

Oscar "The Grouch" Nealy? JoCo attorney resigns

By Ron Lee
Investigative Reporter

Grants Pass, OR - Even though he has stiff competition, Oscar Nealy could go down in Josephine County history books as one of the worst attorneys to ever practice law. So pervasive were his wrongdoings he sent a letter of resignation to the Oregon State Bar (OSB) on May 3, 2007, stating, "I do not desire to contest or defend the ... complaints, allegations or instances of alleged misconduct." And, on June 20, 2007, his resignation was accepted.

Complaints filed with the bar included: failure to carry out a contract of employment; failure to deposit or maintain client funds in trust; failure to account for client funds or property; failure to keep a client reasonably informed of the status of a case; failure to communicate with client sufficient[ly] to allow client to make informed decisions regarding the representation; knowingly make a false statement of law or fact to a tribunal; conduct involving dishonesty, fraud, deceit or misrepresentation; conduct prejudicial to the administration of justice.

From criminal defenses to post conviction relief cases, guardianship filings to civil suits, Oscar Nealy misrepresented his clients and foiled their cases while asking for more money at every turn. Some clients would hire him and never hear from him. He would even avoid their multiple attempts to contact him.

At one point Nealy was suspended from the practice of law by the OSB for a period of 4 months, but that didn't stop him. He continued to practice, and appeared in court on

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IRS "Con"spiracy Charge America's Debtor Prisons

By Edward Snook
with R.S. Errol contributing

Billings, Montana - Henry (Hank) and Judy Matthies of Laurel, Montana were served superceding indictments on April 25, 2007, by U.S. Attorney Kurt G. Alme. The indictments charged Hank with two counts of "Willful Failure to File Income Tax Returns" for years 2000 and 2001 and both Hank and Judy with "Conspiracy to Defraud the United States" for the purpose of impeding, impairing, obstructing, and defeating the lawful government function of the Internal Revenue Service of the Treasury Department (IRS) in the ascertainment, computation, assessment, and collection of the revenue; that is, income taxes.

It is highly unusual to be served a superceding indictment without being served with the original indictment, which was sealed until the Matthies were arraigned on June 21, 2007. The original indictment charged Hank with 2 counts of "Willful Failure to File

Income Tax Returns" for years 2000 and 2001. The IRS maneuvered to ensure the original indictment was handed down by the Grand Jury before the statute of limitations expired, for the year 2000, on tax day of 2007.

Conspiracy to Defraud is a Con

Attorney Jeff Dickstein so eloquently stated in his closing arguments in the now infamous "Joe Banister" trial - "A conspiracy to defraud is a con. You defraud someone when you convince them that what you absolutely know isn't true is in fact true. You would have to trick them into believing what you know to be false is true. Trickery, deceit and craft. To



Photo: © Sha Sha Chu, All Rights Reserved

In this chilling prophetic pictorial the IRS towers above a seemingly conquered and indigent man. According to TRAC Reports, data from the DOJ shows the government reported 151 new tax prosecutions in March 2007. Prosecutions are up 9 percent from levels reported in 2002.

Continued on page 16

Jurors' True Duties Take back control before it's too late

By US-Observer Staff

America - During the early years of the United States, up to the mid 1800s, you could get tossed in prison for failing to pay back your debts. Not only were you expected to come up with the money to pay back what you owed, but you also had to pay for your imprisonment!

Today, it is still possible to be thrown or remain in jail for debt. Debts of fraud, child-support, alimony, or release fines can land you in jail or prevent you from being set free. This is the government's goal when prosecuting income tax cases. Apparently we have become desensitized to incarcerating men and women in what should rightfully be called "debtor's prison."

Anybody who is called to be on jury duty for any court should know their responsibilities, rights and power. The jury has the



absolute moral and legal power to judge all cases on the basis of the fairness and reasonableness of the law. Corrupt judges have suppressed this information so most of us are not aware of the jury's power. At the time of our nation's founding, when many judges were honest, this power was not hidden as it is today. The jury has the undisputed power to acquit, even if its verdict is contrary to the law as given by the judge and contrary to the evidence. The judges want to keep this power secret so they can continue to force

all of us to obey unfair and unreasonable laws. The judge will instruct the jury that they must make their decision based on the facts as presented during the trial and in strict accord with the law as stated by the judge. The jury does not legally have to adhere to the judge's instructions. This is because in a jury trial, the real "judge" is the jury itself, and the judge in the black robe only has the power to oversee the orderly presentation of the case to the jury, while it is the jury that is the proper "judge" of both the facts and the law involved in the particular case at hand.

Every prospective juror has not only the right but the obligation to himself and his fellow Americans to see that justice is done and to remember that ignoring an unjust law is sometimes the juror's only recourse to achieve a just verdict which would be NOT GUILTY.

Example: The year was 1670, and William Penn was on trial for

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Show Me the Law A Case of Serial Criminals

By Captain Tedd Peck

The constant reminders of the deviant culture we live in is becoming more prevalent in today's society. The stench of serial rapists, child molesters, murderers, sexual predators, and lurking terrorists permeate our news headlines. This phenomenon is particularly noticeable in the twenty-four hour news cycles known as cable news. Major events in this world of consequences occur daily and if reported to, and comprehended by, a distracted public, could shake the thunder from the sky. Media news does not and will not pique suspicion from the masses and that is by total and well orchestrated design.

Although petty theft is

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23 - 60 A Lifetime Behind Bars

By Verna Wood
Investigative Reporter

Holdenville, OK - "You are hereby sentenced to spend the rest of your life in prison!" Most of us cannot imagine what it would feel like to have those words spoken to us. And we certainly can't fathom hearing them if we had not committed a crime. Yet that is exactly what happened to 23-year old Reno Francis in September 1970, nearly 37 years ago. Only 17 days after Reno's arrest he arrived at Oklahoma State Penitentiary in McAlester - a convicted murderer facing a lifetime behind bars. As of this date Reno is still in prison regardless of the fact that he is completely innocent of the murder of which he was

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The Grange Adopted Resolutions for a Stronger America

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

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.

- Grange Resolution - H. Con. Res. 56

"The Law of the Sea Treaty" Shall Not Be Ratified By The United States Congress.

Whereas: The Law of the Sea Treaty would cede 70 percent of the World's surface to the control of the United Nations;

Whereas: The Law of the Sea Treaty creates the International Seabed Authority, which will for the first time in history grant a United Nations entity the authority to directly impose fees, which are really taxes, on private enterprises and countries for seabed mining, offshore oil platforms, and other raw material recovery activities;

Whereas: The Law of the Sea Tribunal, created by this treaty, has claimed jurisdiction over the territorial seas and economic zones of coastal countries, as well as jurisdiction over the onshore economic activities in coastal countries that might affect the oceans, and could rule in a manner contrary to the United States military, counter-terrorism, and commercial interests; and

Whereas: The Law of the Sea Treaty would be an unprecedented surrender of sovereignty of the United States to the United Nations and violate the United States principle of "consent of the governed";

Whereas: To be valid, any treaty must be strictly in conformance with, and free from any conflict with, the United States Constitution.

Therefore be it resolved: That the Oregon State Grange supports H. Con. Res. 56 and requests that the United States Congress oppose ratification of "The Law of the Sea Treaty." To do otherwise will violate the United States Constitution which is supreme over laws and treaties; as stated in (Article VI, Section 2) of the United States Constitution.

This resolution adopted by the Deer Creek Grange #371 at its regular meeting held on May 9, 2005.

This resolution was adopted by the Oregon State Grange at its 132nd Annual Session held at Reedsport, Oregon, the week of June 20-24, 2005.

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**Grange Headquarters,
Washington, D.C.**

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



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Our Nation's Plight: Such a Simple Solution

By Greg Evensen
NewsWithViews.com

The simple solutions are sometimes so elusive. In our day of computer created answers, the most difficult and complex issues in all of history are coming to within moments of our grasp. If we could just cut through all of the rotted timber that lies in our road. You see, without the use of a computer or a committee of Congressional experts to tell me what to do, I have naively arrived at the answers to this nation's most critical problems. All but one.....

It involves just a pinch of hypocrisy, however. You see, it involves some decisive and unilateral action. Inadvertently, I have made this REALLY difficult. Honestly, I just cannot stand the thought of one more executive order or presidential directive from 1600 Pennsylvania Avenue. These dictatorial decrees have nearly ruined any future this nation has left to it. But, in this exceptional case, I have asked the President to consider the following list of executive orders to be implemented as quickly as he can find his way back to the White House from his suite at the Mexican embassy.

I am serious about this request. I am confident that these "final executive orders" could and should be issued for the survival of our nation. The list is as follows:

I. Effective immediately, the Federal Reserve Act is repealed. All currency in the United States will be issued directly from the Treasury and will be in conformity with the US Constitution's mandate regarding the coining and value of the currency. The Federal Reserve, as a private bank, is to be closed immediately upon payment of the national debt.

II. The "debt" of the United States is to be paid in full with the minting of one gold coin stamped eight trillion US dollars and deposited in the US Treasury paying the Federal Reserve in full. No more debt, no more interest to pay. The US will use money and assets instead of debt and interest controlled by private bankers as a way of doing government business.

III. The 14th, 16th, and 17th amendments are suspended pending state votes that will repeal them.

IV. Eliminate all laws, mandates, programs, expenditures and taxes that have been implemented that are unconstitutional or have been put in place since the 17th amendment of 1913. Senators are returned to appointment from their state legislatures rather than elected.

V. No wars or policing actions are to be undertaken without a Congressional Declaration of War and ALL US troops returned to America from anywhere in the world. The world may deal with their problems as they see fit.

VI. All foreign aid or assistance repealed and immediately unfunded. On a case by case basis, humanitarian aid may be granted by Congress.

VII. All US borders sealed and illegal alien border jumping criminals to be deported. All immigration halted until the situation concerning entry is settled. No exceptions. All illegals remaining in the US without documentation are ineligible for ANY assistance of ANY kind ANYWHERE in the US. Without a voluntary return to their country of origin, illegals are subject to 20 years in

a southern internment camp without parole. Several million incarcerated US prisoners may pick strawberries.

VIII. The United Nations organization is given six months to vacate the US. The United States will withdraw its membership and dues from the UN effective immediately and permanently. It is now a treasonous act to negotiate a North American Union type "secretive" treaty, by-pass Congress in sending troops outside the US other than to rescue US citizens held by a foreign power, or to contrive with business and banking cartels to deprive the US worker of a job opportunity sent overseas to avoid taxes or offering US citizens employment within the United States.

IX. The CIA, FBI, BATFE, IRS, DEA, Homeland Security, DIA, NSA, will all be eliminated and replaced with one organization charged with total intelligence management. All other investigative functions will be the responsibility of the states according to the needs and legality assured within the US Constitution for citizens of the various states.

X. All states will have exclusive control over their state guard units. Defense of the US will consist of one military command using ground, sea air, space, and missile assets termed the United States Defense Command.

There will be no Defense Command role within a state's jurisdiction unless attacked by hostile forces. The Pentagon would become the largest US mall.

XI. All states will maintain police forces assigned to crime prevention and safety roles in local communities without connection to or use by any national policing units controlled or created by the military.

XII. All Federal level courts/tribunals/administrative law courts are to be eliminated with the exception of the Court of Appeals and the Supreme Court. It is an impeachable offense to legislate from the bench or deny ANY accused individual of a fully informed jury that retains full, final, and total authority to judge both the facts and the constitutionality of the law in the jury room and render an untouchable verdict to the court as the jury demands with no exceptions.

XIII. All schools of any description and at any level shall be free from any governmental intrusion whatsoever. Local levies and tuitions shall pay for the schooling of the student's choice. School records, student privacy, non-mandated inoculations, dress, attendance, testing, grading, policy and procedures shall be the exclusive jurisdiction of the duly elected local governing board. Factual history, mathematics, language, fine arts and science shall be taught without any form of political intervention or propaganda from any source.

XIV. Taxes, tariffs, and budgetary expenditures will be implemented and appropriated with strict adherence to the US Constitution's decree concerning apportionment and the reach of taxing jurisdictions.

XV. Medicine, health care, hospital and medical certification will not exclude the use of natural medicines, therapies, procedures and research.

The FDA/Center for Disease Control is limited to non-biased research and

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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.

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

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.

In civil cases the scenario is the same except for the incarceration part. Don't go broke trusting someone who is only concerned with your pocket book!

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In The Nation



Attorney Acquitted on Fed. Income Tax Charges

By Loresha Wilson
The Times

A Shreveport attorney who has challenged the government for years on the legality of filing federal income taxes has been acquitted on charges he failed to file returns.

A federal jury unanimously found Tommy Cryer not guilty this week on two misdemeanor counts of failure to file.

And according to Cryer, the prosecution dismissed two felony charges of tax evasion prior to trial.

Attempts by The Times on Thursday to reach U.S. Attorney Donald Washington

or Bill Flanagan, first assistant U.S. attorney, were not successful. Calls made to the two were not immediately returned.

Cryer stopped filing income taxes more than 10 years ago

"The court could not find a law that makes me liable or makes my revenues taxable," Cryer said. "The Supreme Court has ruled that the government cannot impose an income tax on anything but the profits and gains. When

you work for someone you give your service and labor in exchange for money, so everything you make is not profit or gain. You put something into it."

Cryer was indicted last year on two counts of tax evasion. The indictment alleged he evaded payment of \$73,000 in income tax to the Internal Revenue Service during 2000 and 2001.

Cryer created a trust listing himself as the trustee, and received payments of dividends, interest and stock income to that trust, according to the indictment. He also was accused of concealing his receipt of the sources of income from the IRS by failing to file a tax return on

behalf of that trust.

"I determined that my personal earnings were not 100 percent profits, some were income," Cryer said. "I refuse to file, I refuse to pay unless they can show me I have a lawful reason to pay."

"What I earned was my own personal labor. I am giving something in exchange. I'm giving my property and I don't belong to anyone else."

Cryer says he stopped filing returns more than 10 years ago after he investigated claims that income tax was a sham. He contends the law doesn't actually tax personal earning.

■ ■ ■

Tax Withholding On The Ropes? U.S. Unable To Prove It's Not Voluntary

By We The People Foundation

The United States appears to have bitten off more than it can chew when it sued Bob Schulz and the We The People organizations earlier this year in an effort to shut down "Operation Stop Withholding."

In the lawsuit, the Government accused WTP of operating an unlawful "abusive tax shelter" in violation of IRC Sections 6700 and 6701, citing the organization's efforts to urge individuals to terminate their W-4 wage and salary withholding agreements.

In response to the lawsuit served on Schulz on May 3, 2007, Schulz filed a motion to have the case dismissed on the ground that Operation Stop Withholding is not only fully protected by the First Amendment (including the Petition clause), it is protected because We The People organization is educating People about the withholding laws as they are currently written and which expressly provide that such agreements are voluntary.

The Government's lawsuit has asked the District Court to issue an injunction prohibiting WTP's efforts to educate Americans about the legal termination of private withholding agreements. WTP's efforts rely on "black letter" law which clearly establishes that Withholding Agreements (W-4s) are voluntary and that a worker can -- at any time -- terminate his W-4 by simply notifying the company that he no longer gives his permission to the company to withhold from his pay.

The Government finds itself in a very tough spot.

On one hand, it is asking the Court to shut the WTP program down, but on the other hand, neither the IRS nor the attorneys at the Department of Justice have been able to dispute or refute the simple truth that the law itself plainly establishes that withholding is voluntary and permission to withhold can be easily withdrawn by workers at their sole discretion.

What follows are a just a few of the legal citations that the Government has been confronted with and has failed to rebut:

26 CFR § 31.3402 (p)-1 "Voluntary Withholding Agreements". (a) An employee who desires to enter into an agreement for withholding.....shall

furnish his employer with Form W-4 (or equivalent) for withholding.

Read it for yourself.

Pursuant to 26 CFR § 31.3402(p)-1(b)(2), either a company or a worker may terminate the withholding agreement (or its equivalent) at any time, by furnishing a signed, written notice to the other. Read it for yourself.

Pursuant to 26 USC § 3402(p)(3)(A), 5 USC § 5517 and 31 CFR § 215.2(n)(1), all ordinary American workers have the right to refuse to consent to enter into a voluntary withholding agreement and can voluntarily refuse to have amounts taken from his/her pay for federal and/or state taxes, social security, other governmental insurance programs or welfare programs.

"Protected Individuals" as per 8 USC § 1324a cannot be compelled to submit any specific government documents or to disclose a social security number as a condition of being hired by or maintaining their status as a worker. Most American workers qualify as "Protected Individuals" under the law.

The landmark decision of EEOC v. Information Systems Consulting CA3-92-0169T U.S.D.C. Northern District of Texas Dallas Division, held that companies cannot discriminate against applicants or workers for failure to obtain or disclose a social security number.

No law requires a worker to file a Form W-4 (or its equivalent). In U.S. v. Mobil Oil Co., 82-1 USTC para. 9242, U.S.D.C. ND Tex. Dallas 1981 CA. 3-80-0438-G, the court ruled that an Entity does not even have to send a W-4 Form or other employment forms to the Internal Revenue Service unless served with a judicial court-ordered summons to do so.

Pursuant to IRC § 6041(c), a worker is only required to furnish a name and address upon demand of a company for whom he seeks to work. No social security number is required by statute.

Building upon a plethora of false statements, pitiful hyperbole, factual omissions and defective (and vindictive) claims of lawful authority, the Government has attempted to paint WTP as a "promoter" of an illegal tax fraud "scheme" without ever specifically identifying any false speech made by WTP, and without addressing the very laws WTP has relied upon --

and which irrefutably establish that wage and salary withholding is voluntary.

Nowhere in its pleadings does the Government directly confront the voluntary nature of the withholding laws cited by WTP even though withholding is the central issue before the court.

Indeed, beyond the compelling judicial and constitutional drama unfolding as the landmark Right to Petition lawsuit continues its certain path to the Supreme Court, the Government may have done itself great harm by pursuing a "6700" lawsuit against WTP.

As a result of accusing WTP of activity expressly protected by the Constitution and the lesser laws of the nation, it has risked widespread exposure in the public domain of the very information it seeks to censor.

It is no miracle that the United States cannot -- by any law -- force average workers to submit to mandatory withholding. To do so would be to require them to withhold monies for taxes, which by the Constitution and U.S. law, CANNOT BE IMPOSED UPON ORDINARY AMERICANS.

The fact that one's signature is required to execute a W-4 withholding agreement is simple evidence of this truth that, until recently, has remained well-obscured within the complexity of the tax code.

It is beyond time that our government confront a difficult political question that our organization has asked repeatedly over numerous years:

Do our elected leaders and guardians of the Rule of Law move with deliberation toward an orderly transition of a replacement for our Constitutionally-abusive tax system, or do they risk a chaotic, systemic collapse of the government funding mechanism (or even worse) because of the growing, yet unstoppable, awakening of the public consciousness regarding the truth about our nation's tax laws?

It is indeed not ironic that such a possibility awaits our nation, and may one day come to pass, inadvertently perhaps, because of one IRS prosecution too many.

The truth is out there and it's not going away.

History of the "6700" Lawsuit:

The United States served its Complaint on May 3, 2007, charging

Schulz with promoting an abusive tax shelter in violation of Section 6700 of the Internal Revenue Code.

On May 23rd, Schulz and WTP filed a Motion to Dismiss for failure to state a claim for which relief can be granted under 6700 and under the First Amendment's Petition for Redress and Free Speech clauses. Also filed were three Declarations by Schulz.

On June 18th, the United States filed its Response and its Statement of Material Facts.

On July 16th, Schulz and WTP filed their Reply, including six more Declarations by Schulz.

For those not familiar with WTP's Operation Stop Withholding here are the highlights:

On March 15, 2003, by letter, Schulz Petitioned the Government for a Redress of Grievances relating to the forced withholding and diversion of workers' pay. The theme of the Petition for Redress was the black letter law showing that withholding was voluntary, that any worker could legally terminate an existing withholding certificate (W-4) by simply notifying the company, in writing, that the worker did not want to continue having his pay withheld, and that a worker did not have to provide the company with a Social Security number.

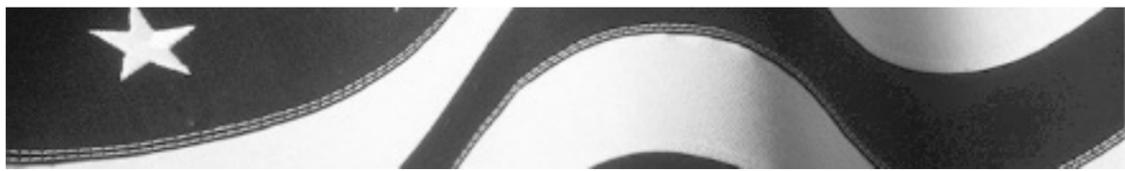
Enclosed with Schulz's March 15, 2003 letter was a Blue Folder with documentation supporting the Petition for Redress, and Forms for workers to use to legally terminate withholding.

In the March 15 letter, Schulz notified the United States that he would begin to instruct workers on how to legally terminate withholding unless the United States were to tell him his interpretation of the law was wrong.

Hearing no objection, Schulz embarked on his schedule of 37 meetings around the country, handing out 3500 copies of the Blue Folders (at no cost) to people in attendance at those meetings. The materials comprising the Operation Stop Withholding "Blue Folder" are still available (for free) on the WTP website.

The day before he left on his trip, the IRS sent Schulz a letter saying, in effect, "We have reviewed certain materials and have decided to investigate you for promoting an abusive tax shelter, in

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In The Nation

Legal Brief: Border Agents Charged With 'Non-Existent Crime'

By Matt Purple

(CNSNews.com) - Two Border Patrol agents whose prosecution and sentences to lengthy prison terms triggered a political storm this year may have been charged with a "non-existent crime," according to a legal brief submitted to a federal appeals court in May, and obtained by Cybercast News Service.

Ignacio Ramos and Jose Compean are serving 11- and 12-year sentences respectively for shooting and wounding a Mexican national who was trying to escape after attempting to smuggle 743 pounds of marijuana across the Mexico-Texas border in February 2005.

Although they were convicted on 11 counts, the crime carrying the lengthiest penalty was for the "discharge of a firearm in relation to a crime of violence," a violation of section 924(c)(1)(a) of the U.S. Code. It carries a minimum 10-year prison sentence.

Cybercast News Service obtained a copy of an amicus curiae ("friend of the court") legal brief filed by Reps. Walter Jones (R-N.C.), Virgil Goode (R-Va.), and Ted Poe (R-Texas) in the former agents' appeal before the Fifth Circuit Court in New Orleans.

They accuse the prosecution of "creating a purported criminal offense never enacted into law by Congress," and of charging Ramos and Compean with a "non-existent crime."

Simply discharging a firearm near a violent crime is not illegal, the brief argued, saying the law they were convicted under is not a law at all, but a sentencing factor used to help a jury determine jail time after a conviction.

The brief cited several cases as precedent, including *United States v. Barton* in which the Fifth Circuit Court ruled that "discharging a firearm during and in relation to a crime of violence"

could be used only as a sentencing factor, not as an element of a conviction. In *Harris v. United States*, the Supreme Court made a similar ruling.

The brief argued that, for a 10-year sentence, a defendant must be convicted under the specific terms laid out in section 924(c)(1)(a) (see section).

This provision is applicable, the section says, to "any person who, during and in relation to any crime of violence or drug trafficking crime ... uses or carries a firearm, or who, in furtherance of any such crime, possesses a firearm ..." If, and only if, these conditions apply can a defendant be sentenced to ten years in prison for the "discharge" of a firearm.

The brief argued that the shooting of drug smuggler Osvaldo Aldrete-Davila was not "in relation to" the drug crime because Ramos and Compean were themselves not participants in the drug crime.

Furthermore, Border Patrol Agents are authorized to carry and use firearms as law enforcement officers.

"By narrowing the issue to the discharge of the firearm," the brief said, "the prosecution and the trial court actions adversely affected the fairness of the entire trial, depriving defendants of any opportunity to present to the jury that they were using and carrying their firearms during and in relation to their employment as Border Agents."

The brief also criticized the prosecution.

"The criminal code cannot be treated by the prosecution as a legal chameleon, changing elements to fit the circumstances of the case that the government, in its discretion, wants to present to the judge and jury," it said.

One of the brief's authors, Larry Pratt of Gun Owners for America, told Cybercast News Service that this case could set an alarming precedent under which any law enforcement officer who fired a gun at the scene of a drug crime could be prosecuted under Section 924(c).

He also criticized U.S. Attorney Johnny Sutton, the lead prosecutor in the case.

"What [Sutton] was apparently trying to do is avoid the little detail that there was no underlying crime of carrying a gun because [Ramos and Compean] were authorized to carry guns," Pratt said. "So I think he tried to slide around and use the sentencing provision as an underlying crime."

Rep. Jones conceded in a statement that Ramos and Compean may have been guilty of violating Border Patrol policy by shooting Aldrete-Davila and failing to file a subsequent report.

But Jones also blasted Sutton, saying the prosecutor "had no business charging [Ramos and Compean] with a crime that Congress clearly designed to apply only to the individuals who are possessing, using, or carrying firearms for the purpose of facilitating the commission of a crime - not to federal law enforcement agents."

"How perverse it is that this statute is now being used against law enforcement officers who were trying to stop drug trafficking," he added.

Sutton told the Senate Judiciary Committee on July 17 that it was his trial team that made the decision to bring the "discharge of a firearm in relation to a crime of violence" charge, and that he was not consulted on the issue.

"We have a deliberative process that



Photo: © Minutemen Midwest

goes on inside our office that I cannot describe," he said.

Sutton could not be reached for comment, and his spokeswoman said she did not think anyone else in the office would comment on the brief until it responds to the appeal in early August.

Asked about the appeal, Pratt said he was worried that it may be denied because the cited evidence had not been presented previously.

"The thing that concerns me most is that, because [the alleged misuse of Section 924(c)] wasn't brought up at the first trial, the Fifth Circuit Court could play legal games and say, well, too bad," he said.

Still, Pratt described himself as "hopeful" and warned that Sutton's tactics would eventually catch up with him.

"[Sutton] can only hide in the tall grass for so long and, Lord willing, the lawnmower's on the way in," he said.

■ ■ ■

US Set To Have Worst West Nile Virus For Years

By Christan Nordqvist
Medical News Today

According to US health officials, the USA is facing the worst West Nile Virus season for years. The number of cases reported so far this year are four times higher than the equivalent period in 2006. The good news is that the forecast for August and September is for colder than normal temperatures - this may significantly lower the number of cases.

West Nile Virus first hit the USA in 1999 in New York. It worked its way across the country rapidly.

Georgia has three times as many disease-transmitting mosquitoes this year, compared to 2006. Officials say a drought in the area probably set off the spike in numbers. So far no human cases of infection have been reported in Georgia.

A rapid rise in mosquito numbers early on in the year does not always signify that the rest of the year will be bad.

What Is West Nile Virus?

West Nile Virus (WNV) can be a serious disease. It is established as a seasonal epidemic in North America,

peaking in the summer and persisting well into the fall (autumn).

The virus spreads to humans and other animals through the bite infected mosquitoes. The mosquito becomes infected when it feeds on infected birds. Less commonly, WNV can also spread through transfusions, transplants and mother-to-child (pregnancy or breastfeeding). It does not spread if you touch or kiss an infected person.

Only about 1 in every 150 infected people will develop severe illness. Severe illness may include:

high fever; headache; neck stiffness; stupor; disorientation; coma; tremors; convulsions; muscle weakness; vision loss; numbness; paralysis.

The symptoms may continue for several weeks. Neurological effects are sometimes permanent.

About 80% of infected people show no symptoms at all. Mild symptoms may include:

Fever; headache; body aches; nausea; vomiting; swollen lymph glands; skin rash on the chest, stomach or back

Symptoms generally last from a few days, and less commonly a few weeks. ■

Continued from page 4 Tax Withholding On The ...

violation of Section 6700 of the Internal Revenue Code. You are asked to meet with us and to bring your books and records."

Thus, under color of an "official" 6700 investigation of Schulz and the WTP organization, the IRS could now get away with almost anything, including harassing Schulz and the organization to death, or at least to the point where we could not continue with our process of Petitioning the Government for Redress of Grievances relating to withholding or anything else.

Schulz told the IRS, in effect, "No answers, No records." The IRS then served a Summons on Schulz for the books and records. Schulz sued the IRS. The U.S. Court of Appeals for the Second Circuit held in Schulz I, that Schulz did not have to respond to the Summons without a court order and if the IRS wanted the information it would have to bring Schulz to court to get it.

The IRS and DOJ then filed a subsequent motion asking the U.S. Court of Appeals to modify its decision claiming it would make it harder for the Government to collect taxes. In Schulz II, the Court sternly denied the motion again holding that taxpayers enjoy the protection of broad Due Process Rights with regard to all forms of IRS

administrative actions.

Within weeks of the decision in Schulz II, the IRS began serving a series of third-party summonses against Schulz, rather than bring Schulz to Court to enforce the original Summons. Each third-party summons has resulted in a new lawsuit by Schulz against the IRS.

In November, 2006 the IRS felt the teeth of the Second Circuit Court of Appeal's decision in Schulz II when it served an administrative Summons on a New York bank demanding Schulz's personal bank records. Read our 11/8/06 web article.

After Schulz filed a lawsuit against the IRS to quash the Summons, on November 6th a federal judge issued an injunctive order enjoining and prohibiting the IRS from enforcing the bank Summons. During pre-trial pleadings, the primary investigator for the IRS was caught perjuring herself to the District Court regarding the alleged basis for issuing the Summons. This case is currently awaiting the disposition of that Court.

Immediately following the March 30, 2007 "V" demonstration outside the White House and its coverage by the Washington Post, the United States filed the "6700" civil injunction lawsuit against Schulz and the WTP organizations.

■ ■ ■

Oregon News Residents hot regarding fire rating

By Scott Jorgensen
Illinois Valley News Staff Writer

(IV News) City of Cave Junction residents Heidi Kleve and Phillip Salfen live along a quiet cul-de-sac on Wells Drive.

First-time home owners, they moved into their house in October 2004, and have had no reasons to complain about their living situation.

But on July 11 this year, the couple received a letter informing them that their residence had been rated as "extreme" for fire danger. Kleve thought that was odd, given the lot's landscape.

"There is absolutely no vegetation on our property whatsoever," Kleve said.

Kleve and Salfen were among 19,000 Josephine County property owners to receive those letters, which originated from the county's Forest Land-Urban Interface Classification Committee.

The letters invited property owners to attend a Wednesday night, July 18 public hearing at the Flower Bldg. at the Josephine County Fairgrounds. Kleve made the trip to Grants Pass that day in an attempt to obtain more information.

But she was hardly alone.

Traffic backed up on Redwood Hwy. as an overflow crowd attempted to enter the building. Officers from Grants Pass Dept. of Public Safety blocked the fairgrounds entry after officials began turning people away at the door.

Residents fortunate enough to park and make it inside the building were given a synopsis of the committee's findings. But few seemed happy with what they learned.

Brian Ballou, an information officer with Oregon Dept. of Forestry, was unable to address the crowd due to a recent bout with laryngitis. Instead, committee member Tom Link was tasked with explaining the classifications, and he frequently was interrupted by irate citizens.

Criteria for the classifications were based on history of fires, topography and vegetation. They were conducted by areas, not individual lots.

The committee was formed in compliance with the Oregon Forestland-Urban Interface Fire Protection Act of 1997. The bill passed through the Oregon Senate 23-1, and the state House

of Representatives on a 52-0 vote. It allows the state to assess suppression costs of up to \$100,000 for fires originating on properties classified as high-risk.

"There is no common sense in how they rated people's properties," Kleve believes.

Jim Raffenburg, chairman of the Josephine County Board of Commissioners, was among those who received a letter. However, traffic congestion prevented him from attending the July 18 meeting.

Raffenburg later said that implementation of SB 360 represents a "massive unfunded mandate on citizens." He stated that the potential state fine of \$100,000 is "quite a figure to throw at people."

The new regulations require driveway "fuel breaks," as well as 30-to-50-foot breaks around homes. Kleve said that such regulations wouldn't work for her property, as adjoining lots are within the state-mandated perimeter.

"The fire breaks they would have us build are unrealistic," Kleve said. "There's no way we could comply."

Although finding fault with how citizens were notified about the regulations, Kleve said she understands why they were put into place.

"The intentions are good," she said. "The rationale behind this is good. But it was poorly implemented.

"There has got to be a better way."

Kleve continued that one point of contention is that the burden is entirely on property owners to demonstrate that their lots have been misclassified.

"We've been found guilty, and have to prove ourselves innocent," she said.

During the July 18 meeting, citizens also expressed concerns about properties bordering federal lands and riparian areas, as well as the potential for increased home owner's insurance rates.

Due to the overflow crowd, the public hearing will be rescheduled. But no date had been set as of press time.

Raffenburg said he hopes that state officials will be mindful of the strong reaction they received when informing citizens of the new regulations.

"I hope the dissatisfaction got their attention," he said.

Continued from page 1 Oscar "The Grouch" Nealy? ...

several occasions during his suspension.

According to the OSB web site, his suspension resulted from the mishandling of three client matters. OSB wrote: "In the first matter, Nealy failed to take substantive action on his client's personal injury claim for a significant period and failed to notify his client prior to the expiration of the statute of limitations that he would not be pursuing the claim.

In the second matter, Nealy was unable to appropriately account for funds received on behalf of a criminal defense client or timely return the client's remaining funds.

In the third matter, Nealy was appointed with his nephew as the co-personal representative of his deceased brother's estate, and acted as the

attorney for the personal representatives. Following initial filings, Nealy did not take any substantive action on the probate for more than a year. When he thereafter filed the final accounting and decree of final distribution, he failed to take the remaining steps of making the distributions, obtaining receipts and obtaining an order closing the probate for more than another year. In the interim, the court dismissed the probate for lack of prosecution.

While the probate was pending, Nealy took periodic payments for his fees from estate funds without petitioning the court for approval as required by statute.

The stipulation noted that Nealy has twice been publicly reprimanded for unrelated violations and has also received letters of admonition over the

course of his practice for neglect violations similar to those acknowledged in these matters. Nealy has substantial experience in the practice of law, having been admitted in 1968."

In the case of Hank and Linda Ebert, clients of Nealy, whose bid to secure the guardianship of Hank's half brother Fred, Nealy's lack of performance has cost them greatly.

Commenting on his attempt to acquire guardianship of his brother Hank Ebert said, "All we want is to be a part of my brother's care and medical decisions. Fred can't make those decisions on his own."

Fred suffers from Down Syndrome and was placed in foster care prior to his mother's death. According to Ebert, "It was just too difficult for mom to care for

Fred." Ebert also maintains that the foster care provider denied Fred access to visits with his mother, and that all of this was part of his case to attain guardianship.

Fred is currently in foster care and it has been determined that he can make all decisions regarding his well-being, even though he has difficulty understanding that his mother is no longer alive.

In the Ebert's case, Nealy had attended a hearing during his suspension and the case could be overturned. This, however, would require the Eberts to retain another attorney and come up with even more money, something they are very leery of doing due to their "Nealy" experience.

Nealy can be pursued civilly for malpractice.

Nealy's latest career choice - logger. ■

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— Oregon.gov News — A Report to Oregonians

Citizens need reliable, easy to read information about their government, which is why the Association of Government Accountants sponsored the nation's first Report to Our Citizens on a state government's budget and priorities. Oregon has become the first state to issue such a report.

The following DAS staff contributed the content of the report: George Naughton, Budget and Management; Rita Conrad, Oregon Progress Board; Dae Baek, Oregon Economic Analysis; and Jean Gabriel, State Controller's Division.

Special recognition goes to DAS Public Affairs Manager Lonn Hoklin who edited the report and gave the design its polish. A grant from AGA paid for the printing and graphic design.

This Report to Our Citizens, also known as the "Citizen Centric Report," provides a quick, nonpartisan snapshot of the state's finances and its programs. A good starting point for any citizen who wants to learn more about state government, the report has received praise from Governor Ted Kulongoski and state agency heads.

Call (503) 378-2627 for your copy. ■■

Oregon's Prescription Drug Program Now Open to ALL Oregonians!

In April, 2007 senate bill 362 was signed into law by Governor Kulongoski. This bill allows all Oregonians to join the Oregon Prescription Drug Program. Enrollees receive up to 60% off the cost of prescription drugs. There is no membership fee to join the Program and no paperwork is required. It takes only a minute to enroll online or call a toll free number. Click the link below to enroll or get more information.

The passage of the senate bill also opened the program to private sector business and labor organizations. Now all public, private and labor groups that offer prescription drug benefits to their employees can join the Oregon Prescription Drug Program.

If you would like to find out how your group might benefit from enrolling in the Oregon Prescription Drug Program, call (503) 373-1595.

■■■

Border agent says China ordered his prosecution

Now seeks \$25 million from government



Officer Robert Rhodes

By Jerome R. Corsi
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A Customs and Border Protection agent who was acquitted of a charge of using excessive force during a 2004 arrest of a Chinese national on suspicion of drug smuggling is suing the U.S. Department of Homeland Security for \$25 million.

And in a companion lawsuit, Robert Rhodes is seeking another \$25 million from three Immigration and Customs Enforcement agents with the Office of Professional Responsibility.

He says the agents disregarded their oaths by pursuing a politically motivated prosecution against him to appease their superiors, who allegedly were seeking to do what communist China wanted.

"I was involved in a political prosecution that our government began at the demand of the government of communist China," Rhodes told WND. "The prosecution was promised to China by then-Secretary of State Colin Powell and then-Secretary of the Department of Homeland Security Tom Ridge."

His lawyer, Steven Cohen, concurs.

"My client's prosecution was ordered by the Bush administration to appease the Chinese government," Cohen told WND.

WND requests for comment from the U.S. Department of Justice and U.S. Customs and Border Protection in the Department of Homeland Security did not produce a response from either agency.

But it's not the only time there have been indications that U.S. prosecutors have agreed to file a case against a border agent at the direction of a foreign government.

WND has reported that Border Patrol agents Ignacio Ramos and Jose Compean were prosecuted only after the Mexican Consulate intervened and presented Osvaldo Aldrete-Davila, the Mexican national drug smuggler who had illegally entered the U.S. in the Ramos-Compean incident, and demanded the Border Patrol agents who shot Davila be prosecuted.

WND also reported Rocksprings, Texas, Deputy Sheriff Gilmer Hernandez was only prosecuted at the insistence of the Mexican Consulate.

WND has printed copies of a series of letters the Mexican Consulate wrote demanding that the U.S. government protect the civil rights of the Mexican national illegal immigrants who were in the fleeing van that Hernandez shot at, after the van allegedly tried to run Hernandez over in the process of fleeing from a routine traffic stop.

In Rhodes' case, the record shows that Powell and Ridge both apologized to China over the incident and promised to

investigate the border agents involved.

"By filing this lawsuit," Andy Ramirez, chairman of the Friends of the Border Patrol, a national advocacy group for federal border patrol agencies, explained to WND, "Robert Rhodes is standing up to the government and saying you cannot continue doing to my fellow ... officers what you did to me."

The July 21, 2004, incident that led to Rhodes' prosecution involved Zhao Yan, a Chinese national woman who was arrested by Rhodes at the Rainbow Bridge in the Port of Buffalo, New York. Zhao Yan was with two other female suspects who fled when Rhodes and 13 other border agents attempted to arrest them.

Rhodes grabbed Zhao Yan, who proceeded to punch, kick, and scratch Rhodes as he attempted to subdue her.

Even though Rhodes was armed with a duty-issued Glock 9 mm weapon, he chose to use non-lethal pepper spray to subdue Zhao Yan.

But within a day of the Rainbow Bridge incident, Rhodes was arrested and charged with violating Zhao Yan's civil rights by having used excessive force in arresting her.

Other border officers who had assisted Rhodes in the arrest gave inconsistent statements to investigators, claiming that Rhodes had forcefully grabbed Zhao Yan by the hair and smashed her head against the ground.

At his trial in August and September 2005, the jury acquitted Rhodes of all charges, after deliberating less than three hours.

Rhodes' allegations he was prosecuted at the insistence of the Chinese government are backed by postings yet archived on Chinese Consulate websites.

The Consulate-General of the People's Republic of China in Houston, Texas, continues to document on their website that Powell wrote a letter to the Chinese government promising that the U.S. government would "thoroughly investigate the beating case" of Zhao Yan.

The Chinese Consulate in Houston argued that Zhao Yan was "a business woman from China's northern coastal city of Tianjin," who was on her first U.S. business trip when "she was attacked at Niagara Falls near the U.S.-Canadian border on July 21 by Rhodes and other officers of U.S. Customs and Border Protection."

The Consulate went on to claim that six days after Zhao Yan was "brutally attacked," she "was still suffering from a bad headache, swollen eyes and mental trauma. She also had a broken tooth and severe back pains which forced her to ride in a wheelchair."

But nowhere does the Chinese Consulate in Houston say she was suspected of drug smuggling.

Instead, the Consulate emphasized that Powell apologized because the U.S. is an "open society" that welcomes visitors. "Our goal is to ensure that visitors from around the world have a safe and enjoyable stay in the United States," the Consulate quoted Powell as saying. "The United States will continue to work that incidents such as this one do not occur again."

The Consulate-General of the People's Republic of China in New York still posts the apology from Ridge, who is quoted as expressing his "great regret" over "the beating of Chinese businesswoman Zhao Yan by officers of the U.S. Customs and Border Protection

last week."

Ridge is further quoted as saying, "We have communicated to the Chinese Government that the U.S. customs officer was arrested by Customs and Border Patrol police and his case referred for criminal prosecution."

Even though he was acquitted at his trial, Rhodes paid a huge price for being indicted.

"Since the incident," Rhodes told WND, "I've lost my house, I've lost my pension. I have tried to find a job and I always get turned down. I feel like I have been black-balled by the government. I am on food stamps and public assistance. Right now, I have no health care insurance."

"Many Border Patrol agents tell us they're truly concerned about what will happen to them if they get into a struggle with someone trying to enter the country illegally," said Cohen. "How many terrorists and criminals will enter our country because our government won't support its own border enforcement officers?"

A complicating factor is Rhodes' admitted homosexuality. He earlier had complained to the Equal Employment Opportunity that Customs and Border Protection harassed him for minor offenses.

Cohen contended that every aspect of Rhodes' trial was political.

"Every day," he told WND, "the entire front row of the courtroom would be taken up by Chinese government

officials and outside the courtroom Asian students picketed against Rhodes."

Cohen told WND that for two years after his trial Rhodes pursued unsuccessfully administrative paths to get his job back.

"Robert was suspended without pay immediately, right when the incident occurred," Cohen told WND, "But he wasn't formally terminated until a few months ago."

He said Rhodes legal fees including lawyers, expert witnesses, and investigators amounted to more than \$200,000.

"The vast majority of the legal fees have gone unpaid," Cohen told WND. "Rhodes was tremendously outgunned by the government. The government brought a staggering amount of resources to the job, not of searching for the truth, but making sure Rhodes was convicted, regardless what it cost."

Michael Battle was the U.S. attorney whose office prosecuted Rhodes. In the controversy surrounding Attorney General Alberto Gonzales, Battle resigned his position as the director of the executive office of U.S. Attorneys.

Cohen said Rhodes' lawsuit against DHS alleges that the government investigators knowingly disregarded pertinent information and violated standard investigation procedures to pursue a politically motivated prosecution.

■ ■ ■

Nursing Home Cat Can Sense Death

By Julie Steenhuysen

CHICAGO (Reuters) - When Oscar the Cat visits residents of the Steere House Nursing and Rehabilitation Center in Providence, Rhode Island, the staff jumps into action -- Oscar can sense within hours when someone is about to die.

In his two years living in Steere's end-stage dementia unit, Oscar has been at the bedside of more than 25 residents shortly before they died, according to Dr. David Dosa of Brown University in Providence.

He wrote about Oscar in the *New England Journal of Medicine*.

"It's not that the cat is consistently there first," Dr. Joan Teno, a professor of community health at Brown University, who sees patients in the unit. "But the cat always does manage to make an appearance, and it always seems to be in the last two hours."

Raised at the nursing home since he was a kitten, Oscar often checks in on residents, but when he curls up for a visit, physicians and nursing home staff know it's time to call the family.

"I don't think this is a psychic cat," said Teno. "I think there's probably a biochemical explanation," she said in a telephone interview.

While pets are often used to bring comfort to the elderly in nursing home settings, Oscar's talent is special, though not unexpected.

"That is such a cat thing to do," said Thomas Graves, a feline expert and chief of small animal medicine at the University of Illinois College of Veterinary Medicine.



Oscar the cat

Graves said there is no evidence to suggest cats can sense death, but he doesn't discount it for a minute.

"Those things are hard to study. I think probably dogs and cats can sense things we can't," he said.

On a particular day detailed by Dr. Dosa, Oscar settled onto the bed of a patient in room 313.

His presence sent staff off to make calls and set up vigil.

When a grandson asked why the cat was there, his mother explained: "He is here to help Grandma get to heaven," according to Dosa's account.

She died a half an hour later.

■ ■ ■

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COMMENTARY Your Right to Speak Out

The Sad Case of the Spotted Owl

By Tom DeWeese
NewsWithViews.com

Environmentalists are quick to lecture the rest of us about the ways of nature. Don't clean the dead trees off the forest floor, it's natural. Cattle and horses on the range aren't native, so let the grizzlies and wolves devour them, it's natural. Man isn't part of the ecology, lock him out of vast areas of land, it's natural. It's interesting to note how the "natural" argument only applies when it is used to impose the radical environmental agenda. Case in point, the Northern Spotted Owl.

Spotted owls, we were told a decade ago, were disappearing because big bad timber companies were cutting down "old growth" forests. So the environmental movement rushed to the forests, hugged the trees and issued news releases to decry the evils of the logging industry. Save the owl. Save the trees. Kill the timber industry.

Of course, that was exactly the point. Kill the timber industry. As a result of the hysteria to save the "endangered" owls, U.S. timber sales were reduced by 80-90%, forcing saw mills to close, loggers to go broke and whole towns which depended on the industry to literally disappear. The federal crackdown on the industry caused a shift in U.S. domestic lumber supplies to foreign soils. In short, American industry suffered in the name of protecting the spotted owl. Turns out it

wasn't true.

A decade and thousands of broken dreams later, comes this report from the federal government on the real reasons for the spotted owl's endangerment: "Oops."

According to a new government draft plan to save the species, scientists are no longer saying the greatest threat to the Spotted Owl is logging activity. "The draft recovery plan recognizes the primary threat to northern spotted owls as competition with barred owls." According to the report, barred owls are less selective about the habitat they use and the prey they feed upon and are out competing northern spotted owls for habitat and food, causing its decline.

In fact, for the entire decade since the issue emerged on the political scene, the property rights and land use movements have been reporting the fact that the spotted owl is only a sub-species of Mexican spotted owls, which are not endangered at all. Some experts will say the only way to tell the difference between the two is by their accents. (OK, I'm kidding, but this ridiculous story needs some humor). It was no secret that the spotted owl didn't need "old growth forests" to survive, since spotted owls were found living under bridges and in McDonald signs. What it needed was a good food source like any other species. Now we know it was undercut by another owl - a completely natural occurrence.

What was accomplished during the

ten-year fight besides the destruction of an entire industry? The establishment of a very radical and dangerous political agenda called the environmental movement. Its power is now so great that no politician dare oppose them. Yet, that power, we now know for certain, was built on a lie. Some in the movement have even candidly admitted that if they didn't have the spotted owl they would have invented something like it to drive their agenda. In fact they did invent it and the purpose was to destroy the timber industry and private property rights. They called it an environmental emergency.

Now the truth has come out. So, will the same federal government which rushed to impose harsh treatment of innocent property owners and industry now roll back those stifling regulations and let freedom breath? Of course not. Agendas are agendas, regardless of the facts.

So instead, after the nation spent millions of dollars to destroy an industry's private property rights, still, the government plans to spend \$200 million more on a "barred owl removal plan" in order to save the spotted owl.

And as usual, when a new government debacle is rolled out, there is always an emergency to drive the policy. Now, according to Ren Loheofener, director of the U.S. Fish and Wildlife Service's Pacific Region, "Because the range and numbers of barred owls are expanding rapidly, our effectiveness in addressing



this threat depends on immediate action..."

Here's an immediate action sane folks could recommend: Let the barred owls alone to do what comes natural to them. If the Spotted Owl can't keep up - then good riddance. It's been used to cause enough pain and obviously its time is up. It's a natural process. Species come and go. We've got plenty of Mexican spotted owls to play with if we get homesick for them.

Of course, the final chapter is yet to be written. Soon, if the new "recovery plan" is successful, it won't be long before the environmental movement has a new emergency - man's wanton destruction of the barred owl. Creating false environmental disasters just comes natural for some people. ■■■

Fed Chairman: Delusional or Deceptive?

By Devvy Kidd
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"If we run into such [government] debts, as that we must be taxed in our meat and in our drink, in our necessities and our comforts, in our labors and our amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to labor sixteen hours in twenty-four, give the earnings of fifteen of these to the government for their debts and daily expenses, and the sixteenth being insufficient to afford us bread, we must live, as they now do, on oatmeal and potatoes, have no time to think, no means of calling the mismanagers to account; but be glad to obtain subsistence by hiring ourselves to rivet their chains on the necks of our fellow-sufferers." Thomas Jefferson

On June 20, 2007, Treasury Secretary Henry Paulson delivered a stinking canard when he told Congress that the global economy was "stronger than any time in the past two decades." Experts not on the government's payroll say otherwise. Paulson shrugs off such concerns. In the meantime, the dollar has been dropping almost as fast as Bush and Congress' poll numbers.

On July 17, 2007, oil hit a high of \$75.00 per barrel. The dollar is continuing to tank. Congress continues to write hot checks every single day they're in session. The lunatic in the White House is spending -aided and abetted by the U.S. Congress - a whopping \$12 BILLION borrowed dollars per month for this immoral, unconstitutional invasion of Iraq and

Afghanistan. There's no money in the people's treasury. Congress has written just under \$9 TRILLION dollars worth of hot checks (as of 7.18.07: \$8,888,522,656,747.96.) David Walker, Comptroller General of the U.S. was on a Sunday cable talking head show two weeks ago continuing his effort to try and awaken the indifferent, self-absorbed tens of millions out there about what's coming next year when that first wave of baby boomers retire and the financial tsunami hits over social security, Medicare and the cost of Bush's endless wars for peace based on lies. Walker has been doing his best, but most Americans don't want the truth, they want warm, fuzzy assurances. They want the newest in electronic gadgetry made by slave labor in communist China and play time while the clock is ticking.

How about 'Helicopter' Ben Bernake, Federal Reserve Chairman and his take on the economy?

February 12, 2007: WASHINGTON: "When Ben Bernake testifies before the new Democratic majorities of the U.S. Congress this week, it may be hard to tell that he and his questioners are talking about the same economy. Bernake, the Federal Reserve chairman, will use his semiannual appearances before the banking panels of the Senate and the House of Representatives to describe a healthy economy and a strong job market. Democrats like Representative Paul Hodes of New Hampshire will paint a much different picture — of stagnant incomes and jobs lost to foreign competition. Sherrod Brown, a newly elected Democratic

senator from Ohio who serves on the banking committee, said, "While the economy is good for people at the top, it's not so good for a steelworker in Lorain, Ohio, or a small-business owner in Dayton". Representative Charles Wilson, another newly elected Democrat from Ohio and a member of the financial services panel, said that "people in my district, when they pick up the paper, they aren't checking their stock holdings. They're checking the help-wanted ads."

July 18, 2007: US weathering housing slump; inflation still biggest risk: "WASHINGTON (AFP) - The US economy is slowly emerging from a worse-than-expected housing slump but will manage to post "moderate" growth in 2007 and 2008, Federal Reserve chairman Ben Bernake said Wednesday....The central bank cut its forecast for 2007 growth to a range of 2.25 to 2.5 percent, down from a 2.5 to 3.0 percent range in the Fed's outlook in February....Addressing the troubles of subprime mortgage loans hit by rising defaults and foreclosures, Bernake said this has led to "personal, economic and social distress" for many homeowners and communities and that these problems "likely will get worse before they get better."

While Bernake diddles around reassuring everyone that the road to economic prosperity is just around the corner, with a few bumps that will never affect him, what's really happening out there?

Bear Stearns Says Hedge Fund Worthless: NEW YORK — "Bear Stearns Cos. told clients Tuesday that a

meltdown in the subprime mortgage market has made the assets from two of its flagship hedge funds almost worthless. Both funds were squeezed after Bear Stearns made wrong-way bets on the home mortgage market and was caught as loans to risky investors began to default. The assets in one of the funds are essentially worthless, while another is worth 9 percent of its value at the end of April, according to a document obtained by The Associated Press. Bear Stearns, the nation's fifth-largest investment bank, began disclosing in March that the two hedge funds had sustained heavy losses tied to subprime loans extended to risky borrowers. At the time, its High-Grade Structured Credit Enhanced Leveraged Fund was worth about \$638 million — and now has no value. Meanwhile, the larger and less-leveraged High-Grade Structured Credit Fund lost 91 percent of its value. It was worth about \$925 million before taking on losses in March."

July 10, 2007: US mortgages Easy money hits home with lenders facing £250bn losses." The collapse in subprime loans threatens the big banks that financed brokers. While the crisis in the loans market has had devastating effects in many US households, it now risks reverberating throughout the financial system.....Many of the low-grade loans are believed to be held by US lenders caught up in the collapse of the subprime mortgage market. Some of the world's biggest banks supported the loans sold by Mr. Sadek and other brokers. Citigroup, Morgan Stanley, Lehman Brothers and JP Morgan Chase

"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

Open Borders Leave Us Vulnerable to Attack

By Michael Cutler
NewsWithViews.com

For the past several days Michael Chertoff, the current Secretary of Homeland Security has been appearing on various news programs conceding his concerns that Al Qaeda operatives are either attempting to enter the United States or have already done so in preparation for a major attack against the United States. He claims this is only a "hunch."

I think that Mr. Chertoff is hedging his bets, being able to say "I warned you" if we are, in fact, attacked. Once again the name of the game seems to be "protecting his backside" while our country is left vulnerable to the specter of a terrorist attack. The article just posted by CNN in conjunction with the Associated Press. As you read the article, notice the reference to the extremely dangerous Visa Waiver Program that just a couple of weeks ago, former Secretary of Homeland Security, Tom Ridge said should be expanded to include an additional ten countries.

Our nation's borders have not been secured even after the attacks of September 11, 2001, nearly 6 years ago. What is very important to bear in mind is the fact that the issue of border should not be limited to the physical borders of the United States but should be considered by understanding that immigration is a system and that the borders are but one component of that system. As I have often noted, it is estimated that perhaps as much as 40% of the illegal aliens in the United States did not run our nation's borders but rather entered the United States through

ports of entry. Additionally, sleeper agents, that is to say, aliens who enter our nation with the goal of embedding themselves in our country in communities around our nation, hiding in plain sight, waiting for a message that informs them how, where and when they are to carry out a terrorist attack inside our nation, may well have secured lawful immigration status that would enable them to not only enter our country, but to move easily among us. They would be able to easily board airliners, enter secure government and corporate buildings and travel easily across our nation's borders.

Such "legal" aliens would be able to secure employment that might facilitate their nefarious objectives without fear that immigration authorities might arrest them or otherwise interfere with them. This is why I was so adamantly opposed to the "Comprehensive Immigration Reform" bill that was pushed so strenuously by Senators Kennedy, McCain, Reid and others including President Bush. That bill, would have undoubtedly resulted in terrorists securing official status and official identity documents in false identities.

It is important to remember how many times the President and his administration have refused to hire as many special agents for ICE and Border Patrol agents as were authorized by Congress. It is also important to think back to those politicians who stood before the myriad microphones and cameras in the days and weeks after the attacks of September 11, 2001 demanding to know why no one "connected the dots." I myself have

testified before more than a dozen Congressional hearings since the attacks of September 11, 2001. I am one of many experts who have furnished extensive testimony from a perspective of experience concerning the many vulnerabilities that still imperil our nation and our citizens. The 9/11 Commission has laid out a veritable blueprint, describing the ways that our country was vulnerable to the attacks of 9/11, consequently illustrating areas of vulnerability that still very much need to be addressed.

Perhaps Mr. Chertoff thinks that by making his very disturbing and public statements about his "hunch" will "inoculate" him if our nation is once again attacked and thousands of innocent people are slaughtered. His track record as an administration "bobble head" who failed to stand up for secure borders and the creation of an immigration system that possesses meaningful integrity will stand as evidence of his complicity in the failings of our government to protect us and our nation. So too will the voting record of every member of the Senate and the House of Representatives offer incontrovertible evidence of the failings of the politicians to secure our nation and protect our people. This time the dots will have been connected.

Consider this: after the attack on Pearl Harbor on December 7, 1941 the United States, not yet a "super power" nevertheless, mobilized and showed real determination and the indomitable "can do" spirit that had been the hallmark of American ingenuity. Within mere months hundreds of airplanes and fleets of a variety of ships and other

military devices were designed and rushed into production. Nuclear weapons were designed and then built with unproven technology. In under 4 years World War II was brought to a highly successful conclusion in large measure because of the incredible efforts of the "Greatest Generation."

Today the United States is considered a "Super Power" yet little is manufactured within our borders. Those borders are little more than speed bumps to illegal aliens including drug dealers, violent gang members and terrorists. Narcotics easily enter our country and the proceeds from those illegal drugs fund criminal gangs and terrorist organizations. USCIS, the division of DHS the agency I have come to refer to as the Department of Homeland Surrender is utterly inept and incompetent at creating a system that uncovers and prosecutes those who commit fraud against our government, consequently the number of applications laden with fraud continues to escalate thereby increasing the total number of applications further eroding any efforts to combat fraud, further increasing the number of applications in a vicious cycle that rewards criminals who are able to game the system. Our government has proven itself so inept and incompetent that our nation has not been able to even produce enough passports to enable the implementation of WHTI, the Western Hemisphere Travel Initiative that would require United States citizens who are returning to the United States from within the Western Hemisphere, including from Canada and from Mexico, to provide

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in the US and HSBC and Barclays are just some of the lenders sitting on huge losses. A report by analysts at Lombard Street Research has estimated that the crisis could knock a hole in the banks' assets of up to £250bn. Few banks have so far assessed the extent of their losses, but they could soon be forced to address this issue."

May 16, 2007: LEAP/E2020 Alert – The US economy went into recession in the first quarter of 2007: "Thus, as anticipated by LEAP/E2020 in February 2007, the month of April 2007 marks the tipping point of the phase of impact of the global systemic crisis, and signals the objective entry of the US into recession, even though official US figures are still trying to conceal the trend. Besides, in relation to this fundamental piece of information, April 2007 was also a turning point on a number of key-factors of the global systemic crisis whose evolution will experience a new acceleration. In this month's issue of GEAB, LEAP/E2020 enters into the details of the two following analyses: - Aggravation of the US consumer's insolvency, profit reduction for companies depending on the US market and massive layoffs contribute to a negative retroactive loop - Acceleration of dollar collapse, imported inflation, increase in balance of payment deficit and trade tensions with Asia and Europe smash the Fed's consensus and thrust the US into the

very great depression.

July 19, 2007. How to spoil a good party. "Mr. Turk says central banks almost daily talk about diversifying away from the dollar or creating their own currency zones. In a recent interview with a Russian journalist, the journalist said even Russians, which have long coveted greenbacks, are now beginning to question the supremacy of the U.S. dollar. Investors, too, are beginning to shun it, with none other than Warren Buffett leading the pack. "Look, too, at the stock market," he says. "The stock market is not going up because of economic fundamentals. People would rather own a million dollars of Exxon than have a million dollars in the bank. It's also true people would own a million dollars of copper than have a million dollars sitting in the bank. All these things cumulatively are suggesting to me we are probably on the final slippery slope for the dollar. I do think the next several months are going to be very, very tumultuous. "We're buying from China," he says. "They're lending us back the money. It's unsustainable. It cannot go on forever because we're eroding our net worth. Just like individuals can have too much debt, companies can have too much debt, nations can have too much debt."

July 5, 2007: American dream sours as housing market collapses. "For Cathy Busby, May 1 marked a personal "Mayday!" as she was sucked into the housing crisis sweeping the United States. On Tuesday, she went into

arrears on her mortgage after her monthly repayments soared by 40 per cent. The 47-year-old hospital administrator will lose the three-bedroom home in the Denver suburb of Montebello that she bought 11 years ago, unless she can reach a deal with her lender. Cathy Busby is unable to meet the repayments on her home of 11 years after interest rates rocketed by 40 per cent. "I raised my sons here and I planted these aspens and landscaped this garden. It's a terrible thought that I could lose it all," she said on the first day that she failed to pay her interest-only - mortgage. Miss Busby is far from alone: the American dream of home ownership is turning sour for many. Up to two million people with so-called subprime, or high risk, -mortgages have already had their homes repossessed, or will default on their loans in the coming months, according to industry estimates. Such houses are generally sold at auction, for less than the full market price. Home owners' losses will total an estimated \$164 billion (£82 billion), according to the Centre for Responsible Lending, an independent research group."

June 23, 2007. International Forecaster: "Now for the classic: Mr. Bernake said he did not know whether the so-called "financial accelerator effect on household spending via access to credit was big enough to affect the overall economy." Of course he knows. Any college freshman knows. If equity is falling and interest rates are rising and

lending standards are tightened less equity and cash out loans will be made. Those loans have already fallen more than 50% over the last 1-1/2 years, and that means some \$300 billion is no longer available to fuel the economy. This is the money the public used over the past four years to continue their lifestyles and spending sprees, because their wages and salaries did not come anywhere near covering the increases in inflation, which our government tells us is 2.4%. As a result of free trade, globalization, off shoring and outsourcing have produced productivity gains of only 0.6%, while higher interest rates erode and reduce the value of personal and corporate assets and cash flows. Ben gets it be just doesn't want you to know the economy is in serious trouble and it is going to get much worse."

If you want to understand more about the national debt or, how the money power took control of this country, I recommend reading *The Coming Battle* which was first published in 1899.

May 9, 2007. The New World Disorder: Goodbye U.S. dollar, hello global currency. CFR chief: Monetary nationalism, sovereignty should be abandoned. "The director of international economics at the Council on Foreign Relations has launched a scathing attack on sovereignty and national currencies...Steil's essay is antagonistic to the ideas of sovereignty and national currencies. He writes, "The

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Continued from page 1 Jurors' True Duties ...

violation of the "Conventicle Act." This Act made the Church of England the only legal church. The Act was struck down by a not guilty vote. Freedom of Religion was established and became part of the English Bill of Rights and later it became the First Amendment to the Constitution. William Penn most likely would have been executed if the jurors would have yielded to the guilty verdict sought by the judge and prosecutor.

It is an irrefutable fact that our system of justice has been stolen or better yet swindled from us by attorneys over past decades. Judges are part of this swindle in that they are also attorneys. The legal profession in America has denigrated itself from one of ethics to one of "legalized" theft.

The vast majority of people in this country are petrified of attorneys, judges, prosecutors, the IRS and in many cases corrupt "law enforcement officers." In a free and just nation this would not be the case.

The answers to the problems with our "legal system" appear to be complex, when they actually aren't. Americans must bridle our out of control "legal system" or we are all in for a world of hurt.

We live in a land where hundreds of thousands of illegal aliens can march in our streets, right in front of law enforcement and where border patrol agents are imprisoned for doing their job in attempting to stop an illegal alien drug

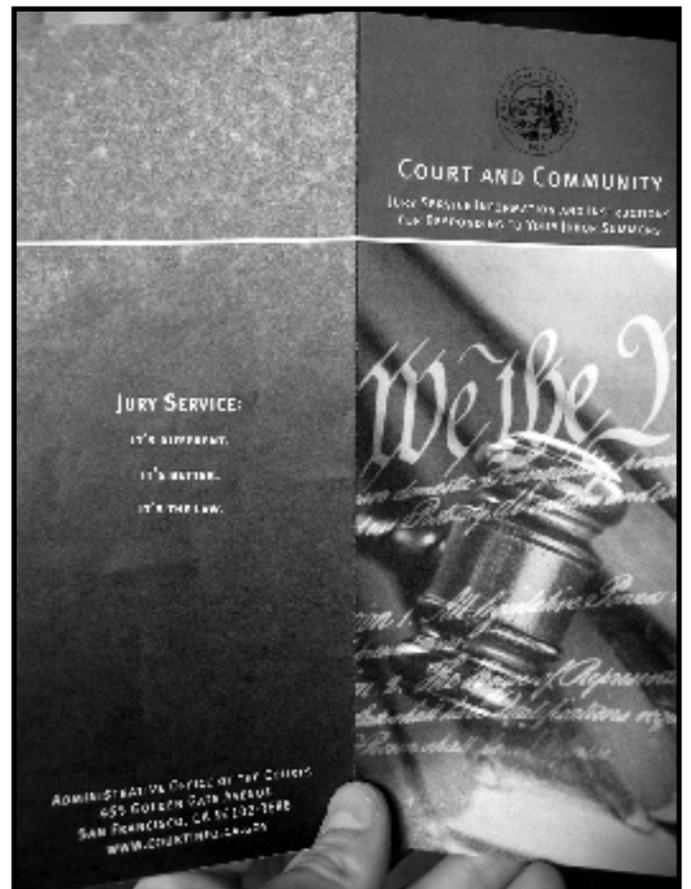
smuggler from bringing drugs across our border. U.S. District Court Judge Kathleen Cardone in El Paso, Texas, sentenced Jose Alonso Compean to 12 years in prison and Ignacio Ramos to 11 years and one day despite a plea by their attorney for a new trial after three jurors said they were coerced into voting guilty in the case, the Washington Times reported. Judge Cardone is corrupt and the jurors in this case were anything but "fully informed" regarding their true duties. As happens in court rooms across this nation every day, the judge actually instructed the jury to find these agents guilty.

Realizing that our justice system closely resembles a slaughter house where cattle are herded through chutes to their execution, something has to be done and the obvious place to start is with our juries. If a person is called to jury duty they need to realize that they are the real "judge" of the case. If the court excuses the jury to make private decisions, that the court doesn't want the jury to hear (exclude evidence from them), then all responsible jurors should simply come back with a Not Guilty verdict. If the judge in any given case even hints at instructing the jury to find a defendant guilty, responsible jurors must deliver a Not Guilty verdict. And above all else, if the law purportedly broken by a defendant is presented to the jury and that law is either vague, ambiguous or appears to be a bad law, the jury must deliver a Not Guilty verdict. This won't be hard for jurors in income tax cases because they won't be

shown any law since it doesn't exist.

It is a fact that we have some down right dangerous criminals living among us and when bad people commit crimes they need to be properly punished, however, far too many innocent citizens are falsely prosecuted in our courts and it is up to all of us to make sure we are fully informed regarding the rights and duties of being a juror.

The government is working hard to "dumb down" the American public. They want all people reliant on it for everything including the ability to think. The government controls the people by controlling their thought processes. This welfare society it's creating is a far cry from the God fearing, independent, hard working, productive, family oriented people God created us to be. Who says we should stop thinking for ourselves and use common sense in making decisions? In reality and if we don't change the course we are on, it won't be too far down the road that we



won't be allowed to think or make decisions, because government is rapidly taking these rights from us. Jurors had better wake up before the jury itself is gone... ■■■

Send us your comments
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right course is not to return to a mythical past of monetary sovereignty, with governments controlling local interest and exchange rates in blissful ignorance of the rest of the world. Governments must let go of the fatal notion that nationhood requires them to make and control the money used in their territory."

July 18, 2007. Metals - Gold rallies on Bernake's US sub-prime concerns for US economy. "LONDON (Thomson Financial) - Gold rallied after the dollar weakened when Fed Chairman Ben Bernake highlighted the dangers of the sub-prime fallout to the US economy in his semi-annual testimony to Congress. Gold tends to move counter to the dollar, as it is seen as an alternative asset to the world's most common currency reserve....Some analysts believe gold is asserting its position as a wealth guarantor in times of market volatility, following Bear Stearn's announcement that two of their stressed hedge funds are now essentially worthless after investing heavily in the US sub-prime market."

When people don't spend, the economy goes flat. Our economy is based on debt and debt is NOT prosperity. The congressionally created national debt currently means that every household in America owes the privately owned "Federal" Reserve banking system \$516,348 and that number will continue to grow. For what? Endless wars based on a mountain of lies from Bush, his cabinet and members of Congress. Foreign welfare, the raiding of the people's treasury with ZERO

authority from the U.S. Constitution to enrich foreign countries, potentates and dictators alike, and to fund wars between countries thousands of miles from U.S. soil. The savings rate in this country is in the minus column, millions are living paycheck to paycheck. As the cost of food and energy rises, the less disposable income people have to spend into the economy. The more foreign made products Americans purchase, the trade imbalance increases and Americans continue to lose ground for good paying productive jobs. What does this mean for Americans?

When you factor in the death trap Congress has snared the American people into with these devastating and unconstitutional trade treaties, anti-American companies outsourcing the best jobs, stealing via withholding taxes, the federal income tax rip off, the plans underway to erase the U.S. and merge us with Canada and Mexico and the coming financial tsunami when that first wave of baby boomers hits next year, look forward to at least three if not four paychecks needed to support your household. Let's also not forget the oil/energy situation and if anyone thinks they will ever see \$2.00/per gallon gas again. And, yes, I am fully aware of Lindsey Williams' work, The Non-Energy Crisis.

After my last column on America's gold reserves, I received a couple of e-mails from individuals who told me I was stupid, ignorant and didn't have a clue about our monetary system. They are supporters of Richard C. Cook's convoluted and unworkable solution to the central bank and his desire to get back to FDR's communist New Deal. Of

course I'm stupid and everyone else is a genius! Where on earth do I get my understanding of our monetary system, fiat currency and reform? Back in 1991 when I first came upon the claim that the Federal Reserve Banking System was a privately owned cartel, I began my research. I gave up my career and studied and studied - for years as I began my activism. I read everything I could get my hands on by Dr. Edwin Vieira. I've read all his books, Pieces of Eight, CrashMaker, How to Dethrone the Imperial Judiciary and Constitutional Homeland Security: A Call for Americans to Revitalize the Militia of the Several States. Volume I, The Nation in Arms. I studied the writings of monetary scholars from the Von Mises Institute and dozens of books by those who are far more intelligent than I am on this issue; see my Reading Room. Click here for this section in particular which has a load of congressional record and state archives documents that are of great historical importance.

One e-mailer sent the usual snotty and childish text telling me I work real hard at selling gold. I don't sell gold. I'm not a precious metals dealer, retailer or anything else. I know what's coming because you can only put so much air in a bubble before to bursts. I feel so bad for Americans who really don't realize just how dangerous and unstable the situation really is. That's why I recommend El Dorado Gold if people are looking to protect their assets. Americans can't even get access to their own money, i.e., 401(k) accounts without the government stealing from them in the form of penalties! How anyone can say they're free in this

country when a corrupt government has allowed a private cartel to control the fruits of your labor and doom all of us to poverty, is beyond me. For those who think Barack Obama, Hillary Clinton, Fred Thompson (member of the treasonous CFR), Rudy Julie-Annie or Mitt Romney are going to save their bacon, they are making a big mistake. None of these candidates are making any effort to warn the American people. In the case of Obama and Rudy, I doubt they even have a clue regarding the central bank and the danger of a fiat currency. Obama is stuck on free abortions and sex education for kindergartners, while Rudy busy is fending off the attack from the firefighters in NYC who are blowing the whistle on Giuliani's incompetence re 911.

The bells will toll because Congress continues to turn a blind eye to the seriousness of the overall situation, but they waste time on stupid and unnecessary legislation while America burns. ("Expressing the sense of the House of Representatives that there should be established a National Letter Carriers Appreciation Day." (Introduced in House) [H.RES.49.IH]. In two weeks Congress will AGAIN head for another vacation while the clock ticks. Survival is the name of the game and I hope folks will take the time to sit down and assess their individual situation. Get out of debt if you can; assist elderly parents who need help. Prepare for the worst because FED Chairman Ben Bernake, is either delusional or he's being deliberately deceptive.

Important Information:

1. A Primer on Money by Congressman Wright Patman
 2. Globalists admit: U.S. workers suffering
 3. A Caveat Against Injustice, a short treatise written in 1752 by Roger Sherman, author of Art. 1, § 10, cl. 1, of the U.S. Constitution
 4. William Gouge, Advisor to President Andy Jackson on Principles of the Banking System (1833)
 5. The Shearing is Nearing by Dr. Edwin Vieira
 6. Congressman McFadden's Speech On the Federal Reserve Corporation
 7. Reject Globalism: Buy Made in America by Americans
- Devvy Kidd authored the booklets, Why A Bankrupt America and Blind Loyalty; 2 million copies sold. Devvy appears on radio shows all over the country, ran for Congress and is a highly sought after public speaker. Devvy belongs to no organization. ■■*

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WHERE REALITY SHATTERS ILLUSION

China Wins NAFTA Super-Highway Battle

By Jerome R. Corsi

Red China is investing heavily in developing deep-water ports in Mexico to bring an unprecedented volume of containers into the U.S. along the emerging NAFTA Super Highway. This move signals China's emergence as the unexpected economic winner in the North American Union free market.

Hutchinson Ports, a wholly owned subsidiary of China's giant Hutchinson Whampoa Limited (HWL) is investing millions to expand the deep water ports the company manages at Lazaro Cardenas and Manzanillo on Mexico's Pacific coast. Now Hutchinson Ports is pledging millions more to develop Punta Colonet, today a desolate Mexican bay in Baja California. Mexico plans over the next seven years to dredge and convert Punta Colonet into a 10 to 20 berth deep-water port facility capable of processing some 6 million standard 20-foot-long TEUs (industry terminology for the "Twenty Foot Equivalent Unit" that describes a single standard container).

According to Judicial Watch, "Hutchinson, Whampoa, Ltd. is the holding company of billionaire Li Ka-shing, a well-known businessman, whose companies make up 15 percent of the market capitalization of the Hong Kong Stock Market." A Judicial Watch complaint filed in 2002, at the time HWL was purchasing the then-bankrupt Global Crossing, notes that Li Ka-Shing's holdings includes ports, telecom, and energy assets around the world.

Topics: Red China, NAFTA Super Highway, Hutchinson Ports, Hutchinson Whampoa Limited, Lazaro Cardena, Manzanillo, Mexico, Mexican bay in Baja California, Li Ka-shing, Chinese Government, Global Crossing, Democratic National Committee, Terry McAuliffe, Robert Pastor, Chinese People's Liberation Army, China Ocean Shipping Company, North American Union, Dubai Ports World, HWL, detect nuclear material, NAFTA corridors, North America's SuperCorridor Coalition Inc, Bush Administration, Wal-Mart, Kmart, and Home Depot, slave labor prison camps, abuses of human rights, George Bush, Bush Administration free-trade policies, Global Policy Forum, William Hawkin, open borders, George H.W. Bush, Bill Clinton, George W. Bush, Communist Chinese, super-highway, NAFTA super-highways, European-style North American Union dominated by the Chinese

According to a declassified U.S. government intelligence report that Judicial Watch obtained in a Freedom of Information Act (FOIA) request, "Li is directly connected to Beijing and is willing to use his business influence to further the aims of the Chinese Government." Judicial Watch had objected that "Li Ka-shing's agency relationship to the Communist Chinese should disqualify him from owning Global Crossing's network, which controls a significant percent of all the fiber optics currently leaving the United States."

Global Crossing was a Clinton Administration darling, noted for turning former Democratic National Committee Chairman Terry McAuliffe's \$100,000 investment into an \$18 million personal fortune. Global Crossing's bold move to control the U.S. international fiber-optics network over-reached, ending in a corrupt corporate melt-down that was an unfortunate prelude to the

Enron debacle. Hutchinson Ports was forced to drop the bid to purchase Global Crossing when the Committee on Foreign Investments in the United States (CFIUS) refused to approve the transaction on national security grounds.

Li Ka-shing's Hutchinson Ports also operates both ends of the Panama Canal, which we have previously documented was returned to Panama under the Carter administration by National Security Council advisor, Robert Pastor, whom we have called the "Father of the North American Union." HWL also has business dealings with the China Ocean Shipping Company (COSCO), China's largest shipping line, which is owned by the Chinese People's Liberation Army. In 1998, Congress blocked on national security grounds an attempt by the Clinton administration to allow COSCO to lease the abandoned Long Beach Naval Station.

Still, HWL has established a North American beachhead, despite the continuing security concerns. The Standard in China reports that today COSCO has established a little-known presence in U.S. ports, co-managing a terminal with Seattle-based SSA Marine at the mouth of Long Beach's port. Remarkably, in the aftermath of the Dubai Ports World blow-up in Congress, the Bush administration hired HWL to operate in the Bahamas sophisticated equipment designed to detect nuclear material inside TEUs headed for the U.S., without requiring U.S. customs agents to be present. Now, investing millions to deepen Mexico's ports in a plan to access the developing NAFTA corridors, HWL has found perhaps the most effective backdoor of all for gaining access to the continental U.S. market.

A set of China-promoting business projections are driving the frenzy to open Mexican ports to NAFTA corridors. Container traffic from China and the Far East has exploded, with industry experts expecting the cargo traffic from China to double by 2020. Today jumbo cargo ships containing 8,000 TEUs routinely cruise Pacific Trade routes. Unloading 8,000 containers from a single ship can take up to 3 days, even with experienced dock workers and state-of-the-art cranes.

West coast ports such as Los Angeles and Long Beach are regularly described as overwhelmed with containers arriving from China and the Far East, resulting in a virtual gridlock that causes expensive delays. As a result, "inland ports" such as the Free Trade Alliance of San Antonio and Kansas City Smartport, both members of the North America's SuperCorridor Coalition Inc. (NASCO), are exploring with enthusiasm opening NAFTA corridors to facilitate the movement from Mexican ports 50% to 60% of all containers entering the U.S. from China that are destined for delivery in the heart of the U.S.

Why the sudden enthusiasm for cheap goods from China? The Bush Administration continues to give the green light to mass-marketing retailers such as Wal-Mart, Kmart, and Home Depot, to name just a few, to import Chinese and Far Eastern goods without restraint, despite their under-market nature. Evidently the Bush Administration has decided to follow the path set by the Clinton Administration in the decision to turn a blind eye to the repeated accusations that many of the goods from China and the Far East are produced in slave labor



prison camps where abuses of human rights are everyday occurrences.

Opponents of Bush Administration free-trade policies, such as Global Policy Forum, have argued for enforcing "anti-dumping" provisions commonly designed in traditional international trade agreements to prevent the import of under-market goods produced by countries exploiting near-zero labor costs. The argument is that in opening the U.S. to cheap Chinese goods, we are leading a worldwide "race to the bottom," in which "the only priority is cost effective production, at the expense of workers, resources and sustainability." The result is that the international capitalists owning companies such as Wal-Mart earn additional billions, while U.S. manufacturing continues to out-source an increasing number of jobs and poor countries such as Mexico are only pulled deeper into poverty.

Strong conservatives are concerned today that China is the only clear winning in NAFTA. William Hawkins of the U.S. Business and Industry Council, a strong critic of our open borders with Mexico and Canada, has recently written that Mexico itself has filed 90 complaints against China at the World Trade Organization. Hawkins has argued that "the new energy being put into expanding the transportation network from Mexico into the United States heralds the collapse of NAFTA, and further discredits the trade strategy followed by the administrations of George H.W. Bush, Bill Clinton and George W. Bush."

Upon closer examination, something other than the "success" of the NAFTA model, as sold to the American voter, is propelling all this transportation and Smart Port activity--and that is the massive wave of imports from the previously unrecognized export superstar, China. U.S. west coast ports are swamped with container ships filled with Chinese goods, and a scramble is on to find new Pacific ports to bring even more Chinese products into the United States.

Hawkins views the plans to develop NAFTA Super-Highways as a disaster:

"What is being built is truly a 'Highway of Death' for both NAFTA and CAFTA. The resulting turmoil in the region will be felt in the United States, and will be an additional benefit to Beijing as the rising geopolitical challenger to American power."

Yet, as sound as Hawkins' arguments are, their subtly is likely to be lost on the Wal-Mart capitalists who see rising quarterly profits and handsome

executive bonuses from importing an ever-increasing volume of cheap Chinese goods into the U.S. market. So too, the Robert Pastor enthusiasts can be counted upon to welcome any reason to knit together the U.S., Canada, and Mexico into a North American Union, even if the driving force turns out to be a super-highway and inland port transportation scheme designed to benefit the Communist Chinese. Cheap Mexican remarkably undercut by the Chinese in manufacturing and assembly can still be used in transport, to land the Chinese goods on Mexican docks and then carry the Chinese containers by truck and train into the heart of North American.

Increasingly gone is the dream that NAFTA would stimulate the development of a Mexican middle class as a means of economically developing Mexico itself. At the dawning of NAFTA, few expected that Chinese slave labor would be allowed to undercut the sweat-shop maquiladoras that developed south of the border in the 1990s. Even fewer expected that the only Mexican labor that would remain competitive under NAFTA would be Mexican dock workers, truck drivers, and railroad workers -- and these only because these Mexican "government union" workers undercut U.S. Longshoremen, Teamsters, and United Transportation Union labor.

As for Mexico's underclass masses, Vicente Fox and his successor can be relied upon to maintain their mantra, "Go North," at least as long as President Bush and Congress remain unwilling to secure the border. In the end, the American middle class will pay the tab of increased social costs for millions of more uneducated, unskilled Spanish-speaking immigrants from Mexico and the other Hispanic countries south of the border. At the same time, the squeeze on middle class employment opportunities will intensify as NAFTA super-highways and U.S. "inland port" cities replete with Mexican custom facilities encourage yet more outsourcing to China.

All this sounds like a good deal for China. But are cheap sneakers at Wal-Mart really worth the damage being done to the most successful middle class ever built in world history? Aristotle's Politics give reason to ask whether the U.S. constitutional republic we have enjoyed for 230 years will long endure a middle class squeezed by an original NAFTA market that evolves into a European-style North American Union dominated by the Chinese.

China's Deadly Goods Wreak Havoc

By Melinda Liu
Newsweek

Wang Hai's mobile phone keeps buzzing with calls from clients. He's China's most famous crusader against fraudulent, shoddy and dangerous goods. The business consultant targets counterfeiters, helps duped consumers and protects whistle-blowers, many of whom face harassment or worse. "A good system for guaranteeing quality control simply doesn't exist in China," says Wang, who's been on the consumer-rights warpath for more than a decade. "Even confidential informants who report to authorities about someone selling fraudulent goods can wind up dead, under suspicious circumstances."

All of that ensures Wang is extremely busy these days. Over the past few months, a number of dramatic product-safety scandals have rocked China—and horrified the world. The U.S. media have exposed one badly made Chinese export after another, from poisonous pet food to toxic toothpaste to tires so poorly made they litter American highways with shredded treads. These revelations have raised serious questions about China's rise as factory to the world. It may seem hard to remember now, but just a few years ago, pundits and the global press were marveling at how quickly China had come on as a major manufacturing export power able, or so the thinking went, to build just about anything fast, cheap and well.

Now the true picture is emerging, and it isn't pretty. Far from the disciplined and tightly controlled economy China was thought to have, the ongoing scandals have revealed an often chaotic system with lax standards, where the government's economic authority has been weakened by rapid reforms. This sorry state is not unprecedented—other economies, such as South Korea's and Japan's, experienced similar growing pains decades ago. The difference, and the danger, is one of scale, since Chinese goods now dominate the world in so many sectors. Unless Beijing can improve its image fast and turn "Made in China" into a prestigious—or at least reliable—brand, consumers will remain at risk and the country's export-driven economic miracle could face serious trouble.

China today resembles nothing so much as the United States a century ago, when robber barons, gangsterism and raw capitalism held sway. Now as then, powerful vested interests are profiting from murky regulations, shoddy enforcement, rampant corruption and a lack of consumer awareness. In the United States during the early 20th century, public outrage over bogus drugs and contaminated foodstuffs, fueled by graphic accounts such as Upton Sinclair's "The Jungle," finally prompted passage of the landmark Pure Food and Drug Act. China needs a similar revolution today if it is to protect its competitiveness and its consumers.

The problem is especially pressing at home. Bad as the export scandals have been, conditions are even worse inside China. Factories that produce domestic goods often have far lower standards than those that produce and export clothes, consumer electronics or microchips. Zhou Qing is the author of "What Kind of God," an exposé whose sense of social mission could easily be compared to Sinclair's epic. In it, Zhou spins one hair-raising tale after another. There's seafood laced with additives that lower men's sperm counts, soy sauce bulked up with arsenic-tainted human hair swept up from the barbershop floor and hormone-infused fast food that prompts 6-year-old boys to sprout facial hair and 7-year-old girls to grow breasts.

In writing his book, Zhou had plenty of material to choose from. While the export scandals are new, Chinese consumers have had it so bad for so long that their casualty count is staggering. Bogus antibiotics produced in Anhui were blamed for six deaths and 80 people falling ill in 2006. In 2004, unsafe infant formula killed at least 50 babies and left another 200 severely malnourished, according to media reports. Virtually every product category is affected, from candy that has choked children to killer fireworks to toxic face cream. At least 300 million Chinese citizens—roughly the same number as the entire U.S. population—suffer from food-borne diseases annually, according to a recent report by the Asian Development Bank and World Health Organization.

To be fair, Beijing has made some attempts to limit the damage. Officials

implicated in consumer-product scandals are starting to face severe punishment. In May, a court sentenced to death Zheng Xiaoyu, first leader of China's State Food and Drug Administration, for approving fake medicines in exchange for bribes. Officials from the factory that produced the melamine linked to at least 16 U.S. pet deaths have been detained. Last week, as U.S. media reported on pesticide runoff and drugs affecting farm-raised catfish bound for U.S. markets, Chinese authorities released a survey taken earlier this year that showed that less than 1 percent of food sold for export—and 20 percent of the products made for the domestic market—was substandard or tainted.

Yet it's far too soon to conclude that China is starting to clean up its act the way the United States once did. In part that's because politics here remains a different and dangerous game. When "What Kind of God" was released in China at the beginning of this year, its state-owned publisher edited the text heavily and distributed few copies with scant publicity, ensuring that the public reaction would be minor compared with that which greeted Sinclair's book. Although Politburo members initially praised Zhou's work, Zhou contends his status as an '80s dissident led to subsequent efforts to downplay its importance. Zhou spent almost three years in prison following the 1989 Tiananmen democracy protests.

Indeed, in China, muckrakers like Zhou must still tread carefully, especially if their work negatively affects the bottom line of provincial czars. That's a lesson Zheng Qi, a whistle-blower in Jiangsu and one of Wang Hai's clients, learned the hard way. Trained as a quality-control technician at a military hospital, he reported to authorities in 2004 that the Peng Yao Pharmaceutical Factory near Wuxi was exporting bogus pills to Africa. (Zheng had once worked at the plant, but was fired after trying to expose a similar case in the '90s; he asked to use a pseudonym because he fears for his safety.) According to Zheng, the factory claimed the pills would fight insect-borne diseases such as malaria. But he says this wasn't true, and that Africans may have died as a

result.

No sooner had he made his claim than Zheng began to suffer harassment, and in a recent unsolved accident, he was hit by a car with fake license plates. "I believe I'm followed and monitored everywhere. The traffic accident was done on purpose," he says. Zheng blames factory head Zhang Guoqing for his persecution, alleging Zhang's connections to local party and government officials have shielded his plant, which continues to operate. (Zhang declined to respond to allegations.)

Fortunately, Beijing will find it harder to resist international economic pressure than it has domestic critics. The embarrassment and controversy over shoddy exports—including diethylene glycol added to cough syrup, which has killed at least 93 Panamanians since July 2006—are being used by some Beijing authorities to prod other bureaucrats into action. "Just as the Chinese leadership used WTO entry as leverage to push domestic reform agendas, it will use [this] international pressure to improve public-health and food-safety issues," says Wenran Jiang, a Sinologist at the University of Alberta. Zhou, the author, notes that China's former FDA head Zheng Xiaoyu was sentenced to death in May "because of America's dogs and Panama's cough syrup."

Yet Beijing is finding it harder to wield the kind of power over the provinces that it once did, making the cleanup that much more difficult. "There are clear indications that Beijing cannot effectively control the rest of the country," says Jiang. "The regime is particularly weak at regulating a cutthroat market economy with millions of private enterprises." Three decades ago, all of China's big manufacturers were state-owned enterprises, and the government could guarantee quality control. Now, however, many manufacturing companies, including formerly state-owned enterprises, have slipped into the loosely regulated private sector. These big businesses often get preferential treatment from local officials who are supposed to monitor them. And companies commonly bribe local police forces, even paying cops' individual salaries. Then there's the problem of regulations themselves. Experts say China should adopt an EU-style Basic Food Law and streamline its overlapping rules and jurisdictions. For the time being, different agencies still issue and follow different guidelines.

China also lacks a system for properly recording quality complaints, which makes it easy for authorities to later deny knowledge of a transgression. And according to Zhang Bing of the consulting firm AT Kearney, China has little means for tracking defective goods back to the source after they are distributed.

As a result of such gaps, China's many lapses are undermining the country's reputation as a juggernaut that will soon compete head-to-head with the likes of Germany and Japan in the most sophisticated sectors of industrial manufacturing. China's high-end exports are more comparable with those of South Korea and Taiwan, says Oded Shenkar, a professor at Ohio State University's Fisher College of Business. In other words, they rank somewhere between Mexico's and Japan's. And the Chinese government must figure out how to improve quality if it hopes to

Continued from page 2 Our Nation's Plight ...

recommendations based on the scientific method. No one connected to a pharmaceutical company may have any relationship with any medical facility or researcher except through a written chain of command that keeps a shatter proof barrier between the business aspect and medical worthiness of a proven protocol of treatment approved by a healing arts board. They are positioned only to accept or reject the viability of a regimen for patient use. Pharmaceutical companies may NOT patent natural cures.

XVI. An inventor's discovery of any energy related product may be protected and rewarded by government to provide the certainty that the discovery will in fact be used by all who choose to use it and prohibit discovery theft or non-use by industries threatened by its production. The inventor or discoverer of revolutionary materials will be awarded with its profits and rights to distribute for the good of mankind. **XVII.** From this moment forward, no

new executive orders or presidential directives will be issued for any reason and to do so would be grounds for immediate removal from office. The exception would be to use them as originally intended within the executive branch for the smooth operation of that branch only.

Now, there it is. Without a doubt, this would bring the United States into a position of strength and prosperity promised countless times by thousands of politicians over the past 100 years. I know the hypocrisy reeks as I told you it would. However, sometimes back-burning a forest fire is the one good way to stop it. I said at the start, I could virtually eliminate all of the most disastrous aspects of this nation's lethal present course. All but one..... The only thing I cannot recommend change for is you. Are you willing to fight for these issues and many others? Are you willing to try to bring a new approach before you no longer can even speak of it?

I have sent my letter to the President. I pray to God that he will devise something close to this and become the

greatest president in the history of our nation. I hope that he has not been so far removed from what is right and best for us, that he can summon the courage to take these 17 simple orders and change history. I have also sent these to Congress in the belief that honest men and women of courage and loyalty will take up their cause as well. Could it be that Congress would beat the president to the decrees and implement law, REAL law for the sake of our children? That is where it SHOULD happen. There is not a single word here that the courts, honest and fair courts could reject.

In 1500 words, you my precious fellow citizens, have the beginning of a brand new America. Can we do it? Absolutely, yes. Will it happen? Only if you demand it, God wills it, and all who have a chance to become first class heroes face the enemy's fire and prevail.

Greg Evensen is a former long time highly decorated Kansas State Trooper who travels the nation speaking about the law enforcement officer's role in American society. Greg served as a for many years. ■■

Continued on page 14

Continued from page 13 China's Deadly Goods ...

keep the economy humming. The recent U.S. recall of defective Chinese-made car tires suggests more such discoveries may be forthcoming, which would further tarnish mainland brands and dent their overseas ambitions. For example, the Chinese manufacturer Chery Automobile, in cooperation with Chrysler, plans to start exporting small and subcompact vehicles to the United States in less than a year. But a scandal there could prove crippling. Other Chinese automakers, such as Geely, have already postponed plans to export to the West because ensuring safety and performance standards has proved so difficult. The Chinese-made Landwind SUV recently received the worst crash rating a German auto club had awarded in two decades.

The real problem may be that some parts of the Chinese bureaucracy have become so used to quality problems at home that they are waking up too slowly to the damage these lapses do to their reputation in Europe, the United States and Japan. The mind-set of the demanding consumer society has not yet taken hold. When U.S. officials tried to raise the product-safety issue during a recent session of the Sino-U.S. strategic dialogue, held in Washington, D.C., in late June, Chinese delegates seemed caught flat-footed and asked to defer discussion until the next round.

Fortunately, history suggests that once Beijing gets serious it will make rapid progress. Many other Asian economies experienced similar teething problems

at parallel stages in their development. Tech analyst Dan Heyler of Merrill Lynch in Hong Kong recalls that Taiwan used to have a reputation for slipshod products, before figuring out how to turn things around. "The learning curve begins with reverse engineering to kick-start a lucrative export trade," Heyler explains. The next stage is, "Let's cut corners so we can make more money," he says. "But that doesn't work. China is in the next part of the learning curve, which is [guaranteeing] quality." Like other Asian forerunners, Chinese firms will face a powerful imperative: raise safety and quality standards or get shut out of foreign markets. Still, it may take them longer to adapt than did companies in countries with stronger laws and regulations.

This is worrisome, since China is already so big and globalized. The mainland's mushrooming road system, for example, makes it easier for Chinese eels and wheels to travel from East to West. "All of those farmers at the end of all those brand-new highways are suddenly connected to the rest of China—which is now connected to all of us," says Drew Thompson, China studies director at the Nixon Center in Washington, D.C. "But getting all those farmers up to international standards is a Herculean task." To accomplish it will require a clear-eyed recognition of the problem, not a stifling of Chinese critics following in the footsteps of Upton Sinclair.

With Jonathan Adams and Jonathan Ansfield reporting in Beijing.

■■■

Continued from page 9 Open Borders Leave ...

passports to the inspectors at ports of entry to help prevent terrorists from entering our country.

Sixty years ago our nation built the first atomic bombs under the extreme pressure of World War II. In 1969 the United States landed the first astronauts on the moon and returned them safely to the earth, a feat that has yet to be duplicated by any other nation. Yet today, "Super Power" United States cannot even produce an adequate number of passports to help prevent the entry of terrorists into the United States. Today we still lack the resolve to terminate the Visa Waiver Program that enables aliens from 27 countries including countries that are known to have a significant problem with terrorists living within their borders such as Great Britain, Spain and Germany because the executives of the travel, hospitality and tourism industries have exerted extreme pressure on politicians through their high-powered lobbyists including, apparently, former Secretary of DHS Tom Ridge.

Our nation and our citizens may pay one hell of a price for "cheap labor" and corporate profits that are obviously behind the immigration crisis confronting our nation today!

If, God forbid, there is a terrorist attack committed by foreign operatives of Al Qaeda inside our country, the questions that will and must be answered will include how they managed to enter the United States, how they embedded themselves in our country as they prepared for the attack.

"We the People" must make it clear to

the politicians on Capitol Hill who have not acted to secure our borders and create a secure immigration system, irrespective of political party. This is about accountability and the "Fools in the Hill" as I refer to those politicians who have not acted in our best interest will be held accountable if there is, in fact, a terrorist attack.

Michael W. Cutler graduated from Brooklyn College of the City University of New York in 1971 with a B.A. in Communications Arts and Sciences. Mr. Cutler began working for the Immigration and Naturalization Service (INS) in October 1971 when he entered on duty as an Immigration Inspector assigned to John F. Kennedy International Airport. In August 1975 he became a Criminal Investigator (Special Agent) for the INS at NYC.

He rotated through virtually every squad in the Investigations Branch. From 1988 until 1991 he was assigned as the INS representative to the Unified Intelligence Division (UID) of the DEA in New York. In 1991 he was promoted to the position of Senior Special Agent and was assigned to the Organized Crime, Drug Enforcement Task Force (OCDETF) which required that he work with members of other law enforcement agencies including the FBI, DEA, ATF, U.S. Customs and local and state police as well as law enforcement organizations of other countries including Israel, Canada, Great Britain and Japan, to conduct investigations of aliens involved in major drug trafficking organizations. He retired from the INS in February 2002, after a career that spanned some 30 years.

■■■

Chevron quarterly profit hits all-time high

David R. Baker
SF Chronicle Staff Writer

This spring's punishing oil and gasoline prices helped propel Chevron Corp. to the highest quarterly profit in its 128-year history - \$5.38 billion -- the San Ramon company reported Friday.

That's 24 percent more money than Chevron made in the same quarter last year and easily beats the company's previous record of \$5.02 billion set in last year's third quarter. Chevron's profit for the first six months of this year now stands at \$10.1 billion, compared with \$8.35 billion for the first half of 2006.

Much of the second-quarter jump in profit came from the sale of a company, not gasoline. Chevron sold its stake in Houston energy business Dynegy, pumping up profit by \$680 million.

But Chevron, the nation's second-largest oil company, also benefited from a record-setting rise in gasoline prices. The national average for a gallon of regular hit \$3.23 in May and has since fallen to \$2.92. California's average peaked at \$3.49 and now stands at \$3.10.

Profit for Chevron's refining, marketing and transportation operations in the United States reached \$781 million in the second quarter, a 41 percent jump from the same period last year.

Consumer advocates have long suspected oil companies of manipulating prices, and this spring was no exception. The price spike was caused by mechanical problems at gasoline refineries -- not by an increase in the cost of crude oil -- and advocates questioned whether the oil companies weren't deliberately cutting supplies to increase the price, perhaps by extending repairs at the refineries.

"You can't justify gasoline prices with oil prices, at least not in the second quarter," said Judy Dugan with the Foundation for Taxpayer and Consumer Rights. "American drivers are disproportionately paying at the pump to boost corporate bottom lines."

Oil industry representatives call such charges absurd.

Finding spare supplies of gasoline when a refinery shuts down usually costs the companies, they say. They also note that not all refinery downtime raises gasoline prices. Chevron spokeswoman Stephanie Price pointed to her company's recent upgrade of its huge refinery in El Segundo (Los Angeles County).

"The El Segundo refinery went down at the beginning of June, and prices actually decreased," she said.

With gasoline prices falling across the

country, Chevron's refineries probably aren't making as much money now as they did during the second quarter.

Oil companies don't reveal precise profit figures for refineries. But one rough measure of refining profits for all refineries on the West Coast shows that they have dropped by two-thirds since peaking in early May.

To Wall Street analysts, that suggests that gasoline prices will keep dropping.

"You might see a bit of a spike before school starts, but they're not going to get anywhere near the level they were at around Memorial Day," said analyst Justin Perucki, with the Morningstar research firm.

Chevron's report capped a week of strong earnings for the biggest international oil companies.

BP's profit rose 1.5 percent to \$7.38 billion. Exxon Mobil's profit dipped 1 percent but still hit \$10.26 billion. Shell jumped 18 percent to reach \$8.67 billion for the quarter.

Only ConocoPhillips suffered, with its profit plunging 94 percent to \$301 million. But that was due to the company's decision to pull out of Venezuela rather than accept President Hugo Chavez's terms for staying and converting Conoco's operations into a joint venture with the state-run oil company. ConocoPhillips wrote off \$4.5 billion as a result.

Despite the rosy results for most companies, there were a few hints of trouble. The amount of crude oil pumped from the ground in the second quarter fell for BP, Chevron, Exxon and Shell. Production from oil fields naturally declines with time, and all oil companies face constant pressure from investors to find and tap more fields.

Chevron's production worldwide slipped about 1 percent, to 2.63 million barrels per day. The company has announced delays in starting production at Tahiti, an oil field deep in the Gulf of Mexico, and Wall Street is anxious to see more of Chevron's development projects completed.

"Tahiti already had some delays, and we don't want to see any more like that," said Philip Weiss, senior analyst with Argus Research. "Because that's really the key with Chevron, coming through with some of the stuff that's in the pipeline."

Chevron spent \$4.5 billion in the second quarter on exploring for oil, drilling wells and upgrading refineries.

Total revenue for the quarter topped \$56.09 billion, up 4.7 percent from \$53.54 billion in the same quarter last year ...

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A Victory for Gun Owners and Foster Parents

In January of 2007, as the last legislative session was getting underway, the Oregon Firearms Federation heard from several foster parents who had been informed that their right to own and use firearms was incompatible with their desire to help children in need.

Talia Heath wrote:

*“Dear OFF,
Just wanted to say thanks for your efforts to protect our rights. I specifically want to thank you for taking action in regard to DHS's restrictions for foster parents.*

My husband and I are foster parents but our home is currently on hold because of this issue. We are both CHL holders and have had to choose between fighting for our rights and

taking care of needy children. This is a horrible position to be in. Thank you for what you are doing on our behalf. Please let us know if there is any way we can be of help in this area.”

The Department of Human Services, which oversees the foster parent program, had informed them that new rules were in place that drastically reduced their ability to possess firearms. Concealed handgun license holders were not exempt.

The DHS rules essentially rendered all firearms in a foster home inaccessible and useless.

OFF agreed that it was absurd to trust adults with CHILDREN, but not firearms. We asked the State Representative Jerry Krummel to investigate.

Krummel is blessed with one of the hardest working staffers in Salem, Dawn Phillips. Phillips contacted DHS and demanded an explanation for a rule they have no authority to make.

In the ensuing months, Phillips kept OFF informed of all the efforts she was making to get DHS to comply with the law, and every effort DHS was making to avoid complying.

Legislative Counsel (the lawyers for the legislature) wrote an opinion reaffirming what gun owners, and others who read the law knew. DHS has NO authority to regulate firearms without the express permission of the legislature. Oregon's Attorney General concurred.

DHS has now agreed that their rule was unlawful and has rescinded it.

This is a victory for gun owners, foster parents, foster children and the rule of law.

It is still essential that foster parents and gun owners continue to provide input. No doubt there will be efforts made in the future to restore these restrictions.

The agency is seeking public comment on new rules for certification standards through August 23rd. You can learn more about the rules on their web site:

<http://www.dhs.state.or.us> or call 503-945-6897 or 503-945-5651.

We thank the foster parents who had the courage to come forward and speak out against an agency that clearly held their rights in contempt. We thank Representative Krummel for his willingness to stand up to a bureaucracy that violated the law and the rights of the most investigated and responsible people in the state, and we thank Dawn Phillips for her tireless efforts on behalf of foster parents in Oregon. ■■

The Second Amendment

“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.”



Continued from page 1 Show Me the Law ...

first unnoticed, a victim will eventually take note when the revenue flow begins to fall short of the accrued expenses. Awareness of a crime may awaken a victim, however, it is still necessary to find out the criminal's method before the perpetrator can be identified and confronted with the evidence. Modus Operandi, according to Black's Law 6th edition, "...is a pattern of criminal behavior so distinct that separate crimes or wrongful conduct are recognized as work of same person." However, if this behavior pattern is perceived as not out of the ordinary then it becomes more difficult to detect.

What has happened and continues to occur in this country is the victim overlooks the crime because of lackadaisical indifference, ignorance of the long-term consequences, or reliance on someone else for solutions. Indifference is manifested when one does not realize that he is the victim. He thinks it's not his money, so let somebody else deal with it. The target of the crime may rationalize that the serial offense is trivial, therefore negating the need to worry about the eventual erosion of personal wealth, happiness and freedom of choice. There is also a segment of society with a mind set denying it could happen to them due to the law of large numbers.

Eventually, the ownership of personal production matriculates to the perpetrator from the producer. What once belonged to the victim is confiscated. The victim is left with just enough to sustain himself, because the divine right of rulers justifies the domination process.

Ideally, the petty thief desires that the victim remain clueless of the methods and ambitions that are about to beset him. It would be most expedient if the victim is ignorant of basic accounting and math skills, fails to read reports of shortages from the custodians or heed warnings of whistleblowers in the back

room. "Don't look here, look over there," becomes the mantra in the con-man's art of deception. Through this deception a sense of anonymity is created, ultimately evolving into overconfidence and a sense of invulnerability. In time this behavior manifests into overt belligerence against the victim in the event resistance is detected. Reporting the crime to authorities, much less a demand for redress of grievances, is strictly forbidden and will be dealt with...harshly.

Unbeknownst to most Americans but attested to by past victims and the civically well informed, these crimes are far from petty or infrequent. Certain renegade subcontracted agencies to the U.S. Treasury Department conduct these kinds of crimes against the American people using a method that is as repetitive as it is exacting.

For those with the naive idea that federal income taxes actually pay for government services, thereby giving it the right and duty to collect taxes, take a time out to reassess your position based on the law. References to the "rule of law" and "we are a nation of laws" reverberate from every form of media ad nauseum, but the discernment regarding the law is lost in the rhetoric. Some taxes are indeed based on the law. The U.S. Constitution even references the taxation of tobacco, alcohol and firearms. Hence there have been laws authorizing the taxation of these commodities and a statutory agency designated with collecting these taxes known as the Bureau of Alcohol, Tobacco and Firearms (BATF).

The taxing of personal wages, however, has no basis in law. Recent court case victories, (USA v. Tommy Cryer; USA v. Vernice Kuglin) were decided in the defendants favor because the government couldn't present the law to the jury. No law, no crime! Was there ever a law that mandated Americans going to prison for attempting to stop the extortion/petty theft that these non-

statutory agencies enforced under the color of law? There was not. Resistance to their faux law has been met with bullying, extortion, and false prosecutions of innocent Americans, who actually read the tax regulations and determined that filing a 1040 form is not required.

Two additional cases provide further proof of the crime against the citizenry that maintained the fact that the 1040 tax return form is not a valid form authorized by the Paper Work Reduction Act, 1975. One defendant William Wallace Lear was released from federal custody and in another case, Robert Lawrence, was dismissed at the request of the government for fear that a defeat would set adverse precedence or garner headlines. When victims try to get the thief out of the till they are intimidated, imprisoned and impoverished by the cost of litigation. This conduct is categorically insidious, malicious, baseless in law and vindictive against those who discover the truth about embezzlement.

Honest financial institutions, promoting legitimate wealth building methodologies, have been attacked unmercifully for years by this renegade agency, impervious to reprisal since the victim is rendered anemic or senseless from the constant, unbridled attacks under the color of law.

The method of attack is similar in most cases. Target an individual, organization or contractual entity, i.e. trust, foundation, or partnership. Perform a perfunctory investigation to ferret out the participants, then infiltrate the entity with agents to entrap investors, management, and locate the investment funds. Grand Juries or star chambers are then convened so rogue agents will provide prejudicial one sided sworn testimony, replete with perjured evidence. Assistant U.S. Attorneys will often orchestrate these juries so that indictments are assured to be sent down. With unsigned arrest warrant in hand, Gestapo like raids are mounted, often

against unarmed, unsuspecting targets with no malice or forethought of ever committing a crime.

Once in custody defendants are tortured, abused, isolated and threatened into compliance. Family members are ordered to remain silent or face the same treatment. Personal funds are then confiscated so that mounting a defense with the assistance of counsel is virtually impossible. Beaten and fearing for their lives, defendants, bewildered as to the accusations, are then subjected to the pressure of making a decision, abetted by their attorney, to take a plea agreement for a felony or lesser charge or risk being tried in front of an uninformed jury and convicted of many charges.

The prospects of serving ten or twenty years in prison, losing their reputation, financial ruin, possible divorce or their children sent to foster care forces them to capitulate and admit to doing something illegal, thereby perjuring themselves in order to save what is left of their lives. Government then destroys their reputation with well-placed, one-sided press releases, both before their trial in order to poison the jury pool, and after their admission of guilt. Government wins a conviction based on a law that is not in existence. Game, set and match!

Has this ever happened to you? Are you a victim of over zealous prosecutors, fraudulent rogue agents, corrupt courts, inept attorneys who sold their soul to the devil, then let their clients rot in jail? Are you mad, frustrated, sick, distraught, broken and unable to live your life? Take heed! The time is at hand to rid the embezzlers from your life.

Join the crusade, if you have any intestinal fortitude left in you, help us undo the chains that bind us in this government form of slavery. Call 541-474-7885 or email the US-Observer at ed@usobserver.com. Without an action there certainly won't be a re-action!

■■■

Continued from page 1 IRS "Con"spiracy Charge ...

conspire to defraud the United States means to directly interfere with or obstruct one of its lawful government functions. The purpose of a conspiracy is to defeat by misrepresentation, chicanery or to overreach those charged with carrying out the government functions."

A close investigation into the Matthies' history and belief system, something the government didn't take the time to do, verifies that their actions were a matter of public record; therefore the government's charges on conspiracy are ludicrous at best. **Who's conning who?**

Objects of the Conspiracy

The indictment claims that Hank and his employer overstated the number of allowances to which he was entitled. Let's dwell on this allegation for a moment. Hank Matthies did not overstate the number of allowances on the W-4 submission since according to the internal revenue code he could lawfully claim up to 9 allowances. Since allowances are not defined as dependents Hank was merely reducing the amount of withholding tax, which tax he knows is unconstitutionally applied to him, from his paycheck. It should be noted that in order for Hank to get a job he had to fill out a W-4. Most employers across this country are unaware that filling out a W-4 is voluntary according to the tax code; therefore they require a person to fill this out before they will hire them. Hank has always written "under duress" on the W-4 and he crossed out the statement "under penalty of perjury," due to his insistence with being honest with himself and others. At anytime the IRS could have instructed both Hank and his employer to reduce the allowances administratively. He worked for the same employer for over ten years and not once did the IRS attempt to mandate a change in W-4 allowances. **Who's conning who?**

Furthermore, the IRS claims that in order to conceal assets from government the Matthies' transferred assets to trusts and held title to assets in trusts and in Mrs. Matthies name. They also claimed that the Matthies' impeded and obstructed the IRS from determining and collecting the amount of income tax Hank allegedly owed them and the IRS claims these transfers were meant to create barriers from collection efforts and exempt income from tax. Let financial planners take note of these purported illegal activities.

The Matthies' like most concerned families discussed the need for a trust in order to avoid the ravages of probate. In 1997, Hank told Judy to get the ball rolling on the trust and she did. The property deed in the trust's name was filed with the County Clerk and Records office in accordance with the law. No trick, deceit or craftiness there. Since it was public record and if the IRS wanted to break the trust in order to collect what they say he owes, they certainly could have done that just as they illegally do thousands of times across the country every year. This writer is not aware of any law that forbids property to be held in trusts, in fact most prudent Americans use trusts to ensure that they leave an inheritance protected for the beneficiary when they

decease. **Who's conning who?**

The IRS claims that Hank filed income tax returns and amended returns reporting no income or deductions in order to conceal and mislead the IRS as to their actual income and deductions. This charge is preposterous since Hank filed the returns along with applicable affidavits citing U.S. Supreme Court cases he relied on to prove he wasn't liable to pay a tax on income. If the IRS is stating that he filed these returns, how is it possible that they are charging him with willful failure to file? **Who's conning who?**

Additional charges state that in order to conceal income from the IRS, Judy Matthies would cash Hank's payroll checks instead of depositing them in a bank account. The Matthies' like so many other law abiding citizens declined to use a checking account due to an unpleasant experience with their banking institution thirty years ago. After being notified of an over drafted check and subsequent bank charge that was proven to be incorrect, Hank elected to deal in cash and live within their means. One would assume that there is still enough "freedom" left in this country to afford the Matthies' this right. Hank and Judy Matthies are deeply religious people who firmly believe that their Creator has instructed them to be good stewards of that which their Creator provides them.

In order to facilitate check cashing the Matthies' still have a savings account, solely for the purpose of operating in commerce. It is clear that any check cashed by a bank is set into a permanent record of the transaction. The savings account always had an adequate balance the IRS could attach at whim. They never levied this account, but have the audacity to charge the Matthies' for cashing checks. Due to this bank record, how is it that they are being charged with concealing income? What law forbids citizens the right to cash checks? Think of all the payroll check cashing facilities across this country. Are these institutions conspiring against the government as well? The con in this case is trying to make people believe the Matthies' are doing an illegal act when the act is totally benign – totally legal.

Overt Acts

The overt acts must demonstrate that there were, in fact, criminal agreements between the Matthies' and other known and unknown co-conspirators. Hank is charged with claiming nine allowances on the W-4. Where is the criminal agreement between him and his employer? The withholding form was completed, submitted to and accepted by his employer. Never was there an issue raised between Hank and the IRS regarding this submission.

The IRS further states that Judy purchased a 1994 truck with Hank's earned income and applied with the State of Montana for title in her name. Subsequently, Hank submitted a statement to the Montana Department of Justice, Motor Vehicles Division, that he had no interest in the 1994 truck. This act was motivated by the Matthies' in an effort to establish credit in Judy's name in case of the untimely death of her spouse. This transaction is replicated by American families time and time again. All vehicle registrations are a public record sanitized with sunlight, with no hint of conspiratorial intent. Yet the con-artists continue the facade of flimsy charges against this hard working



Hank and Judy Matthies

family.

Not stopping there the IRS stated that Judy transferred the truck to a trust, which she did indeed do after the trust was created. People transfer vehicles into trusts for many legitimate reasons, one of which is protecting themselves from lawsuits. She in turn purchased another vehicle, which was titled in her name for the sole purpose of maintaining her personal credit rating. Is this totally legal transaction that is of public record a conspiracy? **Again, who's conning who?**

Continuing the slate of charges, Judy is accused of transferring their house into a couple of trusts over a four year period of time. There is no intent or criminal agreement to conspire with anyone about their personal business as all of these actions are public record. Maybe the Clerk and Recorder who filed these documents is part of the purported conspiracy. How absurd!

The IRS then states that Judy paid the property taxes owed on the house that the trust owned. This is true, because the trust did not have a bank account and it was Judy's responsibility to pay the taxes. There's still no criminal agreement with anyone. It's called financial responsibilities.

Now, with all of this said, Hank and Judy have studied the internal revenue code, Constitution, Bill of Rights, Supreme Court cases, case law, read many books, interviewed former IRS agents, attorneys and did extensive research on the internet regarding the assessment of income taxes by the IRS. Both determined that the method used by the IRS to apply the code to Hank was unconstitutional. He was never involved in revenue taxable activities.

Their research project gave them the knowledge that all taxing authority in the United States is derived from the United States Constitution. Contrary to conventional wisdom the Sixteenth Amendment conferred no new powers of taxation upon the federal government, and did not extend the taxing power to new subjects as a result of its alleged ratification.

Over the years there has been an evolution of the tax regulations to obscure the method of taxation ordained by the statutes rather than to clarify them. In addition, the writers of the tax regulations intentionally made the codes nearly impossible to navigate and understand. The only reason for this obfuscation of the laws and regulations is to cloud the issue regarding who is liable for the income tax, thereby enabling the unwitting compliance to a

law that doesn't exist.

Whether or not the law exists is of no consequence to the IRS. This is an agency that routinely operates under the color of law. They have no power to arrest a citizen for alleged violations of the tax code; therefore, they will arrive at their victim's door with a local law enforcement officer to enforce the unlawful warrant. The agents in orchestration with the U.S. Attorneys create crimes where there is no intent to commit crimes, then they present their one-sided case to a grand jury that is clueless regarding the tax code and the related regulations. They complete their successful presentations without ever having to show the grand jury the law that doesn't exist. With an ill-gotten indictment the IRS goes about trying to destroy families by causing financial ruin through legal fees, confiscation of assets by liens and levies and unbearable stress on family members. Many times this is the main purpose of their attack. Obtaining a conviction is just frosting on the cake.

Is it any wonder the IRS has not provided Hank or Judy Matthies with the statutes which requires Hank to file a return or requires them to pay a tax on income? Logically, if the IRS cannot provide them a copy of the law that is the basis of the indictment it follows that there are no grounds for prosecution of the alleged crimes.

Enter the tax division of the Department of Justice where the baton is passed to prosecutors that have tried and true methods of extracting convictions from uninformed juries. The defendants, armed with volumes of evidence upholding their innocence are blind sided by prosecutorial maneuvers that in effect strip all of their evidence from their defense. The main weapon used is the "Motion in Limine." According to Black's Law 6th Edition, "it is a pretrial motion requesting a court to prohibit opposing counsel from referring to or offering evidence on matters so highly prejudicial to the moving party that curative instructions cannot prevent a predispositional effect on the jury. Purpose of such motion is to avoid injection into trial of matters which are irrelevant..." What is irrelevant about there not being a law? Of course the information about the non-existence of the law would be highly prejudicial to the prosecutors; therefore, it is always automatically excluded with the judge's blessing. Even if the jury was astute enough to ask to see the law the judge informs them that reading the law is not necessary and

Welcome to the 'Methborhood'

By Ron Lee
Investigative Reporter

Meth use is a plague sweeping across our country infecting everyone it comes in contact with. However, the victims of this pestilence aren't the users alone. They are the children of addicts who often end up as wards of the state, or worse, brain damaged by the chemicals with no hope of a full and meaningful life. They are the loving families meth users leave behind when they finally fry their brains and whittle away to nothingness. They are the property owners who have mistakenly rented their property to an individual who thrashes their home and land in order to cook-up a batch of poison. And, they are the next-door neighbors to these "clandestine" meth labs, who get broken into and then threatened, stolen from and oftentimes in the process, assaulted.

These victims are the ones who live with a stench of cat urine drifting into their windows when their neighbors are cooking. Unfortunately in many cases, neighbors to meth labs stay silent in fear of retaliation. Fear that one day this tweaker next door will do something crazy because he suspects you said something to someone about something. Paranoia. Welcome to the Methborhood.

According to officials, neighbors who suspect a meth lab should report it to authorities, but neighbors have realized that police work takes time to gather enough evidence to raid these establishments. In many cases, too much time, and the nearby residents stay silent to placate the tweakers just so there'll be some semblance of peace.

There is, however, hope on the horizon. With many states making Pseudoephedrine products prescription only, a key ingredient to meth production, statistics for meth use and amount of labs show a decline. But, then again, maybe people are just keeping quiet.

Meth facts according to the DEA web site:

"Methamphetamine is one of the most widely abused controlled substances in the state and availability is high. In the past, powder methamphetamine was most common; however, seizures show a switch to the more addictive and potent form of meth referred to as 'ice' or 'crystal.'

Oregon legislators enacted a number of laws aimed at directly reducing methamphetamine availability and local production. In July 2006, products containing ephedrine and pseudoephedrine, precursor chemicals used in methamphetamine manufacturing, became Schedule III controlled substances, available only by prescription. In recent years, legislation restricted sales of pseudoephedrine by limiting sales to licensed pharmacies. In addition, pharmacies are required to maintain a log of purchase transactions and keep products behind a pharmacy counter. Reported clandestine laboratory seizures have been declining, and the local drug market has been increasingly supplied with methamphetamine from other southwestern states and Mexico. Mexican drug trafficking organizations dominate the methamphetamine supply in the Pacific Northwest."



Ingredients

Iodine, Sulfuric Acid, Red Phosphorous (Road Flares), Battery Acid, Acetone, Anti-Freeze, Ephedrine Tablets, Coleman Fuel, Pseudoephedrine Tablets, Lye, Muriatic Acid, Drain Cleaner, Hydriotic Acid.

Signs of Clandestine Labs

Unusual odors similar to fingernail polish remover or cat urine; Blacked out windows; Lots of traffic-people coming and going at odd hours; Excessive trash-including large amounts of precursors; Unusual amounts of clear glass containers being brought into the home.



The above photo was taken after a raid of a meth lab.

What if you suspect a meth lab?

Leave at once; Report it to your

local law enforcement agency; Do not open any coolers; Do not touch any items.

A great resource for information can be found at southernoregonmeth.org. ■■

Continued from page 16 IRS "Con"spiracy Charge ...

to follow his jury instructions, which almost always leads to convictions and is actually a form of jury tampering. In essence the DOJ and the judges are a part of the con. It's not us conspiring to defraud them, it's them conspiring to defraud us!

All Americans have a duty to obey the law. They do not have a duty to cower to the IRS, who in fact is an agency that routinely and illegally intimidates citizens with unbridled power. Where is it mandated that we are here to bow down to an agency operating under the color of law and that we obey their dictates when we know they're false?

Hank and Judy Matthies are being charged with conspiracy because the IRS knows they don't have to present direct proof of a conspiracy or prove a criminal agreement. The only thing they have to prove is an overt act that doesn't even have to be unlawful. Cashing checks without a checking account comes to mind. Just grab a handful of hypotheses, throw them at the wall and see if any stick. This is the real con the IRS pulls off on an annual basis against scores of hard working American citizens and they accomplish this by using the complicity of uninformed juries.

In retrospect the IRS could have taken intermediary steps to capture alleged back taxes. This agency does that every day to many citizens through illegal methods such as notice of levy as opposed to court orders. Make no mistake about it, the mission of the IRS is to ensure "voluntary compliance," which in itself is an oxymoron. The cost to the well intended taxpayer is inconsequential to the agency as they are known for intimidating anyone that falls out of line. They in fact take great pride in crushing elderly citizens, hard working wage earners and entrepreneurs. Their motive is to have their acts of financial rape spread far and wide in order to enhance their reputation for ruthlessness. The Matthies' are far from affluent in material possessions. They work hard, live in a modest home tax appraised for approximately \$51,000 and tend to their family. In the

IRS manual these are characteristics of the ideal victim. The Matthies' just want to see the law that doesn't exist. Where is the con in that motive?

The IRS, DOJ and the judge involved in this case are sorely mistaken if they think threatening Hank and Judy Matthies with prison and supervised release, plus fining them \$250,000.00 will make them change their minds. That's absolutely not going to happen. Hank and Judy know the truth about the IRS and the income tax. They know, as does this writer that absolutely no law exists that requires them to pay such a tax and they are going to stand on the truth. The Matthies' are honest, law abiding Christians and they recognize when they're being conned.

The IRS wants us all to believe that a husband and wife cannot discuss the way they want to handle their personal, household and financial affairs. Nothing could be further from the truth. Our personal, household and financial affairs are absolutely none of their business. We all have the right to privacy and have the right to be secure in our houses, papers and effects as per the 4th Amendment. The IRS denies that these constitutional rights even exist.

Recent Court Cases Prove the Matthies' Position

Shreveport, Louisiana - A federal jury found Shreveport, La. Attorney Tommy Cryer not guilty on July 11, 2007 of two misdemeanor counts of failure to file income taxes and dismissed two felony charges of tax evasion prior to trial. Cryer was represented by renowned tax attorney Lowell (Larry) Becraft Jr. of Huntsville, Alabama. Mr. Becraft is currently representing Hank and Judy Matthies in their battle with the IRS and their case mirrors that of Cryer's.

Cryer stopped filing income taxes 10 years ago and challenged the government for years on the legality of filing federal income taxes. He said the court could not list any laws that make his revenues taxable. The IRS and the

US Attorney's Office were unable to produce any law, simply because none exist.

San Jose, California - Ex-IRS criminal investigator Joe Banister was indicted on or about November 18, 2004 on one count of conspiracy, three counts of willfully aiding, assisting, counseling, and procuring the filing of an amended tax return which was false with regard to a material matter. Banister was acquitted on June 23, 2005.

Mr. Banister was an IRS agent earning \$80,000.00 annually, who began to study the Income Tax Code and discovered it did not apply to most American citizens and that it was being enforced by the IRS and Government of the United States illegally. When Banister questioned his superiors about his findings he was asked to resign. According to Observer sources Banister was devastated when he discovered that he had taken part in wrongfully destroying the lives of innocent people based on a law that didn't exist.

This ongoing battle is not about money. Most certainly not for the IRS and absolutely not for the Matthies'. For the IRS (government) it is about power and control. The government has an endless flow of money at its disposal. For Hank and Judy it is about principle, morals and doing what is right. It would have been more cost effective for them if they would have voluntarily filed and paid. They continue to be embroiled in this battle in hopes of leaving a better country for their children, grandchildren and future generations of all Americans.

Who's Conning Who IRS?

Editor's Note: Don't miss our next edition wherein we will expose more facts about the IRS. And what about federal judges? Are you aware that all judges are required to recuse themselves from a case when they have a conflict of interest? Are you aware that hundreds of thousands of Americans have been sent to prison for "tax crimes" over the past few decades by federal judges who are paid directly from the Treasury Department? Honestly, there couldn't be any greater example of a conflict of interest...

■■■

Articles and Opinions

To the Editor letters for publication are encouraged – they must be typed, a maximum of 1,000 words or less in length. Please submit photographs or artwork. Contact Editor for permission to submit in-depth articles up to 1,750 words, plus graphics. Opposition opinions are welcome.

Always provide a computer disk or E-mail address. Accepted 3.5, or CD, PC or Mac format. Please save all text files in *text only* format.

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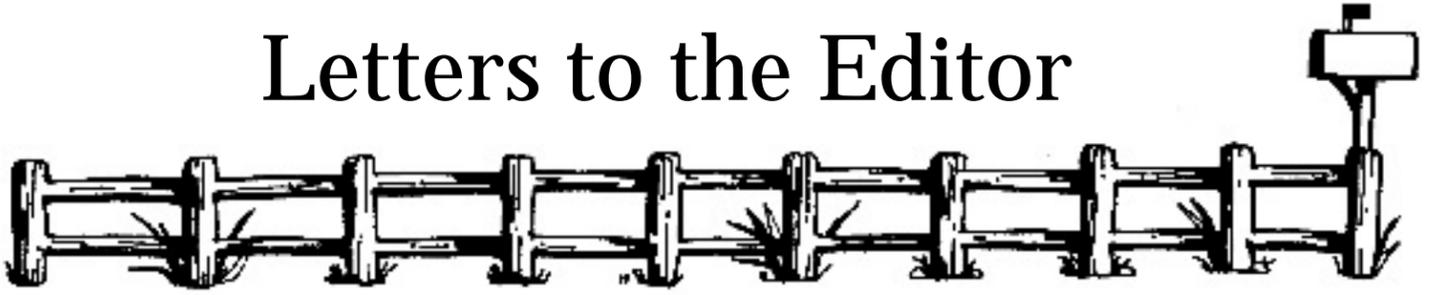
The goal of *US-Observer* is to ensure “due process” and “equal protection under the law.”

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.”

On the Internet:
www.usobserver.com

Letters to the Editor



The Truth Shall Set Her Free?

Dear Editor;

I'm a member of findmissingkids.com and came across the story you posted on little Kelsey....if all is true it has woke me up to remember not all is known when a crime is done to a child or any one. I myself just want justice for murdered and abused children...this case is sad like all the rest..but to read the whole truth is far more important..thank you for posting your research...I have not heard any of this on the news stations...the truth is what justice is about. Little Kelsey was the victim..just awful that her own grandmother would tell so many un-truths. I pray all the truth will be told in the court room.

Some one who cares

Editor:

I just finished reading this article and want to thank him from the bottom of my heart for writing what others would not report on.

I'm forwarding this to friends so that the truth can come out.

Sincerely,

Shadawn Baker

• Vice President of Lincoln County Foster and Adoptive Parent Association – 2007
• President of Lincoln County Foster and Adoptive Parent Association – 2005 & 2006

OK Incarceration

To the Editor;

I have just read "Oklahoma-Land of Incarceration" by Verna Wood. A very enlightening article since I have a granddaughter who was just sentenced to 20 years for "enabling child abuse". Her live in boyfriend hurt the baby while she was at work. The trial was held in her small town in Miami, OK where she knew most people on the jury which included a member of her ex-husbands family. The public defender never got in touch with any family members to testify in her behalf or anyone in her behalf. Her parents are indigent & the rest of the family are in other states. We are retired & her aunt & uncle are working class people, so hiring an attorney for \$20,000 - \$25,000 is out of the question. When I saw this site I thought someone may at least point us in a direction that may get her some help.

Monica K.

First-Look Reviews of “IRS ‘Con’spiracy”

Dear Ed,

Your article is quite good, sir. You are so right about the lack of the law. Indeed, there is none.

Having said that, I am glad to hear that the Mathies are going to stand on the truth. My question is: How are they going to stand on the truth? No, I'm not asking about the truth itself; you did an entirely adequate job of articulating that. I want to know "how" they are going to stand on the truth, and that is an entirely different matter.

You mentioned the Tom Cryer case, so let me explain my position by way of his case. Tom Cryer has trumpeted for the last several months that he believes he was born to fight the income tax issue, inferring, at least in my mind, that he wanted to set a precedent that would be beneficial to all. While I am overjoyed whenever I hear of someone beating the beast---Vernice Cougland, Joe Banister, etc. and now Tom Cryer---I really was hoping for more out of his case. While he has shown that the IRS can be beaten---so did Cougland and Banister, among others---Cryer's case had the potential of doing more. I corresponded with him via e-mail just after I heard of his victory. I wanted to know why he hadn't gone after the liability statute. He said that his first concern was to save his own skin. Certainly I understand that; that is always true---in every case. However, the issue of the liability of statute had the potential to not only save his skin, but also to accomplish so much more.

We all know that section 7203 is only a penalty statute carrying no liability whatever. So when the charging document alleges "in words" that he is liable for the tax, i.e., that he is required to file and pay, there must be a liability statute supporting the allegation. Effectively, since we are talking about a statutory offense, such an allegation "in words" amounts to hearsay evidence, i.e. the IRS told me you were liable. Clearly, "A" cannot testify to what "B" saw first hand. Likewise the prosecutor cannot not allege failure to perform, and witnesses on the stand cannot support or infer failure to perform, without the supporting testimony of the statute mandating performance. Yes, I do realize this isn't a perfect analogy, but surely you get my drift: an allegation of a statutory offense must be supported by a statutorily defined mandate. What is it? Name it!

Absent the liability statute in the Cryer case, there is no charge for Cryer to defend against. My question: Why didn't Cryer go after the liability statute? And if he did, why didn't he push it for

all its worth? In my mind that would look like: 1. File a Demand for Bill of Particulars; 2. if that is denied, go to the Circuit Court on an interlocutory appeal; 3. If that is denied, appeal to the US Supreme Court. Bear in mind that this man is a very well studied attorney who says straight up, over and over, that there is no law requiring most of us to file and pay, i.e., there is no liability statute. And, apparently he didn't go after it. Why the hell not? Instead he decided to take a shot in the dark and hope for the best with a jury. While certainly he would be able to mount a much stronger case than most of us, that is no excuse for not going after the liability statute.

Getting back to the Mathies' case, I suggest that they need to file a Demand for Bill of Particulars and push it to the wall. Going to trial is a shot in the DARK, even when one is right. The thing to remember is: if there is no liability statute cited in the charging document, there is no charge to plead to or to defend against. That is what should be clearly stated in the Demand for Bill of Particulars. If one is forced to trial, they have already gotten away with murder, even if one manages an acquittal. The Mathies should not allow this thing to go to trial.

Please send this note to them.

Alan Painter
Sedona, Arizona

Ed,

...thanks for this excellent reporting. Fortunately, juries in these cases are really getting smarter. All it takes is one juror to ask the question: please, sir, can you show us the law?

Hawk
Santa Fe, NM

Dear Mr. Edward Snook and R.S. Errol,

I just read your article “IRS “Con”spiracy Charge in Montana America’s Creating Debtor Prisons”

For the past year or so, I have been pursuing and following all information in regards to Tax laws and cases, and I have yet to see anyone publish anything anywhere on who you can contact to get legal help from in case the IRS or DOJ contacts me in regards to my tax filings.

You are the first one I have seen that has stated “contact me”, although many provide instructions and forms with disclaimers.

Thus, what does one do and what course of action does one take, to not only avoid a confrontation with the IRS, but to fend them off when they come calling, in regards to Tax allegations or

Continued on page 19



541-474-4499

DIAMOND

WINDOWS

1569 NE 6th St
Grants Pass, OR

Windows
Doors
Siding
Skylights



Letters to the Editor continued

Get involved
& send YOUR
comments or
concerns to
the Editor
editor@usobserver.com

questions?

The average American does not have the financial resources to fight a governmental agency who has unlimited financial backing. It is not so much the fear of taking on an agency as it is a fear of financial indebtedness and ruin.

Looking for your guidance and advice on how we go about securing our freedom without financial disaster and being caught by the craftiness of Federal law enforcement.

I have subscribed to your mail lists and book marked your site.

Best Regards,

G.M.

To the Editor

I have been reading, with great interest I might add, your recent articles on the internet about the IRS.

At first I didn't believe them. I thought to myself, what if we all quit paying income taxes and then, how would our government keep operating? I then started thinking about government waste and the billions of dollars our so-called government is sending to people overseas and that they are spending on illegal aliens who should be deported rather than coddled.

Next, I called my tax attorney and asked him about the statements you made regarding the income tax. I was shocked! He verified everything you wrote about. He told me that Congress has not passed a law requiring us to pay this tax and then he started in on the conflict of interest that federal judges have when they rule on tax cases that come before them. He told me that they all receive their pay checks directly from the Treasury Department. This explains why they withhold evidence from court and like you state, direct juries to find people guilty when they are charged with a tax related crime. How deceived we have been!

Thanks so much for your insightful articles and I apologize for questioning you. My family and I have read the Observer for years and have never found you wrong on any subject. You shouldn't get "puffed up" but you do deserve a huge "pat on the back".

Sincerely,

Carl Graves
Sacramento, CA

Josephine County "Incident"

Dear Editor,

I have always been a supporter of our country and am native to our valley. However, my feelings have definitely changed thanks to the fine service my husband and I have received.

On May 21st my husband was involved in a 3-vehicle accident (a JoCo transit vehicle, ours and another). There was a citation issued to the county employee. The next morning we filed

the proper paperwork at the county personnel department where I was met with nothing but irritation, apparently for knowing to file against them and not our own insurance. If a person knows anything about insurance - you don't file your own when you are not at fault. That is, if you don't want to deal with the hassle of it showing up on your record for years to come and having to fight it every time. Ask any insurance agent.

It is now June 1st and I have called countless employees and departments trying to get the county to take action, but to no avail. The county insures itself and has the "right" to take up to 25 days to "investigate" the "incident". The whole situation is termed an "incident" not an accident as they are not accepting liability. I'm sorry, but it was my understanding the police officer at the scene of the "accident" that took photos, statements from independent witnesses (3 of them), as well as citing the county driver, made the scene pretty crystal clear.

Thank you to our Public Safety Officers. The county investigator just called and informed us, yet again, that they do not want to accept liability and that we should just claim it against our own insurance. Our own insurance can then file against them to get the money back. Meanwhile, our vehicle which has the damage from the ACCIDENT is sitting at a body shop waiting for them. We have been told that we should just go and rent a car and IF they decide to take liability they will reimburse us. When I asked where and to whom I should send litigation papers to if needed, they informed me it would be to the same department and staff handling my "incident" now. NICE!!!

I wonder how many citizens like us are out there? How many in JoCo have been held hostage by the "circle of safety" they have set up for themselves? Has anyone else been involved in an auto "incident" with our county?

Not that they care, but they no longer have my support.

NMLambert
Grants Pass, OR

District Attorney Steven Campbell

Dear Observer:

What is going on with your battle against our district attorney? Just months ago people were protesting him in front of the court house.

I read your article about Campbell's false prosecutions with great interest because I have a brother who is currently being destroyed by this demon. We had high expectations when the Feds' cut off the O&C funding and were devastated when they restored the money for one year. The only way to stop Campbell is to cut his money.

I don't want to name my brother in this letter because his case is ongoing. His ex has lied about him and Campbell is running with the lie. There has been no investigation, just a district attorney

listening to and then believing a lie. This fiasco has cost him almost everything he has and for what?

I wish I could be more specific about the case but I can't. His lawyer has ordered him not to speak with anyone about his case and even though I have begged him to scream, he won't. My husband and I have watched his case for months now and the attorney has done nothing but to strip him of his money.

Just as soon as possible we plan on contacting you to see if you can help in any way. Sorry for the evasiveness.

Editors Note: The protests against our corrupted District Attorney Steven Campbell will start again as soon as the weather cools down. As for your brother; there isn't anything anyone can do for him as long as he buys into his attorney's lies. If he doesn't wake up and fight, then he will end up with a guilty verdict one of these days.

Our community is not safe as long as we have a dangerous and arrogant district attorney in office. Add to this fact the fact that we have public officials like Josephine County Commissioner Dwight Ellis lying to the public on public access television during a recent budget hearing at the Ann Basker building. Ellis stated what a good man Campbell is and another person on the budget committee lied his, you know what off, when he stated that Campbell and his predecessor, Clay Johnson are wonderful people. The budget committee member is as deceived as it gets and Ellis is simply an ignorant liar. I don't need to name the committee member because he is supposedly connected to God, therefore I'll let God handle him and his conscience. Hopefully he will face his public lies and repent.

As for Campbell and Clay Johnson - they are factually evil and I promise you that Campbell is not going to like living in Josephine County, Oregon in the near future. They are both guilty of prosecuting innocent people.

Give us a call and we'll get you in touch with those who will be protesting crooks in front of the court house in the near future.

Deer Creek Ranch - NTS

Dear Editor:

Could you please tell me what is going on with the Deer Creek Ranch issue. I have read your articles on National Trust Services and haven't seen anything lately on this issue.

My wife and I invested with NTS and the ranch and feel that we have been cheated. We can't do anything about it because the IRS has been attacking those who ran this company as well as the folks who invested. Is there any chance that we will ever get money back?

Please don't publish our names.

Seattle, Washington

Editor's Note: You can expect more headlines on the Deer Creek Ranch in

the near future. Our corrupted courts awarded the ranch to Karla Prescott, who is nothing more or less than a deceptive criminal. Her husband Rick Prescott, who is also a criminal, is awaiting trial on federal felony charges. He should be going to trial in Medford, Oregon this fall.

We have been investigating this case and related cases for the past two years and more information will be published as soon as "behind the scene" activities are accomplished. Hopefully investors will get money returned to them - if government doesn't steal it all first...

Vick's indictment is a sick, disgusting read

To the Editor:

The indictment of Michael Vick is the sickest, most disgusting thing I can ever remember reading. Sen. Byrd of West Virginia said it best: "I am confident that the hottest places in hell are reserved for the souls of sick and brutal people who hold God's creatures in such brutal and cruel contempt."

I want Bud Adams and Jerry Jones (I'm a faithful Cowboy fan since the '60s) to know that if Michael Vick ever wears an NFL uniform again I will have nothing further to do with the NFL or any of its sponsors.

Please, spare me the "we have to wait till he's convicted" garbage.

Anyone, after reading the indictment, taking that position probably thinks O.J. is still looking for the real killers!

Jerry Spencer
Thompson's Station, TN

Editor's Note: God forbid if you are ever chosen to sit on a jury. It is people like you who are aiding and abetting in the destruction of this nation. Accuse a person, run him through a sham hearing wherein you disallow any of his evidence, sentence him and then throw away the key. Or, in your case, avoid any trial, just charge a person and rule them guilty. Your mindset is both sad and dangerous.

Innocent

Dear Observer,

Thank you for saving our daughter. When we contacted you last year we had nearly given up on the legal system. Rebecca was innocent and as you well know her attorney was selling her down the river. If our baby had been sent to prison we would have all been ruined. Without Ron Lee and the US-Observer there was really no future for us. Bill, Rebecca and I thank you all from the bottom of our hearts.

Grace Richardson
Atlanta, Georgia

Continued from page 1
23 - 60 A Lifetime ...

convicted.

Do you remember what you were doing in 1970, if you were even alive at that time? Maybe a few reminders of the goings on of the day will refresh your memory. In 1970 the first episode of "All My Children" was broadcast on ABC, Apollo 13 was launched toward the moon, the Ford Pinto was introduced, Garry Trudeau's comic strip, "Doonesbury" made its debut, a fatal airplane crash in Wayne County, West Virginia claimed the lives of the players and coaches of the Marshall University football team, the United States Environmental Protection Agency began operation, Queen Latifah, Chris O'Donnell, Matt Damon, and Mariah Carey were born, "Airport", "MASH", "Patton", and "Love Story" were box office hits, and the Viet Nam war raged on. That's been quite a while hasn't it?

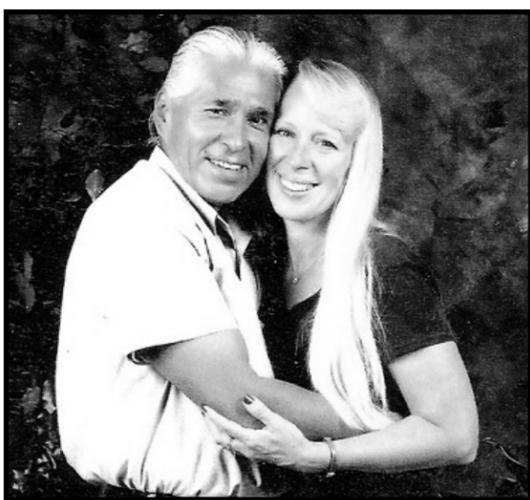
Many people have been proven innocent in the past several years, mostly through DNA evidence. Some of the more famous ones from Oklahoma have served from 4 to 20 years in prison due to false convictions. Even 4 years is a very long time for an innocent person to spend behind bars and 11, 13, and certainly 20 (as were served by others who have been cleared) are extremely long. So why is Reno still in prison after 37 years? 37 years is a lifetime! Why does no one seem to care that this innocent man is still locked away from the world and from his family after spending a lifetime in prison for a crime he did not commit?

A Texas man, Clyde Thompson, (the subject of the book, "The Meanest Man in Texas") who received three life sentences for murders for which he was actually responsible only spent 28 years in prison before receiving a pardon. Mr. Thompson had changed his life and became a minister who did much good upon his release. Why is Reno not worthy of the same opportunity when he has already spent 9 years longer in prison than Mr. Thompson and he did not commit the crime to begin with?

What is wrong with the Oklahoma justice system that it is so anxious to put a warm body in prison regardless of guilt or innocence and then refuses to give him a second chance? Out of sight, out of mind - no one remembers Reno except for his family. But we at the US Observer Oklahoma intend to change that. We want to make "Reno Francis" a household word. We intend to remind everyone what was done to this man and that to date no attempt has been made to rectify this horrendous wrong.

Not only has Reno suffered by losing his freedom for so many years and by being kept from his family but he has suffered much at the hands of the Oklahoma Department of Corrections. He actually spent 16 months while at Oklahoma State Penitentiary in

Reno Francis and Verna Wood



McAlester in solitary confinement on a concrete floor with no mattress, blanket or even a pillow. Many times he was thrown into "the hole" an underground cell with no sanitary facilities, no light, no cot or blanket or any of the things that most of us would consider necessities for survival. He was allowed to be clothed only in his underwear, t-shirt, and socks, even in winter and regardless of the temperature. He was given a coffee can full of water in the morning that was to last for 24 hours and a small bit of stale bread. If he accidentally knocked the water over and spilled it in the dark he was out of luck until the next morning. This particular type of cruel and unusual punishment was eventually outlawed after the ACLU sent one of their members to McAlester to try a stint in the hole. After only 6 hours he was panicky and demanded to be released. Reno has been forced to wear shirts with the word "inmate" stamped across the back and treated like a second class citizen.

"Why," we must ask ourselves. Why was an innocent young man sent to prison for life when he had nothing to do with the crime? Why did the American justice system fail to protect him? Where did things go wrong? Are the rest of us in danger of being sentenced to prison even though we have done nothing illegal?

Sometimes district attorneys and prosecutors are so anxious to solve a crime, especially a violent one, and over-zealous about getting a conviction of the accused that they will go to questionable or even illegal lengths to accomplish their goal. Other causes of wrongful convictions include forensics / DNA; eyewitness identification; false confessions; jailhouse informants; police misconduct, and ineffective representation.

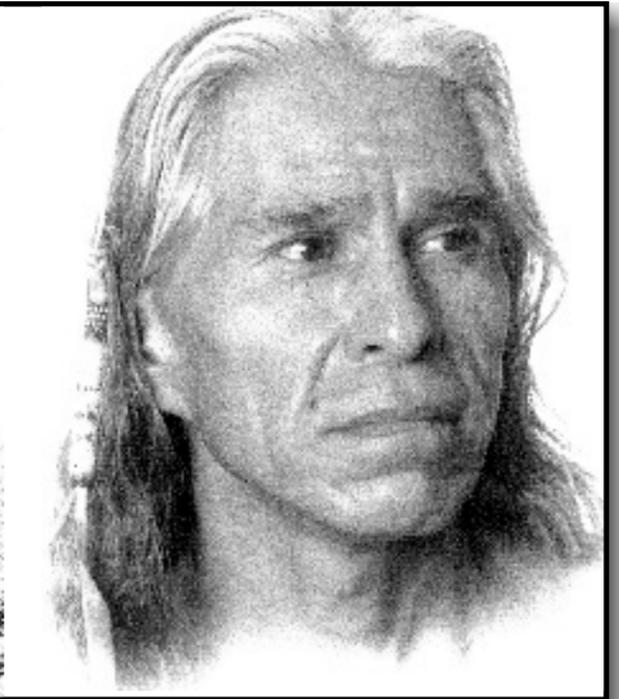
In Reno's case he was not even arrested for the murder of Cathy Scott but for "being high on an unknown substance" - a charge of which he was never convicted. Two days after his arrest Cathy's parents reported her missing and 4 hours later Reno was charged with the crime. Reno pled not guilty but was told repeatedly by assistant district attorney, John Turner, that if he did not change his plea he would be found guilty and executed in the electric chair. Without adequate legal representation and not wanting to involve his family in the situation Reno didn't know what to do. He hated the thought of pleading guilty to such a

deplorable crime as the murder of a 13-year old girl but he felt it was the only way to save his life and buy some time. At least he would be alive and could attempt to fight the conviction or eventually work his way up through the system and someday be released on parole. He did not count on the change in laws brought on by the new "hard on crime" philosophy that began sweeping through Oklahoma in the late 80s. These laws and related attitudes caused him to be brought back to a medium security prison after he had worked his way up to a minimum

Reno Francis - 1970



Reno Francis - 2007



security institution and they have also prevented him from being paroled.

In May of this year several murder victims' families and relatives of death-row inmates who have been exonerated (notice that is victims' families and inmates' families together) met at the state capitol to encourage law makers to create a panel to examine where the criminal justice system breaks down when the wrong people are convicted. Legislation calling for such a panel has failed the last two years and failed this year as well. Last year, Democratic Senator Susan Paddock of Ada, filed Senate Bill 1471, which would have created the Oklahoma Innocence Commission. It passed the full Senate but was never granted a hearing in the House Corrections and Criminal Justice Committee. This year, she filed Senate Bill 940, which would have created the Oklahoma Exoneration Review Commission. It was referred to the Senate Judiciary Committee but never received a hearing. Why are most of our elected officials not interested in taking measures to improve our justice system, insuring that justice is accomplished and only guilty people are sentenced to prison?

Present at the meeting at the capitol was Christy Sheppard, the cousin of murder victim Debra Sue Carter whose story is told in the John Grisham book, "The Innocent Man". Ms. Sheppard was quoted as saying, "I don't see how making sure the right criminal is in prison is soft on crime." She stated that the issue is about more than wrongful convictions but the failure to convict the guilty. It seems obvious that if we are locking up innocent people that consequently those who are guilty are running free which allows them the opportunity to prey on more victims.

Nancy Vollertsen of Edmond recently discussed the painful conviction of her brother Greg Wilhoit, his subsequent death sentence, five years on death row and eventual exoneration in 1993. A bite mark found on the body of his wife, Kathryn Wilhoit, who was killed in 1985, was key evidence against him. It was later determined that the bite mark was not made by Greg Wilhoit. Yet Mr. Wilhoit never received an apology or a penny of compensation according to Ms. Vollertsen.

Another person released recently after his conviction was overturned is Curtis Edward McCarty. McCarty spent over 20 years in prison after being twice convicted of the 1982 murder of 18-year-old Pamela Kaye Willis. McCarty's mother, Shirley, expressed her desire to see a committee created that would

review cases that resulted in wrongful convictions. "It's exactly what needs to be done," she said.

McCarty's family maintains he was unfairly targeted by police after Willis was killed because he used drugs. "He didn't get convicted of a murder," his mother said. "He got convicted because of his lifestyle. They set out to get him and they got him."

The case against McCarty, who had been convicted twice and sentenced to death three times, was dismissed when an Oklahoma County judge ruled evidence was tainted by the misconduct of Oklahoma City police chemist, Joyce Gilchrist. McCarty's attorney, Perry Hudson said he expects McCarty to pursue a civil lawsuit now that he has been exonerated. "I hope he gets all the money in the world" Hudson said, but it won't rectify this situation". Those years of life that were stolen away by the system can never be given back.

DNA evidence was instrumental in reversing some of the above mentioned convictions. In the case of Reno Francis, however, there is no DNA to clear him. The case is simply too old. The fastest way for Reno to be given his freedom is through the granting of a parole. Although that avenue would not clear his name it would give him the opportunity to be with his family and to live a somewhat normal life. The Oklahoma Pardon and Parole Board has not been very generous for the last several years when reviewing the files of violent offenders. They have taken a blanket approach to these reviews regardless of who the inmate is and the type of person he is. And when they do see fit to recommend the occasional parole or commutation for an inmate in the "violent" category, that parole is rarely, if ever, approved by Governor Henry.

17 days from arrest to prison for Reno Francis and he wasn't even arrested for the murder he would later be coerced into confessing to. 17 days that have led to 37 years in prison so far. Why is it so difficult to attempt to right this horrible wrong? Why can this man with so much to offer to society not be cleared of a crime he did not commit?

If anyone has any information regarding this crime that took place in Holdenville, Oklahoma in August of 1970, please contact the US Observer Oklahoma immediately at 405-246-9444. No clue is too small or insignificant. We are interested in everything to do with the tragic murder that took away two lives - the life of Cathy Scott and the life of Reno Francis. ■■■

Protests erupt as U.S. city gives illegal immigrants IDs

By Lucy Nalpathanchil
Reuters

NEW HAVEN, Connecticut - New Haven, Connecticut, on Tuesday (July 24, 2007) became the first U.S. city to issue identification cards to illegal immigrants, as opponents of the controversial cards booed the mayor and its backers cheered.

About 250 people gathered at the city hall as New Haven started issuing the cards that grant access to services such as libraries and parks, and give illegal immigrants a chance to open bank accounts.

Supporters say the ID cards, which are offered to all New Haven's 124,000 residents, will improve public safety and give protections to its estimated 10,000 to 15,000 undocumented workers. Critics say they will invite illegal immigration, strain services and waste taxpayer money.

Shouting matches erupted as the two sides argued over the legality of the program, which comes as immigration reform is stalled in the U.S. Congress, leaving many cities to struggle with how to deal with a growing undocumented population.

Inside city hall, more than 100 residents, legal and illegal, waited in

line to pick up or apply for the card.

"We are here for a long time and we need something to show that we are not bad people," said a man who identified himself as Marvin from Honduras who has lived in New Haven for 15 years. "We need something to show to check our records and show that nobody is running from anything."

About two dozen protesters from Southern Connecticut Citizens for Immigration Reform booed New Haven Mayor John DeStefano as he entered city hall, yelling: "Arrest him, arrest him. You're breaking the law, Johnny Boy."

The mayor did not acknowledge the crowd.

FEDERAL DEADLOCK

Later, when asked about the opposition, DeStefano said the city is dealing with an issue that the federal government has refused to address. "They don't have the will to pass a coherent immigration and border security program," he said.

"If we're going to be the safest place we can be, we need to acknowledge who lives here."

DeStefano said he doubted a plastic card in itself would spark an influx of illegal immigration.

"Immigration is largely driven by the

desire of individuals to do better for themselves and for their children to have greater opportunity. That's what creates immigration patterns: work and opportunity. Not a piece of plastic."

Nadia Minor of Mexico, who came to New Haven with her family 12 years ago, said the cards were long overdue.

"I don't see what the big deal is. It's not giving us permanent resident status. I mean opening a bank account and being able to present an ID, is that something that is really wrong?" she said.

Two banks have agreed to accept the new card as identification sufficient for opening an account.

The Southern Connecticut Citizens for Immigration Reform hopes to block the program with a complaint filed with the U.S. Attorney's office in Connecticut, saying the program violates federal law, said Dustin Gold, a member of the group.

"Just because our fed officials will not enforce it, it does not give a municipal politician the right to bend and break the rules. The mayor has to be held accountable for this," he said.

Linda Hartman of Branford, Connecticut, said the program is wrong. "This should be done on a national level. I don't believe it should be done locally," she said. ■■

Three Things to Ponder

I. Cows

Is it just me, or does anyone else find it amazing that our government can track a single cow born in Canada almost three years ago, right to the stall where she sleeps in the state of Washington? And, they tracked her calves to their stalls. But they are unable to locate 11 million illegal aliens wandering around our country. Maybe we should give each of them a cow.

II. The Constitution

They keep talking about drafting a Constitution for Iraq. Why don't we just give them ours? It was written by a lot of really smart guys, it has worked for over 200 years, and we're not using it anymore.

III. Ten Commandments

The real reason that we can't have the Ten Commandments posted in a courthouse is this: You cannot post "Thou Shalt Not Steal," "Thou Shalt Not Commit Adultery", and "Thou Shalt Not Lie" in a building full of lawyers, judges and politicians. It creates a hostile work environment.

Town's anti-illegal immigrant laws unconstitutional: Judge

NEW YORK (AFP) - A US federal judge on Thursday ruled that a small town's efforts to crack down on illegal immigrants were unconstitutional, in a blow to similar laws adopted across much of the United States.

Judge James Munley ruled that Hazleton, a town of some 30,000 people in rural Pennsylvania, did not have the right to enact a law punishing businesses for employing illegal immigrants or landlords for renting them property.

The Illegal Immigration Relief Act was adopted last year, but has been in limbo ever since due to legal challenges posed by civil rights activists.

"Federal law prohibits Hazleton from enforcing any of the provisions of its ordinances," Munley wrote in his 206-page decision.

"Hazleton, in its zeal to control the presence of a group deemed undesirable, violated the rights of such people, as well as others within the community," he added.

"Even if federal law did not conflict with Hazleton's measures, the city could not enact an ordinance that violates rights the constitution guarantees to every person in the United States, whether legal resident or not."

Since 2000, Hazleton's population has swelled from 23,000 to an estimated 30-33,000, fed largely by an influx of Latino families, many from the New

York and New Jersey areas, seeking affordable housing and better paid jobs.

Hazleton's Republican mayor Louis Barletta reportedly accused illegal immigrants of "destroying the city," and said he wanted Hazleton to be "one the most difficult places in America for illegal immigrants."

But Munley said Barletta had overstepped his authority.

"Whatever frustrations officials of the city of Hazleton may feel about the current state of federal immigration enforcement, the nature of the political system in the United States prohibits the city from enacting ordinances that disrupt a carefully drawn federal statutory scheme."

Ever since Hazleton passed its law last year, dozens of towns across the United States have sought to introduce similar legislation. It was unclear immediately how Thursday's ruling would affect other laws.

The Coalition for Comprehensive Immigration Reform immediately welcomed the ruling as a victory for the rule of law, fairness and equality.

"This ruling sends a clear message that the Hazleton ordinance, and other similar anti-immigrant laws around the country, are unconstitutional and will not be allowed to stand," the group's campaign manager Clarissa Martinez said. ■■

Sheriff's hot-line takes some heat

The Arizona Republic

Hispanic leaders and faith-based groups are calling for Maricopa County Sheriff Joe Arpaio to disconnect the hot line he created for people to report information about illegal immigrants.

The number, they say, perpetuates a climate of fear within the immigrant community, raises the chance of racial profiling and opens the possibility for people to take revenge on former friends and family members.

"What right does he have to investigate people based on the color of their skin, or their accent or the way they look?" asked Phoenix lawyer Antonio Bustamante. "I want him to stop this nonsense and enforce criminal law instead of going after landscapers and nannies. He needs to stop this hot line."

On Wednesday, Arpaio said he would not disconnect the line and stressed that deputies would investigate people only if authorities had probable cause.

The sheriff declined to specify techniques the Sheriff's Office will use to determine that.

Since it began Friday, the hot line has received about 300 messages, which include tips about family and friends, employment, day laborers, drop houses and crank calls, authorities said.

Officials are analyzing the tips, Arpaio said, and officials have not acted on any

of the calls.

"There's nothing unconstitutional about putting up a hot line," Arpaio said.

He pointed out that U.S. Customs and Border Protection, and Immigration and Customs Enforcement have similar hot lines.

Arpaio told The Republic he is stepping up efforts to crack down on illegal immigration by forbidding such immigrants to visit friends and family members in county jails.

"Once they come in, we're going to have to arrest them and turn them over to ICE," he said.

The line - 602-876-4154 - is part of an expanded immigration enforcement plan Arpaio unveiled last week.

The effort includes cross training sheriff's deputies to enforce immigration law.

Outraged, some Hispanic advocacy groups will launch a hot line of their own to take tips from people who believe they've been unfairly reported to Arpaio's line, said activist Mary Rose Wilcox, a member of the Maricopa County Board of Supervisors.

Lawyers and activists are working out details on how their hot line would work and who would investigate complaints.

"We feel the chances of being racially profiled just went up dramatically," Wilcox said ... ■■



Exposing the Truth in Oklahoma

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Health

Need a Cigarette and a Cocktail? Just Pop a Pill Instead

By David Biello
Scientific American

Smokers who use the drug varenicline to help them stop lighting up may discover it also reduces their urge to drink

Smoking and drinking are two vices that often go hand in hand (one hand clutching a drink while the other holds a smoke). A decade ago, a study in the *Journal of Studies on Alcohol* indicated that as many as 85 percent of heavy drinkers also light up. Smokers have various aids to help them quit the deadly habit, including varenicline, a drug manufactured by Pfizer that blocks nicotine from releasing the pleasure-associated neurotransmitter dopamine. Now new studies in rats show that it also blocks a craving for alcohol.

Eighteen rats were given intermittent access to 40 proof alcohol for four months. By varying access to the liquor this way, pharmacologist and alcohol researcher Selena Bartlett of the Ernest Gallo Clinic & Research Center at the University of California, San Francisco, and her colleagues made rats crave it. Every time the rodents had access to booze, they upped their intake. "They drink all day and then they don't get to drink," Bartlett says. "The withdrawal makes them want to drink more."

But even after months of this

behavior—37 binge-drinking sessions in all—the rats cut their drinking in half when given varenicline. And when taken off the drug, the rats did not immediately imbibe more (the so-called rebound effect that has plagued other treatments). "That's because we believe [the drug] is turning down the reward system," Bartlett says, "instead of replacing the system."

Bartlett believes that varenicline works by fastening onto receptors in the brain that would otherwise be activated by alcohol (or nicotine). A synthetic drug—modeled after the alkaloid cytisine from the small flowering *Laburnum* trees of Europe chemically combined with a compound from the poppy plant—it also curbed drinking in seven rats with continuous access to alcohol and 30 rats trained to self-administer liquor when stressed.

Varenicline has been available as a smoking cessation aid for nearly a year in the U.S. and the European Union, 30 countries in all. In addition to already having proved its safety in humans, the drug offers other benefits over current alcoholism treatments, including not diminishing appetite. Also, "it's not metabolized in the liver," Bartlett says, a major plus because "people who have



been drinking for a long time tend to have liver damage."

The researchers plan to conduct clinical trials on humans pending permission and funding by the U.S. National Institute on Alcohol Abuse and Alcoholism in Bethesda, Md. It remains unclear how long a treatment would

need to be in order to kick the habit but the drug does linger longer in the human system. "In rats, the drug only lasts for a few hours," Bartlett says, although it still cuts drinking in half. "In humans, it lasts 24 hours." And some alcoholics who are trying to quit smoking may already be feeling the benefits. ■■

Clone-burgers 'to hit US menus'

By PANews

Clone-burgers could be on the menu at American fast food restaurants within two or three years, it has been claimed.

But there is no early prospect of meat from cloned animals reaching dining tables in Britain and the rest of Europe, say experts.

Dolly the sheep, the first mammal to be cloned from an adult cell, was born at the Roslin Institute in Edinburgh more than 10 years ago.

Since then research into animal cloning has developed rapidly. Cattle, sheep, pigs, goats, horses, dogs and cats have all been cloned, as well as laboratory animals such as mice and rats.

Up to now all cloning has been carried out for scientific research.

However experts believe it is only a matter of time before it becomes a

commercial farming practice, and meat or milk from clones or their offspring is approved for human consumption.

In the US the Food and Drug Administration (FDA) has been studying the implications of farmyard cloning for six years.

A draft report from the FDA recently concluded that edible products from cloned animals presented no additional risks to public.

Dr Simon Best, chairman of the BioIndustry Association, believes it will not be long before cloned pork or beef, or, more likely, meat from the offspring of clones, is on sale in the US.

Speaking with other experts at a briefing in London, he said: "I think it's very likely that millions of Brits will be eating MacDonald's hamburgers or bacon from cloned animals or their progeny in two or three years, but [sooner] in America." ■■

First skin patch okayed for Alzheimer's victims

By TheStar.com

The first skin patch to treat the dementia that can plague Alzheimer's patients has gained federal approval in the United States, Novartis Pharmaceuticals Corp. says.

The drug in the patch, called Exelon or rivastigmine, is already available in capsule form, but the patch provides a regular and continuous dose that also eliminates some of the gastrointestinal side effects associated with the drug when it is swallowed.

The drug, meant to treat the symptoms of mild to moderate dementia in patients with Alzheimer's disease, has also won Food and Drug Administration approval to treat mild to moderate Parkinson's disease dementia, Novartis said.

Rivastigmine isn't a cure. The drug inhibits the breakdown of a chemical in the brain called acetylcholine, thought important for both learning and memory.

Novartis, which distributes the medicine, said the prescription patch would be available soon. ■■

12 Common Cancer Myths Debunked

By Jeanna Bryner
LiveScience Staff Writer

Numerous Americans believe a score of scientifically unproven claims about cancer, with some people thinking shampoo and underwire bras cause tumors.

A nationally representative telephone survey by the American Cancer Society of nearly 1,000 U.S. adults who had never been diagnosed with cancer revealed a surprising number agreed with inaccurate or unlikely statements about cancer risk and prevention statements.

Individuals with lower education levels were more likely to believe the myths. And men were more likely than women to be duped.

1. The risk of dying from cancer in the United States is increasing. - 67.7 percent true (9.8% don't know) The remainder knew this was false

2. Living in a polluted city is a greater risk for lung cancer than smoking a pack of cigarettes a day. - 38.7% true (18.8% don't know)

3. Some injuries can cause cancer later in life. - 37.2% true (20.9% don't know)

4. Electronic devices, like cell phones, can cause cancer in the people who use them. - 29.7% true (24.7% don't know)

5. What someone does as a young adult has little effect on their chance of getting cancer later in life. - 24.8% true (7.1% don't know)

6. Long-time smokers cannot reduce their cancer risk by quitting smoking. - 16.2% true (5.7% don't know)

7. People who smoke low-tar cigarettes have less chance of developing lung cancer than people who smoke regular cigarettes. - 14.7% true (10.8% don't know)

8. Personal hygiene products, like shampoo, deodorant and antiperspirants, can cause cancer. - 13.7% true (15.3% don't know)

9. Getting a mammogram, or using a special X-ray machine to detect breast cancer, can cause cancer of the breast. - 10.2% true (16.1% don't know)

10. Getting a base tan or base coat at a tanning salon will provide protection from skin cancer when you go outside in the sun. - 8.4% true (13.2% don't know)

11. Underwire bras can cause breast cancer. - 6.2% true (30.9% don't know)

12. You cannot get skin cancer from using a tanning booth. - 6.2% true (18.3% don't know)

The survey, reported in the Sept. 1 issue of the journal *Cancer*, reveals that communities most at risk for cancer were also the most likely to be misinformed.

Healthy behaviors depend partly on whether individuals can make an accurate assessment of risk factors for that disease. Unwarranted worry over unproven risk factors can distract attention from the valid risks, resulting in "risky" decisions," past research indicates.

"If people hold erroneous beliefs about risk factors for cancer they might not be making informed decisions for their behaviors," said lead study author Kevin Stein, of the American Cancer Society's Behavioral Research Center in Atlanta.

The scientists say that individual beliefs are not the only determinants of health behavior, and other factors, such as access to health care and socioeconomic status, are also important.

However, beliefs can guide actions, they suggest. "People's attitudes and beliefs influence their behaviors," Stein told LiveScience.

For instance, misconceptions like the tobacco-related myths, which were relatively highly endorsed, can lead to risky behaviors.

"If you believe those statements [about smoking] then you can see why some people might engage in risky behavior like smoking," Stein said.

He added, "What we would like to do is to have people get accurate information and hold accurate beliefs about what are and what are not risk factors for cancer with the hope that will translate into healthy behavioral patterns." ■■

Health

Coffee and exercise 'fight skin cancer'

By David Rose
The Times Health Correspondent

Drinking a double espresso a day and taking regular exercise may help to prevent skin cancer, researchers say.

Low to moderate amounts of caffeine in combination with exercise can be good for health and prevent damage caused by the Sun's ultra violet rays, a study on mice suggests.

Skin cancer is one of the most common cancers in Britain and is becoming more widespread - the number of cases has doubled in the past 20 years.

The study, at Rutgers University in New Jersey, showed that a combination of exercise and some caffeine - equivalent to one or two cups of coffee a day - protected against the effects of the Sun's ultraviolet-B (UVB) radiation, which can lead to cancer. The caffeine and exercise seemingly conspire to kill off pre cancerous cells whose DNA has been damaged by UVB-rays, the authors say.

Each year in Britain, there are more than 65,000 new cases of non-melanoma skin cancer and more than 8,000 new cases of malignant melanoma. Non-melanoma is nearly always curable if caught early enough.

But about 1,800 people die from malignant melanoma skin cancer annually — despite four out of five cases being preventable.

The study is published today in Proceedings of the National Academy of Sciences, the American journal. Groups of hairless mice, whose exposed skin is vulnerable to the Sun, were the test subjects in experiments in which one set drank caffeinated water — equivalent to up to two cups of coffee for humans — another voluntarily exercised on a running wheel, while a third group both drank caffeine and ran. A fourth group, which served as a control, neither ran nor drank caffeine.

All of the mice were then exposed to lamps that generated UVB radiation that damaged the DNA in their skin cells. The Rutgers team then looked for evidence of programmed cell death, also known as apoptosis, among the four



groups of UVB-treated mice. Apoptosis is the process by which cells with badly damaged DNA destroy themselves as a natural defence against illness and infection.

Drugs that induce apoptosis are currently being investigated as a means of preventing different types of cancer, but Allan Conney, one of the paper's authors, said that the combination of caffeine and exercise appeared to have a similar protective effect. "If apoptosis takes place in a sun-damaged cell, its progress toward cancer will be aborted," he added.

Compared with the UVB-exposed

control animals, the caffeine drinkers showed an increase of about 95 per cent in UVB-induced apoptosis, the exercisers showed a 120 per cent increase, while the mice that were both drinking and exercising showed a nearly 400 per cent increase. The cumulative difference seen in the caffeine-drinking runners, "can likely be attributed to some kind of synergy between the two factors", Dr Conney said.

In Britain, 80 per cent of adults drink coffee every week. It is not the only beverage to contain caffeine, but it does contain the most. People with high blood pressure, and pregnant women, are advised to limit their caffeine consumption, however. Previous research has found that coffee may reduce the risk of developing gallstones, kidney stones and colorectal cancer.

Alison Ross, science information officer at the charity Cancer Research UK, said: "This study was carried out in mice so there will need to be more research in this area to see if there is a similar effect in humans. Drinking a cup of coffee before going out jogging is definitely not a substitute for adequate sun protection — and those who are fair-skinned should take extra care."

■ ■ ■

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Sentenced for Another's Crime

Jury Convicts Mother Despite Evidence

By Ron Lee and Barry Jon
Investigative Reporters

Bristow, Oklahoma - Every parent who has lost a child to a predator, and every father and/or mother who discovers a daughter or son vanished due to abduction, or was abused by an attacker, now stands to be convicted for enabling that vicious crime. That is what the jury of the Raye Dawn Smith case in Oklahoma must think.

Raye Dawn Smith's two-year-old daughter Kelsey was murdered on October 11, 2005, by her step-father, Michael Porter. Porter is serving a 30-year sentence for enabling child abuse, a plea deal he took after being charged with first degree murder and sexual assault. Instead, he now claims that the mother abused and killed Kelsey, but logic dictates that Porter is lying. After Porter was arrested, he asked that Smith care for his daughter and son. Why would you ask someone who you think just abused and killed their child to watch your own? The District Attorney, Richard Smothermon, even began his interview of Porter on the witness stand by stating, "You know that I believe you murdered and sexually assaulted Kelsey?"

Several months prior to Kelsey's murder, Kelsey had been returned to Raye Dawn Smith's full-time care by Judge Craig Key. This was a result of a long custody battle with Kelsey's paternal family, and in particular Kelsey's grandmother, Kathie Briggs. The custody battle included claims of abuse against Smith by Briggs, but it was proven by Smith's defense that what was charged as abuse came when Kelsey was either not in Smith's care, or couldn't be proven as abuse. In fact, both her legs were shown, according to timelines and expert testimony, to having been broken while in the care of Kathie Briggs. According to the investigating sheriff in the case, he believes Kathie Briggs suffers from Munchausen's by Proxy Syndrome

(MBSP). According to emedicinehealth.com MBSP is defined as, "a caregiver who fakes symptoms by causing injury to someone else, often a child..."

The Department of Human Services (DHS) was heavily involved in the life of Kelsey Smith-Briggs in 2005, and a DHS case worker even saw Kelsey the day of her death. This trained professional didn't ever see cause to remove Kelsey, after her return to Smith's home. So, how is it that Raye Dawn should have? Smith even stated during an interview, "I wish I had seen it coming. Kelsey would be alive today."

The Sensational Kelsey Smith- Briggs' Story

The mainstream media just plain chose to get their facts wrong in reporting this case, and they continue to laundry-list all of Kelsey's injuries as if they happened all at once, when they were actually separate injuries over a period of nine months while Briggs had regular visitation - injuries, all of which, did not occur while with Smith. Most could easily be attributed to a photographic collection of childhood injuries amassed by the Briggs' in an effort of building a case against the mother. As an example of the mainstream media's misreporting, which the Sapulpa Daily Herald article contributed to by the Associated Press titled "Mother found guilty" stated, "She [Kelsey] was found with a broken collarbone, broken legs and bruises on her face and body indicating that extreme abuse had taken place." This is a prime example of inflammatory reporting, which in no way represents fact. Her collarbone was not broken at the time of her death. Her legs were not broken when she was murdered; they

were broken while in the care of Kathie Briggs as outlined in Smith's trial. She was never "found" with these injuries, as suggested. The facts are brutal enough and need not be over-sensationalized. In fact, during the trial the DA used a similar tactic and presented three separate sets of pictures of the same injuries that Kelsey received in an automobile accident on August 19, 2005, pictures that have been distributed to document Kelsey's abuse, but in fact were the result of a hit and run.

The Trial

At one point during the trial, the prosecution offered Raye Dawn Smith a blind plea deal. This is fact. They asked her to plead guilty to spanking Kelsey one time - and through a diaper - with a hair brush, and all other charges of abuse and enabling abuse would be dropped. Raye Dawn refused saying, "I didn't do it; I won't take it!"

District Attorney Smothermon blatantly lied to the jury in his closing statement when he said that Raye Dawn wanted to keep an instance with Michael Porter quiet. Porter had put tape on Kelsey's eyes. Even though this was done as a supposed game, where Kelsey was laughing with numerous other children present and participating, Raye Dawn Smith did in fact report this to the OSBI (Oklahoma State Bureau of Investigation), as she was under so much scrutiny because of Briggs' claims and wanted to report anything out of the ordinary. This intentional lie by Smothermon paves the way for a possible appeal.

During the trial, Reverend Charles Percy was brought in as a defense witness. He counseled Smith at the hospital where Kelsey was pronounced deceased. Reverend Charles Percy stated that Raye Dawn wanted to see her baby and when he stepped in the room to

comfort her, Raye Dawn was sitting alone rocking Kelsey in her arms and talking to her through tears. He also stated that Smith was happy



Raye Dawn Smith

when hearing that there would be an autopsy saying, "I want to know what happened to her." However, Porter failed to comfort his wife even once and kept telling Percy, "I think I was too rough with [Kelsey]."

A former Prague police officer, Scott Murrison, also called as a defense witness, recalled seeing Porter beating the bed of a pickup outside the hospital. The former officer testified Porter as saying, "She's never going to forgive me. She's never going to forgive me."

After a two-hour deliberation, the jury found Raye Dawn Smith guilty and suggested a 27-year sentence.

The Fact

This has been an emotional case for all involved. It, however, is unfortunate that emotion outweighed sensibility and logic as the evidence and testimony did not warrant such an outcome. The prosecution failed to prove that Raye Dawn ever abused Kelsey as much as they failed to prove that she ever "willfully" or "maliciously" allowed anyone to abuse her.

The fact is there can never be any real justice when it comes to a child's murder. Their lives are cut short for no purpose. Yet, when reason fails in the face of political and financial gain, it is not simply a grieving mother who finds her life gratuitously destroyed; it is every citizen who finds himself or herself waking in a far more dangerous world, where freedom is taken for the crimes of another. ■■

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