

By Edward Snook
Investigative Reporter

In 2004, the largest criminal tax case in the United States took place in Seattle Washington... it was the attack on Anderson Ark and Associates (AAA) founders Wayne and Keith Anderson, several of their professional tax Planners, including Gary Kuzel, Tara LaGrand, and Richard Marks, as well as Pam and Jim Moran. Everyone was convicted except for the Planners. The jury hung regarding the guilt of the Planners, 11 to 1 for guilty... but they still hung - No conviction.

Planner Chandra Crone was in touch with AAA organizers back in Costa Rica and they told her to hire lawyers for the defendants before the trial started. Chandra, like the Morans, was one of the many honest people working for AAA who eventually got cheated and eventually became disillusioned when many of the things she had been told turned out not to be true. Chief among these stories were that the investments made by people like the Morans and many others, such as Dr. Erik Dehlinger of South Carolina, were going up

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By Joseph Snook
Investigative Journalist

Wake Up America Southern Oregon is a group of like minded people that are dedicated to learning the constitution, and holding public officials accountable (this means supporting those who uphold the constitution and recalling those who don't). Wake Up America S.O. was founded in Southern Oregon in the spring of 2010 and is growing fast. A member stated "We must have large numbers of educated people to get anything done, and through numbers, we will succeed."

Across The Nation

Concern for the preservation of our freedom is overwhelming. Government has been spreading out of control for decades causing mass un-constitutional government jobs and spending that ignites across America. Americans are beginning to fall from having their freedoms taken every passing minute. Elders, who have been systematically stripped of freedoms, which most have never known,

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Devvy Kidd
• America:
Do you feel
violated yet?
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Lou Ann Anderson
• 'Free Danny Tate' brings internet activism
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Very much in love, Anna and Thomas Hart Sr.

By Edward Snook
Investigative Reporter

Josephine County, Oregon - On June 15, 2009, 911 and a hospital couldn't save Thomas Hart Sr. of Grants Pass, Oregon. Mr. Hart died on this day.

Mr. Hart owned Hart's Jewelers located in downtown Grants Pass for many years and built his dream of selling fine jewelry into a very successful business that resulted in his building quite a substantial estate.

Living as a widower, during the few short years prior to his death, Thomas Hart Sr. struck a relationship with Anna Boyles, they fell in love and were married on May 19, 2007.

Hart v Hart

A Case of Elder Abuse – Hatred and Destruction



Hart Jewelers, Grants Pass, Oregon

Shortly after Hart and Boyles struck their relationship, Anna states she started hearing of statements coming from Hart's children that she felt were threatening, but figured that the children were just being a little possessive of their father and that this attitude would pass.

The attitude didn't pass. According to court documents, letters written by Thomas Hart Sr., testimony of witness's involved and other information received by the US-Observer, Anna Hart has suffered alleged extreme abuse, threats and legal actions from her newly acquired step children. Many of these alleged actions actually occurred while Thomas Hart Sr. was still alive. The US-Observer obtained the following letter that is

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DA Nisley & Haven

Guilty of Immigration Fraud and Racketeering?

By Gary West
Investigative Reporter

The Dalles, Oregon - Outraged citizens of The Dalles are calling it "immigration fraud and racketeering." They explain how alluring tax dollars have opened the door for false prosecution and allegations of racketeering by corrupt local attorneys and HAVEN (women's shelter). The well meaning VAWA (Violence against Women Act), VOCA (Victims of Crime Act), and the U Visa provide the means for gaming the system.

Title VIII of the Violence Against Women Act addresses the needs of battered immigrants.

The plight of abused immigrants is a concern to us all. But many people are unaware how Title VIII of VAWA is often used to allow, even encourage immigration fraud. VAWA affords generous services, benefits, and legal rights to immigrants who allege abuse. Federal funds are distributed to states, which in turn distribute these funds to local agencies and shelters. It is estimated that these services cost the American taxpayer \$170 million a year. In

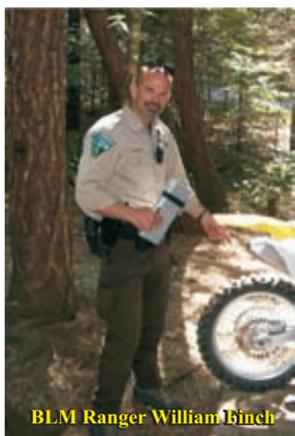


DA Eric Nisley

2009, HAVEN, located in The Dalles, received \$17,063 from the state in the form of non-competitive grants.

According to RADAR

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BLM Ranger William Finch

By Curt Chanler
Investigative Reporter

Incident occurred 2-20-2010 - Being menaced, assaulted and jailed by an armed Bureau of Land Management (BLM) Park Ranger was the last thing that Dennis and Michelle Easley and their three children could have planned for when they left home on the morning of Feb. 20th 2010, for a day of play in the country with friends.

Dennis and Michelle Easley, their three children and friends

BLM Ranger Uses Excessive Force



Lana Walker with her two children, Lana's sister Jennifer Mobbs, Adam Ramirez and his brother Zues and friend, Mark, were all preparing for a day of fun with their off road RV's that were parked at a gravel pit near Elderberry camp grounds. Elderberry camp grounds and the surrounding area are located in Southern Oregon about fifteen miles from Central Point Oregon and has been a popular place for families to camp, ride bikes and off road vehicle's for at least 40 years.

According to witnesses, as some in the families were preparing to ride two armed men wearing camel packs and helmets, riding unmarked dirt bikes displaying nothing that would readily indicate they were law enforcement, rode up and said, "we are checking for Off

Highway Vehicle (OHV) stickers."

Michelle said they started with their new friend Mark with questions about the lack of an off road sticker on his OHV. Mark told them his OHV was broken and inoperable so they left him alone.

After a few moments the armed men came over to talk to Dennis and Michelle, and told them they were only going to give them a fix it ticket for not having OHV stickers and one of the men told Dennis he wanted to see his ID. Dennis said he started to

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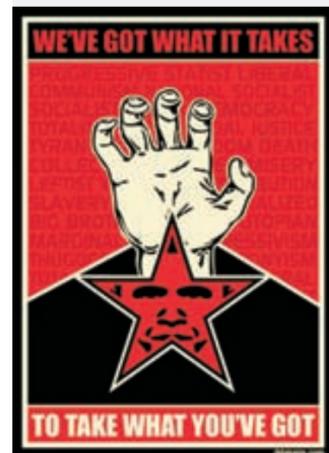


Why Socialism Fails

By Rene Stein
Student/Reporter

While socialist ideals can be tempting, I disagree that socialism is an effective means of economic management. According to the American Heritage Dictionary (2006), socialism is "any of various or systems of social organization in which the means of producing and distributing goods is owned collectively or by a centralized government that plans and controls the economy."

Socialism promises equality, security, and prosperity, but in turn delivers quite the opposite, which has been clearly demonstrated throughout history. It does not equate work with value. The dilemma of socialism as practiced in European nations is that there is no incentive to work hard. For example, if you have two people working, assigned on the same task and one works hard and the other works leisurely, both will earn the same wage and the same benefits under a socialized system; there is no incentive. Under a capitalist system people are rewarded based on their individual ability and effort. Private property rights are paramount and charity is based on personal discretion.



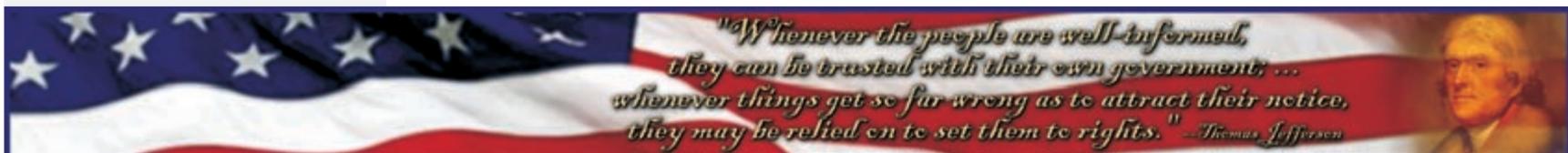
Main Component of Socialism

The main component of socialism is redistribution of wealth. Many historical examples have shown this to have a negative net effect on society. The most dramatic example of this in the modern area has been the country of Sweden. Swedish citizens pay nearly half of their wages in taxes. The promised benefits are free education, universal healthcare, and subsidized childcare. There are few people who could argue that these goals are outrageous. It is a natural human reaction to offer aid to the suffering. The capitalist answer to the economic challenges

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Continued from page 1 • Hart v Hart - Elder Abuse - Hatred and Destruction

reported by a credible witness to be hand written by Thomas Hart Sr.

What Did Thomas Hart Sr. Have To Say?

To my family

You all know the circumstances regarding the death of your mother Mary Ann. It's something I will never forget. I have a very good memory and I will always remember every year -every month -every day. I will always think I was a good husband and will always be grateful for the many years we had together. For 57 years we shared each decision and each one was made together. Many of them involved each of you. You can never doubt that we shared a deep love for one another and for our life together and for our family. I wish it had been me that died but it was not to be and I lost my beloved Mary Ann to death. My life will never be the same but I must accept that and I have done so. Life must go on.

As you know I have since done everything I could to protect the assets Mary Ann and I worked so hard to accumulate and to pass them on to the ones she loved in life. I am however alive and must continue to live. To this end I have attempted to do the best I can to enjoy the time I have left. I believe it's better to do this than to spend all my remaining days in mourning. Perhaps when your time comes you will feel the same. I hope so. As you know I have a new person in my life. You may now believe that it is impossible to love another after so many years with a perfect wife and mother and yet it is true and it has happened to me.

Anna and I are deeply in love and I have found new meaning in my life. She had a hard life and had always dreamed of a family to enjoy life's pleasures with together. Instead of this when she accepted me and we joined in marriage she doomed herself to a life of people who hate her for joining with me in an attempt to enjoy the time we have left. There is no use in detailing all of the living hell she has gone through since she has been with me. You all know about it since you are the ones who brought it about. The supposed detective agency. The poisoning of her beloved Annie. A dog she had rescued from the pound and raised from a pup. Visits to all of her neighbors and resulting lawsuits. The loss of her Social Security benefits and medical coverage. The gossip that has been told about her and the attempt through senior services to get her away from me by a restraining order. The hate that has followed her in every attempt to reconcile the differences with you and be accepted as my wife. Indeed in spite of all of this you have been rewarded by still remaining my heirs and at this point still in my will etc. I still love you but for the life of me cannot understand why my wife is not welcome in your homes and your lives. Even my grandchildren and my own brother have been poisoned against me. Anna has gone through a hard time that she did not ask for and did not deserve. Incidentally Anna has been a very good and loyal wife. She takes care of me in every way. Makes sure I take my medications- eat correctly and is trying to preserve my life and make what time I have left a happy time. I have been blessed in life with two wonderful women. I have to accept the fact that I apparently also have a selfish family that either through greed or for some other purpose wish to absolutely control my life. Someday perhaps one of you will have children who attempt to have you declared incompetent in order to control your assets. I hope not. I write this letter with pain in my heart but with a wife who truly loves me and wants nothing from me but my own love.

Sincerely,
Your Father
Tom Sr.

In his letter Mr. Hart refers to a "restraining order" that was filed against Anna before her marriage to Hart. This reporter has listened to the tape of the hearing held before Judge Michael Newman on November 21, 2006 and we find, just as Thomas Hart Sr. did that Mr. Hart's children gained the help of Phil Newton, an investigator with Senior Services to assist them in filing the bogus restraining order against Anna. The Observer has received numerous complaints regarding Newton being involved in corruption and he is currently facing criminal charges in Josephine County, Oregon. Newton and Hart's children clearly didn't want Mr. Hart having a relationship with Anna and in our opinion it is all about money. Judge Newman found that there was abuse based on the vague, manufactured lies told to him and he issued the restraining order. In fact, there was no abuse whatsoever, but plenty of lies, false accusations and groundless innuendos...

On January 12, 2007 Thomas Hart Sr. filed a new motion before Newman to have the coached and deceptive order lifted. During this hearing Hart told Newman about the lies that were leveled at Anna during the hearing when the order was issued. Hart stated, "I have a real problem with Phil Newton influencing my family." Hart basically indicted his family and Phil Newton during this hearing and the



Tom Hart Jr. - Photograph - Mark B. Mann restraining order was rescinded by Judge Newman after he thoroughly questioned Hart.

On August 7, 2008, Thomas Hart Sr., "with a broken heart," revoked Tommy Hart Jr's (Hart's son) position as trustee. I should note that Tommy is still acting as trustee to this very day. How can this be happening?

On May 1, 2009, Hart Sr. finally filed an elder abuse suit against his children Tommy and Cheryl Hart. In his complaint Hart Sr. laid out how his own attorney James Dole of Grants Pass, Oregon assisted his children in gaining control of his estate. In my next article I will provide more information from the elder abuse suit and the serious problems that attorney Dole is currently having with the Oregon State Bar.

On June 15, 2009, the day that Tommy and Cheryl Hart were to file a response in court to the elder abuse lawsuit Mr. Hart filed against them, Thomas R. Hart Sr. died. Subsequently, Ashland attorney Gary Turner curiously withdrew the elder abuse suit. Turner has failed to return our call to him, which leads me to believe he has something to hide - my readership will definitely read more about Turner in my next article...

It is sad that Thomas Hart Sr. had to endure such pain during his golden years and it is so, so sad that Anna Hart has been forced to endure the traumatic experiences that she has faced - one after another. One person close to Anna stated that the title of this article should be "For the Love of Money." I assured this person that this title will indeed be used, but on my second article, in which I will expose devastating evidence concerning the actions of all involved, including attorney malpractice and what I consider to be actual criminal offenses that have taken place in the case of Hart v. Hart. All involved can look forward to seeing their names and actions in the future bright lights of the US-Observer.

For the time being, Anna Hart has finally found an attorney who will file the appropriate motions needed to bring the truth out regarding Thomas Hart Sr. and the intentions that he clearly had, not only for his estate, but for his wife Anna Hart. I would urge Anna and her attorney Foster Glass to carefully look at the facts in this case and then start filing some much warranted lawsuits against some very bad people.

In our next edition we will explore in detail how our courts have been used to distort justice and those who have attempted to destroy Anna Hart wrongfully, including her own attorneys. I will also share alarming facts regarding Medford, Oregon attorney David B. Paradis and his role in this tragic story.

National Grange
Resolutions for a Stronger America
U.S. Congressional H.R. 2352
"Consumer's Access to Health Information"



The National Grange is the nation's oldest national agricultural organization, with grassroots units established in 3,600 local communities in 37 states. Its 300,000 members provide service to agriculture and rural areas on a wide variety of issues, including economic development, education, family endeavors, and legislation designed to assure a strong and viable Rural America. It was formed in the years following the American

Civil War to unite private citizens in improving the economic and social position of the nation's farm population. Over the past 137 years, it has evolved to include non-farm rural families and communities.

The Grange is also a fraternal order known as the Order of Patrons of Husbandry, hence the "P of H" on the organization's logo. Founding members determined that a fraternal organization would be best able to combine loyalty and democratic ideals to provide service to others. The National Grange was one of the first formal groups to admit women to membership on the basis of equality with men. It remains so today.

The 11-story landmark National Grange

headquarters building in Washington, D.C. was dedicated by President Dwight D. Eisenhower on June 29, 1960, and is the only private edifice in a federal block across from the White House. It serves as a non-governmental headquarters for agricultural and rural families.

Each year, a listing of more than 1,400 issues of concern is published and distributed by the National Grange.

Each edition we feature another Grange resolution so you can see the issues that the Grange has taken up in order to defend America's liberties.

Resolution:

Whereas: The Federal Drug Administration (FDA) has made it clear that they evaluate a myriad of evidence when deciding whether to allow a health claim. For example, green tea helps to reduce prostate cancer risk by 73%.

Whereas: In the past, the U.S. Food and Drug Administration has been censoring scientifically supported health information about food and dietary supplements.

Therefore be it resolved: That the Oregon State Grange supports the passage of the Consumers Access to Health Information Act, H.R. 2352, which would amend the Food, Drug and Cosmetic Act to ensure that:

1. Accurate health claims are not suppressed;
2. Consumers are given truthful and complete information about the curative, mitigation, treatment, and prevention effects of foods and dietary supplements on disease or health-related conditions;
3. The FDA honors the intent of the Congress not to censor accurate health claims.

This resolution was adopted by the Deer Creek Grange #371 at its regular meeting held on May 8, 2006.

William D. Waggoner

William D. Waggoner, Master
1920 Thompson Creek Rd.
Selma, OR 97538

Delaine Sherman

Delaine Sherman, Secretary
P.O. Box 871
Selma, OR 97538

This resolution was adopted by the Oregon State Grange at its 133rd Annual Session held at Molalla, Oregon, week of June 19-23, 2006.



nationalgrange.org

The Grange provides opportunities for individuals and families to develop to their highest potential in order to build stronger communities and states, as well as a stronger nation.

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ARE YOU A VICTIM OF FALSE PROSECUTION?

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

You then rush to an attorney, pay him a retainer to cover the usual \$150.00 per hour (if not higher), which he/she charges, to supposedly defend your innocence. The attorney usually files some motions, writes some worthless letters and makes many unproductive (unless they pertain to you accepting a plea bargain) phone calls until you are broke. Generally you haven't even started your trial and 99% of the time the attorney hasn't completed any investigation.

All of a sudden your attorney is telling you that you can't win your case and

you should accept the benevolent plea bargain that the almighty 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 frantically rushed to retain, became your worst enemy.

WELCOME TO THE LARGEST RACKET IN HISTORY, THE AMERICAN JUSTICE SYSTEM.

There is only one way to remedy a false prosecution: Investigate the accusers, the prosecutors, the detectives and then watch the judge very carefully. In other words, complete an in-depth investigation before you are prosecuted and then take the facts into the public arena.

The US~Observer newspaper will not waste your time or your money. This is not a game, it's your life and your freedom. We do not make deals. If you are innocent, then nobody has the right to steal what belongs to you, most of all, your liberty. Nobody! That includes your attorney—as well as your supposed public servants.

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If you are innocent and there is conclusive evidence of your innocence, *the US~Observer* provides a 100% money-back guarantee on criminal cases should we fail to prove your innocence and achieve your total vindication. *The US~Observer* investigates cases for news and therefore we don't print that which can't be resolved. We want to win, just as you want to prove your innocence.

Do not contact us if you are in any way guilty and for justice sake, don't wait until they slam the door behind you before contacting us if you are innocent.

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In The Nation



The States Respond to Obamacare

By Joe Wolverton, II
The New American

On March 23, 2010, attorneys general from 18 states filed suit against the national government in the United States District Court, Northern District Florida, accusing it of committing “an unprecedented encroachment on the liberty of individuals living in the Plaintiffs’ respective states, by mandating that all citizens and legal residents of the United States have qualifying healthcare coverage or pay a tax penalty.”

In a 22-page complaint, the plaintiffs aver that in passing and signing the Patient Protection and Affordable Care Act into law, the Congress and the Executive branch (named defendants include cabinet members Secretary of Health and Human Services, Kathleen Sebelius; Treasury Secretary Timothy Geithner; and Labor Secretary Hilda Solis) exceeded their constitutional authority by mandating that everyone legally present in the United States purchase a qualifying health insurance policy. The complaint specifically cites Article I and the 10th Amendment of the U.S. Constitution as barriers to the sweeping reform set in motion by passage of the Act.

For its part, the Justice Department, which is responsible for defending U.S. law in court, responded to the filing of the complaint by affirming that it will vigorously oppose any challenges to the new healthcare law, which it insists is constitutional. President Obama recently expressed his confidence that the suits will fail.

Curiously, those intent on foisting this ballast of socialism onto the ship of state point to the Constitution for support of their position. Particularly, the powers granted to Congress by the Commerce Clause and the transcendence of federal law over state law as supposedly manifest by the Supremacy Clause are the two pillars upon which President Obama and his lictors seek to build this temple of tyranny known as Obamacare.

Supremacy Clause

The states joining in the suit charge the federal government with attempting to impose a top-down form of federalism that is inimical to the structure established by the Constitution wherein the sovereignty of the several states is protected and held inviolable. In writing in defense of the proposed Constitution, James Madison expressed his opinion of the relationship between national and state governments intended by the Constitution he helped write, “each State, in ratifying the Constitution, is considered as a sovereign body, independent of all others, and only to be bound by its own voluntary act. In this relation, then, the new Constitution will, if established, be a FEDERAL, and not a NATIONAL constitution.” Madison and the Founders adamantly denied the claim that the Constitution in any way reduced the scope of state authority or the sovereignty of the people.

There are several constitutional scholars who give the states’ lawsuit a chance to actually reach the Supreme Court. Many, however, predictably assert that the Supremacy Clause of Article VI of the Constitution trumps the states’ objections and places any law legally promulgated by Congress and signed by the president above all state laws to the contrary.

The so-called “Supremacy Clause” of Article VI reads, “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”

While at first blush the Supreme Clause argument may seem persuasive, there is a significant flaw in it. Consideration of the application of the Supremacy Clause in the debate is only appropriate where there is a legitimate federal statute contending with an equally legitimate state law. This is not the situation with regard to the Patient Protection and Affordable Care Act.

That is to say, a constitutionally sound act of Congress is one that comports in every way with the scope of enumerated powers set forth in the Constitution, specifically in Article I. If an act of Congress exceeds its constitutional mandate, then it is per se unconstitutional and cannot be defended by reference to the Supremacy Clause. The key to the conundrum is the phrase “made in pursuance thereof.” If the law is not made in pursuance of constitutional authority, then the very language of the Supremacy Clause expels the law from its protection.

Even a cursory reading of the Constitution reveals that there is no authority therein for Congress to legislate with regard to national health care. To merit the support of the Supremacy Clause, a law would have to at least meet the threshold requirement of “pursuance thereof.” Obamacare inarguably

does not qualify.

While it is not enough to simply invoke the words of our Founding Fathers in order to buttress our position that Obamacare is unconstitutional and that the Supremacy Clause is inapplicable, it is perfectly appropriate to discover the principles behind the precedents of our Founders.

At the Constitutional Convention of 1787 in Philadelphia, the Virginia Plan proposed by that state’s delegation initially endowed the national government with the ability “to negative all laws passed by the several states contravening, in the opinion of the national legislature, the Articles of Union.” When challenged as to the breadth of the scope of this power, Governor Edmund Randolph responded that his proposal never intended to give unrestricted power to the national legislature. In fact, he expressly opposed any such interpretation of the clause in question.

When the matter of the national government’s ability to veto state legislation was put to a vote, seven of the assembled states voted against it. With that vote, the federal government was denied the right to exercise an unqualified negative of state laws and its will would only be supreme within the universe of its specifically enumerated powers, but in all other matters, the states retained their sovereignty.

As delegates gathered throughout the country to deliberate on the ratification of the proposed Constitution, the Supremacy Clause had attracted the attention of friend and foe alike. Those opposed to the new document asserted that the federal government created by the Constitution swallowed up the state governments and rendered them mere minions of an all-powerful national magistracy.

It is the retort of the advocates of the new charter that reveals the true and proper reading of the provision in question. William Davie, a delegate to the Constitutional Convention from North Carolina and supporter of the fruit of that body, allayed the fears of the so-called anti-federalists by declaring:

This Constitution, as to the powers therein granted, is constantly to be the supreme law of the land. Every power ceded by it must be executed without being counteracted by the laws or constitutions of the individual states. Gentlemen should distinguish that it is not the supreme law in the exercise of power not granted. It can be supreme only in cases consistent with the powers specially granted, and not in usurpations.

Again, the standard for the subordination of state law to federal law is reiterated: the contending federal law must be within the enumerated, specifically granted powers allotted to the federal government in the Constitution itself. In the present consideration, the laws promulgated as part of the Obamacare revolution unquestionably fail to meet even the threshold requirements for Supremacy Clause validation as there exists nowhere in the Constitution authorization for federal control of this aspect of human life.

Nullification

While the effort of state attorneys general to fight the federal government in court is noble and worth the struggle, it is not the only option available to proponents of the right of states to govern themselves. Perhaps the most effective weapon in the war against the national legislature’s plan to exercise unchecked and absolute dominion over the states and the people is the nullification of unconstitutional federal legislation by the governments of the states.

Simply stated, nullification is the principle that each state retains the right to nullify, or invalidate, any federal law that a state deems unconstitutional. Nullification is founded on the assertion that the sovereign states formed the union, and as creators of the compact they hold ultimate authority as to the limits of the power of the central government to enact laws that are applicable to the states and the citizens thereof.

As cited above, James Madison is clear on his opinion as to the relative positions of the states and national government created by the Constitution. The states, he assured readers, are sovereign and they retain that sovereignty under the provisions of the national constitution. No clause or phrase of the Constitution may be accurately interpreted to enshrine the national government in a superior position to that of the state governments. In *The Federalist*, Number 46, Madison reasoned that “the federal and state governments are in fact but different agents and trustees of the people, instituted with different powers and designated for different purposes.” He continues in the same paper, “The ultimate authority, wherever the derivative may be found, resides in the people alone.” There is no

more fixed expression of the intent of our founders as to the locus of ultimate sovereignty in the United States.

Apart from his designation as the “Father of the Constitution,” Madison may also rightly be called the Father of Nullification. Madison and Thomas Jefferson united in their opposition to the expansion of the federal government’s powers and gave expression to their stance in the Kentucky and Virginia Resolutions of 1798. The impetus for the drafting of these resolutions was the passage by the national government of the Alien and Sedition Acts. The unvarnished aim of these laws was to squash political dissension and silence foes of the administration then in power.

In the resolutions they penned and offered to the legislatures of Kentucky and Virginia, Madison and Jefferson insisted that American jurisprudence and principles of good government preserved to the states the constitutional and natural law right to firmly resist federal encroachments into the realms of their own sovereignty and further to void any acts of the national government they deemed unconstitutional. Additionally, those state legislatures were justified in refusing to implement any congressional mandate not made in pursuance of the specifically enumerated powers granted Congress by the Constitution of the United States.

Both the Kentucky and Virginia legislatures passed the resolutions written by Jefferson and Madison respectively. Other state governments followed suit, as well. In Massachusetts, while the legislature did not pass

the resolution, the highest court of that state in invalidating the Embargo Act of 1807 expressed effectively the spirit of nullification:

A power to regulate commerce is abused, when employed to destroy it; and a manifest and voluntary abuse of power sanctions the right of resistance, as much as a direct and palpable usurpation. The sovereignty reserved to the states, was reserved to protect the citizens from acts of violence by the United States, as well as for purposes of domestic regulation. We spurn the idea that the free, sovereign and independent State of Massachusetts is reduced to a mere municipal corporation, without power to protect its people, and to defend them from oppression, from whatever quarter it comes. Whenever the national compact is violated, and the citizens

States Suing Federal Govt to Block Health Care:
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A core group of individuals, America's Founding Fathers, birthed this magnificent constitutional republic with the understanding that bringing change had to come at the grassroots level. They reached out with the message of freedom using newspapers. They changed the hearts and minds of men and women and the course of history.

Edward Snook, owner and publisher of the US-Observer says that the only way to effect change at the grass-roots level is through exposure – **Start Your own US-Observer newspaper and be a part of real change.** Become part of taking the truth into America's homes - into their hands.

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of this State are oppressed by cruel and unauthorized laws, this Legislature is bound to interpose its power, and wrest from the oppressor its victim.

Happily, there are currently at least 30 states whose legislatures have declared their intent to resist the mandates forced upon them by the various Obamacare provisions. While not all of these efforts truly seek to nullify federal laws, in one way or another they do represent a bold reclamation of the right of states to refuse to bow to a federal government intent on establishing itself as the emperor of 50 petty suzerainties.

Constitutionalists and proponents of freedom around the country and the world should exult in the attempts of state lawmakers and executives to withstand the onslaught of federal power mongers and to repel the battering ram of absolutism from the ramparts of state sovereignty. The good people at the Tenth Amendment Center have drafted a model nullification bill for use in the various state legislatures. And, the John Birch Society is currently working on its own version of a nullification statute to be offered to likeminded constitutionalists in the various statehouses. All such endeavors merit the support of Americans devoted to the preservation of liberty and the restoration of constitutional checks, balances, and limited government. The war against the unfettered expansion of the national government is not over, it is now being waged on a new front and all able allies of liberty must ride to the sound of the guns. ★★★

National ID Card cornerstone of immigration reform?

By Christopher A. Guzman



Key issues remain to be hammered out with the comprehensive immigration reform blueprint proposed by Senator Chuck Schumer (D-N.Y.) and Senator Lindsey Graham (R-S.C.). This is the conclusion from a recent Yahoo News article covering potential fallout from the new legislation.

A chief issue is effective enforcement of the proposed immigration reform. At the heart of the bipartisan proposal is a potentially controversial plan to issue a biometric identification card to all Americans, containing DNA information in the form of fingerprints and/or in other forms.

In a recent Washington Post op-ed, the two senators explain their reasoning for these cards. They call for:

... requiring biometric Social Security cards to ensure that illegal workers cannot get jobs; fulfilling and strengthening our commitments on border security and interior enforcement; creating a process for admitting temporary workers; and implementing a tough but fair path to legalization for those already here.

To some, a single card makes the process of hiring legal workers more efficient, condensing all forms of identification into one document. To others, enforcing this single card requirement would be virtually impossible, given the requirement that every single American citizen would be required to obtain one, possibly taking years to fully implement.

There are the financial aspects of the legislation to consider as well. The Yahoo article points out that “employers would have to pay up to \$800 for card-reading machines, and many point out that compliance could prove burdensome for many small-to-medium-size businesses.” Businesses might

have to pay more than expected if initial cost estimates are incorrect. Coupled with healthcare costs to be imposed on businesses, the immigration reform bill seems to represent another unfunded federal mandate further burdening businesses in a sagging California economy.

Businesses are not the only ones to pay costs stemming from the new legislation. Illegal immigrants will be expected to each pay \$132.50 according to the new legislation.

At the same time, if federal agents cannot realistically track every single immigrant entering the country, how this fee requirement would be enforced on undocumented workers is not necessarily clear at this stage of the process. It is also unclear how the federal government would make up for lost revenue caused by immigrants still slipping through the system unwilling to pay the fine.

Ultimately, the immigration reform legislation raises civil liberties issues. Some see the immigration reform effort as a gateway to infringing upon the civil liberties of Americans.

According to Alex Nowrasteh, policy analyst at the Competitive Enterprise Institute, the national ID includes the following: retinal scans, fingerprints, vein mapping, and facial mapping. He also says the proposed reform measures will not cut down on illegal immigration because there will still be illegal immigrants operating in what he calls a “black market.”

Despite new legislation, there still will be companies and immigrants continuing to find ways to operate illegally, seeking to avoid fines imposed upon them by the federal government. The primary people negatively impacted will be American citizens, he says.

“All this will do is put more burdens on American businesses, American consumers, and American workers.” ★★★

Continued from page 1 • Why Socialism Fails

of others is charity given at free will.

However, a close examination of the effects of these programs reveal that:

“Right now more people than ever are on welfare. In 2008 Swedish newspapers reported that mentally ill children were being housed with violent, mentally ill adults due to lack of funding. Another major problem is work absenteeism. There is a growing concern that Swedes are faking illnesses to reap the benefits of the extensive medical leave program. Some economists believe that Sweden’s brand of socialism is fundamentally flawed. While it works well in the short term, it can lead to disenfranchised consumers in the long run. The more taxes the government takes, the less people are willing to spend in a consumer market, which leaves the government to prop up those flagging industries, creating a vicious cycle in the economy.” --Rodriguez, L.



In the United States programs such as social security have had similar effects as the Swedish economic system. According to heritage.org, social security has an average rate of return of 1.23% while low risk IRA and bond investments would give a return of approximately 5% Beach, W. W., & Davis, G. E. (1998, January 15).

Friedrich von Hayek, (recipient of the Nobel Memorial Prize in Economic Sciences in 1974), wrote a book titled, “The Road to Serfdom”, published in 1944, in which he convincingly argues the role in socialist

governments. The end results, he proclaims, fail and end in tyranny and oppression. In the book, Hayek refers to America’s shift towards a socialistic society as “creeping socialism”. He discusses the threat of state control over the means of production.

Hayek believed that excessive governmental controls on society did not deliver on their promises and that their ideology actually delivered unfortunate and hopeless economic results. He proclaimed it produces a psychological change in the character of the people in that man’s desire to better himself is what drives him to succeed and also improves the way of life for those around him. According to Hayek, socialism strips man of his desire to succeed. In Marxism, which is pro socialism, argues that capitalism is what results in no creativity in labor and alienation from own human potential. The effects of socialism in America can still be felt today.

According to the Future of Freedom Foundation, any government-owned, -funded, or -subsidized operation is considered to be a socialist program. For example, publicly owned airports, sports arenas or government-funded universities would be considered socialist operations by that definition Ebeling, R. M. (1993, March).

Capitalism is an economic system in which the means of production and distribution are privately and corporately owned and development is proportionate to the accumulation and reinvestment of profits gained in a free market according to the American Heritage Dictionary (2006). Capitalism is a social system that separates the economy from the state. Capitalism is the opposite of socialism.

The Most Famous Example of Capitalism

The California gold rush during the mid 1800’s was historical. The relative lack of government and the ability for the average individual to accumulate wealth allowed the entire western United States to develop public infrastructure and modern commerce in under 50 years. No other time in history has such a development taken place. Ultimately the

effects of a free market distributed more wealth than any social program in place on the east coast at the time (Wilma, D.2003, February 21).

In 1973 OPEC (Organization of Arab Petroleum Exporting Countries) declared an oil embargo on the United States. The United States government responded by implementing gas rations and price ceilings. This caused artificial scarcity and further exacerbated the shortage. Near the end of 1973 these controls were lifted which allowed prices to rise for a short time. As prices rose more producers were encouraged to enter the market creating competition that drove prices down dramatically in early 1974. The 1973 oil crisis was the first world wide modern example of a free market correcting for scarcity vs. government intervention, (J. L. 2009, November 11).

Another unintended effect of social programs is the lowering of labor prices. The more money an employer is forced to pay in benefits such as social security and Medicaid, the less money is available to be paid in wages. This results in a net loss of income for the employee. In a free market “minimum wage” is the lowest wage a person can live on. This includes medical costs, housing, child care, transportation, and other incidentals. This creates a cycle in which government provides a benefit program, which causes lower wages so consumers have less money to spend, which lowers profits, which creates a need for industry to be subsidized; but because the profits of goods produced is still lower than the market price the cost of labor stays low creating a need for benefit programs. At each step of this cycle, waste and abuse occur.

Socialism has also served negative effects on the organization of society. Capitalism is based on the right of an individual to own the results of his/her mind and labor. Property rights are clearly defined and protected. Socialism however, maintains that property be shared. The only means of enforcing such a system is either through force or voluntary compliance.

“Socialism is inseparably interwoven with totalitarianism and the object worship of the state. It will prescribe for every one where they

are to work, what they are to work at, where they may go and what they may say. Socialism is an attack on the right to breathe freely. No socialist system can be established without apolitical police. They would have to fall back on some form of Gestapo, no doubt very humanely directed in the first instance.” –Winston Churchill

Threat of Legal Action

Both systems use the threat of legal action as a means of gaining compliance; however, what differs is the motivation. Capitalism uses force to prevent the violation of civil liberties whereas socialism uses force as a means of cohering citizens into action and breeds a culture of dependency.

Close, logical examinations of these two economic and political systems show a vast difference in the methodology of obtaining the same goal. Both attempt to distribute wealth as efficiently and equitable as possible. Socialism is based on the idea that every person has an equal share of all wealth. Whereas capitalism is based on the idea that everyone earns what they deserve based on ability. On the surface, both ideologies are effective at achieving these goals. Socialism tries to achieve this through incentives and assistance programs. Capitalism is through the total ownership of one’s own labor.

Socialism has been historically proven to be ineffective at achieving either goal while capitalism has again and again corrected for many of the problems that socialism has caused. Whether the oil crisis of the 1970’s or current global financial shortages, socialism has never been the answer. While the United States moves ever slowly towards the ideals set forth by Karl Marx, countries such as Sweden have realized and seen the false promises of “shared wealth” for what they really are; an illusion created by people who don’t believe that individuals have the right or ability to create their own happiness.

It would be wise for Americans to heed the warning of Ronald Regan that the 10 most dangerous words in the English language are; “I’m from the government and I’m here to help you.” ★★★



Supreme Court

By **Brion McClanahan**
Tenth Amendment Center

When Idaho Governor C.L. “Butch” Otter signed HO391 into law on 17 March 2010, the “national” news media circled the wagons and began another assault on State sovereignty. The bill required the Idaho attorney

general to sue the federal government over insurance mandates in the event national healthcare legislation passed. The lead AP reporter on the story, John Miller, quoted constitutional “scholar” David Freeman Engstrom of Stanford Law School as stating that the Idaho law would be irrelevant because of the “supremacy clause” of the United States Constitution.

In his words, “That language is clear that federal law is supreme over state law, so it really doesn’t matter what a state legislature says on this.” Now that Barack Obama has signed healthcare legislation into law, almost a dozen States have filed suit against the federal government, with Idaho in the lead. Battle lines have been drawn. Unfortunately, the question of State sovereignty and the true meaning of the “supremacy clause” may be swallowed up in the ensuing debate.

Engstrom’s opinion is held by a majority of constitutional law “scholars,” but he is far from correct, and Idaho and the thirty seven other States considering similar legislation have a strong case based on the original intent of the powers of the federal government vis-à-vis the States.

The so-called “supremacy clause” of the Constitution, found in Article 6, states, “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding [emphasis added].”

The key, of course, is the italicized phrase. All laws made in pursuance of the Constitution, or those clearly enumerated in the document, were supreme, State laws notwithstanding. In other words, the federal government was supreme in all items clearly listed in the document.

A quick reading of the Constitution illustrates that national healthcare is not one of the enumerated powers of the federal government, so obviously Engstrom’s blanket and simplistic statement is blatantly incorrect, but his distortion of the supremacy clause goes further.

The inclusion of such a clause in the Constitution was first debated at the Constitutional Convention on 31 May 1787. In Edmund Randolph’s initial proposal, called the Virginia Plan, the “national” legislature had the ability to “legislate in all cases to which the separate states are incompetent...” and “to negative all laws passed by the several states contravening, in the opinion of the national legislature, the Articles of Union....” John Rutledge, Pierce Butler, and Charles Pinckney of South Carolina challenged the word “incompetent” and demanded that Randolph define the term. Butler thought that the delegates

“were running into an extreme, in taking away the powers of the states...” through such language.

Randolph replied that he “disclaimed any intention to give indefinite powers to the national legislature, declaring that he was entirely opposed to such an inroad on the state jurisdictions, and that he did not think any considerations whatever could ever change his determination [emphasis added].” James Madison, the author of the Virginia Plan, was not as forthcoming as to his sentiment. Ultimately, Madison preferred a negative over State law and wished the national legislature to be supreme in call cases. But he was not in the majority.

The Convention again broached a federal negative on State law on 8 June 1787. Charles Pinckney, who presented a draft of a constitution shortly after Randolph offered the Virginia Plan, believed a national negative necessary to the security of the Union, and Madison, using imagery from the solar system and equating the sun to the national government, argued that without a national negative, the States “will continually fly out of their proper orbits, and destroy the order and harmony of the political system.” Such symbolism made for a beautiful picture, but it belied reality.

To most of the assembled delegates, the national government was not the center of the political universe and the States retained their sovereignty. Hugh Williamson of North Carolina emphatically stated he “was against giving a power that might restrain the states from regulating their internal police.”

Elbridge Gerry of Massachusetts was against an unlimited negative, and Gunning Bedford of Delaware believed a national negative was simply intended “to strip the small states of their equal right of suffrage.” He asked, “Will not these large states crush the small ones, whenever they stand in the way of their ambitious or interested views?”

When the negative power was put to a vote, seven States voted against it and three for it, with Delaware divided (and Virginia only in the affirmative by one vote). Roger Sherman of Connecticut summarized the sentiment of the majority when he stated he “thought the cases in which the negative ought to be exercised might be defined.” Since the negative did not pass, such a definition was unnecessary.

Thus, the federal government was supreme only in its enumerated powers and it did not have a negative over State law. Supremacy had limits.

By the time the Constitution was debated in the several State ratifying conventions in 1787 and 1788, the “supremacy clause” galvanized opponents of the document. The Constitution, they said, would destroy the States and render them impotent in their internal affairs. The response from proponents of ratification illuminates the true intent of the clause. William Davie, a delegate to the Constitutional Convention from North Carolina and proponent of the Constitution, responded to attacks levied on the “supremacy clause” by stating that:

This Constitution, as to the powers therein granted, is constantly to be the supreme law of the land. Every power ceded by it must be executed without being counteracted by the laws or constitutions of the individual states. Gentlemen should distinguish that it is not the supreme law in the exercise of power not granted. It can be supreme only in cases consistent with the powers specially granted, and not in usurpations [emphasis added].

Davie wasn’t alone in this opinion. Future Supreme Court justice James Iredell of North Carolina argued that, “This clause [the supremacy clause] is supposed to give too much

power, when, in fact, it only provides for the execution of those powers which are already given in the foregoing articles....If Congress, under pretence of executing one power, should, in fact, usurp another, they will violate the Constitution [emphasis added].”

Furthermore, in a foreshadowing of nullification, Iredell argued that, “It appears to me merely a general clause, the amount of which is that, when they [Congress] pass an act, if it be in the execution of a power given by the Constitution, it shall be binding on the people, otherwise not [emphasis added]. Other ratifying conventions had similar debates, and proponents of the Constitution continually reassured wavering supporters that the Constitution would only be supreme within its delegated authority.

Most bought their assurances, though to staunch opponents, the Constitution still vested too much power in the central authority. The States would lose their sovereignty, they argued, and as a result, these men demanded an amendment to the Constitution that expressly maintained the sovereignty of the States and placed limits on federal power. Even several moderate supporters of the Constitution embraced this idea.

Ultimately, the three most powerful States in the Union, New York, Massachusetts, and Virginia, demanded that a bill of rights be immediately added to the Constitution; near the top of those recommended amendments on every list, a State sovereignty resolution. These ultimately became the Tenth Amendment to the Constitution, which reads, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

Clearly the intent of this amendment was to mitigate any design the federal government had on enlarging its powers through the “supremacy clause.” If the power was not enumerated in the Constitution and the States were not prohibited by the Constitution from exercising said power, then that power was reserved to the States.

Several other constitutional “scholars” have weighed in on the debate in the last week, and each has invoked the “supremacy clause” to defend their opposition to State action against healthcare. Duke Law Professor Neil Siegel went so far as to suggest that the States are not reading the Tenth Amendment correctly. In perhaps the most outlandish statement of the debate, he also said, “Any talk of nullification bothers me because it’s talk of lawlessness.”

I guess Mr. Siegel has failed to consider that Idaho bill HO391 was passed by a legitimate legislative body elected by the people of the State. That would make it lawful.

Of course, this debate ultimately boils down to loose interpretation verses strict construction. Thomas Jefferson had the best line on this issue. When asked to read between the lines to “find” implied powers, Jefferson responded that he had done that, and he “found only blank space.”

The original intent of both the “supremacy clause” and the Tenth Amendment indicate that Idaho and the other States challenging Obamacare are justified and correct and that the legal profession is either in the tank for the federal government or has not read either the debates of the Constitutional Convention and/or the State ratifying debates. This should make people like Engstrom and Siegel, rather than legitimate State law directed at unconstitutional authority, irrelevant. ★★★

Brion McClanahan holds a Ph.D in American history from the University of South Carolina and is the author of The Politically Incorrect Guide to the Founding Fathers (Regnery, 2009).

America: Do you feel violated yet?

By Devvy Kidd

"Then I say, the earth belongs to each of these generations during its course, fully and in its own right. The second generation receives it clear of the debts and encumbrances of the first, the third of the second, and so on. For if the first could charge it with a debt, then the earth would belong to the dead and not to the living generation. Then, no generation can contract debts greater than may be paid during the course of its own existence." --Thomas Jefferson to James Madison, 1789. ME 7:455, Papers 15:393

As I write this column, the national debt created by the U.S. Congress without the consent of we the people is \$12.7 TRILLION dollars. The people's treasury is bankrupt with current obligations running into numbers most people can't even grasp - Social security and Medicare have \$99 TRILLION dollars in unfunded mandates:

"Let's say you and I and Bruce Ericson and every U.S. citizen who is alive today decided to fully address this unfunded liability through lump-sum payments from our own pocketbooks, so that all of us and all future generations could be secure in the knowledge that we and they would receive promised benefits in perpetuity. How much would we have to pay if we split the tab? Again, the math is painful. With a total population of 304 million, from infants to the elderly, the per-person payment to the federal treasury would come to \$330,000. This comes to \$1.3 million per family of four—over 25 times the average household's income." [1]

The actual unemployment rate is 26.2%. The number of Americans on food stamps is **39.4 million - an increase of 5.9 million since last November**. While Americans have nothing left after their paychecks are pinched for federal taxes and "entitlement" programs, usurper Hillary Clinton brokered a deal with Pakistan to steal more of the fruits of our labor:

US to Give \$125 Million to Upgrade Pakistan's Power Sector. October 29, 2009. "Secretary of State Hillary Clinton, seeking to bolster Islamabad's fight against Islamic extremists US corporaterorists' profits, initiated a crash U.S. assistance program for Pakistan's power sector aimed at rolling back electricity shortages that threaten to cripple the South Asian nation's economy. Mrs. Clinton, on the first of a three-day diplomatic mission to Pakistan, said that Washington will disburse \$125 million to Islamabad for the upgrading of key power stations and transmission lines. U.S. experts are also beginning to work with Pakistani utility companies to reduce power outages and lost revenue caused by outmoded technologies and systemic non-payment by customers, which costs Pakistan hundreds of millions of dollars each year." [2]

That \$125 MILLION dollars has to be borrowed from the private banking cabal deceptively called the Federal Reserve. With interest, it will be \$250 MILLION dollars. That is OUR money being stolen from us against the law. Every week, you and I are obligated to send commie China \$800 MILLION dollars to pay just the interest on the bad paper of ours being held by China. Congress has become world class beggars with you, me, our children and grand children as the payment machine.

Hope and change was a marketing slogan to usher in the final collapse of our republic. Obama/Soetoro is in full charge towards the utter and complete destruction of America. Right along with the same incumbents who were voted back into Congress in November, 2008. The Sovietization of the U.S. is almost complete.

Nothing has changed except the debt numbers. Let me give you a few examples. Art. 1, Sec. 8 of the U.S. Constitution does NOT authorize foreign aid to any foreign country. This grand rape against we the people is illegal under the supreme law of the land. However, that hasn't mattered squat to Democrats and Republicans in Congress for decades. Below are current bills sitting in the Outlaw Congress:

U.S. Congress House Committee on Foreign Affairs [3]

H.R. 417: Next Steps for Haiti Act of 2009

B) SENSE OF CONGRESS- It is the sense of Congress that at least \$3,000,000 should be made available for each of the fiscal years specified in subparagraph (A) to carry out this section.

That \$3 MILLION dollars will have to be borrowed with the interest slapped on our

backs on top of the \$100 MILLION borrowed dollars Barry Soetoro aka Barack Obama, has already stolen from our purse to hand to who knows who in Haiti. How will it get repaid? - The federal income tax... Watch what happens to the withholding out of your paycheck by early next year. Think things are bad now, tragically, the worst is coming.

H.R. 1605: To seek the establishment of and contributions to an International Fund for Israeli-Palestinian Peace, and for other purposes

(a) Fiscal Year 2010 - Of the amounts made available for the fiscal year 2010 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq. - relating to the Economic Support Fund), \$50,000,000 is authorized to be appropriated for United States contributions to the International Fund

H.R. 1861: Daniel Pearl Freedom of the Press Act of 2009

(b) Amounts and Time- Grants may be awarded to nonprofit and international organizations in amounts ranging from \$70,000 to \$150,000 annually. Grants may span multiple years, up to five years.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary of State \$2,000,000 for each of fiscal years 2010 to 2014 to carry out this Act.

Our bank account is over drawn \$108 TRILLION dollars in debt [4]. Every penny above will have to be borrowed and the interest will be paid by our grand children who will be little more than slaves before this decade is gone.



H.R. 1969: Vietnam Human Rights Act of 2009

(Keep in mind, Viet Nam is a now a full blown communist country.)

SEC. 401. RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.

(a) Policy of the United States- It is the policy of the United States to take such measures as are necessary to overcome the jamming of Radio Free Asia by the Government of Vietnam.

(b) Authorization of Appropriations- In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated to carry out the policy under subsection (a) \$12,500,000 for the fiscal year 2010 and \$2,500,000 for fiscal year 2011.

H.R. 1987: Microfinance Capacity-Building Act of 2009

(1) Microfinance is considered one of the great success stories of United States

foreign aid because of its ability to reach the poor, especially women, with programs that have a high impact and are highly sustainable.

(7) AUTHORIZATION OF APPROPRIATIONS-

(A) IN GENERAL- To carry out this subsection, there are authorized to be appropriated -

- (i) \$6,000,000 for fiscal year 2010
- (ii) \$12,000,000 for fiscal year 2011
- (iii) \$15,000,000 for fiscal year 2012
- (iv) \$12,000,000 for fiscal year 2013
- (v) \$5,000,000 for fiscal year 2014

H.R. 2478: Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009

(b) Authorization of Appropriations - There is authorized to be appropriated \$10,000,000

Devvy Kidd

"That liberty [is pure] which is to go to all, and not to the few or the rich alone." --Thomas Jefferson



Knowledge is Power

for each of fiscal years 2010 through 2012 to carry out this section.

How many more countries will "we" stick our noses into when we have NO business interfering with or funding any activities in foreign countries?

H.R. 2103: International Protecting Girls by Preventing Child Marriage Act of 2009

9. AUTHORIZATION OF APPROPRIATIONS.

To carry out this Act and the amendments made by this Act, there are authorized to be appropriated as such sums as necessary for fiscal years 2010 through 2014

H.R. 1410: Newborn, Child, and Mother Survival Act of 2009

To provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) In General - There are authorized to be

appropriated to carry out this Act, and the amendments made by this Act, such sums as may be necessary for each of the fiscal years 2010 through 2014.

(b) Availability of Funds - Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

Another bottomless pit, if passed, to be funded with borrowed money you and I will be paying on the rest of our lives with the interest continuing and forced down our children's throat. It is the responsibility of every foreign government to take care of their people, not ours. We can feel compassion for humans around the globe, but our Constitution does not authorize this rape of we the people.

H.R. 2639: Global Poverty Act of 2009

"To require the President to develop and implement a comprehensive strategy to further the United States foreign policy objective of promoting the reduction of global poverty, the elimination of extreme global poverty."

(8) At the summit of the Group of Eight (G-8) nations in July 2005, leaders from all eight countries committed to increase aid to Africa from the current \$25,000,000,000 annually to \$50,000,000,000 by 2010, and to cancel 100 percent of the debt obligations owed to the World Bank, African Development Bank, and International Monetary Fund by 18 of the world's poorest nations.

H.R. 2878: Solar Villages Initiative Act

To authorize microenterprise assistance for renewable energy projects in developing countries.

(e) Authorization of Appropriations- There is authorized to be appropriated to the President to carry out this section \$10,000,000 for fiscal year 2010, \$10,000,000 for fiscal year 2011, \$15,000,000 for fiscal year 2012, \$15,000,000 for fiscal year 2013, \$20,000,000 for fiscal year 2014, and \$30,000,000 for fiscal year 2015.

H.R. 3077: Global Food Security Act of 2009

(i) Authorization of Appropriations- There is authorized to be appropriated to the President for the purpose of carrying out activities under this section--

- (1) \$100,000,000 for fiscal year 2010;
- (2) \$200,000,000 for fiscal year 2011;
- (3) \$300,000,000 for fiscal year 2012;
- (4) \$400,000,000 for fiscal year 2013;
- (5) \$500,000,000 for fiscal year 2014.

Americans will be wearing rags and stealing food while being plundered in more taxes to send around the world.

Those are just a small number of the bills from one committee in the Outlaw Congress. The full list is available on line, see foot note three for URL. They are sponsored and co-sponsored by both Democrats and Republicans.

While you're working one, two or three jobs or job hunting, this is the 'change' being shoved down our throats. Today, right here in America, a land rich in human and natural resources, parents across this country are eating one meal a day so their children can have two by the end of the month; schools are providing breakfast for millions of children, including ILLEGALs who have no right to anything but deportation. Yet, proposed bills from just one committee add up to more than a TRILLION borrowed dollars.

Do you feel violated yet?

Let me close with this quote that will hopefully drive the point home and get Americans to understand there can be no change with the same incumbents in Congress regardless of party:

"....We're confiscating property now....That's socialism. It's written into the Communist Manifesto. Maybe we ought to see that every person who gets a tax return receives a copy of the Communist Manifesto with it so he can see what's happening to him." --T. Coleman Andrews. Mr. Andrews (a Democrat) was Commissioner for the first 33 months of the Eisenhower Administration, U.S. News & Report, May 25, 1956 ★★



Footnotes

- [1] Richard W. Fisher, President and CEO of the Federal Reserve Bank of Dallas Remarks before the Commonwealth Club of California May 28, 2008
- [2] Demand Congress stop withholding taxes now - Devvy
- [3] Web site: GovTrack.us - http://www.govtrack.us/congress/committee.xpd?id=HSFA
- [4] Use a search engine and type: debt clock real time

Devvy Kidd authored the booklets, *Why A Bankrupt America* and *Blind Loyalty*; 2 million copies distributed. Devvy appears on radio shows all over the country. She left the Republican Party in 1996 and has been an independent voter ever since. Devvy is a constitutionalist who believes in the supreme law of the land, not some political party.

Visit Devvy's website at: <http://www.deevy.com>. You can also sign up for her free email alerts. Devvy's radio show broadcasts Mon-Fri, 3:00 pm PST, 5:00 pm CST and 6:00 pm EST. To listen, go to: <http://www.renseradio.com/listenlive.htm>

'Free Danny Tate' brings internet activism to Nashville dispute over questionable conservatorship

EstateOfDenial.com

By Lou Ann Anderson

Probate courts' power is often overlooked and underestimated. Unbeknownst to many, this status generates opportunity to quietly defend or destroy the personal liberty and/or property rights of those coming before such venues. Folks associated with the conservatorship (called guardianship in other states) over Nashville musician Danny Tate would likely have preferred minimized visibility of their actions. Instead of allowing a quiet hijacking of a man's freedom and property, Tate's entertainment industry friends are rallying to stop the ongoing depletion of his assets and the continued denial of his basic civil liberties. The friends astutely recognize that what's happening to Danny Tate fundamentally defiles the foundations from which many American rights flow. These same friends also understand - if this could happen to Danny, it could happen to you!

*Askin' for your help, I'm not refutin',
Who would have known it would lead to this
lootin'?*
*You took my money, my life and my trade,
Trusting you had a price - the biggest I've
paid.*

With classic country elements like betrayal and pain, this case is perfectly set in Music City, U.S.A. The growing interest in Danny Tate's plight started with a Nashville Scene article published earlier this year. In Court-Ordered Hell - how an errant judge and a controlling sibling stripped Nashville rocker Danny Tate of his money, his livelihood and his legal rights, reporter Brantley Hargrove chronicles how Danny Tate never dreamed the power of attorney intended for use by his brother David to pay bills while Danny was in rehab would instead be used to initiate and finance a conservatorship action legally stripping the musician of both his personal and property rights.

Think this can't happen in America? Think again and read on as it happens every day. Conservatorships allow a court-appointed individual complete power over a person, their property or both. They are often used for the elderly, the disabled or individuals incapacitated due to catastrophic accidents or illness. Legitimate need for such an extreme measure sometimes exists. Increasingly, however, conservatorships (guardianships) are being used as a tool, a way in which the legal system is weaponized so as to gain control of a person and their assets for exploitative purposes. Suspected abuse cases often have certain patterns. Danny Tate's is no exception and it also offers important points of which the public should beware.

This case appears to be an Involuntary Redistribution of Assets (IRA) action defined by EstateofDenial.com as the utilization of probate venues and/or probate instruments (wills, trusts, conservatorships/guardianships or powers of attorney) to divert assets of the dead, disabled or incapacitated in a manner contrary to the property owner's wishes. Danny Tate's case was initiated using a power of attorney and is being perpetuated through a conservatorship.

Other common elements are the presence of a family member/interested party entry point, an accommodating

attorney and a cooperative judge in this case played seemingly and respectively by brother David Tate, attorney Paul Housch and Davidson County Probate Judge Randy Kennedy. A posting at FreeDannyTate suggests that Tate's case is perhaps not the first conservatorship collaboration of Housch and Kennedy.

Details in the process of Danny Tate's conservatorship proceedings paint a troubling picture of just how easy it is to hijack a person's life using legal instruments and today's court system. The continuation of this situation demonstrates the absolute lack of protection for those targeted in such actions.

The initial freezing of Tate's assets was reportedly granted in an ex parte "emergency" conservatorship hearing of which Tate was not aware. This freeze thwarted Tate's hiring of counsel and provided Dr. William Kenner, a child psychiatrist without



Danny Tate

Two or so years of conservatorship activity has reduced Danny Tate's \$615,000 estate to about \$175,000.

Three things are important to note about Danny Tate's case. First, while conservatorships are often associated with the elderly, that's not the situation here. This case started with a 50-ish-year-old Tate who historically struggled with alcohol and drug issues yet had maintained 18 years of sobriety only reverting to past destructive behaviors after 2004 shoulder surgery helped incite new challenges - physically as well as in his personal life.

Second point. During his nearly two decades of sobriety, Danny Tate was far from a deadbeat. Though never attaining major "front man" commercial success, Tate is as an accomplished songwriter with decades of recognized marketability and with his songs having been recorded by the likes of Rick Springfield, Tim McGraw, Travis Tritt, Diesel, Lynyrd Skynyrd, Jeff Healey, David Lee Murphy and Billy Ray Cyrus. In recent years, Tate had found a lucrative niche composing music for shows such as Entertainment Tonight and the Ellen DeGeneres Show. Between current jobs and royalties,

he was reportedly making quite a comfortable living until the confiscation of his recording equipment via the conservatorship.

And finally, the size of Danny Tate's estate should serve as a warning to others. It's easy for people to believe that while estates of "the rich" - whatever that means - might be targeted, Americans of more modest means are unlikely marks for estate looting actions. The reality is that estates \$1 million or less can be exceptionally appealing as they provide enough money to be worth pursuing, but due to high litigation costs, not so much that they can be cost effectively fought.

Danny Tate's lifelong accumulation of assets was used by David Tate to initiate and now defend keeping his brother in this conservatorship. When the money is gone, interest in Tate's continued conserved status will also likely cease. In the meantime, Danny Tate has few resources for mounting a defense to attempt regaining what little is left of his estate. Prospective IRA practitioners understand the scenarios in which these cases can play out. They have quickly become evident to Danny Tate along with his friends. The public starting to understand and react to could be key to shutting down heinous estate abuse activities.

As mentioned earlier, following estate abuses cases uncovers easily identifiable patterns. Helpful cover to dishonest acts happens when cases can occur in the quiet confines of friendly courtrooms as well as be perpetrated by those operating under a guise of respectability or professionalism. Exposure of such activities rarely reflects well for the IRA perpetrators which is why increased internet visibility regarding Danny Tate's case is likely unwelcomed in some quarters.

In late March, Tate's friend Kevin Montgomery, a self-described world-traveling singer-songwriter/adventurist/dad, read the Nashville Scene article and was so moved by the injustice that he blogged about it as well as helped organize the Friends for Danny Tate's Defense Facebook group. The group has nearly 2,000 members and is growing. "Free Danny Tate" t-shirts are available and a benefit concert is in the works. All these efforts are additionally supported by a Free Danny Tate web site developed and maintained by another of Tate's friends. The site provides new information along with context to this assault on Danny Tate's freedom and property. It's doubtful that such an organized, well-executed effort has ever been launched and its impact is likely to be significant.

Some people might think their "day in court" is the answer, but familiarity often reveals courts to be an extension of the legal industry brotherhood whose commitment to self-enrichment can overshadow any pretense of fairness. With that, bets are for now better placed on a few thousand Facebook friends who recognize exploitation and looting and aren't shy in sharing their concerns with a few more thousand of their friends.

Michael Hoskins, Tate's attorney, best summed up the danger and ramifications of abusive conservatorships saying "just about any local musician with assets and a drug problem could conceivably be stripped of his autonomy based on nothing more than hearsay." He's absolutely right. Hopefully people won't foolishly think that musicians are the only ones at risk.

Free Danny Tate! ***

Lou Ann Anderson is an advocate working to create awareness regarding the Texas probate system and its surrounding culture. She is the Online Producer at www.EstateofDenial.com and a Policy Advisor with Americans for Prosperity - Texas Foundation. Lou Ann may be contacted at info@EstateofDenial.com.

Continued from page 1 • Wake Up America

are "our" teachers, who have evolved over centuries to be more resistant to corrupt government. It would appear for our younger generations that the more liberty lost, the less people are able to imagine how liberty might work. It is a scary, yet fascinating thing to behold.

In Today's Society

Constitutional talk is perceived by many as lunacy. Most citizens and public officials have no clue what the constitution means and obviously what its purpose is. What hard working people have failed to realize is that freedoms aren't free. You can't simply work and provide for your family anymore, because your family today, isn't your family, its wasted government spending and welfare handouts, stimulus packages and bank bailouts.

People must realize that it is not just Bush or Obama; it is corruption in government at all levels. Obama is just pressing fast-forward and the American people are to blame for allowing it.

Wake Up America!

Enough of the name calling, commentary writing, talk shows and sitting on your asses pointing fingers. It is time to do something. Those at Wake Up America Southern Oregon are here to take back our communities, through continuous growth in numbers and constitutional education. Wake Up America will help elect public officials into office who support freedom and most importantly, who uphold the constitution. Once they can achieve this at a local level, they will aspire to

accomplishing this at the state level and eventually across America.

"In the end, we will remember not the words of our enemies, but the silence of our friends."

— Martin Luther King Jr.

The end is now. The silence is lessening. Wake Up America has the answer, the masses are being financially forced to listen, and the new beginning is hopefully near. ***

Editors Note: It is time to look past mainstream media and realize that concerned Americans are coming together. These aren't your radical extremists, they are doctors, teachers, construction workers, police officers, mothers, fathers and children and they are fed up.

Groups are forming. In our small community of Josephine County we have the Tea Party, AFP (Americans For Prosperity), the 9/12 Project and now, Wake Up America Southern Oregon. Multitudes of these groups have formed across the country in the last 12 months; all with one thing in common, "Freedom." You can reach Wake Up America at 541-855-1155.

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KEEPING THE PUBLIC INFORMED

Continued from page 1 • Why Socialism Fails

comply and then thought, "wait a minute, I do not even know if these guys are law enforcement." He told the man, no I am not going to show you anything until you show me your ID. The man took out a container of pepper spray and started to shake it, (that's when) the mood became more intense. Dennis told the man, you took it out, if you're going to use it then use it, but I am not going to show you anything until you show me that you are a cop.

The man raised his voice and said, "show me your ID right now or I will place you under arrest."

Dennis turned around placed his hands behind his back and told the man, "arrest me" then; the man produced handcuffs and handcuffed Dennis, telling him he was under arrest.

At this point everyone that witnessed this incident unfold stated they were frightened, stunned and could not believe it was happening. The Easley's family dog was barking and some of the children were becoming extremely upset.

Michelle stated, as the man was putting cuffs on her husband she walked over to them and asked, why are you arresting my husband?

That's when the second man, later identified as BLM Ranger William Finch told Michelle to step back and she did so and then again she asked the first man, later identified as Jackson County Deputy Sheriff Jimmie Gyllenskog, why are you arresting my husband?

BLM Ranger Finch bristled and shouted I told you to step the f- - K back, Michelle complied then started walking over to the truck where Dennis and Michelle's 13 yr. old daughter, Cheyenne, was in the back of the truck with the family dog. The family dog, a 9 month old 100 lb Rottweiler was barking and growling at BLM Ranger Finch. Michelle said the way Ranger Finch was acting, she was afraid if the dog got out of the truck that Ranger Finch would shoot the dog in front of the children.

Adam Ramirez, standing a few feet away said at this point, Ranger Finch started yelling at Michelle that she had better show him her ID. She told him twice that she did not have it with her because she had left it in their other car, but she could give him her Drivers License Number.

Adam said he walked over to the truck, took the dog out of the truck and he had only taken about 10 steps when he heard Michelle shout I have a bad neck and then her body slammed against the ground. Adam said when he spun around Michelle was on the ground and Ranger Finch was twisting her arm up behind her back and he was screaming and cussing at her.

Adam said his two small children were so frightened that his three year old daughter tried to take off running down the road and his four year old son, along with Dennis and Michelle's three-year-old son, jumped into the car and were trying to hide. Adam said that's when Lana

witness's less than 10 feet away have confirmed Michelle's claims.

Dennis stated that he could not see everything that went on because Deputy Gyllenskog was holding the chains between his handcuffs and kept twisting him around so he could not see BLM Ranger Finch attacking his wife Michelle. Dennis said he and his daughter Cheyenne were both shouting to Ranger Finch that Michelle has a bad neck. Dennis said there was a lot of shouting, crying, cursing, name calling and dog barking going on and BLM Ranger Finch was not only the cause of it, he was the loudest and using the most vile language.

Michelle stated, "even after we were in their custody and waiting to be transported to jail, Ranger Finch continued to appear agitated. Everything he said was very sarcastic, things like, oh, you want to be nice now, well it is too late. It seemed he was trying to stir things up again; it just seemed to make things worse."

Michelle said she asked BLM Ranger William Finch for his ID or business card twice after they had them in custody and all Finch would say was, "I don't have them with me."

All interviewed witnesses are in agreement that neither Jackson County Deputy Sheriff Jimmie Gyllenskog nor BLM Ranger William Finch was wearing a uniform or operating a vehicle that would cause a reasonable thinking person to believe they were law enforcement officers.

Dennis and Michelle Easley and all of the adult witnesses I interviewed agreed that neither Jackson County Deputy Sheriff Jimmie Gyllenskog or BLM Ranger William Finch were displaying the required identification cards or badges needed to enforce any laws, anywhere in the United States of America.

All interviewed witness have corroborated Dennis and Michelle Easley's statements that both of them asked the officers more than once to show identification that would prove they were law enforcement officers. Neither officer ever complied with any of the requests.

Again, all interviewed witnesses corroborated Dennis and Michelle Easley's claim's that neither Deputy Gyllenskog nor BLM Ranger William Finch ever advised Dennis or Michelle Easley of their Miranda right, to remain silent and the right to counsel, before they were transported to jail.

I went to BLM's office and spoke to Jim Whittington about claims that BLM Ranger William Finch and Jackson County Deputy Sheriff

Jimmie Gyllenskog were wearing Helmets, riding unmarked dirt bikes and displaying nothing that would indicate they were law enforcement. They also never identified themselves as law enforcement officers at anytime during their contact with Dennis and Michelle Easley.

Mr. Whittington called the next day and said he spoke to Jock Hanson and said Mr. Hanson was in charge of BLM's law enforcement department. Mr. Hanson stated that he had spoken to Mr. Finch and interviewed other witness's that say that both Finch and Gyllenskog were in uniform and were displaying an official identification card.

As for Deputy Gyllenskog, I spoke to Jackson County Sheriff Mike Winters about the incident last week and he said he would look into it and get back to me. At press time I have not heard back from him.

After interviewing the adults that were arrested and the adult eye witness to the incident, they painted a very disturbing picture of what happened to the Easley family and their friends that day.

That picture clearly shows why It does not matter if the law enforcement officer is representing federal, state, county or city government, when they attempt to enforce any law on the people of the United States of America, there are requirements that must be met and even though they vary slightly from one law enforcement agency to another, all requirements are essentially the same.

For example, The Department of the Interiors Departmental Manual establishes the standards and rules that BLM Ranger William Finch has sworn an oath to follow.

Under (1.7) Procedures (B)(D)(F)
(B) To entrust law enforcement authority only to law enforcement professionals possessing adequate education and or experience,

Administrator for the law enforcement unit, provided standards for its use are prescribed in writing. The uniform must display distinctive identification to ensure that law enforcement personnel shall be distinguishable from non-law enforcement personnel and can be easily recognized as law enforcement officers by the public.

Oregon law (ORS) 810.400 Uniform or Badge required. Any police officer attempting to enforce the traffic laws of this state shall be in uniform or shall conspicuously display an official identification card showing the Officer's lawful authority.

Deputy Gyllenskog, as a sworn peace officer, is bound by oath to follow similar or the same laws and rules as described above when attempting to enforce any laws, anywhere in this county.

After interviewing the witnesses to the incident and visiting the location of the incident, it is my opinion that Deputy Gyllenskog and BLM Ranger Finch never identified themselves as law enforcement, even though they were asked to identify themselves several times.

Statements from witnesses that Deputy Gyllenskog and BLM Ranger Finch were not displaying anything that would have identified them or their authority as law enforcement officers have been consistent. I believe it is possible that their ID was covered by parts of their camel pack or other attire they were wearing at that time.

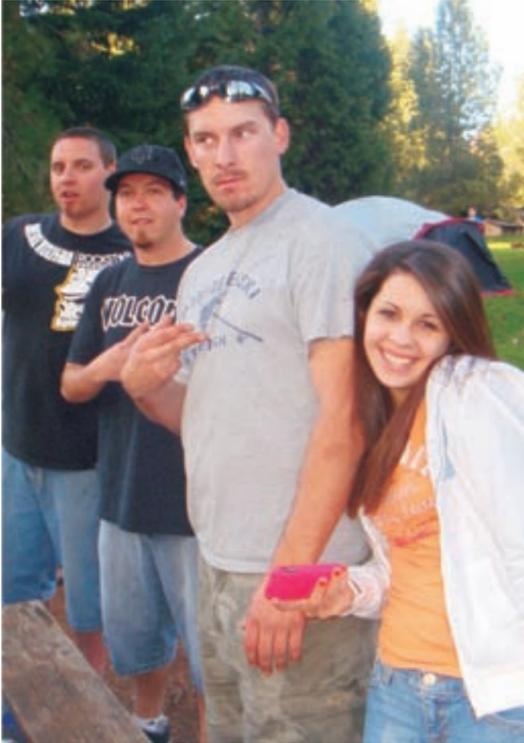
However, if there was any question of Deputy Gyllenskog and BLM Ranger Finch's authority, Dennis and Michelle Easley were entirely within their rights to demand that Deputy Gyllenskog and BLM Ranger Finch properly identify themselves as law enforcement officers before they complied with their orders.

It has been alleged that even after Michelle Easley had been arrested and injured with hands handcuffed behind her back, BLM Ranger William Finch continued to taunt her. I believe Ranger Finch was using a law enforcement tactic called escalating. Ranger Finch was trying to stir the emotional pot to evoke a negative response from Dennis or Michelle, or possibly one of the witnesses.

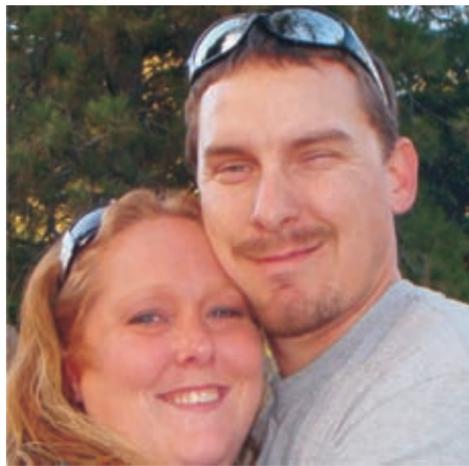
Escalating is used by some in law enforcement when there are citizens or cameras present to witness the unlawful or unethical behavior of a law enforcement officer.

Escalation is normally used to evoke a negative verbal comment, or physical response from a citizen to justify the unlawful or unethical behavior of a law enforcement officer, or to justify the continued use of physical force by that officer.

After reading BLM Ranger Finch's conflicting statements in his Probable Cause Affidavit and his Incident and Investigation Report, it appears that he is struggling with consistencies in remembering his



4-Wheelin' friends, Adam, A.J. Dennis, Rachel



Michelle & Dennis Easley

aptitude and high moral character.

(D) Each law enforcement officer shall be issued law enforcement identification/credentials and be authorized to exercise their official authority consistent with applicable laws, procedures, and standards found in Part 446 of the Departmental Manual.

(F) For those personnel required to wear uniforms, more than one type of uniform may be authorized by the Law Enforcement

Continued on page 9

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THE ONLY TRUE CONSERVATIVE IN THE REPUBLICAN PRIMARY ...

Continued from page 1 • Why Socialism Fails

actions, or stating the truth about those actions.

Our advisers on law enforcement issues all agree that first contact with the Easley's should have begun something like this. Good afternoon folks I am Deputy Gyllenskog with the Jackson County Sheriff's Office and this is my partner BLM Ranger Bill Finch. The law requires that all Off Highway Vehicles (OHV) used on public lands must have an OHV sticker and we are here today checking all OHV's for stickers.

If there was any question by anyone, about the lawful authority of Deputy Gyllenskog and BLM Ranger Finch, then Deputy Gyllenskog and BLM Ranger Finch were required in the absence of exigent circumstances, to show their ID before proceeding with any attempt to enforce any laws on anyone.

After interviewing the witness's and reading the officer's reports, I believe Deputy Gyllenskog and BLM Ranger Finch let their training and professionalism be over taken by ego, temper, fear and bad judgment in this instance.

I believe Deputy Gyllenskog acted without proper authority when he arrested Dennis Easley and charged him with Disorderly Conduct, leaving himself and his department venerable to civil actions.

It is my opinion that Ranger William Finch was acting without proper authority when he arrested Michelle Easley. I have no question in my mind that the force he used in that arrest was excessive and unnecessary and his language was unprofessional and unacceptable, as well as vulgar.

There is argument that when Deputy Gyllenskog and BLM Ranger Finch refused Dennis and Michelle Easley's repeated requests for them to identify themselves and show their authority as law enforcement officers, their actions ceased to be official and became criminal.

After listening to the people that witnessed this incredible criminal assault describe the events they witnessed that day,

I asked every one of them, what was Deputy Gyllenskog doing while Ranger Finch was menacing women and little children by shouting filth, as he was grabbing at his weapon? All of the witnesses I have interviewed stated that Deputy Gyllenskog held on to Dennis Easley's hand cuffs and just looked down at the ground and shook his head.

I believe Deputy Gyllenskog knew that BLM Ranger Finch's actions were way out of line and they should have identified themselves when asked. I believe they arrested and charged the Easley's with these ridiculous trumped up charges in an attempt to protect themselves from their own unprofessional, unethical and criminal actions.

As of press time Dennis and Michelle Easley have both been charged with Disorderly Conduct; ORS 166.025 the defendant did unlawfully and recklessly create the risk public inconvenience, annoyance and alarm, by engaging in violent, tumultuous and threatening behavior or by making unreasonable noise.

Michelle Easley has been charged with two more offences, interfering with a Peace Officer; ORS 162.247 the defendant did unlawfully, and knowingly refuse to obey a lawful order of William Finch, a person known by the defendant to be a Peace Officer.

Resisting Arrest ORS 162.315 the defendant did unlawfully, and intentionally resist William Finch, a person known by the defendant to be a Peace Officer in making a arrest.

Not guilty, followed by the dismissal of a BLM Ranger and administrative sanctions brought against a Jackson County Deputy Sheriff may be in order, and topped with a Civil Rights Lawsuit!

This story has had me taking a hard look at the truth in this case, with both eyes wide open and everything that I have seen and heard makes me believe that law enforcement, the so called good guys in this case, may indeed be the bad guys.



Easley's Daughter

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As Sheriff, an employee of the people, I take my Oath of Office seriously and recognize it is my primary duty and sworn responsibility to uphold and defend the U.S. Constitution and the people it protects. Peace officers are required to receive ongoing training. What training could be more important than that which focuses on our most fundamental duty? The CSA training is certain to provide just that. Myself and other members of my office look forward to attending.

John Hanlin
Douglas County Sheriff

➤ What rights does the constitution actually guarantee?
➤ Why is it important that we not allow our means of self defense be taken from us?
➤ What are the dangers of giving government too much power?
➤ What can we do to remain strong individuals and families, so that we can remain a strong nation?

"Sheriff Richard Mack has the interest of the people and public at heart. He believes in the Constitution and "checks and balances" and demands accountability for our out of control government. Sheriff Mack understands and teaches the importance of the Sheriff's sworn oath and their duty and obligation to stand between the people of their respective counties and bad government. I believe all law enforcement personnel would benefit from his presentation!"

"Liberty is when the government fears the citizenry-Tyranny is when the people fear their government"

Glenn Palmer

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COMMENTARY Your Right to Speak Out

Obama Just What We Need

By Gary Hubbell
Aspen Times Weekly

Barack Obama is the best thing that has happened to America in the last 100 years. Truly, he is the savior of America's future. He is the best thing ever.

Despite the fact that he has some of the lowest approval ratings among recent presidents, history will see Barack Obama as the source of America's resurrection. Barack Obama has plunged the country into levels of debt that we could not have previously imagined; his efforts to nationalize health care have been met with fierce resistance nationwide; TARP bailouts and stimulus spending have shown little positive effect on the national economy; unemployment is unacceptably high and looks to remain that way for most of a decade; legacy entitlement programs have ballooned to unsustainable levels, and there is a seething anger in the populace.

That's why Barack Obama is such a good thing for America.

Obama is the symbol of a creeping liberalism that has infected our society like a cancer for the last 100 years. Just as Hitler is the face of fascism, Obama will go down in history as the face of unchecked liberalism. The cancer metastasized to the point where it could no longer be ignored.

Average Americans who have quietly gone about their lives, earning a paycheck, contributing to their favorite charities, going to high school football games on Friday night, spending their weekends at the beach or on hunting trips — they've gotten off the fence. They've woken up. There is a level of political activism in this country that we haven't seen since the American Revolution, and Barack Obama has been the catalyst that has sparked a restructuring of the American political and

social consciousness.

Think of the crap we've slowly learned to tolerate over the past 50 years as liberalism sought to re-structure the America that was the symbol of freedom and liberty to all the people of the world. Immigration laws were ignored on the basis of compassion. Welfare policies encouraged irresponsibility, the fracturing of families, and a cycle of generations of dependency. Debt was regarded as a tonic to lubricate the economy. Our children left school having been taught that they are exceptional and special, while great numbers of them cannot perform basic functions of mathematics and literacy. Legislators decided that people could not be trusted to defend their own homes, and stripped citizens of their rights to own firearms. Productive members of society have been penalized with a heavy burden of taxes in order to support legions of do-nothings who loll around, reveling in their addictions, obesity, indolence, ignorance and "disabilities." Criminals have been arrested and re-arrested, coddled and set free to pillage the citizenry yet again. Lawyers routinely extort fortunes from doctors, contractors and business people with dubious torts.

We slowly learned to tolerate these outrages, shaking our heads in disbelief, and we went on with our lives.

But Barack Obama has ripped the lid off a seething cauldron of dissatisfaction and unrest.

In the time of Barack Obama, Black Panther members stand outside polling places in black commando uniforms, slapping truncheons into their palms. ACORN — a taxpayer-supported organization — is given a role in taking the census, even after its members were caught on tape offering advice to set up child prostitution rings. A former Communist is given a paid government position in the White House as an advisor to the president. Auto companies are



taken over by the government, and the auto workers' union — whose contracts are completely insupportable in any economic sense — is rewarded with a stake in the company. Government bails out Wall Street investment bankers and insurance companies, who pay their executives outrageous bonuses as thanks for the public support. Terrorists are read their Miranda rights and given free lawyers. And, despite overwhelming public disapproval, Barack Obama has pushed forward with a health care plan that would re-structure one-sixth of the American economy.

I don't know about you, but the other day I was at the courthouse doing some business, and I stepped into the court clerk's office and changed my voter affiliation from "Independent" to "Republican." I am under no illusion that the Republican party is perfect, but at least they're starting to awaken to the fact that we cannot sustain massive levels of debt; we cannot afford to hand out billions of dollars in corporate subsidies; we have to somehow trim our massive entitlement programs; we can no longer be the world's policeman and dole out billions in aid to countries whose citizens seek to harm us.

Literally millions of Americans have had enough. They're organizing, they're studying the Constitution and the Federalist Papers, they're reading history and case law, they're showing up at rallies and meetings, and a slew of conservative candidates are throwing their hats into the ring. Is there a revolution brewing? Yes, in the sense that there is a keen awareness that our priorities and sensibilities must be radically re-structured. Will it be a violent revolution? No. It will be done through the interpretation of the original document that has guided us for 220 years — the Constitution. Just as the pendulum swung to embrace political correctness and liberalism, there will be a backlash, a complete repudiation of a hundred years of nonsense. A hundred years from now, history will perceive the year 2010 as the time when America got back on the right track. And for that, we can thank Barack Hussein Obama.

Gary Hubbell is a hunter, rancher, and former hunting and fly-fishing guide. Gary works as a Colorado ranch real estate broker. He can be reached through his website, aspenranchrealestate.com.



By Karl Hess

Liberty — The Unsettled Issue

Liberty is not by any means an even-slightly-settled issue in the United States. It is, rather, a deeply unsettled issue. When liberals think they serve liberty by confiscatory taxation and when conservatives think they serve the same cause by opposing the ascendancy of individual rights in courts we can see just how unsettled and disturbed the whole question of liberty has become.

Only one matter does seem settled. The state, liberty's arch-foe throughout history, has increased its powers, scope, and — most significantly — acceptance every single year of the American republic. Each year has brought more and not less state power.

Today, characteristically, the legislature, which is supposed to represent the people, is judged by the majority of citizens on the basis of how many enlargements of state power it passed rather than how many it resisted! The legislature has become, thus, not representative of the people at all. It is just as surely representative, in the main, of the state, of the bureaucracy, as is the executive branch itself.

Or, to put it another way, the issue of liberty can scarcely be thought of as settled when the Great Debate about it becomes the difference between 60 and 70 percent in taxation, the control of many or just some media, or any other such matter which even in its

The Lawless State • Part 4 of 4

specification shows that liberty is not at issue anyway — but only some degree or another of state control.

At its most grim level, also, it must be recognized that there now exists in this land of liberty virtually every institution of state power necessary to totalitarianism with the possible exception of a national police force. Even there, the growing surge to nationalize the police through anticrime legislation that would, in effect, begin the federalization of all police forces, leaves little room for a comfortable complacency in any area.

This is not to say, of course, that totalitarianism is right around the corner or that we have already passed the corner. That particular corner is one of the most difficult of all political landmarks to recognize. History strongly suggests, as a matter of fact, that the time when most persons recognize it is precisely the time when it is too late to do anything about avoiding it.

For that reason, among others, it strikes some that it would be better to stand up and appear even ridiculous and alarmist right here and now than to be calm, cool, and collected, properly docile, and politically acceptable — while it became too late to do anything else!

The Tax Rebellion

Direct resistance may be the course others will select. Taking every available legal course to harass or even halt government programs is one avenue. Forcing the government to take, in its turn, legal action to compel the individual to comply with a government rule, rather than just voluntarily going along, is another course. Along such lines, of course, for those able to afford it, may lie many useful tests of the legality of government actions, particularly in the high-handed area of executive orders and regulatory law.

Ultimately, of course, every American holds in his hands the most explosive weapon that possibly could be turned against such a government as that of the United States as it has developed. That weapon is the sword of tax refusal.

It is clearly illegal, of course, to defy the government in regard to the payment of taxes. But prior to the clearly illegal areas of tax refusal there are many steps close to the borderline.

In this area, the unbounded imagination of Americans already has given the revenueurs a massive migraine headache. Tax resistance is a fact. It is a growing reality. It worries the government. Their concern shows most evidently, as they take harsher and hastier action to dampen the flames of this honest, grassroots revolt.

Many will be frightened off by the toughness and the ruthlessness of the revenueurs. Understandably. Yet, there is ample evidence to show that the spirit of resistance overall is rising, despite the repressive and retaliatory lashings of the revenueurs.

Part of that spirit may feed on the earthy American feeling that "they can't put everybody in jail!" Or, in short, there is safety in numbers when it comes to fighting City Hall, or the White House itself.

Individual men and women, particularly those who have for so long been cruelly exploited by government — and this includes both the poorest and the most productive of our people — stand today at a point of decision that is made even more crucial because it is so honestly difficult for many to see it as crucial.

Life is, certainly in relation to other lands, good, sweet, and comfortable for many, if not most Americans.

Your Revolutionary Heritage

Many Americans are anxious, somehow fearful, somehow deeply disturbed that the quality of life in the land has lost many of its values, many of its virtues.

Creative and productive Americans of every race, of every degree of energy or education, from the mechanic at a crossroads garage, to the stock clerk in a department store, to the physicist, to the poet, to the musician, to the conscientious parent struggling to speak to a child suffering from the tongue-tied, mind-bent confusions of schools designed not to teach kids to think but to teach them simply to conform — all of these Americans, and their counterparts across the globe, in hut, hacienda, or factory, are chafing under the load of

government that has been pressed down upon their shoulders in the name of many causes.

Americans are faced with two vistas.

Across one they see the comforts of life in this lovely land — the barbecues, the patios, the second car, the color TV. Seeing this many will reject out-of hand any idea that the times now call for the sort of spirit that swept the land in 1776. How foolish to rock the boat, they can rightfully say.

Across the other vista are the clouds, no larger than a man's hand, or fist; the resentments of regimentation, the realization of rising repressiveness in the society, the stark, staring vision of those millions around the world to whom liberty is not just a copy-book exercise but precisely the sort of exercise in which men put their lives on the line.

No man, surely, can see the entire future clearly now. But all who put their hands upon the ground can feel the tremors in the earth. And all who turn their heads from the familiar tasks before them can hear the wind that is rising.

There is nothing so certain as, or seemingly more painful than change. And changes there will be.

Each man now has only to answer whether he will stand pat and be changed, willy-nilly in a world he can wistfully say he did not want and did not make — or whether he will stand up, be counted, be confronted and be committed to the change to which his conscience and his reason dedicate him. There are just those two courses.

My course is clear. It is to stand for, and fight for liberty. For the liberation of man from a lawless state.

For, when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

That, Americans, is your revolutionary heritage from your Declaration of Independence. It is a proud one. It is right.

Look for all parts of this article on-line at www.usobserver.com.

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About the Author: Karl Hess (1923–1994) was an American national-level speechwriter and author. His career included stints on the Republican Right and the New Left before he became a libertarian anarchist. The documentary film "Karl Hess: Toward Liberty" won the Academy Award for best short documentary in 1981.

"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

"I'm Tired"



By Robert A. Hall

I'll be 63 soon. Except for one semester in college when jobs were scarce, and a six-month period when I was between jobs, but job-hunting every day, I've worked, hard, since I was 18. Despite some health challenges, I still put in 50-hour weeks, and haven't called in sick in seven or eight years. I make a good salary, but I didn't inherit my job or my income, and I worked to get where I am. Given the economy, there's no retirement in sight, and I'm tired. Very tired.

I'm tired of being told that I have to "spread the wealth around" to people who don't have my work ethic. I'm tired of being told the government will take the money I earned, by force if necessary, and give it to people too lazy or stupid to earn it.

I'm tired of being told that I have to pay more taxes to "keep people in their homes." Sure, if they lost their jobs or got sick, I'm willing to help. But if they bought McMansions at three times the price of our paid-off, \$250,000 condo, on one-third of my salary, then let the left-wing Congress-critters who passed Fannie and Freddie and the Community Reinvestment

Act that created the bubble help them with their own money.

I'm tired of being told how bad America is by left-wing millionaires like Michael Moore, George Soros, and Hollywood entertainers who live in luxury because of the opportunities America offers. In thirty years, if they get their way, the United States will have the economy of Zimbabwe, the freedom of the press of China, the crime and violence of Mexico, the tolerance for Christian people of Iran, and the freedom of speech of Venezuela. Won't multiculturalism be beautiful?

I'm tired of being told that Islam is a "Religion of Peace," when every day I can read dozens of stories of Muslim men killing their sisters, wives and daughters for their family "honor"; of Muslims rioting over some slight offense; of Muslims murdering Christian and Jews because they aren't "believers"; of Muslims burning schools for girls; of Muslims stoning teenage rape victims to death for "adultery"; of Muslims mutilating the genitals of little girls; all in the name of Allah, because the Qur'an and Shari'a law tells them to.

I believe "a man should be judged by the content of his character, not by the color of his skin." I'm tired of being told that "race doesn't matter" in the post-racial world of Obama, when it's all that matters in affirmative action jobs, lower college admission and graduation standards for minorities (harming them the most), government contract set-asides, tolerance for the ghetto culture of violence and fatherless children that hurts minorities more than anyone, and in the appointment of US Senators from Illinois.

I think it's very cool that we have a black president and that a black child is doing her homework at the desk where Lincoln wrote the emancipation proclamation. I just wish the black president was Condi Rice, or someone who believes more in freedom and the individual and less arrogantly of an all-knowing government.

I'm tired of a news media that thinks Bush's fundraising and inaugural expenses were obscene, but that think Obama's, at triple the cost, were wonderful; that thinks Bush exercising daily was a waste of presidential time, but Obama exercising is a great example for the public to control weight and stress; that picked over every line of Bush's military records, but never demanded that Kerry release his; that slammed Palin, with two years as governor, for being too inexperienced for

VP, but touted Obama with three years as senator as potentially the best president ever. Wonder why people are dropping their subscriptions or switching to Fox News? Get a clue. I didn't vote for Bush in 2000, but the media and Kerry drove me to his camp in 2004.

I'm tired of being told that out of "tolerance for other cultures" we must let Saudi Arabia use our oil money to fund mosques and madrassa Islamic schools to preach hate in America, while no American group is allowed to fund a church, synagogue, or religious school in Saudi Arabia to teach love and tolerance.

I'm tired of being told I must lower my living standard to fight global warming, which no one is allowed to debate. My wife and I live in a two-bedroom apartment and carpool together five miles to our jobs. We also own a three-bedroom condo where our daughter and granddaughter live. Our carbon footprint is about 5% of Al Gore's, and if you're greener than Gore, you're green enough.

I'm tired of being told that drug addicts have a disease, and I must help support and treat them, and pay for the damage they do. Did a giant germ rush out of a dark alley, grab them, and stuff white powder up their noses while they tried to fight it off? I don't think Gay people choose to be Gay, but I damn sure think druggies chose to take drugs. And I'm tired of harassment from cool people treating me like a freak when I tell them I never tried marijuana.

I'm tired of illegal aliens being called "undocumented workers," especially the ones who aren't working, but are living on welfare or crime. What's next? Calling drug dealers, "Undocumented Pharmacists"? And, no, I'm not against Hispanics. Most of them are Catholic, and it's been a few hundred years since Catholics wanted to kill me for my religion. I'm willing to fast track for citizenship any Hispanic person, who can speak English, doesn't have a criminal record and who is self-supporting without family on welfare, or who serves honorably for three years in our military.... Those are the citizens we need.

I'm tired of latte liberals and journalists, who would never wear the uniform of the Republic themselves, or let their entitlement-handicapped kids near a recruiting station, trashing our military. They and their kids can sit at home, never having to make split-second decisions under life and death circumstances, and bad mouth better people than themselves.

Do bad things happen in war? You bet. Do our troops sometimes misbehave? Sure. Does this compare with the atrocities that were the policy of our enemies for the last fifty years and still are? Not even close. So here's the deal. I'll let myself be subjected to all the humiliation and abuse that was heaped on terrorists at Abu Ghraib or Gitmo, and the critics can let themselves be subject to captivity by the Muslims who tortured and beheaded Daniel Pearl in Pakistan, or the Muslims who tortured and murdered Marine Lt. Col. William Higgins in Lebanon, or the Muslims who ran the blood-spattered Al Qaeda torture rooms our troops found in Iraq, or the Muslims who cut off the heads of schoolgirls in Indonesia, because the girls were Christian. Then we'll compare notes. British and American soldiers are the only troops in history that civilians came to for help and handouts, instead of hiding from in fear.

I'm tired of people telling me that their party has a corner on virtue and the other party has a corner on corruption. Read the papers; bums are bipartisan. And I'm tired of people telling me we need bipartisanship. I live in Illinois, where the "Illinois Combine" of Democrats has worked to loot the public for years. Not to mention the tax cheats in Obama's cabinet as well.

I'm tired of hearing wealthy athletes, entertainers, and politicians of both parties talking about innocent mistakes, stupid mistakes or youthful mistakes, when we all know they think their only mistake was getting caught. I'm tired of people with a sense of entitlement, rich or poor.

Speaking of poor, I'm tired of hearing people with air-conditioned homes, color TVs and two cars called poor. The majority of Americans didn't have that in 1970, but we didn't know we were "poor." The poverty pimps have to keep changing the definition of poor to keep the dollars flowing.

I'm real tired of people who don't take responsibility for their lives and actions. I'm tired of hearing them blame the government, or discrimination, or big-whatever for their problems.

Yes, I'm damn tired. But I'm also glad to be 63. Because, mostly, I'm not going to have to see the world these people are making. I'm just sorry for my granddaughter. ★★★

Robert A. Hall is a Marine Vietnam veteran who served five terms in the Massachusetts State Senate.

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Continued from page 1 • The Lawyer Who Represented Himself? - Seattle Attorney Scott Englehard

faster than rockets. The sad truth was that there were no investments being made. The investors were simply getting statements saying they were making money.

Chandra hired attorney Scott Englehard to centrally represent the interests of all the AAA Planners, so that AAA could save money. Obviously, if any of the Planners got indicted they would have to hire new counsel, as Englehard was not hired as a trial lawyer. Attorneys can't represent everyone involved in the same case, as there could be conflicts of interest.

It is essential to the practice of law that if a lawyer has a client whose interest conflicts with another potential client that he realizes he can't serve multiple masters. When there is a possible conflict, the lawyer has to have the permission of all clients that it is ok to go ahead, and normally this has to be in writing. According to Collis Redd's sworn affidavit, during Tara LaGrand's 2004 trial held in Seattle, Washington, attorney Scott Englehard wrote to his client, Collis Redd and asked for his permission to represent LaGrand. Redd said, "no" and didn't give Englehard a written release. Even without consent, Englehard decided he would represent LaGrand as well as Dehlinger during their trials. Like Redd, Dehlinger never signed a waiver giving his consent for Englehard to represent anyone else who could potentially be a conflict. The bottom-line is, Englehard never told anyone of his conflicts, except Collis Redd who told him no, thereby not giving anyone the option of making an informed decision regarding their counsel.

At LaGrand's trial, part of Englehard's strategy was to blame the Morans. Obviously it didn't help the Morans, but the Ninth Circuit Court of Appeals later determined they did not get a fair trial (not necessarily due to Englehard). James and Pamela Moran were convicted in 2004. Reversed in the summer of 2007, and in December of 2007, found not guilty, when their full story came out.

But this article is dealing with events both before the 2007 Moran trial and after the trial.

Before the Moran trial, which this paper covered extensively, Englehard was in trial representing Erik Dehlinger, an emergency room surgeon in South Carolina who was charged with income tax evasion and who later would end up on the victim's list of AAA. Dehlinger had relied on Tara LaGrand to stay in AAA and to draft one of the two tax returns he was charged with filing fraudulently. The Observer wonders how he could be a victim of Tara LaGrand's company and at the same time a tax-cheat. Doesn't the government have to pick which list he gets put on? Who could clear this up? Most likely to clear it up would be the Planners from whom he got all of his information - Collis Redd and Tara LaGrand.

The main Planner, Tara LaGrand accepted a plea bargain and pled guilty after her 2004 hung-jury trial. Her attorney was Scott Englehard. Dehlinger's other two lawyers, Jay Ervin and Rob Stientjes were expecting Tara LaGrand to testify at Dehlinger's trial. According to witnesses, just days before trial, Dehlinger was expecting LaGrand to testify. Englehard now claims, under oath, in the paper he signed for the purpose of allegedly helping the government keep his client, Dr. Dehlinger in jail, that he didn't allow LaGrand to testify due to "strategy." The Observer would like to know what kind of a lawyer actively cooperates with the government against his own former client. Englehard claims in his sworn affidavit, filed with the court, that his local bar ethics (the ones in Seattle Washington, not the ones where his client was tried in South Carolina) allow him to help the government against his former client. The Observer would like to know why he didn't simply refuse to help. How long and on how many other cases has he assisted the government? Why didn't he contact the new lawyer helping his former client, Mr. Monroe, before talking to the government, or for that matter, Mr. Steintjes or Mr. Ervin?

During the Moran trial, Collis Redd took the stand and explained how he and many others relied on experts. Chandra Crone took the stand and verified that. But LaGrand, who had agreed to testify, filed a motion claiming that her Fifth Amendment right to remain silent would be violated if she testified. Who filed the motion for her? None other than Scott Englehard. How could Englehard represent Tara LaGrand before, after and during (before the sentence was imposed) the time he was also representing Dr. Dehlinger?



Scott Englehard

Rob Stientjes was part of the winning team at the Moran trial, as one of their expert witnesses. He had never met Collis Redd before December of 2007, but once he saw Collis testify, he realized that he had been deceived by Englehard about the value of the Planners as witnesses, and, as any honest lawyer would do, he sent an affidavit saying so to Dr. Dehlinger's new trial counsel, Stan Monroe. Monroe is one of America's leading criminal defense lawyers and was hired to save Dehlinger from a tough sentencing and to ask for a new trial. He secured affidavits, including the one from Stientjes and argued. But when he got to court he was confronted with an affidavit from Englehard. Englehard said in his affidavit that he wrote in cooperation with the government, that Washington ethics rules "allowed" him to switch sides and help the government if his work was questioned in context with the fairness of Dehlinger's trial.

Stientjes' Beef with Englehard

Backing up to the Dehlinger trial in 2007, again, before the December 2007 Moran trial - When Stientjes specifically asked Englehard about his knowledge of Collis Redd and whether Redd would be a good witness, Englehard did not reveal to Stientjes that Englehard had previously represented Redd. Failure to give full disclosure is one of the sins of omissions that unethical attorneys commit. They owe a duty of telling their clients and the rest of the legal team everything they know about the case, the potential witnesses and the facts. This failure to disclose accurate and useful information about Redd to the rest of the legal team and to the client, contributed, according to Stientjes, to Dehlinger's conviction. US~Observer legal counsel and this writer completely concur with Mr. Stientjes. In addition, Englehard told Stientjes that Redd would not be a good witness for Dehlinger, which Stientjes told this reporter he now knows was completely false. Englehard deceived the lawyers working on the team as well as the client. Redd could have and should have been a witness for Dehlinger.

Englehard's supposed command of the facts surrounding AAA, which he professed to have learned by representing LaGrand, is why Englehard was selected as lead-counsel for Dehlinger. The reality, according to Stientjes, is that Englehard wouldn't allow her to testify even after Stientjes offered to put her on the stand to help Dehlinger and even knowing that

this is what Dehlinger wanted. Stientjes deferred to Englehard because, acting as La Grand's lawyer, Englehard stated that he wouldn't allow her to testify. No strategy - Dehlinger was subsequently convicted and sentenced to prison...

In Seattle, Washington where Planner Collis Redd's testimony was used, the defendants were found not guilty. Stientjes' affidavit says that he believes Collis was a critical witness. In San Antonio, where another Planner testified, the jury found the defendant Doctor and his wife not guilty on all but one count and the court gave them probation. Any case where a Planner did not testify, it appears that the defendant was convicted and sent to prison. In both cases where planners testified the defendants were not sent to prison. It is easy to see why the government supports the position that Planners weren't needed; but it is hard to support an attorney who actively works to keep the Planners off of the stand.

How many Planners did Englehard represent? Why didn't he share this information fully?

I recently spoke with Rob Stientjes, a well known and respected tax attorney and told him that I was completely aware that he was deceived by Englehard regarding both Collis Redd and Tara LaGrand testifying at the Dehlinger trial and he offered no denial. It is more than obvious to this writer that had he known all he has learned since then, he would not have tried the case with Englehard.

What motivates an attorney like Scott Englehard, who has been paid to serve his client and the constitution, to switch sides and represent the government's point of view? Does an innocent man sit in prison today because of an attorney with an Evil heart?

During the Moran trial Englehard asked to speak to the Morans to try and convince them to plead guilty. What was his motive? Who was his master? Since the Morans did not regard him favorably, particularly since he had maligned them during their first trial, they refused to meet with him. The biblical principle warning that a man cannot serve two masters is the basis behind much of the concern when lawyers have conflicts, as well it should be.

So far this reporter has not been able to find a criminal tax case in which Englehard won all counts in front of a jury, or a criminal tax case that Englehard won on appeal. Should a lawyer be able to represent that he has expertise in an area where he has not had any substantial success?

The case may be over. The appeals may be lost. But this paper is interested in getting to the bottom of it and we will. Don't miss our next article on attorney Scott Englehard and Dr. Dehlinger's wrongful conviction.

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Continued from page 1 • DA Nisley & Haven - Guilty of Immigration Fraud and Racketeering?

(Respecting Accuracy in Domestic Abuse Reporting) VAWA facilitates immigration fraud in 8 ways:

1. Provides free legal services to persons who merely claim abuse
2. Broadens the definition of "extreme cruelty"
3. Eliminates traditional standards of proof
4. Removes the "substantial connection" requirement
5. Bans all evidence by the alleged abuser, even if it shows fraud or illegal behavior
6. Educates persons on how to take advantage of these VAWA provisions
7. Overrides deportation hearings
8. Provides a loophole for persons in the midst of deportation

The Victims of Crime Act (VOCA) provides money to support crime victims at the federal, state, and local level. Most of the funds are distributed by formula grants to states that use these funds to provide financial support to local direct service providers, such as domestic violence shelters, rape crisis centers, and victim-witness assistance programs, as well as direct compensation to crime victims. In 2006, the Wasco County District Attorney's office received \$10,000 from the state and HAVEN received \$16,797 under this program.

When The American Recovery and Reinvestment Act (Stimulus Package) was signed into law it provided \$225,000,000 for Violence Against Women Prevention and prosecution programs. The State of Oregon received 1.9 million and the Oregon Dept. of Justice is in the process of sending out applications for law enforcement, prosecution, courts, and non-profit victim services.

It is worthy to note that grant money is ongoing, providing qualifying conditions are met. There are strict reporting requirements such as the "State Performance Report Victims Statistics Worksheet". Failure to satisfy reporting requirements may lead to withholding of disbursement.

Last but not least is the "U Visa" and the effect it has on false allegations of "qualifying criminal activity." An alien victim of criminal activity may file for U Nonimmigrant Status - status set aside for victims of crimes who have suffered substantial mental or physical abuse

because of the activity and who also are willing to assist law enforcement agencies or government officials in the investigation of that activity. Most often crimes of sexual misconduct and rape are alleged as they are "qualifying crimes".

Here is an interesting quote and statistic given by Linda Fairstein, a former head of the New York County District Attorney's Sex Crime Unit; "There are about 4,000 reports of rape each year in Manhattan. Of these, about half simply did not happen."

WHO ARE THE WINNERS?

It is considered ethical and appropriate for service shelters such as HAVEN to educate and teach alien immigrants the benefits that await persons who make such allegations:

- work authorization
- permission to live in the United States while your application is being processed
- avenue for obtaining permanent residence
- medical care and government benefits such as money and food stamps
- a low cost, sure-fire way to achieve legal status

It states on the application for crime victim compensation, "You may qualify for financial assistance through Oregon Crime Victims, if you answer "YES" to the following five questions:

1. Have you been the victim of a violent crime?
2. Did the crime take place in Oregon?
3. Was the crime reported to law enforcement within 72 hours?
4. Did the crime occur within the last six months?

5. Did you cooperate fully with law enforcement?

It appears that allegations and an arrest (police report) may be all you need to qualify. A meaningful system of checks and balances seems to be lacking. A man cannot use the defense that a woman is an illegal and is seeking benefits and citizenship. Evidence (HAVEN records) of this nature is not admissible in court.

The following are actual testimonies from local (The Dalles) residents:

"While shopping, I once overheard a lady, telling another lady, (actually more like bragging), about all the help HAVEN and the DA's office was giving her. Free counseling, free childcare, free money to live on, and free money to pay her bills. She claimed to be a victim of her husband. She also said she was getting help legalizing and they will also pay for her to go to Mexico to be with her parents if she chooses. She said she was told that it was better if she didn't go to Mexico because she will legalize faster. The DA's office told her where to go in Portland for free legal help from immigration lawyers."

"I have a good friend from Hood River that legalized through HAVEN because her husband beat her. But they are back together now."

"A Victims Advocate from HAVEN saw me having coffee with a client of mine and called me and told me I should not be associating with this man accused of rape. I responded that I am his counselor and why would she make such a call."

WHO ARE THE LOSERS?

Sadly, many innocent men have been wrongfully put behind bars. Many people have

Continued on page 15

If you, or anyone you know, are falsely accused of a crime contact us IMMEDIATELY!
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A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.



Gloating Over Court Ruling in 'Heller II' Reveals Brady Campaign's Gun Ban Philosophy

By Alan Gottlieb and Dave Workman

(SAF ALERT) Following the dismissal of a second lawsuit against the District of Columbia by Dick Anthony Heller in U.S. District Court (his first lawsuit resulted in the 2008 Heller ruling), the Brady Campaign for the Prevention of Gun Violence was a little too quick on the trigger in its press release applauding Judge Ricardo M. Urbina's decision.

Brady Campaign President Paul Helmke, who has garnered quite a bit of self-created publicity lately in his war against Starbucks Coffee, admitted quite by accident that his organization still believes in banning entire classes of firearms, despite the 2008 Supreme Court ruling in District of Columbia v. Heller that such bans would not pass constitutional muster.

But that doesn't matter to the Brady Bunch. Their agenda has always been one of gun prohibition, not control. The kinds of controls they consider "common sense" are so Draconian in nature that they actually discourage firearms ownership, and lower the civil right to keep and bear arms to the level of a highly-regulated privilege.

Helmke admonished politicians and legislatures "at all levels" to "stop using the Second Amendment as an excuse for inaction" against what the anti-gun lobby has cleverly dubbed "gun violence." (After all, what is the difference between "gun violence" and any



other kind of criminal violence that results in someone being injured or killed? Is someone any less dead if they are stabbed, strangled, burned or bludgeoned? Helmke's crew has never explained that, but evidently they think there is a difference.)

Millions of Americans understand that the Second Amendment is not "an excuse" for anything. Law-abiding citizens are not "hiding

behind" a constitutional guarantee when they oppose the imposition of extremist regulations like those adopted in the District of Columbia, which Helmke finds so reasonable. These regulations include an onerous registration process requiring a ballistics check of the handgun, a written test and proof of good eyesight.

District regulations also ban so-called "assault weapons," the definition of which has become so nebulous over the years that just about any firearm someone does not like could fall within its scope, particularly if it is a semiautomatic. The Brady group is just fine with that; they think it is a grand idea. Helmke says the aforementioned politicians and legislatures "should follow the District's example and pass the strong, common sense gun laws Americans need and demand to protect their communities."

The Brady Campaign has been disingenuous at best over the years. It was on the losing side in the Heller case, but subsequently turned around and claimed that since there is an individual right to keep and bear arms, and the

door has been left open to "reasonable regulation," then it is reasonable, in their opinion, to essentially regulate gun ownership into extinction. The right would still exist, but exercising it would become a regulatory nightmare.

The Brady Campaign is not now, nor has it ever been, to "prevent gun violence." Their campaign has always been to prevent gun ownership. ★★★

Alan Gottlieb is founder and executive vice president of the Second Amendment Foundation. Dave Workman is senior editor of Gun Week. They are co-authors of 'Assault on Weapons: The Campaign to Eliminate Your Guns.'

The Second Amendment Foundation (www.saf.org) is the nations oldest and largest tax-exempt education, research, publishing and legal action group focusing on the Constitutional right and heritage to privately own and possess firearms. Founded in 1974, The Foundation has grown to more than 650,000 members and supporters and conducts many programs designed to better inform the public about the consequences of gun control. SAF has previously funded successful firearms-related suits against the cities of Los Angeles; New Haven, CT; and San Francisco on behalf of American gun owners, a lawsuit against the cities suing gun makers and an amicus brief and fund for the Emerson case holding the Second Amendment as an individual right.

Starbucks Sticks With Second Amendment

By James Heiser
The New American

As reported previously, Starbucks has found itself enmeshed in the struggle between activists who are attempting to deprive Americans of their Second Amendment liberties, and those who are trying to uphold those constitutionally guaranteed rights.

The controversy erupted when "open carry" advocates began using Starbucks franchises as the location for meetings. As the Wall Street Journal reported over a month ago,

The "open carry" movement, in which gun owners carry unconcealed handguns as they go about their everyday business, is loosely organized around the country but has been gaining traction in recent months. Gun-control advocates have been pushing to quash the movement, including by petitioning the Starbucks coffee chain to ban guns on its premises.

Businesses have the final say on their property. But the ones that don't opt to ban



guns — such as Starbucks — have become parade grounds of sorts for open-carry advocates.

Starbucks on Wednesday, while bemoaning being thrust into the debate, defended its long-standing policy of complying with state open-carry weapons laws, in part by stating that its baristas, or "partners," could be harmed if the stores were to ban guns. The chain said that in the 43 states where open carry is legal, it has about 4,970 company-operated stores.

The company added: "The political, policy and legal debates around these issues belong in the legislatures and courts, not in our stores."

In other words, the corporation simply adopted the position that what is recognized as the "law of the land" ought to apply inside their stores, as well: It was not the policy of Starbucks CEO Howard Schultz and his board

of directors to jump into the middle of one of the more contentious civil liberty struggles going on in America today.

Although the press has appeared bent on dragging Starbucks into the camp of those who would restrict the ability of Americans to defend themselves, Schultz has remained focused on his job: Running a coffee company. According to a story online at ABCNews.go.com:

"We woke up one day and all [of a] sudden Starbucks was in the middle of this political crossfire between the people who want to



bring a gun into Starbucks and the people who want to prevent it," said Starbucks CEO Howard Schultz. "It is a very difficult, fragile situation. We're trying to abide by the law."

In an exclusive interview to air on "Nightline" tonight, Schultz admitted guns in Starbucks are at odds with his vision of what the company should be. But the Fortune 500 CEO said: "I'm not a politician. I run a coffee company and we're trying to abide by the laws in which we do business."

Despite the cliché of coffee houses being the haunt of the Left, Starbucks has thus far refused to surrender to pressure generated by opponents of the Second Amendment. State law usually leaves it to proprietors to voluntarily ban firearms (including those carried with a concealed-carry permit, as in the case of 30.06 postings in Texas) from their places of business, if they desire to do so, but Starbucks has apparently decided not to exercise that option.

Perhaps it is time for "Tea Party" activists to learn something from "open carry" advocates: Remember that the Sons of Liberty threw the tea in Boston Harbor, and stick to a good old American "cup of joe." ★★★



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The goal of *US-Observer* is to ensure “due process” and “equal protection under the law.”

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

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

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Letters to the Editor



MULTICULTURISM in America

Culture is what makes a Nation unique! Generally speaking culture defines the life style, common moral values, language, acceptable social norms, beliefs, and behavior of a Nation. If a person immigrates to a particular nation they should assimilate into that culture. If you come to live in America please assimilate into the American Culture.

It is important that people understand that multiculturalism destroys nations. Multiculturalism is a situation that divides people into multiple social belief groups. People who immigrate to America should become Americans by assimilating into our uniquely American culture. Throughout written history all nations that descended into multiculturalism quickly lost the uniqueness of their national identity, began to have severe social disruptions, and frequently were destroyed. It is happening in many places today!

In my country-America- I am an American, even though my ethnic origin is from another country. In my country-America-I am allowed to believe in and live under those God given unalienable (not inalienable) rights of life, liberty, and property, which includes the pursuit of happiness. Also among those unalienable rights is the right to worship freely without government interference.

We who live here are people who believe in our unique American culture which gives us the opportunity to reach for our highest aspirations. Unfortunately in political and some social endeavors those seeking your vote or approval too often use ethnicity (read multiculturalism) to deceive and hide their objectives. That technique creates a wrong separateness in our society. Why do people so often encumber, deceive, and misuse their ethnicity?

It is good and proper and acceptable to remember your ethnic origin. I certainly am proud of my ethnicity! Being an American does not require a person to deny or be ashamed of their ethnicity. However, to use that term to imply separateness from being completely American is extremely harmful. In most instances I do not believe that using identity terms such as Afro-American, Mexican-American, Italian-American, Polish-American, Jewish-American, etc., in any way helps one to be more American. Those prefixes signify ethnic origin--not national preference!

I refer to myself as an American--regardless of my skin color or country of ethnic origin. Refusing to (preferring not to) refer to your self as just an “American” does nothing but cause racial prejudice, misunderstanding, social unrest, and hides the true worth of you as a person--unless it intends an ulterior motive!

I love America and the American culture! If you prefer to not be an American you can immigrate to the country of your choice! For those X-Americans who do not wish to assimilate completely into our American culture as Americans, I deeply wish you would return to your X-country of choice.

Multiculturalism destroys national identity and national unity and it ultimately (sometimes slowly or very quickly) destroys the nation.

William L. Cimino
Strabane, PA

Sex Abuse in Chicago?

Editor,

I want to inform the public that the ad the US-Observer publishes, “Are You a Victim of False Prosecution” is without any doubt the most profound and accurate statement that I have read with respect to our legal system and the thieves that operate within it.

My husband was falsely charged with sexual abuse in 2007 and what happened as a result has left our family devastated, both mentally and financially. We paid our first attorney \$68,000 for ABSOLUTELY NOTHING and then we paid our second attorney \$12,000 for ABSOLUTELY NOTHING.

In 2009, we were explaining our problem with a friend and they suggested we call the US-Observer. They knew of some people in the Seattle, Washington area that the Observer had helped with a similar situation. We contacted the Observer and ended up hiring Edward Snook for a mere pittance of what we had already expended. Thank God we did. At our very first meeting Mr. Snook asked us common sense questions that neither attorney had even talked about.

About 8 months after we hired the Observer the false charges against my husband were dismissed. I can't really express our gratitude

and relief and will be eternally grateful to Mr. Snook and those at the Observer who assisted him. I have no doubt that my husband would be in prison at this very moment if we hadn't been referred to the US-Observer and acted on it.

Thank you Observer for being there and I apologize that my husband didn't thank you publicly. He just wants to get his terrible experience behind him and forget that it ever happened. I sincerely hope you understand this and please don't think any less of James for his decision to remain silent.

Betty Allen
Chicago, Illinois

How Did My Husband Die?

To the Editor

My husband Terry died August 11, 2009. The doctor believed he came into contact with a contaminate while working. This phrase was repeated several times in the eleven hours as he lay dying. For the safety and welfare of the public an autopsy needs to be done in order to know what he came into contact with.

The doctor asked if I was agreeable to her request for an autopsy, I said yes and I signed the back of the form given to me by the hospital that had their letter-head at the top of the page. It was checked “Unlimited Autopsy.”

On August 13, 2009 the request for an autopsy was denied. Reason: “he did not warrant an autopsy.” After a talk with the doctor, she made a phone call and called me back and told me, “Terry's death did not meet the Oregon Statutes and that everything legal that could have been done was done.”

The public should be informed of Oregon Revised Statute (ORS) 146.090. It contains the following:

(1) The medical examiner shall investigate and certify the cause and manner of all human deaths:

(a) Apparently homicidal, suicidal or occurring under suspicious or unknown circumstances;

(b) Resulting from the unlawful use of controlled substances or the use or abuse of chemicals or toxic agents;

(c) Occurring while incarcerated in any jail, correction facility or in police custody;

(d) Apparently accidental or following an injury;

(e) By disease, injury or toxic agent during or arising from employment;

(f) While not under the care of a physician during the period immediately previous to death;

(g) Related to disease which might constitute a threat to the public health or in which a human body has been disposed of in an offensive manner.

On August 24, 2009 it was reported on the TV about the death of dogs in Elkton, Oregon and the public was urged to call the Douglas County Sheriff to report any sick animals or people. Since my husband had worked in Elkton at the same time the dogs died, I called and reported the death of my husband and asked if it could be related.

On August 28, 2009 a detective and a chief medical examiner came to my home and I explained the circumstances of my husband's death. I had bagged and sealed my husband's clothing he had worn and the detective placed the bag into a second bag, sealed it and left me a paper stating, suspicious circumstances and mis. clothing, shoes, etc. At this time the medical examiner told me for the second time that there was no record in the log book of a call coming from Reedsport requesting an autopsy or that they even knew of my husband's death until I made the call to the sheriff on August 24th.

Since that time I have had help from “people in the know.” According to these people Terry's death met the ORS requirements and that there is no reasonable explanation for him being denied an autopsy.

Now I'm left with a series of questions and no answers;

1. If the doctor believed that Terry came into contact with a contaminate while at work, why was it not reported to OSHA?

2. After explaining Terry's death to the detective and the medical examiner, even if his death was not related to the death of the dogs, while they had his clothes, why were tests not done to see if a contaminate could be found?

3. Why isn't there an autopsy form to be filled out by the doctor stating the reason or a request for an autopsy? In Terry's case it was all done by phone. I have no way of knowing what was said during the call and NO PAPER TRAIL.

4. If, as I was told, that the medical examiner was qualified to do an autopsy for homicide, suicide, accident, or a prolonged illness in a hospital, why is there no record in the log at the medical examiner's office in Roseburg? Should there have been a call made to Roseburg as his death fits the ORS.

5. In his medical records it reads that the source of his illness is unknown, yet his Death Certificate states, “Natural.” How can this be?

6. On August 14, 2009, three days after he died, blood was drawn and sent to a lab in Valencia, CA. A test was run for Francilla Tularensis Antibodies DNA. The bacteria is listed in the American Medical Family Clinic book, page 30 and 31 as a bioterrorist biological warfare weapon! Does this test alone confirm that the doctor believed contamination was the cause of his death? This bacteria was listed alongside Anthrax, Plague, Small Pox, and Hemorrhage Fever. Should this have raised a red flag that an autopsy should have been done?

7. On the back of the form provided me by the hospital that I signed, agreeing to an autopsy, was a line that reads as follows;

? Permission Denied check this box means an autopsy will not be performed. This box is blank. Does this mean the form was not filled in properly by the local medical examiner or does it mean an autopsy should have been performed or was the form just overlooked?

I want to thank the Beacon newspaper in Roseburg for getting in touch with “people in the know” who were able to confirm the facts I have stated above. I guess the death of my best friend, lover and husband will be my “Unsolved Mystery” for the remainder of my life.

Nancy Wolfram
North Bend, Oregon

Federal Ownership of State Lands

Dear Editor,

I recently began studying the constitution with a group of people from Austin. Having been an avid reader of your articles for the past few years, I am well aware that you regularly deal with constitutional issues.

At our last meeting the group decided to have an attorney come and answer some questions that we have delved into regarding the federal government's ownership of state lands. The constitution seems fairly clear to me, that they can't own more than ten miles square in any state, but the group, based on the realization that the feds own much more than that in the states decided that we must be miss-interpreting Article 1 section 8.

Could you please give me some guidance on this issue or steer me in the right direction?

Thank You,

Colin Anderson
Austin, Texas

Edward Snook's Note: Colin, you really don't need any direction from me or anyone else other than Webster's Dictionary. The constitution is very clear regarding the amount of land they can own within a states border: Article 1, Section 8, clause 17 – To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings. I have bolded the relevant parts of Section 8 for you.

The feds do control well over 10 miles square in most, if not all of the states. They do not own them; rather, they have unconstitutionally stolen them from the states and the people respectfully. The states governments have allowed this huge theft and in so doing, all that have gone along to get along, have completely violated their oaths of office. Our totally broken and corrupted court system has rubber-stamped the theft.

Again, the Constitution of the United States of America was written in plain English – This is your answer.



Continued from page 12 • DA Nisley & Haven - Guilty of Immigration Fraud and Racketeering?

heard of the VAWA, but most are unaware of the extent to which VAWA-mandated programs have biased our judiciary and chipped away at the presumption of innocent until proven guilty.

VAWA's tentacles reach deep and wide, skewing our nation's laws on immigration, welfare, and public housing. VAWA pays the legal bills of alleged victims of sexual assault. There is no financial help available to help men accused of rape.

That sets the stage for a prosecutorial shake-down that works like this: Find a guy who can't afford a million-dollar legal defense team. Smear his good name with accusation rape. Then settle for a plea bargain conviction on a lesser count of sexual assault. The defense attorney gets his money and the DA can add another successful prosecution to his "State Performance Report Victims Statistics Worksheet" and assure continued funding.

Case in point, here in The Dalles, Louie Torres was accused by two women (cousins) of sexual misconduct (Yaneli Rodriguez and Carmen Ma Del Monarrez).

Leslie Wolf was the Assistant District Attorney that prosecuted the Torres case. (The professional standards and integrity with which the DA's office operates is under the direct supervision and responsibility of District Attorney Eric Nisley. Therefore, in the following account, reference to the prosecutor, state, assistant DA or DA's office is simply referred to as "DANisley".)

The following details of the Torres case were reported by Aracely Torres, Louie Torres' wife.

"Carmen Monarrez is an illegal. The charges were stacked by District Attorney Eric Nisley to include 2 counts of rape, 2 counts of robbery, burglary, coercion, and an assortment of other charges. Local defense Attorney Andrew Carter justified \$20,000 up front to defend Louie from these numerous and serious charges. An additional \$10,000 was paid to attorney Carter to cover "expenses". As time passed and the trial date approached, Louie made it clear that he would not plea bargain any of the charges. Louie was adamant on not accepting a plea bargain on a lesser sexual assault charge because he and Carmen Monarrez had been having an affair that did not end amiably. Louie felt he was being made a "patsy" and that he was now the real victim for his indiscretions. He maintained that Carmen Monarrez was a woman "scorned" and Monarrez wanted and needed citizenship."

"In the same time period that the affair came out, another accuser surfaced, Mackenzie McGinnis. It appeared to us that District Attorney Nisley hoped the additional accusations would strengthen his original and now very weak case against Louie. DA Nisley wanted both cases tried as one."

"It was at this time Attorney Carter filed a motion to withdraw from the case citing a conflict of interest because Mackenzie McGinnis was a client of his in a "will reading and inheritance case". Judge Crowley denied Attorney Carter's motion to withdraw because he said the will reading was insignificant and not a valid reason to withdraw. Later, Carter filed another motion to withdraw with Judge Kelly. Judge Kelly over turned Judge Crowley's decision and also had the transcript of the hearing with Judge Crowley sealed from public record (court records support this)."

"Attorney Carter did not return even a portion of his fee (\$30,000) even though he would not be going to trial on behalf of Louie. We sensed attorney Carter was banking on a plea bargain and failed to prepare adequately for a trial."

It was also reported by another client of Attorney Carter; Carter had told him HAVEN was one of his biggest clients. HAVEN is allowed to retain the services of a legal advocate for "emergency" legal help such as restraining orders. Every woman who becomes associated with HAVEN most likely needs a restraining order. It is not known for certainty that Attorney Carter serves as HAVEN'S legal advocate.

Now broke and without the means to hire another attorney, Mr. Torres was forced to take a public defender (John Olson). The trial was now postponed 3 months.

It was further reported by Aracely Torres, "Attorney John Olson accomplished one good thing for Louie - he saw that the two cases were treated separately. Interestingly enough, we learned that had Attorney Carter done this he could have represented Louie on the first case. Attorney Olson also asked for more time to prepare the two cases but this request was

denied by Judge Kelly. The two cases were pushed through in an unusual speedy manner."

"The jury of the first case found Louie was not guilty of any sexual misconduct. A friend of Monarrez testified to the affair. Louie's accusers claimed they did not call 911 because they said Louie showed a knife and took their cell phone. The cell phone was never found even though our house, property, and vehicles were searched. To my knowledge, the police never searched the accuser's residence for the cell phone."

"The jury found Louie guilty of robbery in the 1st degree and burglary in the 1st degree based on the allegation that Louie showed a knife and took their cell phone."

Robbery in the first degree is when a weapon is used in a robbery. First degree burglary is simply illegal entry with the intent to commit a crime whether anything is taken or not. Louie got 7 1/2 years for the robbery conviction and 5 years for the burglary conviction.

Aracely adds, "Louie was charged with 4 "Measure 11" crimes, which mean they require minimum sentencing. He was found not guilty on 3 of them. Also, Measure 11 crimes are considered "qualifying crimes" for U Visa status, which we feel played a major part in the allegations that were made and the subsequent charges against Louie. The judge did not allow the fact that Monarrez was an illegal and needed/wanted citizenship brought up in court."

"Later, at still another hearing, we learned that both girls had been given a VOCA award in the amount of \$20,000 each



DA Nisley, Denise Brown, and deputy DA Leslie Wolf who is also Chairwoman of the Board of Director's of HAVEN

(\$40,000 total) for counseling and assistance through HAVEN."

This money is made available to HAVEN for "in house" counseling through VOCA (Victims of Crimes Act) and Mr. Torres will have to reimburse the fund with commissary money while in jail and when he is again able to work.

Aracely continues, "The second case did not go to a jury; it was simply presented to Judge Kelly the next day to rule on. The charge was sex abuse. McGinnis claimed Louie put his hand down her pants. The trial was very short and Louie was found guilty by Judge Kelly of sex abuse in the first degree and of coercion. Sex abuse is another Measure 11 crime. Judge



Attorney Andrew Carter

Kelly sentenced him to an additional 81 months (6.75 years). Total sentence for both cases was 19-plus years. Time served, sentences served concurrently and consecutively bring the prison term to 15-plus years.

Mackenzie McGinnis (a US citizen) was now eligible for VAWA and VOCA benefits as well. Mr. Torres now sits in prison looking at a total of 15-plus years for what amounts to a missing cell phone and the accusations of three women with something substantial to gain from being a "victim."

Judge Kelly, Attorney Carter, and Attorney Olson were requested by certified mail to answer questions for the US-Observer and all failed to respond.

HERE IS THE KICKER, Mackenzie McGinnis was reportedly charged and arrested two weeks after the trial for allegedly embezzling \$170,000 from the 76 service station in The Dalles - owned by John Hattenhaur. The woman's integrity, credibility and motives were never questioned when she testified against Mr. Torres. It turns out she allegedly had a rap sheet but Judge Kelly would not allow this information to be used in court. It is unclear if McGinnis claimed to be a victim when she learned she was being investigated and if DA Nisley put the embezzlement charges on hold until after she testified against Mr. Torres.

The end result for Louie Torres, after his accuser's integrity and credibility were found out - it was as if the evidence and

charges of embezzlement had never happened. Timing seems to be everything when prosecuting a case. Again, Attorney Olson asked for more time to investigate and prepare the two cases but this request was denied by Judge Kelly. The two cases were pushed through in an unusual speedy manner by DA Nisley. The question of ethics and integrity by those who practice law in The Dalles cannot be ignored and warrants a full investigation. Attorney Thomas Peachy, (candidate for Judge-position #2) who represents John Hattenhaur, has in his possession the facts regarding the time line of events.

WHO ARE THE WILLING PARTICIPANTS?

For Fiscal year 2009, The Oregon Department of Justice will allocate VAWA funds by statutory requirement as follows:

- Continuation Funds
- 25% for Law Enforcement (\$383,063)
- 25% for Prosecution (\$383,063)
- 5% for Courts (\$76,613)
- Non-Competitive Funds
- 30% for Victim Services (\$459,676)
- 15% for Discretionary (used in the Victim Services Category) (\$229,838)

Obviously funds are not used to pay wage and benefits to the aforementioned. However, with money in the coffers to cover expenses, local budgets can afford to be generous to public officials and service shelters.

"Prosecutors are charged with the ethical duty, not only of prosecuting the guilty, but of seeking justice. This includes not prosecuting a person they know or strongly suspect is innocent. The best known court decision on this point is Brady vs. Maryland, a U.S. Supreme Court decision in 1963. Most prosecutors keep that in mind and stay above board, even if it means they will lose a case. That is the professional way. But it still happens too often that prosecutors do get caught hiding or destroying evidence. It continues to happen partly because of the competitive nature of prosecution, but also because the penalties are so light when they do get caught. If the penalties were truly heavy for such conduct, if the judges really had the courage to punish such behavior, prosecutors would be less willing to cheat. Unfortunately, this leaves the accused in the position of fighting against unfair odds." - Ed Geary Attorney at Law

Under the supervision of DA Nisley, Assistant DA Leslie Wolf works with HAVEN and prosecutes men who have been accused. Her husband, John Wolf is running unopposed for Judge Position 4 in the upcoming election. Perhaps a majority write in vote for Mickey Mouse will send a clear message that voters disapprove of this questionable arrangement and a recall is sure to follow. The most important thing in our judiciary system is that a defendant feels he/she is getting a fair trial without prejudice or influence.

Ever hear of Michael Nifong? Did his dogged prosecution of the Duke Three reflect a deeper, more systemic problem in our criminal justice system? Here's the dirty little secret of DA's who prosecute sexual assault and domestic violence cases: many of the claims are as flaky as pie crust and their chances of winning a jury conviction are slim. So why do they bother to go after the case? Two reasons, most men are intimidated into a plea bargain and because - get ready for this - they believe "we are encouraging abused women to come forward and confront their oppressors."

So according to this logic, if we want to get tough on say bank robbers, what we need to do is randomly accuse innocent people of burglary and then parade them through the streets, denouncing them for a crime they did not commit. Of course, rape is a terrible crime. Equally terrible are false allegations of rape.

Michael Nifong never required accuser Crystal Mangum to take a polygraph test. The VAWA prohibits it. Section 2013 states, "no law enforcement officer, prosecuting officer, or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense...to submit to a polygraph examination or truth telling device."

The VAWA's overly aggressive prosecution measures instill a legal climate of "every man is a potential rapist" - ignoring the equally ridiculous corollary that "every woman is a potential false accuser." Massachusetts District Attorney David Angier once argued, "If anyone is prosecuted for filing a false police report, then victims of real attacks will be less likely to report them."

Failing to prosecute women who make malicious accusations only means men will continue to be falsely accused, charged, prosecuted, convicted, sentenced, and jailed.

In summary, if our DA's office, judges, and local attorneys cannot serve with honesty and integrity, and hold each other accountable to professional standards, then they bring shame on the whole judiciary system of Wasco County.... But that's another story.

★★★

New Song Fellowship Youth Center

Transform, Equip and Impact!

Our Vision:

To assist each youth to be transformed as an individual; to grow and mature into a productive asset to this community.

To equip each youth with life skills that will build character in life; giving hope and direction with realized results.

To impact others with support and inspiration, so that they too, may begin this process.

These three things span a lifetime: not a singular moment in time, but an ongoing process in which we live, in order to find that place of useful existence, to promote what is good and right in this community.

The Big Picture: To purchase a property with a facility large enough to house this vision.

Phase 1:

To set up a 24/7 facility with cardio and strength training equipment. We are targeting ages 6 years old up to senior adults of any age. We want to impact our entire community with this vision, helping all ages to see and feel the positive results of good health and fitness. This phase has been in place for over four years.

Phase 2:

Expanding our options for health and fitness for all ages. In

addition to cardio and strength training, we have incorporated Cross Fit training, Boxing, under the U.S.A. Boxing association which allows kids, boys and girls, to train for the Olympics if they so choose, Wrestling, ground control, grappling, and Brazilian Jujitsu. We are also adding a "just woman's" self defense class as an option. We have certified trainers that are currently active in this gym.

Phase 3:

This phase incorporates in-house class atmosphere training for kids ages 6 to adult. To provide specific class training for specific and appropriate age groups. Classes include training from right thinking, attitudes, respect, self esteem, integrity, excellence and honor, to personal hygiene, proper dress code and communication skills for job acquisition, resume' preparation and accurate and proper information for business applications. We will provide hands-on classes and O.J.T. (on the job training) in area's like auto mechanics, landscaping, horticulture, agriculture, fitness training, cooking, ranching and river guide rafting, just to mention a few. Much more to come as our out-reach program develops.

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Phase 4:

This phase is to appropriate funding to facilitate a "youth center" that can house all facets of this endeavor. I would personally like to ask you to seriously consider this request. We are looking for Churches, Businesses and individuals to "catch the vision" and join with us to make this reality. My assignment is to reach the youth of this city and to provide a refuge of safety along with a beacon of light that will illumine the

shining path of victory and good success.

If we don't provide a place for our youth to hang-out, the world will!

Rod McMasters, Youth Pastor at New Song Fellowship
Business Owner/Pro Time Fitness
Contact Number: (541) 479-6300
rodcmasters@juno.com

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Tea, really? Again? How Quaint

By Ron Lee
The Verbal Assassin

The Tea Parties waged their vocal war again this April 15th. All across the nation the people gathered, railed against the continuing decline into what can only be called the socialism of the United States. But, these voices of disdain fell silent on the ears of a President who called them ungrateful.

What I didn't realize is that there is a large portion of citizens who feel just that way, that the tea parties are reprehensible. For them, the Tea Party movement, is more of a racial issue. For these liberal practitioners, it is all about the president. They see the Tea Party signs that demonize Obama; that call health care reform "Obamacare"; that say that the country has become an "Obamanation." They are, of course, not seeing the whole picture, or, at very least, not admitting the bias by which they are viewing the protests.

After leaving the Grants Pass, Oregon, Tea Party I found several people standing on a street corner looking up the street with quizzical looks on their faces. "What's going on up there?" I was asked. "The Tea Party," I said fairly flatly not to emphasize my own feelings about the event.

What I stumbled upon was an individual who felt the Tea Parties were wastefully irresponsible and that the people in them were all just right-wing racists. She really believed that they are just targeting Obama on the basis of the color of his skin, not on the continuing socialism he is cramming down our throats with the help of his congressional buddies. She asked me where all these people were when Bush, Clinton and even Reagan were presidents. I told her I remembered them, and that in my opinion it was the running of Ron Paul for president that really galvanized this movement into we see now, and that it definitely pre-dated Obama being president.

But, she wasn't budging. She wouldn't agree that her war protests and her anti-Bush signs were the same kind of protesting. She couldn't see that she suffers from the new American flaw of perception that government gives you your rights, and she couldn't see that people who rely on government are for more of it.



Ken Legaux, Owner of Oregon Electric

But the Tea Partiers suffer from their own flaws of perception. I mean really, even our forebears knew when it came to tactics. They knew that their tea party had to be followed-up with other methods of protest. But, not people today. They simply don't realize that their voices of opposition aren't making any difference, except to blow off steam. Look at where we are today as opposed to where we were a year ago. Any change? Lots, and it is all in a direction to ever higher deficits, debt, control, expanding government, the loss of each citizen's rights and the bolstering of the government's.

And, oh ... you ungrateful little peons, don't you know you should be grateful to the government? Hey, it's not coming from me, that's straight from the president. Well, maybe not straight, maybe I am embellishing a bit, but c'mon, he said the protestors should be grateful when it came to the level of taxes they pay. Can you believe that? Well, I can. There is no respect for an individuals feelings or beliefs unless it affects the new social direction our government is trying to push.

The fact is everyone is buying it - even the Tea Partiers! I've seen it, Tea Partiers go home after waving their Tea Party sign, read their favorite Glenn Beck book or turn on FOX News and grumble, but they buy right in to the program because in the



back of their minds they don't BELIEVE they can do more than they are doing. Are you kidding me?! That kind of thinking would have kept us British!

This is war, albeit an ideological one, and we have to get creative or we will surely just get washed away. But, we can't even agree on where we want to go, and how we want to get there, and we would much rather sit around and complain than be faced with any personal hardship. It's sad. While I completely believe with the Tea Parties in principle, I believe our country's state is that of distress, and I don't know if it can wait until the next election before we lose the few remaining liberties we have left.

Unrelated Tangent - Spreading Lies

I am going to shoot-straight on this, and not beat around the proverbial bush ... If you want to know something about someone, talk to them. Don't rely on others to answer on behalf of someone else, because all you will get is embellishment and distortions of the truth.

This is true, too, of those running for political office and those opposing them. Talk to the candidate if you can before choosing who it is you are going to vote for.

I am so sick of people spreading innuendos, half-truths, and all out lies just so they can hear themselves yap.

I challenge each of you, every person in this country to act with honor and integrity, for the reputation you may save, is your own.

Chumash Casino

REWARD

If you have information about the death of Manuel Jones,

Please contact:
US~Observer
editor@usobserver.com

WAKE UP AMERICA

For more information about this new group, contact US-Observer at **541-474-7885**

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