ability to gather detailed information about our clients' personal

example, offices may start putting lower-priority clients — people who are out of jail or have less-complicated cases — on a waiting list for representation, says James Dixon, the state public defender. That would mean defendants would have to come to court without lawyers to argue, file motions, or conduct hearings or trials for them, effectively bringing their cases to a halt.

Courts have mostly supported this option. In 2013, the Florida Supreme Court ruled that public defender's offices can apply to turn down future appointments when their caseloads rise so high that they cannot constitutionally represent all their clients. At the time, public defenders in Miami were handling 400 felony cases each, and some often had up to 50 cases set for trial in a week. Missouri's Supreme Court in 2012 also upheld the ability of public defenders in that state to decline appointments if they were too far over capacity. A few months later, most Missouri public defender's offices stopped accepting cases for one to two months, according to State Public Defender Michael Barrett. If the courts did not appoint private lawyers to take on cases for free, overflow defendants had no representation at all until the public defenders were able to start accepting appointments again.

In Louisiana, one of our biggest problems is unstable funding: This is the only state in America that tries to fund most public defense services with fees associated with traffic tickets, parish by parish. But other states with steadier funding are seeing even the status quo come under attack. Since 1992, Tennessee counties have been required to raise public defenders' budgets by 75 percent of any increase in prosecutors' budgets. This year, a bill requested by the state's district attorneys would repeal that law. "It's an issue of fairness," says Mark Stephens, the Knox County district public defender. "It frustrates me that they can't understand that they need money and we need money."

Ultimately, it's easy to forget what we're talking about when we talk about the criminal justice system. I've been asked by my family members, my friends and my hairdresser why I represent criminals. The answer is that I, and other public defenders, don't represent criminals. We represent poor people who are facing criminal charges — charges on which they are presumed innocent until proven guilty in court. We represent members of our communities who have a right to real and meaningful legal representation, even if they are poor. My clients, like the millions of other people in the United States who are currently represented by public defenders, deserve better. ★★★

"Our office represents 85% of the people charged with crimes in Orleans Parish but has an annual budget about a third the size of the district attorney's."



circumstances and histories to present to prosecutors, which could lead to more individualized plea agreements. We are also hobbled in our capacity to make sure critical services are delivered to our clients in jail.

Unfortunately, budget cuts and a spiraling workload are not unique to Orleans Parish. Funding problems threaten poor people's right to counsel across America.

In June, the American Civil Liberties Union sued Idaho, claiming that the state has failed to fund or improve its broken public defense system and has deprived indigent residents of their Sixth Amendment right to adequate legal representation. Indigent defendants in most counties there have no lawyers at their first court appearances, where bail is set and pleas of guilty or not guilty are entered, according to the lawsuit. Many counties also pay attorneys who accept public defense contracts a flat fee, regardless of the number or seriousness of the cases each lawyer handles. Some public defenders in Idaho carry caseloads that are double national standards. And because public defenders are often allowed to continue their own private practices, there is little incentive for them to spend much time on their appointed clients, or to pay for investigations or expert witnesses in those cases, a common problem everywhere.

None of that is constitutionally adequate, says Jason Williamson, one of the ACLU's lead attorneys in the Idaho lawsuit. "You need to do more than have a pulse," he says. "You need to actually litigate these cases."

Some public defender's offices have contemplated the drastic option of turning down appointments. In Louisiana, for

Bernie's Implausible Invention: *the Sinister Billionaire Class*



By Rich Lowry

(National Review) - Bernie Sanders is the most prominent conspiracy theorist in America.

He runs around the country saying that the economy is "rigged" by what he calls "the billionaire class."

Sanders doesn't mean this metaphorically. He's dead serious. As he put it in his speech at Liberty University a couple of months ago, our economy is "designed by the wealthiest people in this country to benefit the wealthiest people in this country at the expense of everybody else."

Designed. Per Sanders, the wealthy have built and maintained a self-serving system of income inequality at the cost of the 99 percent — "heads they win, tails you lose."

The Sanders view has all the hallmarks of a

good conspiracy theory. It finds a common thread in disparate phenomena and attributes them to the workings of a shadowy, nefarious force. It is simplistic, paranoid, and seductive. And it is, outside the hothouse confines of its own assumptions, wholly implausible.

Consider what vast, complex forces the wealthy would have had to manipulate to "rig" the economy as Sanders alleges. (In what follows, I draw on the proceedings of a conference on income inequality held by the free-market Hoover Institution.)

Since the top 1 percent mostly make their money not by sitting on inheritances but by earning salaries, they must have shaped broader economic conditions for their benefit.

They had to enhance the return to education. They had to forge a revolution in computing and invent the Internet to enhance the scale in which talent could operate. They had to open up the global economy. If you thought these were inexorable elements of the modern world, you underestimated the power of the billionaire class.

They had created the predicate for higher pay — and not just for CEOs, financiers, and lawyers, but for other talented individuals, including professional athletes.

But the work of the billionaire class wasn't done. It had to cover its tracks. It ensured that the United Kingdom and Canada experienced basically the same trend of gains by the top 1 percent. It saw to it that the proportion of children born in the top 20 percent of the income distribution in the U.S. who stay at the top or drop lower in the distribution is roughly the same as in the U.K. and Scandinavian countries. Clever.

For whatever reason, the billionaire class constantly eases people in and out of the Forbes 400 list of wealthiest people in the U.S. and favors entrepreneurial newcomers. In 1982, only 40 percent of the Forbes 400 owned first-generation businesses. In 2011, roughly 70 percent did. Fifth- and sixth-generation businesses, inherited and passed along, had disappeared from the list. Even more mystifying, the share of the Forbes 400 who grew up wealthy has declined through the decades.

Who can understand why the wealthy conspired to increase the share of federal income taxes paid by the top 20 percent of the income distribution from 65 percent in 1979 to 93 percent in 2010? Or the share of the top 1 percent from 17 percent to 37 percent? Doesn't this undermine the entire effort? According to the Congressional Budget Office, once taxes

and transfers are taken into account, the proportion of income going to the top 1 percent in 2009 wasn't much different than in the mid-1980s.

It's not enough for billionaires to protect their interests unless dispossessed people beneath them are denied the means of ascent. Clearly, the country must have a rotten, utterly unaccountable public-school system — and so it does.

Yes, the billionaire class has a lot to answer for.

Even if you have a dim view of the wealthy, you have to admit that the story is more complicated than the lurid Sanders version. But sometimes it's ill-advised to try to engage with an inflamed, hands-waving believer in a wild conspiracy theory. It's best just to nod and back away: *Yes, Bernie, it is all rigged. Whatever you say...* ★★★

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Continued from page 2 • Facts Behind the Curtain - James Faire's False Prosecution



36 E Sourdough Rd, Tonasket, WA - the scene of the attack against James Faire and Angela Nobilis-Faire, and the death of Debra L. Long

St. Pierre's estate?

In short, what was in it for Fritch to be the trustee?

The letter says that exposing the trusts "...will cause me a personal financial damage of one million (\$1,000,000.00) United States Silver dollars..." So Fritch admits a personal interest in the trusts he received from Debra totaling a million dollars. This is over and above the \$25,000 in GOLD he got from a California rare coin dealer using an illegal Deed of Trust document previously reported in the US-Observer.

Prosecutor Karl Sloan and Michael Fritch Tied at the Hip

What's even more interesting is that he purports to speak for Okanogan Prosecutor Karl Sloan, joining him in the Big Con Prosecutions, threatening to add the executor to Sloan's list of innocent prosecutorial victims. The letter repeatedly asserts James Faire's guilt of the false murder charges and makes railing accusations to the executor "... my fiancé has been murdered by individuals that you introduced to her...". It says (to the executor) "...it was you who introduced Debra to FAIRE," suggests that "it was you... who sent those murderers out there to squat on the land and slay my fiancé" and absolutely guarantees the executor will "become a party of interest in the murder trial..." **unless the motion to open the trusts is withdrawn.**

Then Fritch suggests a litany of false accusations that could be added, Sloan-like, to a prosecution.

He accuses the executor of "filing a counterfeit security in a public repository," criminal extortion, violations of both federal mail/wire fraud statutes and the federal Real I.D. Act, slander, libel and "other high crimes and misdemeanors," and clearly states that the executor may go to prison, along with

James Faire... **unless the motion to open the trusts is withdrawn.**

Just what is the connection between Prosecutor Sloan and the only one of five confederates who apparently walked free from a US District attorney trust fraud investigation? We find no evidence that Michael Fritch was exonerated. Did he cut a deal? Did he do so by becoming a Federal informant and incriminating his alleged confederates?

Do you get the idea that Fritch doesn't want to reveal what is in those trusts?

And that makes a lot of sense. They were fraudulently drawn and foisted on a weakened Michele St. Pierre by known manipulative misrepresentations put forward by the "love of his life," his partner in crime, Mrs. Debra Lynn (nee Stuart) Emery James Long.

These are Karl Sloan's prosecutorial allies, the admittedly suicidal thug George Abrantes and the conman Michael Fritch.

And it is an innocent James Faire that sits in jail.

THE STING

Eventually, the severe abuse being committed by Okanogan County Prosecutor Karl Sloan is going to destroy his reputation with his constituents. Then, Okanogan County will clean house and it will destroy his career, too.

Editor's Note: Anyone with information about this case, Prosecutor Karl Sloan, Detective Kreg Sloan, George Abrantes, Ruth Brooks, Michael St. Pierre, Richard Finegold, Debra Long or Michael Fritch is urged to contact Edward Snook at 541-474-7885 or by email to editor@usobserver.com. We also need pictures of all of the above-mentioned people. ★★

Obamacare may not survive the year



By Sam Rolley

(Personal Liberty) - Conservatives have been saying that Obamacare is doomed to collapse under its own weight since before it was fully implemented. And with a series of price hikes and service cuts plaguing the president's healthcare overhaul in recent months, a top Republican is predicting that Obamacare critics won't have to wait much longer to witness its self-destruction.

According to Wyoming Sen. John Barrasso, Obamacare will likely fall apart completely within the next year. He made the prediction in a Washington Times op-ed published Sunday, just as the latest open enrollment period for the government-managed healthcare scheme began.

"Unless something dramatic happens, this may be the year of the health care law's collapse," Barrasso wrote. "Prices keep rising and service keeps fading. It should not surprise the administration that people are not signing up."

Barrasso predicted that Americans are going to suffer a bit of sticker shock if they log into the healthcare exchange this year. More shocking, he said, will be how little healthcare they're able to get at such high prices.

"Premiums are jumping by double digits in many states. In Alaska, premiums will be nearly 40 percent higher next year," he wrote. "People buying insurance on the Minnesota exchange will pay anywhere from 14 to 49 percent more."

"Premiums are just one part of the high-cost story," the lawmaker continued. "Many plans are raising

deductibles, co-pays, and other out-of-pocket costs."

To highlight Obamacare's lack of options for patients, Barrasso cited a Kaiser Family Foundation analysis which described how users in some states can't even find Obamacare providers.

"People living in 14 of Nevada's 16 counties will have only one or two companies to pick from," he wrote. "In Wyoming, with the failure of WINHealth, residents will have only one option."

The Obamacare collapse has been inevitable for some time, as co-ops throughout the nation have struggled constantly to remain solvent or simply shut their doors for good.

As we noted late last month:

Nine Obamacare co-ops have failed. Billions of dollars in federal-to-state Obamacare subsidies are unaccounted for. The White House is already trying to temper expectations that enrollment for 2016 will come anywhere near its earlier projections.

And now we have a state where lawmakers are proposing a single-payer replacement for Obamacare — something many early critics predicted, well before the Affordable Care Act was ever put to Congress for a vote.

Colorado's Obamacare exchange is poised to become the latest in a growing succession of state-run healthcare exchanges to shut down altogether. And progressive lawmakers there have joined with a citizen-backed campaign in floating a ballot initiative, Initiative 20, that would establish a statewide payer plan for residents' medical care — rendering the Obamacare exchange obsolete.

For now, the Obama administration is simply working to lower Obamacare expectations to make the healthcare disaster look less like a total failure. But as things get worse for Obamacare consumers and providers, you can bet that pretty soon all 50 states will have worked out a plan to get out from under the president's healthcare scheme. ★★



The "Unstolen" Car

Editor's Note: Red is one of the most ethical individuals to have ever worn a badge.

By Red Smith

I was working swing shift out of the Gold Hill, Oregon Sub-Station when I received a call of a stolen car on Rogue River Highway. I responded to the complainant's residence. Upon contacting the complainant and attempting to obtain the necessary information for a report and to get the car entered into the Law Enforcement Computer system the complainant went from giving me information to ranting and raving about, 'if I had been doing my job this would never happened', back to giving me information. This continued for some time until I had finally obtained the information I needed.

I began to move around in the driveway of the residence searching for the car's tracks as well as any tracks or other evidence the suspect may have left behind. Once again the complainant got all fired up and started her verbal rants. Basically, in her opinion, I was wasting time. I should get out there and locate her car before anything serious happens to it.

I told her I'm attempting to locate any and all evidence, so I can hopefully locate her vehicle and/or the person/s who took it. I worked my way down her driveway as she lived on a steep hill above the highway. I noticed in several places the car's tracks were coming very close to going off the edge of the banked road, but the tracks appeared to be straight. When I got to the black top highway, the tracks (sandy tracks from the driveway stood out on the pavement) went straight across. On the other side of the highway there was another steep bank going down into a pear orchard. I

continued following the tracks and they went right off the bank. Shining my flashlight into the orchard I saw her car. I climbed down to it and looked it over. It was obvious she had not set the emergency brake and she had not put the car into park, causing the vehicle to roll down her drive, across the pavement, and off the bank into the orchard. It appeared that the accident had not damaged anything, not even the car itself.

I went back to the residence and contacted the complainant. I explained to her that I had located her vehicle and that she should get her keys and come with me to get her car. She was very surprised and complied. At first she couldn't understand why we were walking rather than getting into my patrol car. I didn't speak until we were at the pavement. From there I could shine my light right on her car. She didn't say anything but she did start to cry. At that point I told her I could not locate any damage to her car or any damage the car might have caused.

I explained there would be no report and suggested she be more careful in securing her car in the future as this could have turned out quite different if anyone had been driving by when this occurred. As I was leaving I told her I needed to get back to work, doing my job.

I cleared with no evidence of a crime and no report.

About Me: My name is William Holden Smith, but most people know me as "Red". I think communication is the most important tool any person can use, especially as a police officer. I'm retired from the Sheriff's Office after being a reserve for years and then twenty-eight years full-time. In retirement, I drove armored truck, worked for three different Municipal Police Departments and a Constable's Office. ★★

Continued from page 1 • Blackmail with Immunity

intention, but many of those who enforce them pay little to NO price when they unjustly enforce them. The "seeking justice" slogan that is supposed to be followed, has long been replaced with INCENTIVES. The result: more people incarcerated.

Cash for convictions, Asset Forfeiture and many other legal terms are evident, but resolving this problem that contributes to the United States incarceration rate is only a vague topic for most politicians, yet it plagues this country, from coast to coast. There are many legal arguments to validate the government, and a defendant's point of view. All arguments often result in cost being a major factor.

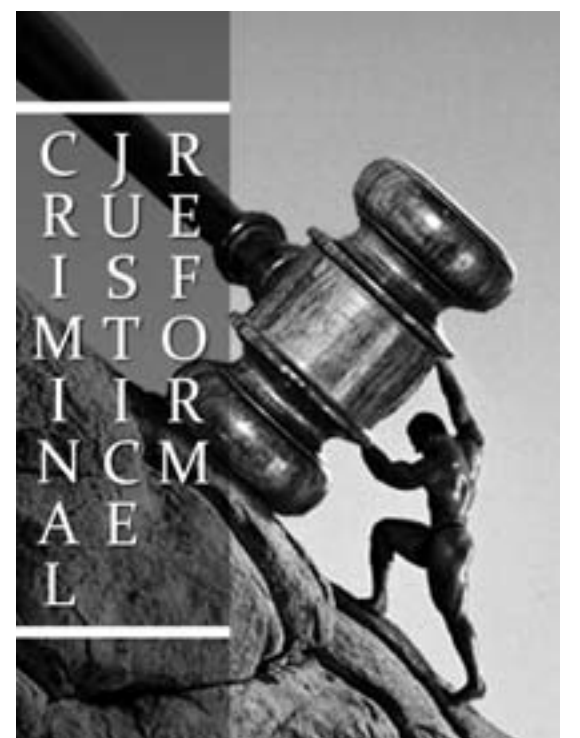
Despite the costs of "justice", If you are the person being arrested, it's obvious, the cards are stacked against you. Accountability is one aspect of our justice system that is often a non-issue, yet it should be at the forefront of every aspect of government. There are so many issues that can contribute to the current problem, but immunity is one of the most important contributing factors.

Have you ever filed a lawsuit against government for violating your rights? Specifically against a prosecutor? The amount of cases I've seen where a prosecutor has been successfully charged and convicted for violating a citizen's rights is an amount which can be counted on one hand. Why? The exact answer, again, is comprised of many factors, but one fact remains - Immunity is almost always granted to prosecutors. The burden of proof lies on the person who has had their rights violated. Even then, a pattern is usually required, which means that you have to find numerous other cases, like yours, where an individual prosecutor violated someone else's rights, in the same manner.

Don't forget to take into account that most lawyers do not like suing government. Even then, the cost to do so is exorbitant and often results in a bankrupting experience without resolution.

You have an attorney general's office, comprised of lawyers, who are to investigate alleged crimes by prosecutors, which is similar to police who investigate other police officers. We all know how that usually ends...

We, as a country, have strayed so far from our founding principles, that nowadays, if you mention the word constitution, you may be considered by many as a domestic terrorist. Why would a document so important to our country, a document that all elected politicians, police and prosecutors take an oath to uphold and defend, be misconstrued as a terrorist doctrine? Because ever so slowly, the



document that is supposed to protect us from government abuse, has in fact, been eroded by the very people who have taken the oath to defend it.

There are real criminals. There are good police officers. There may be honest prosecutors. That is not in dispute. The United States incarceration rate is also not in dispute - again, it is the largest per capita worldwide. That is a problem. 97% +/- of all criminal cases result in the legal blackmail known as a plea deal, where the accused who is charged with multiple crimes admits guilt to at least one in return for a more lenient punishment - often for time served and probation, in exchange for the many years in prison they were initially facing. Prosecutors on the other hand enjoy the privilege of not paying when they make mistakes, mistakes that often send innocent people to prison for many years, even to death.

The real issue is that prosecutors, instead of being granted immunity, should be held to a higher standard. They hold an immense power, and with that authority should come greater responsibility. They have chosen to work for the people. Accountability is a responsibility that has evidently become nearly extinct in our criminal justice system. It is time that people start promoting criminal justice reform. Until then and even if reform is ever obtained, this quote from Thomas Sowell is apropos; "It is hard to imagine a more stupid or more dangerous way of making decisions than by putting those decisions in the hands of people who pay no price for being wrong." ★★

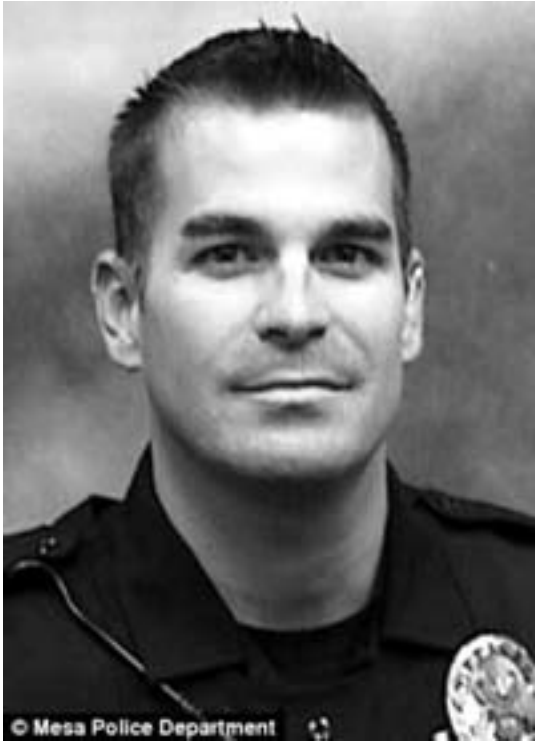
Families of Victims Murdered By Illegal Aliens Storm Washington



By Katie McHugh

(Breitbart) WASHINGTON — Families of Americans murdered by illegal aliens were recently in Washington, D.C. demanding the political class put a stop to the alien invasion that took the lives of their beloved family members.

Mary Ann Mendoza lost her son Sgt. Brandon Mendoza on May 12, 2014, when illegal alien Raul Silva Corona, high on meth and blackout drunk, struck him while driving on the wrong side of the highway, killing them both. Corona had lived in the U.S. illegally for decades with a serious criminal record.



Sgt. Brandon Mendoza

"I didn't know what a widespread problem this was. A lot of people ask me, 'How can you do this?' How can you get on TV and how can you talk about what happened to your son?" I look at it this way: I was blessed because God chose me to have this incredible man and raise him into the man that he was. He had so much left to do in his life," Mendoza said, recounting how her son "recreated" a neighborhood formerly plagued by drug dealers and the homeless, making it safe to open a park, allow kids to play together, and let American families have picnics.

"It's incredible to go down to that area and see what he's done. If I don't live out his legacy, and continue what he was doing, I feel like I would be doing a disservice to my son," she said:

But how sick is this, that I've been having to carry on my son's dreams and his legacy, and the things he wanted to do in his life, and help people, because that's what he always set out to do. So, that's my goal now — to help people. And I want to be here to help every one of you, the American people. Because this isn't a Democratic or Republican problem. This is an American problem. This is going to affect someone, near you, because it's becoming a huge problem in this country. And if the American people don't start standing up and realizing what is happening to your country, and how your elected officials are not listening to you, and not voting, and not doing the things we are asking them to do, I'm almost embarrassed to say this is where I live anymore. I mean, what is this becoming? And if these illegal people coming into our country — they're leaving a terrible place because

they're coming for a better life. If you can't abide by the rules... Then go home. Because this country is going to become exactly what you left. And that is not what we need.

Legal German immigrant Sabina Durden placed the ashes of her only child, Dominic Daniel Durden, on the podium while she spoke.

"I brought Dominic," she said, setting the tiny urn on the edge of the podium. "This is what I've got left of my son. His ashes. And I carry them around my neck."

"I was looking forward to becoming a mother-in-law one day, and a grandmother. Well, that never happened," Durden said. "We had many plans, and many goals."

An illegal alien from Guatemala struck Durden while he was on his way to work as a 9-11 dispatcher on July 12, 2012, killing him instantly. He had been convicted of a felony armed robbery, two DUIs, and had no license, insurance, or registration when he ended Durden's life and shattered his mother's.

"As my son's body lay there, the driver of the truck was trying to flee," she said through tears. "Luckily, two Marines also on their way to work, witnessed that horrific crash and stopped him from leaving. The first responders arrived — and quickly realized who the dead person was. It was their friend. It was their co-worker. They covered him with an American flag and tried to compose themselves... But they couldn't and they called for backup and highway patrol."

Durden was in Atlanta at the time of the fatal accident, and her son had dropped her off at the airport only a few hours earlier. "I didn't know it would be the very last time I got to touch him, feel him, smell him, hug him," she said. Only hours later she received the call of "every parent's nightmare: 'I'm sorry, but your son is dead.' I remember screaming and dropping to the floor." The return flight to California was the longest flight of her life, Durden added, and as she struggled to come to grips with what happened, she got off the plane to see three of her son's best friends waiting for her, and then "I knew it was real." The next few weeks were a fog.

Her son's killer had been in the nation illegally for eight years and returned after being previously deported to Guatemala. Durden and her fiancé had to fight to get him deported once again after he violated probation several times, killing her son only two weeks after his latest "second chance." Durden added he never showed any remorse, and was able to bail himself out of jail with ten thousand dollars in cash despite complaining he was only a "day laborer."

The D.A.'s office urged them not to go to trial while assuring them "not to worry," and that they had the Durdens' backs.

"The case was heard through a traffic judge," Durden said. "Who already made up his mind and gave the killer a deal before he even read all the files or heard all the victims' statements. The killer missed two hearings and needed a special interpreter. Later on, he spoke fluent English... He was able to walk around freely, and while he ignored all of our laws, he got to enjoy the protection of those exact same laws. His costs for the many hearings and translators was paid for by tax dollars, while I couldn't get counseling and therapy, because I didn't qualify for any financial help from the Victim's Assistance. The judge sentenced him

to nine months, and five years' probation, for vehicular manslaughter without gross negligence. And restitution of \$18,000, of which I received nothing," Durden said to audible groans of sympathy from the audience.

"The killer of my only child served only 35 days in jail," Durden said as the audience gasped. "And then handed over to [Immigrations Customs and Enforcement] ICE, who took him to an immigration detention center. He tried to get the immigration judge to grant him asylum, and if it wasn't for fiancé Anthony Coulter and I — every year and every week, we drove out to the immigration center and we sat there so they would see us," she said. "Otherwise he would have been released back into the community. But because we were so adamant about it, he was deported to Guatemala in 2014."

"However, we believe he is back in Riverside, [California], because Riverside is a sanctuary city, who kept him nice, safe, and comfortable, and nobody wanted to hurt his feelings," Durden continued:

child was granted more rights, and given more breaks, than any of us would ever receive — and in addition, was provided shelter from the law in a sanctuary city.

There were many times I wanted to give up and just die. I wanted this excruciating pain to stop. Because it seemed like nobody cared and listened. I was wrong; there are still some people within our government and others that care a great deal, and want to stop this senseless and avoidable deaths of other Americans.

Durden thanked the Remembrance Project for bringing the families of victims of illegal alien crime together.

"And then I gotta thank my personal hero, Donald Trump," Durden said. "When he spoke up against illegal immigration, and what it does to our country, he caught a lot of heat but he opened the door for us, and we had to walk through. He accomplished in a few minutes what we tried to do... for years and years. We're being heard now."

"When is our government coming out of the shadows to protect its own citizens?" Durden



Sabina Durden pictured with her late son Dominic Daniel Durden

It is the worst kind of pain to lose your child. More pain is added when someone kills your child and you find out that person wasn't even supposed to be here in the first place. And then you find out the same person who took your

demanding to wild applause.

National Remembrance Day takes place the first Sunday of every November and this year fell on November 1.

★★★

Continued from page 1 • Police officers ... 'sexual misconduct'



badge because of an offense. Lawyers and police chiefs acknowledged that some departments let the sexual assaults slide to limit their liability, allowing their staff to quietly resign or transfer to other duty stations or departments.

Furthermore the probe notes that not all decertified officers faced criminal charges as some

offenses. Police decertification data was not provided by nine states and the District of Columbia. The investigation included examining the records of state and local police, sheriff's deputies, prison guards and school resource officers. However no federal officers were included in the investigation.

The probe revealed that 550 officers were decertified for various sexual assaults, including rape. Some were dismissed for sodomy or sexual shakedowns, where victims were forced to perform sexual acts to avoid arrest.

A further 440 officers lost their jobs for other sex-related offenses, such as possessing child pornography, being a peeping Tom, sending sexually charged messages to underage teens or having sex while on duty.

About one-third of the officers lost their jobs for committing sexual offenses with juveniles.

Those who fall prey to police are often young, poor, drug abusing individuals who don't report their cases to the authorities. Victims included motorists, schoolchildren who were patted down in searches for illegal drugs, or women forced to perform sexual favors to avoid legal troubles. Prison inmates were also forced to have sex with guards.

The real number of sexual offenses could however be much higher, as AP only looked into registered cases where an officer lost their

policemen surrendered their badges voluntarily to avoid a potential scandal.

"It's happening probably in every law enforcement agency across the country," said Chief Bernadette DiPino of the Sarasota Police Department in Florida, who helped study the problem for the International Association of Chiefs of Police. "It's so underreported and people are scared that if they call and complain about a police officer, they think every other police officer is going to be then out to get them."

AP points out that their findings, together with other research and interviews with experts, suggest that sexual misconduct is one of the main problems facing police departments across the US. Citing news articles and research undertaken by Phil Stinson of Bowling Green State University who looked at the period 2005 to 2011, the agency reports that his findings discovered 6,724 arrests involving more than 5,500 officers.

Out of almost 7,000 arrests, sex-related cases were the third-most common. Police violence and profit-motivated crimes topped the list. According to another study, the Cato Institute's investigation discovered that in 2009 and 2010 sex misconduct was the second most reported offense against officers, after the use of excessive force. ★★★

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Crime Lab Scandals Just Keep Getting Worse



By Dahlia Lithwick

(Slate) - Earlier this year, I wrote about a sprawling prosecutorial scandal in Orange County, California, involving a long-standing program of secret jailhouse

snitches that had tainted prosecutions in cases almost too numerous to count. This story has only continued to worsen. One of the prosecutors at the heart of the case simply packed up and left California last month, and just this week the news emerged that Orange County District Attorney Tony Rackauckas had been told that his office might have a jailhouse informant problem all the way back to 1999, a full 16 years before the current allegations about the misuse of jailhouse snitches had surfaced.

The problem with a scandal on this order of magnitude isn't just that it reflects a fundamental flaw in the justice system. The problem is that, as a purely practical matter, there is simply no easy way to correct it. In Orange County, some convictions have been tossed, others have been stalled, and a call for a Justice Department investigation has gone unheeded. Even years after cases like this come to light, undoing or redoing wrongful convictions proves almost impossible to achieve, especially when the state believes someone else should be cleaning up the mess.

Perhaps the most dramatic example of a massive scandal that cannot seem to be reversed involves Annie Dookhan, a chemist who worked at a Massachusetts state lab drug analysis unit. Dookhan was sentenced in 2013 to at least three years in prison, after pleading guilty in 2012 to having falsified thousands of drug tests. Among her extracurricular crime lab activities, Dookhan failed to properly test drug samples before declaring them positive, mixed up samples to create positive tests, forged signatures, and lied about her own credentials. Over her nine-year career, Dookhan tested about 60,000 samples involved in roughly 34,000 criminal cases. Three years later, the state of Massachusetts still can't figure out how to repair the damage she wrought almost single-handedly.

By the close of 2014, despite the fact that

there were between 20,000-40,000 so-called "Dookhan defendants" (depending on whether you accept the state's numbers or the American Civil Liberties Union's), fewer than 1,200 had filed for postconviction relief.* Many of them were sentenced under plea agreements rather than at trial, and they feared that a re-examination of their cases could potentially lead to even longer sentences. So the ACLU of Massachusetts stepped in last spring, filing *Bridgeman v. DA of Suffolk County* to ensure that no defendants would face harsher penalties if they challenged their Dookhan evidence.



D.A. Tony Rackauckas

In May, the Supreme Judicial Court of Massachusetts unanimously ordered that each of the defendants whose guilty pleas were based on Dookhan's evidence could seek new trials without facing added charges or stiffer sentences. The state court stopped short of ordering each of the convictions vacated—the remedy sought by the ACLU. But the court effectively capped any defendant's sentence to what it would have been under the original plea agreement.

The state argues that most of those Dookhan defendants were surely guilty of something, and the cost of vacating all of their convictions would be chaos. There has already been one

Only a few months after Dookhan's conviction, it was discovered that another Massachusetts crime lab worker, Sonja Farak, who was addicted to drugs, not only stole her supply from the evidence room but also tampered with samples and performed tests under the influence, thus tainting as many as 10,000 or more prosecutions. Records show Farak used cocaine, crack, or methamphetamines daily or almost daily while she was at work, as well as ketamine, MDMA, ecstasy, phentermine, amphetamines, LSD, and marijuana. Farak pleaded guilty and served 18 months behind bars.

But in April, Massachusetts' highest court found that state law enforcement officials had never fully investigated the scope of Farak's wrongdoing, retesting only 10 samples of her work. And based on new discoveries by defense lawyers, the extent of Farak's drug abuse now appears far greater than was initially alleged. Officials at the time of Farak's arrest claimed she had tampered with the drugs she tested beginning only in July 2012, and only after she had tested each sample. That is now in serious doubt.

Retired Superior Court Judge Peter A. Velis was appointed by Attorney General Maura Healey to examine the Farak case after the April ruling, and he is tasked with determining the real scope of wrongdoing from the Farak case. Among other things, Velis' investigation is now looking into allegations by several defense lawyers that the attorney general's office under then-Attorney General Martha Coakley deliberately withheld evidence that the Farak scandal was much worse than it let on.

Two defense attorneys, Luke Ryan and Rebecca Jacobstein, subpoenaed Farak's medical records to see if their clients had been affected and found that her drug use and theft had extended all the way back to 2004, eight full years before the state claimed it began. They contend that this new evidence warrants a review of all 29,000 samples Farak claimed to have tested during her career. They also claim the government concealed this "smoking gun" evidence from defense attorneys.

Documents revealing Farak's addiction were kept from defense lawyers for more than a year and a half, despite multiple requests. Once they were finally able to inspect these documents, defense attorneys obtained court orders requiring Farak's clinicians to produce copies of their treatment records.* Judge C. Jeffrey Kinder ruled last June that Farak's treatment records should be unsealed because they contain information that could be important to others whose cases involved evidence tainted by Farak. Among the newly revealed records



Annie Dookhan, ex-chemist with Massachusetts state lab drug analysis unit

reported homicide attributed to a freed Dookhan defendant. In 2012, Donta Hood had his conviction thrown out because Dookhan had tested his drug evidence and testified against him at trial. He was released from prison two years early and charged with murder a year later.

Of course, there are also an awful lot of folks whose convictions were predicated on a massive fraud. Many of them don't even know this, and most cannot afford to hire attorneys to reopen their cases. Even if they have already served their sentences, the collateral impact of having drug convictions infects every part of their lives. Who is responsible for fixing that?

When a crime lab screws up, whose responsibility is it to clean up the mess?

In Massachusetts it doesn't even end there.

Continued on page 13

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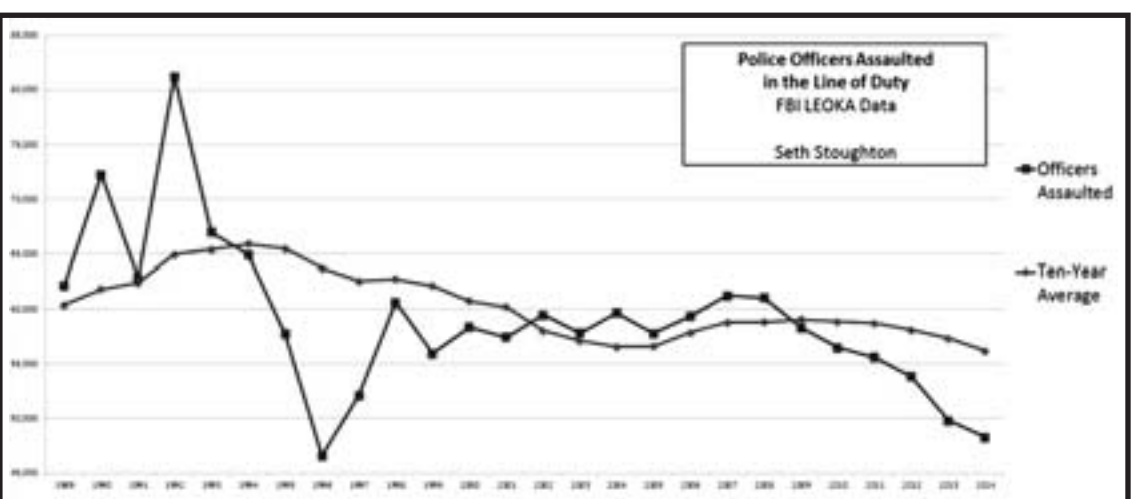
FBI data show assaults on cops dropped sharply in 2014

By Radley Balko

(Washington Post) - The FBI recently released its data on assaults on police officers in 2014. The good news is that reported assaults are down sharply. Unarmed and assaults with guns both dropped, while assaults with knives and edged weapons went up slightly. But overall, as this chart tweeted by University of South Carolina law professor Seth Stoughton shows, assaults on cops are at their lowest point since 1996 and have been dropping consistently since 2008.

This is just the latest piece of data to undermine the whole "war on cops" narrative.

When you counter the war rhetoric by pointing out that killings of police officers are also in decline, and that this year is on pace to be the second safest on record, law-and-order types argue that the drop in fatalities is just due to better body armor, weapons and the willingness of cops to use lethal force. But if assaults are in decline as well, it isn't just about body armor. It means that people aren't trying to attack the police



nearly as often. And that's a pretty hard phenomenon to square with any perceived "war on cops."

Conveniently, the law-and-order crowd has a response to this, too. Enter the "Ferguson Effect." This is the argument that because we're seeing more criticism of police, videos of police brutality and prosecutions of cops for particularly egregious conduct (although the total number of such prosecutions is still a very tiny number), the police are refusing to do their jobs. If cops are unwilling to insert themselves into potentially dangerous situations, the argument goes, they're less likely to be killed or assaulted. The evidence for this is the rising crime rates in some cities. (But that data too are far from conclusive.) It's an incredibly cynical assertion, and frankly, one that holds police officers in rather low regard. Imagine if every time a bad journalist was fired, other journalists refused to write articles. Or if every time a soldier was court-martialed, other soldiers refused to fight. Or if every time a doctor was stripped of his license or sued for malpractice, other doctors refused to treat patients.

But note too how conveniently the "war on cops" and "Ferguson Effect" narratives bookend the debate. If killings of and assaults on police officers go up, they can claim that

criticism of police has inspired a war on cops. If killings of and assaults on police officers go down, they'll claim that criticism of police is making cops reluctant to do their jobs. Either way, the police come out the victims, and those who want to hold bad cops accountable are to blame.

We should celebrate these figures. They show that while criticism of bad cops and counterproductive police tactics may be increasing, that criticism has not resulted in an increase in violence against law enforcement officers. This is a healthy thing. But instead of embracing these numbers, people who call themselves police supporters seize on anecdotes to push false, unsupported narratives that make cops feel as if they're constantly under fire, that every interaction with a citizen could be their last. That builds tension and animosity, and creates a confrontational "us vs. them" mind-set that's not only poisonous to police-community relations but also can cause unnecessary escalation and violence. Why put armed officials on edge if there's no reason to do so?

The job of policing is not only getting safer, but it's also reaching historically safe levels. Spread the word.

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25-yrs After Police Tortured Him Into False Confession

By Kim Bellware

(Huffington Post) CHICAGO - More than 25 years after police tortured him into confessing to a murder he didn't commit, Shawl Whirl walked out of an Illinois prison October 14, 2015, finally free.

An appeals court in August threw out Whirl's conviction and ordered a new trial, but he never went back to court. Prosecutors dropped the case, and on Tuesday, a judge dismissed all charges.

Whirl, 45, is the first person granted a new trial on a referral from the Illinois Torture Inquiry and Relief Commission, formed in 2009 to address the wrongful convictions of people tortured into confessions under the watch of disgraced former police Commander Jon Burge. Burge and his so-called “midnight crew” of detectives tortured an estimated 192 people, mostly black men, during 1970s, 1980s and early-1990s.

Whirl was greeted outside the Hill Correctional Center in Galesburg, Illinois, shortly after noon by his mother, Erma, with whom he had been living when he was arrested.

His attorney, Tara Thompson, of the University of Chicago Law School's Exoneration Project, said Whirl's relatives made the release a joyful occasion. “It was perfect weather when he waked out of jail today,” she said. “It was the kind of day that inspires hope.”

But there was a sad truth Whirl must contend with, Thompson said. “He knows there's a lot he's missed.” She handed Whirl her cell phone so he could call loved ones, but it had a touch screen he'd never seen before.

“The world is a completely different place than it was in 1991,” Thompson said.

In April 1990, Whirl was 20. He worked as a computer operator, had a girlfriend and a close relationship to his mother. He had no criminal history.

He was arrested and charged with the South Side murder of a 40-year-old cab driver named Billy Williams after police found his fingerprints in the back of the cab.

Whirl said he had jumped into Williams' cab two days earlier to escape gang members who

were trying to stick him up for his hat and jacket. He told detectives he had nothing to do with the murder, court records show.

After hours of interrogation, with Whirl still handcuffed to a wall, Chicago Detective James Pineta entered the room. He stepped on Whirl's foot, said, “Wake up nigger,” and slapped Whirl in the face, according to court records. The detective told Whirl his previous statement “won't do.”

Whirl continued to say he was innocent. Pienta, according to the court records, gashed Whirl's leg with a set of keys.

Whirl's girlfriend testified she had been taken in for questioning by police at the same time and could hear Whirl “hollering” from a room nearby.

Whirl eventually signed a statement confessing to the murder.

Armed with the confession, prosecutors concocted a motive: Whirl was having money troubles and needed to make rent (even though he was employed and living with his mother). After Whirl got into Williams' cab, he apologetically said he was going to rob the driver, then shot Williams in the head, according to the police theory.

At his 1990 trial, Whirl took his attorneys' advice to plead guilty, knowing that the state would seek the death penalty if he opted for a trial. (Illinois did not repeal its death penalty until 2011). A guilty plea would get Whirl a sentence of 60 years in prison.

But as he was sentenced, Whirl declared his innocence. The judge said he would reject Whirl's guilty plea and proceed with a trial unless Whirl admitted guilt. Whirl relented and his guilty plea was reinstated.

Whirl claimed in subsequent appeals that his lawyers were ineffective and failed to call

witnesses who would support his defense. A friend of a gang member who had chased Whirl on the day of the murder testified that the gangster, Tommie Thompson, was angry that the cab driver's ride had allowed Whirl to escape the mugging, so Thompson shot the cabbie and robbed him.

An Illinois appellate court finally overturned Whirl's conviction and ordered him a new trial in August. “Without Whirl's confession, the State's case was nonexistent,” the court said in its ruling.

The Burge torture era spanned three decades and continues to cast a long shadow over the Chicago Police Department. Burge was convicted of perjury in 2011 and sentenced to 4 1/2 years in jail. He was released to a halfway house in Florida after serving 3 1/2 years of the sentence and now lives near Tampa, where he keeps a boat named “Vigilante” and a \$4,000-a-month police pension.

Mike Theodore, Torture Inquiry and Relief Commission spokesman, said the commission has referred 16 cases for re-examination, and has 85 more on its docket.

“It's hard to say when someone gets out after 25 years that justice has been served,” said Flint Taylor, a People's Law Office attorney who also represents Whirl. “If the judge knew then what we know now -- if the city and police had not covered it up -- [Whirl] wouldn't be in jail in the first place.”

Taylor noted that for the wrongfully convicted, exoneration is often just the first step.

“Just because you've been released doesn't mean this is off your record,” Taylor said. Whirl could pursue a certificate of innocence, which expunges and seals his record, or file a civil lawsuit for wrongful conviction and torture. Any award would likely be capped at around \$200,000, Taylor said. ★★★



Shawl Whirl greeted by his mother

Continued from page 12 • Crime Lab Scandals Just Keep Getting Worse

are these notes from a local Amherst, Massachusetts, therapist who treated Farak in 2009 and 2010: “She obtains the drugs from her job at the state drug lab, by taking portions of samples that have come in to be tested.”

Despite the defense counsel's requests for “any third party who may have been aware of Farak's evidence tampering” in late 2013, the prosecutor's office had claimed “there is no reason to believe that a third party had knowledge of Farak's alleged malfeasance prior to her arrest.”

A prosecutor from the attorney general's office called the evidence defense attorneys were seeking “irrelevant to any case other than Farak's,” dismissing requests for evidence that Farak's drug use had been long-standing as “merely a fishing expedition.”

Ryan learned that one of his clients had been convicted with evidence Farak had produced on a day she was using drugs. But as Ryan has pointed out, relief comes case by case, and many who have been convicted using tainted evidence never even know they are eligible for relief.

As Ryan told the Daily Hampshire Gazette, the Farak defendants may prove even harder to track down and help than those who were tainted by

Dookhan, which would be a nightmare: Almost three years after Dookhan's arrest, only 8,700 of those defendants have been assigned lawyers, Ryan said. “And in this case, we don't even have a list.”

Despite the ongoing scandal, the district attorneys take the position that it is not their responsibility to help identify Dookhan or Farak defendants. They lack the budgets or resources to do so, and—as they have argued in oral argument in the Bridgeman case—prosecutors have no special duty to notify defendants that their convictions might have been obtained with evidence that was falsified by government employees.

So the question remains: When a crime lab screws up, whose responsibility is it to clean up the mess?

Laura Fernandez of Yale Law School studies prosecutorial misconduct. Asked about who should be repairing the damage from the two Massachusetts crime lab scandals, she observes that:

Everyone knows that if you make a mess, you have to pay for it or clean it up. Companies know this, drivers know this—even kids know it. What most people don't realize is that even in cases

where prosecutors' misconduct or negligence results in gross violations of due process, colossal disruptions of the criminal justice system, or grave threats to public safety, prosecutors remain essentially immune from any real consequences. When the people who wield the most power in the criminal justice system are also the least accountable, constitutional crises like those unfolding in Orange County and Massachusetts are almost inevitable.

Over the past decade, crime lab scandals have plagued at least 20 states, as well as the FBI. We know that one of the unintended consequences of the war on drugs has been a rush to prosecute and convict and that crime labs have not operated with sufficient independence from prosecutors' offices in many instances. Their mistakes ruin lives. Years of deliberate falsification have ruined thousands of lives. We also know that there remains almost no reason for a prosecutor's office to admit error and that the cost of fixing those errors can become prohibitive. So what do we do when a scandal infects hundreds or thousands of prosecutions? If Massachusetts is any indication, even three years later, we still don't do all that much. ★★★

Continued from page 1 • A Small, Yet Telling Victory: No Contact Order “Stricken”

Degree

Count 4: Sexual Abuse in the Third Degree

Count 5: Custodial Sexual Misconduct in the First Degree

Count 6: Custodial Sexual Misconduct in the Second Degree

Removing Morton's no contact order reflects the message that she is not a threat. The evidence supports this action, and, furthermore reflects that her false criminal charges should be dropped altogether. The evidence against Morton stems from a former client of Kairos, Tyler Watson, who alleged that Morton had sexual contact with him. Although there were no witnesses to the alleged crimes, the state has continued their baseless prosecution. It is our hope that District Attorney Ryan Mulkins, along with Prosecutor Matthew Corey will put forth the time necessary to look very close at Morton's case and dismiss her unfounded charges in pursuit of justice.

These prosecutors have admitted, by not opposing the defense motion to drop the “no contact with minors” order against Morton, that she is not a sexual threat to anyone. To continue her prosecution any further, can only be considered an atrocious and heavy handed action — a severe abuse against Jessica Morton, a mother and an outstanding member of society.



Tyler Watson

19 year-old Tyler Watson originally made the ludicrous accusations against Morton when she was one of his supervisors at a Kairos facility in Grants Pass, Oregon. Watson has been referred to by other staff and residents at the Kairos treatment facility as a “Sociopath” and a “pathological liar.” One witness stated, “Tyler is a very dangerous young man. His intentional actions are sophisticated and those who reject him should watch their backs closely.” Jessica Morton rejected Watson's advances; in fact, she reported (in her written reports) that he refused to respect the boundaries of female residents, herself and others. Watson was placed on a Behavioral Support Plan by Supervisors at Kairos due to his continued inappropriate and indecent advances toward females at the

facility.

Watson was placed in the Kairos treatment facility by the Oregon Youth Authority, where he had been a ward of the state for committing various crimes, including those of dishonesty. After his false allegations against Morton and subsequent to leaving Kairos, Watson has reportedly been arrested for crimes, similar to those which got him incarcerated in the first place. He is a reported Meth addict and known thief, who, according to his arrest record, sells drugs within school zones.

After enduring the severe humiliation of false sex abuse charges for nearly six long months and the threats of indictment instigated by Watson for a year and a half, Morton finally has an adequate attorney “working diligently” on her case, which is also positive news for her defense.

Morton's next status hearing will be held at the Josephine County Courthouse on December 7, 2015 at 1 pm. It is expected that if her charges are not dismissed by this



Jessica Morton at a Kairos event

date, there will be a trial date set at the hearing.

Updates on Jessica Morton's case will be published on-line at www.usobserver.com as we receive more information.

The US-Observer is asking that people show up in support of Morton on December 7th at the Josephine County, Oregon, Courthouse and help send the message that prosecuting an innocent woman will not be tolerated! ★★★

Government takes family's land near Area 51



(8newsnow.com) LAS VEGAS, NV - Private land overlooking the secret base at Area 51 has officially been taken from the owners and transferred to the United States Air Force.

Two months ago, the U.S. Air Force condemned the Groom Mine property when the family who owns it rejected a government buyout they felt was unjust.

The I-Team broke the story of the family's fight with the government.

The Sheahan family, which until now owned the mine, knew they faced an uphill fight. They also expected the government would probably take the land through eminent domain even though the Sheahan's owned it since Abe Lincoln was in the White House.

Now -- literally with the stroke of a pen -- a federal judge has turned the land over to the U.S. Air Force. The only part of the fight left for the Sheahan family now is compensation and what will happen to the equipment, buildings, even human remains, still at the site.

In the remote central Nevada desert, the Groom mine has been an island of private property surrounded by a vast government buffer zone. The buffer zone is patrolled by security troops to prevent people from getting a look at the secret test base at Groom Lake -- better known as Area 51.

The family who owns the mine overlooking Area 51 has been at odds with the air force, which condemned the property last month, after the family declined a \$5.2 million buyout.

"I have a geologist friend who I took out there, who's just a buff, and he said it is literally almost

priceless," said Barbara Sheahan, Groom Mine heir. "There is so much there, not only the ore which is in the ground that can be mined, but in all the intrinsic value of what's on the land."

What's on the land includes buildings, mining equipment and the remains of kin who worked the mine since the family acquired it in the 1870s.

There's also the question of indignities suffered by the family from nearby government testing including buildings strafed by military

planes and radiation drifting downwind from above ground nuclear shots in 50s and 60s.

"This has been like I said a 60-plus year nothing short of criminal activity on the part of the federal government, the AEC, Black Ops, CIA and you can go on and on," said Joe Sheahan, Groom Mine heir.

And now, what the Sheahan's see as the final indignity. On Sept. 16, federal Judge Miranda Du signed the order in the condemnation case giving possession of the Groom Mine property to the United States government. The Sheahan's have asked for a jury trial, but the issues will be limited to how much the air force must pay for the land and the disposition of the equipment and personal property left on the site.

"There's nothing fair, there's nothing anything remotely close to that involved in this process," said Joe Sheahan.

"But there never has been either, so it's nothing new. But we would like to change it at least to get our stuff out and be paid the value," Barbara Sheahan said.

The air force made its final, \$5 million offer to the Sheahan family after concluding that the security and safety of defense testing in that area made private land ownership impossible.

It the condemnation case, the air force values the land at only \$1.5 million.

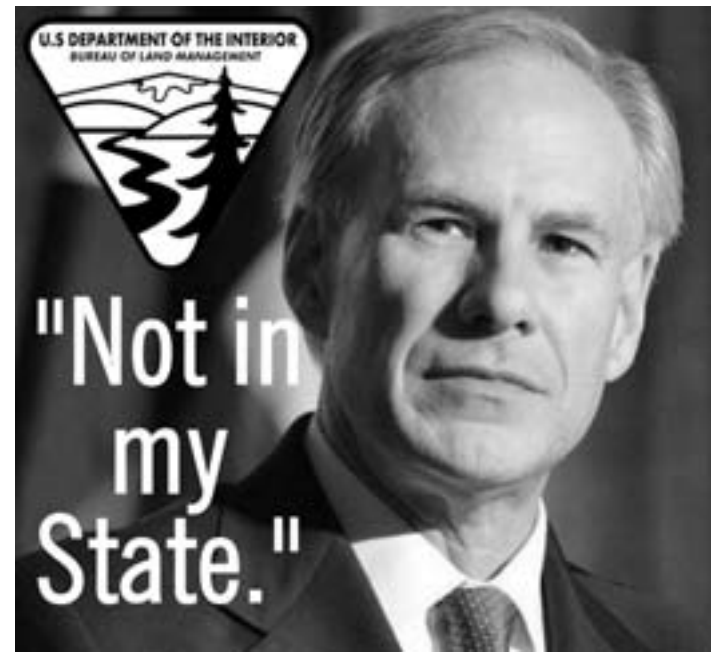
The Sheahan's say it's worth much more than that considering the value of the minerals in the mine, the abuses the family has suffered over decades and the land's historical significance.

Texas Governor to BLM: Cease "Unconscionable" Land Grab

By Jordan Rudner

(Texas Tribune) - Texas Gov. Greg Abbott fired a new volley at the U.S. Bureau of Land Management Friday, adding to the years-long standoff between the state and the federal agency over the ownership of roughly 90,000 acres along the Red River.

In a letter to BLM Director Neil Kornze, Abbott said he was requesting for a third time that the agency "cease and desist" its "federal land grab."



Texas Gov. Greg Abbott

The ownership of the land is highly contested because of a complicated series of court rulings and government documents dating all the way back to the Louisiana Purchase. Some of those rulings draw heavily on highly specific geographic distinctions, such as the Red River's flow over time.

Much of the acreage is claimed by Texas landowners, who say they've raised crops and cattle — and paid taxes on the land — for centuries. The BLM disagrees, saying the land belongs to the federal government.

This week, the BLM hosted a series of open meetings to collect ideas about how public lands in Kansas, Oklahoma and

Texas — including the contested land south of the Red River — should be used for the next 15 to 20 years. The meetings represent just one step in a years-long process, but to Abbott, they indicate that the BLM isn't backing down on its ownership claims.

"As you well know, the BLM's actions prevent landowners from borrowing against the land to finance business operations or selling the land to new owners looking to cultivate their own economic freedom," Abbott wrote. "But the implications of your actions are not merely

financial. In many cases, your actions threaten to take the very homes above these Texans' heads."

BLM spokesman Paul McGuire said the agency is still reviewing the contents of the letter, but added that the agency has always relied on a 1923 U.S. Supreme Court decision — one that clearly delineated the boundaries between Texas and Oklahoma and assigned the federal government ownership of the little bit of space in between — in its plans.

"That's the definition that BLM relies on,"

McGuire told The Texas Tribune.

And in the meantime, there's no indication that Abbott will back down in the fight against what he refers to as an "unconscionable" land grab.

"The BLM has yet to identify what land the federal government newly claims as its own," Abbott wrote. "The BLM has yet to identify the legal basis for that claim. And the BLM has yet to identify the process by which Texans can protect their land and property rights. Texas will not wait for answers any longer."

The governor's office declined to comment further.

More Than Two-thirds of Patients On Anti-depressants Not Depressed



By Dr. Susan Berry

(Breitbart) - A new study shows that more than two-thirds — some 69 percent — of patients using anti-depressants do not actually meet the criteria for depressive disorder.

The study, which appears in the Journal of Clinical Psychiatry, finds that many individuals who are prescribed and take antidepressant medications may not actually have a depressive disorder, and that such drugs are often used by patients who do not meet the diagnostic criteria of depression.

According to the research, among the users of antidepressant medications, 69 percent never met the diagnostic criteria for major depressive disorder (MDD), and 38 percent also never met those for obsessive-compulsive disorder, panic disorder, social phobia, or generalized anxiety disorder — for which the antidepressant medications are sometimes

prescribed.

Other factors, however, unrelated to depression, were found to be associated with the use of antidepressants.

"Caucasian ethnicity, recent or current physical problems (eg, loss of bladder control, hypertension, and back pain), and recent mental health facility visits were associated with antidepressant use in addition to mental disorders," say the researchers.

As Breitbart News previously reported, psychiatrist Dr. Julie Holland penned an op-ed in the New York Times earlier this year in which she cited that at least one of every four women in America is now on psychiatric medication, as opposed to one of every seven men, a situation Holland described as "insane."

Holland observed that women are emotional and sensitive by design — qualities that are generally "a sign of health, not disease."

According to Holland, "women are nearly twice as likely to receive a diagnosis of depression or anxiety disorder than men are." Her concern is that the uptick in prescriptions for psychiatric medications is "creating a new normal, encouraging more women to seek chemical assistance."

Women have learned that their normal feelings of sadness and anxiety — while they may be uncomfortable — are symptoms of pathology," Holland wrote. "We need to ... appreciate them as a healthy, adaptive part of our biology."

FBI: Violent Crime Falling As Gun Sales Rise

By Cassey Bennett

(Libertarian Republic) - The FBI has released figures demonstrating that over the course of 15 years, NICS background checks for gun ownership have increased 82 per cent, while violent crime has dropped by 18 per cent.

In the 2014 version of Crime in the United States, the estimated number of reported violent crimes dropped 0.2 per cent and the estimated number of property crimes decreased 4.3 per cent compared with 2013 statistics. Homicides committed with firearms in 2014 are down 3.9 per cent on a year-to-year basis, contesting the view that gun ownership creates, rather than eliminates, violent crime. While handguns were consistently the weapon of choice, rifles accounted for a mere 3 per cent of murders in 2014, lower than murders committed with knives, blunt objects, and brute human force.

According to the National Shooting Sports Foundation,

"While the one-year numbers may not look that dramatic, they are nonetheless important because they serve to illustrate the long-term, 20-year downward trend in crime in the United States is continuing.

Using NSSF-adjusted National Instant Criminal Background Check System (NICS) data over a ten-year period since 2005, the best proxy we have for firearms sales, we see a 74.1 percent increase in background checks even as the violent crime fell 16.2 percent. The 15-year trend is even more dramatic, showing an 81.8 percent increase in NICS numbers even as violent crime fell 18.2 percent.

Put simply, more firearms in the hands of the mostly law-abiding American population have not yielded an increase in crime."

The figures come as the White House prepares additional gun control measures in wake of the Umpqua College shooting, which left nine people dead.

Continued from page 3 • Turning a Blind Eye to Justice



Okanogan County Jail visitation cells

Subsequent to firing Prince in open court, Kelly Seago, a former Illinois attorney, was appointed to represent James. One can only wonder how much evidence has been lost or become unavailable during the months that James Faire has basically been "denied legal representation".

We are fully aware that Faire has a competent investigator working his case, however, his attorneys have an absolute obligation to vigorously pursue his defense (with his involvement) and they have not done so...!

The "jury" is still out regarding Angela's court-appointed attorney, Melissa MacDougall. She has communicated with her client and we are aware that she has an investigator working the case. At the end of the day, all attorneys who have been appointed to represent James and Angela will have their efforts or lack thereof presented to the public.

The US-Observer has been informed that Faire's family and supporters are working to raise the funds to hire an attorney who will provide effective counsel for at least James.

As for Prosecutor Sloan, perhaps the public deserves to have a new publicly elected prosecutor, one that is interested in facts and justice, not just convictions. And, Prosecutor Sloan can rest assured that the US-Observer will be right there for the remainder of his tenure in public office holding his feet to the proverbial fire, showing the public just how far from justice this man strays.

Prosecutor Karl Sloan's legacy is beginning to read like that of Durham County, North Carolina District Attorney Mike Nifong. Nifong's reputation is now infamous because of his attempted false prosecution of the Duke University lacrosse team members back in 2006. Nifong attempted to prosecute on false and manufactured rape charges, while Sloan is attempting to prosecute James Faire on a false and manufactured murder charge. At this point in time the only difference between Nifong and Sloan is the fact that Nifong was disbarred and Sloan remains a member in good standing with the Washington State Bar Association.

More detailed information and ways to materially and otherwise support James Faire are at the following Faire Fight Foundation sites: www.fairefight.com and [facebook.com/Stand4JamesFaire](https://www.facebook.com/Stand4JamesFaire).

Contact the Faire Fight Foundation if you would like to book a live presentation of this dramatic, and grievously fascinating case: fairefight@gmail.com

Editor's Note: Anyone with information regarding Prosecutor Karl Sloan, his brother, Detective Kreg Sloan or anyone else involved in this case is urged to contact Edward Snook at 541-474-7885 or by email to editor@usobserver.com. Be responsible — help us pursue justice — help us hold out of control prosecutors and police officers accountable.

Senate passes controversial cybersecurity bill Cisa 74 to 21



(theguardian.com) The US Senate overwhelmingly passed a controversial cybersecurity bill critics say will allow the government to collect sensitive personal data unchecked, over the objections of civil liberties groups and many of the biggest names in the tech sector.

The vote on October 27th was 74 to 21 in support of the legislation. Democratic presidential contender Bernie Sanders voted against the bill. None of the Republican presidential candidates (except Lindsey Graham, who voted in favor) were present to cast a vote, including Rand Paul, who has made privacy from surveillance a major plank of his campaign platform.

Ahead of the vote a group of university professors specializing in tech law, many from the Princeton Center for Information Technology Policy, sent an open letter to the Senate, urging them not to pass the bill. The bill, they wrote, would fatally undermine the Freedom of Information Act (Foia).

Led by Princeton's David S Levine, the group joined a chorus of critics including many of the largest technology companies, notably Apple, and National Security Agency (NSA) whistleblower Edward Snowden in calling for Cisa to be scrapped.

Snowden, via Twitter, said that "a vote for Cisa is a vote against the internet."

Cisa would "allow 'voluntary' sharing of heretofore private information with the government, allowing secret and ad hoc privacy intrusions in place of meaningful consideration of the privacy concerns of all Americans," the professors wrote.

"The Freedom of Information Act would be neutralized, while a cornucopia of federal agencies could have access to the public's heretofore private-held information with little fear that such sharing would ever be known to those whose information was shared."

Despite protestations that Cisa was not a surveillance bill, co-sponsors Richard Burr and Dianne Feinstein discouraged their

colleagues from voting for amendments to mitigate what senators called unreasonable invasions of privacy, including one notifying citizens that their data was being examined. Amendments from Ron Wyden, Al Franken, Patrick Leahy, Dean Heller and Chris Coons all failed, though Wyden's failed by a very narrow vote.

The American Banking Association and the Telecommunications Industry Association (TIA) applauded the passage of the bill. "The legislation passed by the Senate today bolsters our cyber defenses by providing the liability protections needed to encourage the voluntary sharing of cyber threat information," the TIA said in a statement. "We applaud the Senate for moving this important bill and urge Congressional leaders to act quickly to send this bill to the president's desk."

Cisa was negotiated and marked up in secret. Corporate lobbying group The US Chamber of Commerce has been the only consistent champion of the legislation outside the halls of the Senate; the editorial boards of the Wall Street Journal and the Washington Post both published opinions in favor of the bill today.

The data in question would come from private industry, which mines everything from credit card statements to prescription drug purchase records to target advertising and tweak product lines. Indeed, much of it is detailed financial and health information the government has never had access to in any form. The bill's proponents said the data would be "anonymized".

Cisa would create a program at the Department of Homeland Security (DHS) through which corporations could share user data in bulk with several US government agencies. In exchange for participating, the companies would receive complete immunity from Freedom of Information Act requests and regulatory action relating to the data they share. DHS would then share the information throughout the government

Among the bill's opponents are industry

groups representing a broad swath of tech companies, several of which have come out individually against the bill in addition to statements from industry trade groups.

Apple didn't mince words in its opposition to the proposed law: "We don't support the current CISA proposal," the company said in an unattributed statement last week. "The trust of our customers means everything to us and we don't believe security should come at the expense of their privacy." Others – Wikimedia, Reddit, Salesforce, DropBox – issued similar statements.

Quietly, though, many major tech sector players are staying on the sidelines. After accusations that the company had been informally calling senators to say they wouldn't oppose the bill, Facebook said it had not lobbied in Cisa's favor, but that it did not have a public stance on it. Microsoft and Google, too, have been notable by their silence, though trade associations representing them have publicly objected to the bill.

Facebook has its own threat-sharing program; others within the industry do, too. The program created by Cisa wouldn't be of much use to them – private industry is widely acknowledged to be further down this road than the government – but regulatory and Foia immunity could come in handy.

The bill must next pass the House of Representatives, a procedure that will likely be much quicker and smoother than the opposition it faced in the Senate from Oregon senator Ron Wyden, among others. Then it must be negotiated by the House and the Senate and then likely passed in a package with two others.

Atypically, security researchers have come out against Cisa, as well, saying it would do little to improve surveillance and would

instead spread user information broadly across a threadbare patchwork of government IT systems. Mending that patchwork and others like it in private industry, said researcher Brian Krebs on his blog, Krebs on Security, is a much surer way to improve security.

"While many business leaders fail to appreciate the value and criticality of all their IT assets, I guarantee you today's cybercrooks know all too well how much these assets are worth," wrote Krebs. "And this yawning gap in awareness and understanding is evident by the sheer number of breaches announced each week."

That gap is always going to be worse in the government than in the private sector, information sharing or not, said Jasper Graham, formerly a technical director the NSA.

Even if you mandate something proven to impede data thieves, like public-key infrastructure (PKI) encryption, you'll hit a wall. "If you say, 'Everyone now must use PKI!' you get one small department saying, 'Actually, we can't do that,' and that's a nightmare," Graham said. "Regular organizations aren't really tied to what Donald Trump says tonight in the same way. The government has to do a better job than it's currently doing, and the best way to do that is to get bipartisan funding."

Robyn Greene of the New America Foundation characterized the legislation as a "do-something" bill. "The Sony hack really changed the conversation," Greene said. "You can see that in the way the administration approached cybersecurity – they stopped saying 'This is something that has to get done right' and started saying 'This is something that has to get done now.'"

★★★

The Pointless Banishment of Sex Offenders

By The New York Times Editorial Board

It's a chilling image: the sex predator skulking in the shadows of a swing set, waiting to snatch a vulnerable child.

Over the past two decades, that scenario has led to a wave of laws around the country restricting where people convicted of sex offenses may live — in many cases, no closer than 2,500 feet from schools, playgrounds, parks or other areas where children gather. In some places, these "predator-free zones" put an entire town or county off limits, sometimes for life, even for those whose offenses had nothing to do with children.

Protecting children from sexual abuse is, of course, a paramount concern. But there is not a single piece of evidence that these laws actually do that. For one thing, the vast majority of child sexual abuse is committed not by strangers but by acquaintances or relatives. And residency laws drive tens of thousands of people to the fringes of society, forcing them to live in motels, out of cars or under bridges. The laws apply to many and sometimes all sex offenders, regardless of whether they were convicted for molesting a child or for public urination.

Lately, judges have been pushing back. So far in 2015, state supreme courts in California, Massachusetts and New York have struck down residency laws.

The Massachusetts ruling, issued on Aug. 28, invalidated a residency restriction in the town of Lynn — and by extension, similar restrictions in about 40 other communities statewide — in part because it swept up so many offenders, regardless of the actual risk they posed. Acting against a whole class

presents "grave societal and constitutional implications," the justices wrote. That unanimous ruling was based on the State Constitution.

The California Supreme Court went further, holding that a San Diego residency restriction, which effectively barred paroled sex offenders from 97 percent of available housing, violated the United States Constitution.

Far from protecting children and communities, the California court found, blanket restrictions in fact create a greater safety risk by driving more sex offenders into homelessness, which makes them both harder

to monitor and less likely to get essential rehabilitative services like medical treatment, psychotherapy and job assistance.

Residency laws often lead people to live apart from their families, obliterating what is for many the most stabilizing part of their lives.

If the state wants to block someone from living in certain areas, the California court said, it must make that decision on a case-by-case basis.

The United States Supreme Court has not yet weighed in on residency restrictions, although a 2003 ruling upholding mandatory registration for sex offenders suggested that such laws may violate the Constitution.

It is understandable to want to do everything possible to protect children from being abused. But not all people who have been convicted of sex offenses pose a risk to children, if they pose any risk at all. Blanket residency-restriction laws disregard that reality — and the merits of an individualized approach to risk assessment — in favor of a comforting mirage of safety. ★★★



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



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

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

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

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Status: Acquitted

"(The US~Observer was) pivotal in my defense. I was going down if I hadn't contacted Edward Snook."



Reno Francis

Conviction: Murder

Status: Released

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



Sarah Walker Victim: DHS Abuse

Status: Dismissed

"Thank you. Thank you so much. We can finally move on with life."



Michael Young

Charges: Felony Sex Abuse

Status: Dismissed

"Without the US~Observer's help, the outcome would not have been what it is today. Jen and I are more appreciative than you could imagine."



Armando Garcia Charges: Felony Rape

Status: Acquitted

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