Promoting Excellence in Investigative Journalism

US OBSERVER
Vindicating the Innocent

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VICTORY SPOTLIGHT

Father's Fight to be Reunited with Daughter Pays Off

Ryan, Roselynn and Andrea Sanchez

Joseph Snook
Investigative Reporter

Montana - After the sudden loss of her mother in 2011, then 3-year-old Roselynn Sanchez became the unfortunate pawn in a custody battle between her living relatives. Roselynn's biological father Ryan Sanchez, who had separated from Roselynn's mother prior to her death was issued a court order to appear in Montana regarding

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CASE SPOTLIGHT

Florida's John B. Goodman NOT GUILTY

"Polo Mogul" John B. Goodman - Picture © The Palm Beach Post/ZUMA

By Joseph Snook
Investigative Reporter

West Palm Beach, Florida - Guilt is supposed to be determined by an impartial jury of our peers. Today, however, guilt is generally assumed upon the reading of charges and state-authorized and released details in the local daily paper, national tabloids if you're "worthy" enough, and/or online on Facebook or Twitter. This poisoning of the jury pool is a delight to every prosecutor's office across the country.

However, fact is often very different to the state's accounting of the details and once revealed paints a much different picture, often resulting in a truth-based perception that the charged person is not guilty or in other words, innocent.

Now, you will finally be able to read about "Polo Mogul" John Goodman's

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What every American needs to know
The Power of an "Offer of Proof"

By Wesley Hoyt
Former Prosecuting Attorney

Is there doubt that we live in Perilous Times? Anyone who has missed this point, please go back to History 101 and consult 2 Timothy 3:1 "…in the last days perilous times shall come."

Ancient writings show Mankind obtained its basic needs in spite of perils. Call it survival, humans are a hearty bunch when they work together and put their collective minds to it. Perils are a part of life in all ages. Spoiled we are, with over 200 years of peace in America, forged from the evils of a king that allowed those loyal to him to rape, plunder, pillage and burn fellow humans with impunity (quartering soldiers in your house meant that the soldiers could and would rape your women – why do you think so many were outraged? See the Declaration of Independence). The secret to success for all tyrants is in allowing their lieutenants to have anything they want as long as they are loyal to the dictator – confirm with Hitler's psychotic fringe command staff; the reward of loyalty is a free hand to commit any excess.

"A Republic, Madam, if you can keep it," was the watchword of our forefathers. Who questions that the Constitution was divinely inspired? This generation must decide if we will be able to keep it, with all its warts and imperfections. Our Constitution worked fairly well in the pioneering and post-WWII eras, because cleansing flowed from adversity; it was truly "do or die," which causes most people to "Buck-up." Prosperity, on the other hand, has made us soft as a nation; the entitlement mentality today breeds an unhealthy loyalty and a lack of resolve to stand up for what's right—only what's expedient.

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US~Observer Client Acquitted
Another Corrupt Prosecutor Exposed

By Edward Snook
Investigative Reporter

Crook County, OR – As previously reported in the US~Observer:

"18 year old Matthew Rinehart and his live-in girlfriend Diane Pike were sleeping together on October 6, 2012. According to witnesses, the two were involved in a very sensual and continuing sexual relationship. Pike was the same age as Rinehart and she was reportedly the aggressor during many of their intimate encounters.

"Pike's parents were very upset about the relationship and were applying severe pressure on Pike to end her 'love affair' with Matt. Apparently, on October 6th, their pressure finally produced the intended results. Diane Pike accused Matthew Rinehart of 'taking advantage of her,' and sexually assaulting her while she was 'physically

Crook County D.A. Daina Vitolins

helpless.'

"The Crook County Sheriff's Office took over and teamed up with the District Attorney's Office to file not

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PROPERTY RIGHTS

Be It Resolved: S.E. Colorado Residents Reject National Heritage Area Proposal

By Norman L. Kincaide Ph.D.

Because of the efforts of the Southeast Colorado Private Property Rights Council, residents were prepared when the Canyons and Plains Sustainability Partnership hosted their National Heritage Area (NHA) community information meetings held all across South Eastern Colorado in June. The meetings were supported by the National Park Service (NPS), Canyons and Plains, and Palmer Land Trust representatives.

While there were a few residents supporting the NHA who believed in accepting federal funding regardless of strings attached (i.e. money is money), the majority believed the collateral consequences of giving up some sovereignty to an unelected management board advised by the NPS was too costly a price to support the NHA.

In fact, public feedback in

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CONSTITUTIONAL CANDIDATE

Curt Chancler for JaCo Commissioner

By Ron Lee
Investigative Journalist

Curt Chancler

If you've ever been around Medford, Oregon I'm sure you know, or have heard of, Curt Chancler. He's the kind of guy you don't soon forget; intelligent, vocal, honest, with a voice that should be on the radio or narrating your favorite story. You know the type, extremely charismatic. For years he's owned and operated a transmission shop on Table Rock Road; that is until the county shut him down for not paying to have his 40 year old business determined to be a business. Yeah, you read that right. They wanted to make him pay for them to determine that he was in fact in business - even though they had serviced their fleet cars at his shop in the past. Now Curt's business will be that of the Peoples, or at least that's what he hopes.

Chancler has always been an advocate for people's Constitutional rights, often putting him at odds with people in administrative positions - you know, the ones who don't take an oath of office - and it's something he's proud of. As a journalist, Curt's writings have

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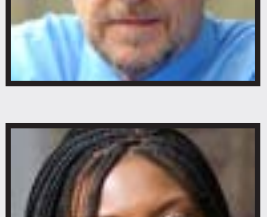

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custody of his daughter.

Roselynn's two maternal grandparents, who were divorced, wanted Roselynn to remain in their custody and filed for custody in Montana State, despite Roselynn's only living parent (Ryan) residing in Kansas.

Ryan Sanchez rushed to an attorney like most would in a similar situation. Sadly, Ryan quickly found out that his decision to do that was one that will weigh on him for many years to come.

Ryan and Roselynn Sanchez

The grandparents were given custody, all while his attorney was still collecting legal fees.

Three years later, and roughly $40,000.00 spent on his attorney, Ryan is still baffled when trying to understand how he lost custody initially.

As the legal bills kept piling up, Ryan had to work out of state in the oil fields in South Dakota, attempting to do everything possible to keep up with the financial strain. His wife, Andrea, was in Kansas, working hard herself and taking on this fight as her own, doing everything to help have her step child brought home.

Combined with the headache of dealing with an attorney who allegedly failed Sanchez, Ryan quickly found himself almost two years further into the seemingly never-ending custody battle without any meaningful resolution.

At this juncture, Ryan's father hired the US~Observer. After looking into the case, it was obvious that very little had been accomplished in court. Either Ryan's attorney Chris King of Wyoming was failing miserably to effectively assist his client, or the court was simply not interested in Roselynn being permanently reunited with her only living parent. This writer believes that Mr. Sanchez was being financially drained by his attorney.

Judge Blair Jones

The facts of the case were simple, yet the final outcome was not. The US~Observer reported on this case in March of 2013, which can be viewed online by searching "help bring Roselynn home."

It was reported that the Judge presiding over this case, Honorable Judge Blair Jones, had a direct connection to Roselynn's maternal grandfather. No evidence of this was ever found. Shortly after the publication of our only article on this case, a final plan to determine permanent custody was arranged.

As the final custody hearing of August 8, 2014 neared, Ryan Sanchez and his wife Andrea were deeply concerned. What would the judge do? They had been labeled horrible things by the maternal grandparents, claims that were never substantiated, but it still caused them much grief. They had fought so hard, for so long just to have their little girl.

Making things worse, they received an email from their attorney Chris King just days before the hearing, demanding an extra $2,000.00 to "finish" the case. At a meeting with their attorney, just one day prior to the hearing, Mr. King allegedly threatened to "remove himself" from the case... The meeting ended abruptly, with tempers reportedly flaring.

Attorney Chris King

What would you do if had paid almost $40,000.00 to an attorney who spent three years time on your case without getting you custody of YOUR daughter, then he suddenly demands an extra $2,000.00 along with allegedly threatening to drop your case?

Despite the troubles with attorney Chris King, Ryan and Andrea walked out of the meeting with their heads held high. They had done everything humanly possible to prove they deserved to parent their child. The next morning was a big day, and they needed to stay positive, and look past Mr. King's reported threats.

On August 8, 2014, I received a phone call that brought tears to my eyes for many reasons...

"She's coming home. We're picking her up tomorrow at noon!"

Ryan and Andrea followed by stating they were, "happy, very happy!"

Judge Blair Jones finally ruled in their favor. He did the right thing in this case, despite the animosity between the two parties involved. Ryan Sanchez is Roselynn's father - a damn good father, who has fought very hard to have the right to raise his daughter.

The US~Observer commends Judge Jones for his just ruling. You never know what a judge is going to do these days, despite how obvious it may seem.

The US~Observer conducted a thorough investigation and subsequent report, along with other pertinent work which Ryan stated, "helped tremendously." It was stated several times that our efforts caused, "a big change for the good in this case."

The US~Observer would also like to commend Andrea Earhart, the guardian ad litem in this case who helped give Roselynn a permanent foundation in her young life. Ultimately, Roselynn will be the one who benefits most from this.

On August 12, 2014, Roselynn started school for her first time in Kansas. There will be many adjustments ahead, but one thing is certain - Roselynn is finally where she deserves to be... HOME!

It is this writer's opinion, when going through a custody battle, an attorney is not always the most important "first" option, although legal counsel will likely be required at some point. You need to understand that having a good balance of advocates, other than an attorney is equally as important. The US~Observer provides that option. Not all attorney's are the same. Before you hire one, ask them pertinent questions - talk to some former clients, be prudent in your decision making process.

Congratulations to the Sanchez family. They truly deserve this moment.

As for attorney Chris King, if you ever consider hiring him, I would highly suggest contacting Ryan and Andrea Sanchez before writing him a check. They might just give you some wise advice.

★★★

Continued from page 1 • Colorado Residents Reject NHA

opposition to the NHA was so strident and widespread it bewildered, dumbfounded and frustrated NPS employees; who could not understand why their NHA proposal was so vehemently opposed. The National Park Service's desperate pleading to the audience at La Junta, for instance - not to close their minds to the NHA concept - fell on unconvinced ears.

So unconvinced are people that county commissioners in the seven Southeast Colorado counties targeted for the NHA, passed resolutions against the NHA proposal: Baca, Bent, Crowley, Kiowa, Las Animas, Otero and Prowers, with Crowley County being the last to pass a resolution.

Otero County Commissioners' meeting where a resolution opposing an all encompassing National Heritage Area and Study Area designation of the unincorporated areas of Otero County passed.

As a result of the opposition encountered by Canyons and Plains and the National Park Service at their own informational meetings and the resolutions passed against the NHA, Canyons and Plains announced in a press release on July 18, 2014, that it "has decided not to proceed with the pursuit of a Feasibility Study for a National Heritage Area in Southeast Colorado."

'All those opposed to the NHA, raise your hands!' audience at the J. W. Rawlings Heritage Center, Las Animas, CO.

This comes as very good news for those of us who opposed a National Heritage Area designation. The opposition was truly a grass roots movement of farmers, ranchers, and residents of Southeast Colorado. They had no grant funding, nor patronage by and expertise from the National Park Service, nor did they have partnerships with foundations and special interest groups.

The resolution against the NHA passed by the Baca County Commissioners on June 6, 2014 more than adequately sums up the issues concerning residents in Southeast Colorado:

Whereas: The establishment of a National Heritage Are would adversely affect private property rights by influencing local officials to pass zoning laws not otherwise needed and by altering well established processes for land use regulation.

Whereas: Congress has designated National Heritage Areas which encompass vast amounts of privately held land in order to highlight specific areas of interest. Citizens of Baca County appreciate efforts to encourage economic development, but oppose blanket designations that put dissenting private landowners in the unreasonable position of having to "opt out" of federally mandated boundaries.

Whereas: A National Heritage Area designation invites interference in local affairs by special interest groups who claim to be stakeholders, such as the National Park Service, Nature's Conservancy, animal rights activists and environmental groups who do not have the historical perspective or deeply felt stewardship responsibility of owners who have

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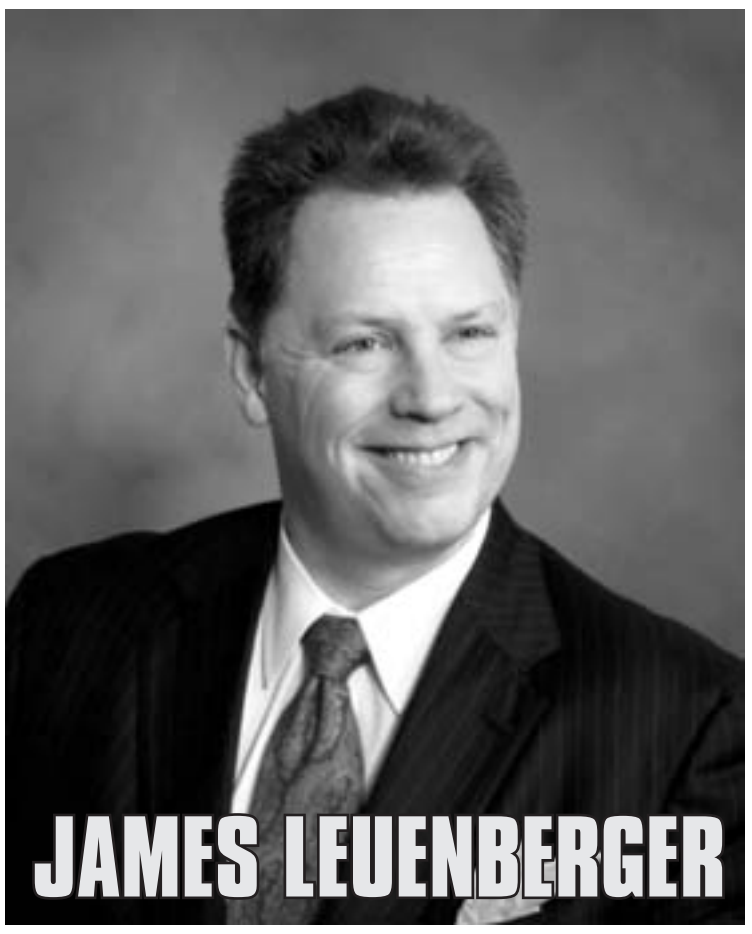
Vote Leuenberger For US Senate

The following statement by Attorney James Leuenberger is very bold. It is also 100% factual. When the American people start electing men who possess the following convictions, our nation will have the opportunity to correct the completely misguided course it is on. Until then, our nation will continue on its path to destruction. **--Edward Snook, Editor-in-Chief, US~Observer**



My Fellow Oregonians,

I am running for the U.S. Senate because the federal government has completely abandoned the Supreme Law of Our Land. The US Constitution is the grant of power for the federal government and it contains the limits of power for the federal and state governments.

1. The federal government is not authorized to own land except for the District of Columbia and,
*"**Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings.**"* - US Constitution Article I, §8, Clause 17.
The federal government should divest itself of all Oregon land that is not being used for Forts, Magazines, Arsenals, dock-Yards and other needful buildings. **The federal government should convey all of its land in Oregon not being used for purposes permitted by the US Constitution to the State of Oregon without compensation, as it was taken unlawfully.**

2. All federal statutes that appear to restrict or make illegal the keeping or bearing of arms are unconstitutional and are therefore void. They should be repealed. The 2nd Amendment to the Constitution of the United States clearly uses the words ***"shall not be infringed."*** This statement literally means shall not approach, or shall not restrict.

3. US Constitution Article I, §8 is the source of Congressional authority. All laws that purport to create legislation Congress was not authorized to create are unconstitutional and void. They should be repealed. By the same token, Article I, §8, Clause 1 says, ***"All legislative Powers herein granted shall be vested in a Congress of the United States...."*** This means the Congress alone has the power to create laws. This means that neither the Executive (the President and administrative agencies) nor the Judiciary has lawful power to create laws.

4. US Constitution Article I, §8, Clause 4 says that Congress is ***"to establish an uniform Rule of Naturalization...."*** It is Congress, not the Executive or the Judiciary, that is to determine who and how people can become citizens of the United States.

5. We, the people, not the government (federal or state), are sovereign. The President of the United States is not sovereign. Congress is not sovereign. Judges and courts are not sovereigns. **When officials act without authority, they should be made to reimburse their victims for the damages they cause. Statutes and judicial rulings to the contrary should be repealed.**

6. Congress should provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress. Every adult man and woman who does not have conscientious objection to military service should be organized, armed, and disciplined in the Militias of their respective states.

7. The only federal court that is required by the US Constitution is the Supreme Court. Congress should give serious consideration to eliminating all federal courts inferior to the Supreme Court.

8. The watch words before any federal official or group of federal officials act should and must be, *"by what authority?"* If the act is not authorized by the US Constitution or constitutionally promulgated law, it should not be done.

9. US Constitution Amendment IX says, ***"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."*** The federal and state courts should stop ignoring this amendment.

10. US Constitution Amendment X says, ***"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."*** The federal and state courts should stop ignoring this amendment.

Oregon, a vote for me is a vote for the Constitution.

Humbly,

James Leuenberger

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★★★

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worked the land over several generations.

Whereas: The United States of America can no longer afford to borrow money to engage in endless expansion of dependency and regulation by the federal government, and each of the 49 National Heritage Areas in existence today started out with sunset dates that were never enforced, resulting in chronic dependence rather than free market activity.

Whereas: A fundamental interdependence exists between individual liberty and the ability to own property, and the citizens of Baca County are very concerned that a National Heritage Area Designation would deprive landowners of their ability to use and enjoy their property as they see fit.

Now Therefore Be It Resolved: the Baca County Board of County Commissioners opposes the National Heritage Area Designation proposed for Southeast Colorado and does not wish to confer upon an unelected regional management entity the ability to establish land use policy within the boundaries of Baca County.

These gentlemen, the Baca County Board of County Commissioners, Pete Dawson, Glenn (Spike) Ausmus and Dean Ormiston, got it exactly right. They addressed the issues that concerned their constituents and resolved to act in their favor to protect private property rights, maintain the sanctity of local sovereignty and the integrity of locally elected officials to oversee land use policy and economic development.

Residents of a region targeted for designation as an NHA do not have to accept government propaganda relating to NHAs. Furthermore, they can outright reject the NHA proposal through effective local action before it even gets to the feasibility study stage. Preemptive dissemination of well-sourced information via public meetings and social media on the negative impact NHAs have had in other areas of the United States is an effective means to inform the public and forestall the designation process. Residents should address their concerns in no uncertain terms to their county commissioners, local planning boards and city councils as early as possible. Residents of any region in the United States must remember that a heritage tourism pilot project is the reconnaissance element for National Heritage Area designation.

The federal government seeks to push its regulatory schemes onto the American people through whatever means available, even pushing the NPS mission onto private property by means of NHA designations. The American people do not have to suffer further federal regulatory schemes and they have the power to reject those schemes at the local level. Resolve to use local power must manifest itself in expressions to locally elected officials, who, in good conscience, must respond to their constituents, as opposed to being swayed by special interests groups supported by the National Park Service. Americans have the right to say no. Americans have the right to reject federal government programs locally; otherwise they are just subjects of the federal government as opposed to citizens with rights and responsibilities.

Indeed, the Baca County Commissioner's resolution against the National Heritage Area could serve as a new Declaration of Independence from an overbearing, condescending, covetous, paternalistic federal government characterized by catastrophic, grandiose, archaic, unaccountable incompetence.

Editor's Note: For many decades our federal government has literally been stealing land from the states (the people) under the guise of programs such as National Heritage Areas, Wild and Scenic Areas, National Monuments, etc., etc.

There is absolutely no provision in the US Constitution that authorizes these land-grads, in fact, our Constitution expressly prohibits this theft in Article 1, Sec. 8, Clause 17.

★★★

In The News

WHAT THE?! SPOTLIGHTS

Social Security seeks repayment from alive, dead guy's children

By Ryan Dunn

(The Courier) - A Hancock County judge ruled last year that Donald Miller Jr. was legally dead, even as Miller stood in front of the judge.

But the Social Security Administration believes Miller is alive, and is demanding his two daughters return more than $47,000 in death benefits they received as teenagers, his former wife said.

"If anybody has to pay this back, it should be him, because we didn't do anything wrong," said ex-wife Robin Miller.

The legal saga that drew international disbelief began in 1994. That's when Hancock County Probate Judge Allan Davis declared Donald Miller legally dead, years after his disappearance from Arcadia.

Robin Miller sought the death ruling in hopes of collecting Social Security survivor's compensation. The funds would offset Donald Miller's outstanding child support bill of about $26,000, she said.

Donald Miller, 62, of Fostoria, resurfaced last August and asked Judge Davis to reverse the "legally dead" ruling.

Miller claimed he had resided in Florida and Georgia during his absence. Upon returning to Ohio around 2005, Miller learned of his "death" and Social Security cancellation, he said.

Judge Davis in October rejected Miller's request. Ohio estate law only permits the undoing of a legal death "at any time within a three-year period."

Donald Miller missed that deadline by 16 years. The case appeared closed when he did not pursue an appeal.

But the Social Security Administration contends that Miller is alive, and in April, the agency sent out letters seeking repayment of the death benefits paid to Miller's children.

Robin Miller, 54, of Fostoria, shared the letters with The Courier.

To remedy "overpayment" of benefits, the agency billed $28,711 to one child and $18,545 to the other.

First payments on the total $47,256 debt were due within three weeks, according to the billing statements.

Robin Miller said the agency's claim for restitution of all benefits, plus apparent fees and interest, was stunning.

This debt would "wipe everything out," Robin Miller said.

The Millers' two daughters each received about $100 per week from Social Security until their 18th birthdays, Robin Miller said.

Federal benefits were paid for a year and a half to the older daughter and three and a half years to the younger one, she said.

The payments totaled less than $30,000.

Robin Miller has not held regular employment since 2001 due to a disability, and her 67-year-old husband works in construction, she said. The man she married after Donald Miller, who also has the last name Miller, does not deserve this burden, she said.

When asked by The Courier why the Social Security Administration is seeking this money, a spokesman said the agency is reviewing Robin Miller's application for a waiver.

"We are in the process of making a determination on her request," said Doug Nguyen of the agency's Chicago office.

Robin Miller said a Social Security Administration employee told her the agency will seek repayment from the daughters first, then from Robin Miller, then Donald Miller.

Officials are asking what the Millers purchased with the funds, she said.

"I mean, it was 20 years ago. I was raising kids. What did he (Donald Miller) do? He left them," she said.

The two were married from 1977 to 1980.

"He doesn't think he did anything wrong. That's what he keeps telling the girls," she said.

Donald Miller's attorney, Francis Marley, has refused to return calls from The Courier. Neither he nor his client could be reached for comment.

The case has sparked global fascination as to how a living man could be ruled dead. Judge Davis called the legal time limit a "glaring defect" in Ohio law.

The New York Times, Fox News Channel, and British Broadcasting Corp. were among national and international outlets that followed the original story.

Before Miller was declared dead, Robin Miller said her family conducted an exhaustive search to find him. They did not defraud the government, she said.

She hired a private investigator, contacted the FBI, and even had relatives drive to Florida to search for Miller, she said.

"We honestly thought he was done, dead, gone and out of our lives," said Robin Miller. ★★★

(NEWSER) – A child born in 2013 will cost a middle-income American family an average of $245,340 until he or she becomes an adult, with families living in the Northeast taking on a greater burden, according to a report out today. Those costs—food, housing, childcare, and education—rose 1.8% over the previous year, the Agriculture Department's new "Expenditures on Children and Families" report said. As in the past, families in the urban Northeast will spend more than families in the urban South and rural parts of the US, or roughly $282,480. When adjusting for projected inflation, the report found that a child born last year could cost a middle-income family an average of about $304,480.

Housing costs remain the greatest child-rearing expense, as they did when the reports started in the 1960s, although current-day costs like childcare were negligible back then. For middle-income families, the USDA found, housing expenses made up roughly 30% of the total cost of raising a child. Child care and education were the second-largest expenses, at 18%, followed by food at 16%. Expenses per child decrease when a family has more children, the report found, as families with three or more children spend 22% less per child than families with two children. That's because more children share bedrooms, clothing, and toys, and food can be purchased in larger, bulk quantities.

★★★

'Violent, homicidal police officer' reinstated with back pay: Report

OAKLAND, CA — An officer who violently attacked a group of civilians — including an incapacitated man bleeding from a head injury and the people who tried to help him — has been reinstated to the department with back pay for the nearly 3 years of missed work.

The incident dates back to October 25th, 2011. Citizens were protesting the perceived injustices in their government in what was called an Occupy Oakland rally, which involved day-and-night occupation of the public square. Oakland police initiated an unprovoked attack on peaceful bystanders when an unidentified OPD officer launched a metal tear gas canister directly into a man's head, causing him to collapse into a pool of blood, and resulting in brain damage.


Scott Olsen

The incident didn't end there. The man who had been injured was Iraq veteran Scott Olsen; who received swift attention from non-uniformed bystanders. When people had gathered to aid Mr. Olsen, another cop, OPD Officer Robert Roche, attacked the crowd by throwing a flashbang grenade only inches from Mr. Olsen's bleeding head. A violent explosion followed, injuring and scattering the first responders. The incident was previously detailed by Police State USA.


Robert Roche

Officer Robert Roche was shielded from identification for months following the incident, but was later named as a defendant in Mr. Olsen's lawsuit. Roche is a "Tango Team" (SWAT) operator who had already amassed 3 confirmed kills during his time serving Oakland. His homicides in 2006, 2007, and 2008 had all been deemed "justified" by OPD, although one of them resulted in a $500,000 settlement, according to the San Francisco Bay Area Independent Media Center. The Scott Olsen incident resulted in a $4,500,000 settlement.

Officer Roche was placed on paid administrative leave in October 2011. He continued to receive subsidized paychecks until August 2013, when he was officially terminated. By that time he had enjoyed roughly 22 months of paid vacation and zero legal consequences.

Even this nauseatingly shallow level of accountability would prove too much for corrupt police officials to tolerate. Police union officials worked feverishly to reinstate Officer Roche.

In August 2014, it was announced that Officer Robert Roche was rehired and returned to work for OPD. In fact, he will be compensated for the time he missed, even the time during his termination.

Evidently the police union had successfully argued that Officer Roche was terminated unfairly, and was being used as a "scapegoat" for a larger situation that was not his fault. Union officials argued that Roche was just following orders, and should not be punished for attacking innocent civilians.

"Roche is a phenomenal police officer, and he was scapegoated like all the other officers from the Occupy experience," said police union boss Sgt. Barry Donelan, according to Mercury News.

SF Bay Area IMC provided some additional insight to the situation:

The arbitrator's decision is not unexpected. In twelve out of the last fifteen personnel arbitrations in which OPD officers challenged their terminations, the officers were successful in getting their jobs back. And the lack of accountability at OPD goes beyond rank and file officers. The arbitrator's decision was apparently based in part on the fact that Roche had been ordered to deploy gas by then-Captain Paul Figueroa. At the same time, Figueroa authorized the use of "beanbag" impact munitions, on persons who might attempt to throw the teargas devices back at the police. It was inevitable that Scott Olsen and others would be seriously injured or killed, yet Figueroa was not disciplined and has since been promoted to Assistant Chief.

The logical disconnect exhibited here is hard to comprehend. Supposedly, Officer Roche was not at fault because of the orders of his superiors. Yet the superior officer who issued the orders received a big promotion. It seems the union is content with protecting criminals and ensuring police accountability is impossible.

Officer Roche was described as being "enthusiastic" to get back on the streets with a badge and a gun. It has been nearly three years since he has been able to wield power over citizens and he was "excited to get back to work."

"It really gives you pause that he would be reinstated when you have such a blatant case of police misconduct that is caught on video and publicized all over the world," said Rachel Lederman, Mr. Olsen's attorney. "It points out that there is still an endemic problem in OPD when it comes to trying to impose any kind of discipline even in a case like this where the evidence is so clear."

If the members of the officer-friendly news website PoliceOne.com are any indication, cops around the country seem to be overwhelmingly supportive of the decision to reinstate Officer Roche.

"Outstanding!" chanted several members. "Keep up the good work officer!!!" posted another. "Great news! Welcome back brother," another said.

But not everyone was so enthusiastic.

"Officer Roche insisted that he was 'justified because he was following a superior officer's orders'" wrote pundit William N. Grigg. "The 'Nuremberg Defense' prevails. And PoliceOne erupts in cheers."

To date, Officer Roche has cost taxpayers of Oakland well over $5 million in civil settlements and legal costs — not to mention his salary. The situation provides us with yet another example of the breathtaking difficulty communities face in ridding themselves of violent, homicidal police officers.

★★★

Officials refuse to pay medical bills for baby burned by SWAT grenade

(RT.com) - Officials in Georgia's Habersham County are refusing to pay for the mounting medical expenses of a toddler seriously injured by a flash grenade after a failed SWAT team raid earlier this year.

Bounkham 'Bou Bou' Phonesavanh was just 19 months old when a Habersham SWAT team initiated a no-knock warrant at his family's home at around 3 a.m. on May 28. Bou Bou was asleep in his crib at the time, surrounded by his family and three sisters. The toddler was severely injured when SWAT team officers broke through the house's door and threw a flashbang grenade that ultimately landed in the Bou Bou's crib.

When the stun grenade went off, it caused severe burns on the child and opened a gash in his chest. As a result, Bou Bou lost the ability to breathe on his own and was left in a medically induced coma for days after the incident. His extensive recovery necessitated stays in two hospitals before he finally went home in July.

Now, Habersham County officials are sticking by their decision to ignore the family's plight, the family's attorney, Muwali Davis, told WSB-TV.

Habersham County's attorney responded with a statement saying that the Board of County Commissioners will not pay given it is supposedly illegal to do so.

"The question before the board was whether it is legally permitted to pay these expenses. After consideration of this question following advice of counsel, the board of commissioners has concluded that it would be in violation of the law for it to do so."

The family now says an independent investigation showed law enforcement used suspect information to attain a search warrant.

As RT reported previously, the SWAT conducted the raid as part of an effort to apprehend Wanis Thometheva, believed to be selling methamphetamine. Police said that their records indicated the suspect could be armed, and that a confidential informant had successfully purchased drugs from him earlier in the day. At the time of the raid, however, Thometheva was not at the home, and was eventually arrested elsewhere.

Additionally, an unnamed public official told the Washington Post that the reported drug deal was worth only $50.

Habersham County's sheriff previously said the confidential informant who bought drugs at the home told police that he did not believe any children lived at the house.

Bou Bou's mother, Alecia Phonesavanh, said that was unlikely if they had valid information on their suspect.

"If they had an informant in that house, they knew there were kids," Phonesavanh told The Atlanta Journal-Constitution after the incident. "They say there were no toys. There is plenty of stuff. Their shoes were laying all over."

In June, the family called for a federal investigation into the conduct of the SWAT team.

The Phonesavanh family said it was not involved with drugs at all, and was only staying with Thometheva, the homeowner's son, because their Wisconsin home was damaged in a fire. They moved back to Wisconsin once Bou Bou's health improved. Supporters have planned a fundraiser this month for the family.

An official investigation into the incident is ongoing, according to WSB-TV. ★★★

The 35.4 Percent: 109,631,000 on Welfare

By Terence P. Jeffrey

(CNSNews.com) - 109,631,000 Americans lived in households that received benefits from one or more federally funded "means-tested programs" — also known as welfare — as of the fourth quarter of 2012, according to data released Tuesday by the Census Bureau.

The Census Bureau has not yet reported how many were on welfare in 2013 or the first two quarters of 2014.

But the 109,631,000 living in households taking federal welfare benefits as of the end of 2012, according to the Census Bureau, equaled 35.4 percent of all 309,467,000 people living in the United States at that time.

When those receiving benefits from non-means-tested federal programs — such as Social Security, Medicare, unemployment and veterans benefits — were added to those taking welfare benefits, it turned out that 153,323,000 people were getting federal benefits of some type at the end of 2012.

Subtract the 3,297,000 who were receiving veterans' benefits from the total, and that leaves 150,026,000 people receiving non-veterans' benefits.

The 153,323,000 total benefit-takers at the end of 2012, said the Census Bureau, equaled 49.5 percent of the population. The 150,026,000 taking benefits other than veterans' benefits equaled about 48.5 percent of the population.

When America re-elected President Barack Obama in 2012, we had not quite reached the point where more than half the country was taking benefits from the federal government.

It is a reasonable bet, however, that with the implementation of Obamacare — with its provisions expanding Medicaid and providing health-insurance subsidies to people earning up to 400 percent of poverty — that if we have not already surpassed that point (not counting those getting veterans benefits) we soon will.

What did taxpayers give to the 109,631,000 — the 35.4 percent of the nation — getting welfare benefits at the end of 2012?

82,679,000 of the welfare-takers lived in households where people were on Medicaid, said the Census Bureau. 51,471,000 were in households on food stamps. 22,526,000 were in the Women, Infants and Children program. 20,355,000 were in household on Supplemental Security Income. 13,267,000 lived in public housing or got housing subsidies. 5,442,000 got Temporary Assistance to Needy Families. 4,517,000 received other forms of federal cash assistance.

How do you put in perspective the 109,631,000 people taking welfare, or the 150,026,000 getting some type of federal benefit other than veterans' benefits?

Well, the CIA World Factbook says there are 142,470,272 people in Russia. So, the 150,026,000 people getting non-veterans federal benefits in the United States at the end of 2012 outnumbered all the people in Russia.

63,742,977 people live in the United Kingdom and 44,291,413 live in the Ukraine, says the CIA. So, the combined 108,034,390 people in these two nations was about 1,596,610 less than 109,631,000 collecting welfare in the United States.

It may be more telling, however, to compare the 109,631,000 Americans taking federal welfare benefits at the end of 2012 to Americans categorized by other characteristics.

In 2012, according to the Census Bureau, there were 103,087,000 full-time year-round workers in the United States (including 16,606,000 full-time year-round government workers). Thus, the welfare-takers outnumbered full-time year-round workers by 6,544,000.

California, the nation's most-populated state, contained an estimated 38,332,521 people in 2013, says the Census Bureau. Texas had 26,448,193 people, New York had 19,651,127, and Florida had 19,552,860. But the combined 103,984,701 people in these four massive states still fell about 5,646,299 short of the 109,631,000 people on welfare.

In the fourth quarter of 2008, when President Obama was elected, there were 96,197,000 people living in households taking benefits from one or more federal welfare programs. After four years, by the fourth quarter of 2012, that had grown by 13,434,000.

Those 13,434,000 additional people on welfare outnumbered the 12,882,135 people the Census Bureau estimated lived in the state of Illinois in 2013. ★★★

High School Student Claims She Was Suspended For Saying 'Bless You'

(CBS Charlotte) DYER COUNTY, Tenn. – A high school student was allegedly suspended after breaking a class rule of saying "bless you" after a classmate sneezed.

Kendra Turner, a senior at Dyer County High School, said bless you to her classmate who sneezed and the teacher told her that the term was for church.

"She said that we're not going to have godly speaking in her class and that's when I said we have a constitutional right," Turner told WMC.

When she defended her actions, the teacher told Turner to see an administrator. The student said that she had to finish the class period in in-school suspension.

The girl's parents were told by school leaders that their daughter shouted "bless you" across the room and that it was a classroom distraction.

School officials told her parents Tuesday that the teacher claimed that their daughter was aggressive and disruptive.

But Becky Winegardner, Turner's youth pastor, disagrees with the school's actions of in-class suspension.

"There were several students that were talking about this particular faculty member there that was very demeaning to them in regard to their faith," Winegardner told WMC. "This was something that had come up previously in the last few weeks just since the beginning of school and I shared with all of those students what their rights were."

WMC reported that there are other expressions that are banned as part of class rules and they are listed on the teacher's white board along with "bless you."

Some of Turner's classmates supported her Tuesday by wearing hand made bless you shirts. She explained that she doesn't want

trouble for her teacher but that she'll stand up for her faith no matter what.

"It's alright to defend God and it's our constitutional right because we have a freedom of religion and freedom of speech," Turner told WMC.

★★★

Common Core Loses Support Nationwide

By Dr. Susan Berry

(Breitbart) - Most Americans familiar with the Common Core standards tend to oppose them and, within just one year, polls show more Americans are, in fact, more knowledgeable about the controversial education initiative and against its implementation in schools.

A new Phi Delta Kappa/Gallup (PDK/Gallup) poll released this week finds that only 19 percent of Americans know "nothing at all" about the Common Core standards and that 60 percent oppose teachers using the standards to guide what they teach.

The poll, a survey of more than 1,000 Americans 18 years and older, found that Republicans appear to be most educated about the Common Core standards, with 54 percent stating they know either "a great deal" or "a fair amount" about the initiative, compared to 40 percent of Democrats, and 46 percent of Independents.

Of those identifying as Republicans, 76 percent said they oppose teachers' use of the Common Core standards, compared to 38 percent of Democrats and 60 percent of Independents.

"Given the increased media coverage this year, we were not surprised that an overwhelming majority of Americans have heard about the Common Core State Standards, but we were surprised by the

level of opposition," William Bushaw, co-director of the poll and CEO of PDK International, an association for educators, said on Tuesday, according to Education Week. "Supporters of the standards, and education in particular, face a growing challenge in explaining why they believe the standards are best in practice."

Results of the PDK/Gallup poll also showed that President Obama received an "A" or "B" grade for his performance regarding public schools from only 27 percent of respondents, while the same percentage gave him a grade of "F." This outcome represents Obama's poorest performance overall since his election to the presidency.

The poll is the latest of similar surveys that have revealed – just prior to the midterm elections – that support for the Common Core standards is in significant decline across the nation. As Breitbart News reported Wednesday, Education Next released a poll of 5,000 adults this week that found only 53 percent of respondents were supportive of the Common Core standards this year, as opposed to 65 percent last year. In addition, only 46 percent of teachers were found to be supportive of the nationalized standards this year, compared to 76 percent in 2013.

★★★

Colorado Teens are Smoking Less Pot Since Legalization

By Greg Campbell

(Libertarian Republic) - Teen marijuana use has fallen in Colorado since the state legalized the drug in 2012, according to a new report, bucking a nationwide trend of overall increases in teen use.

"Thirty-day marijuana use fell from 22 percent in 2011 to 20 percent in 2013, and lifetime use declined from 39 percent to 37 percent during the same two years," according to an emailed press release from the Colorado Department of Public Health and Environment.

Colorado legalized marijuana for adults in 2012 and statewide retail sales of the drug — which is still illegal under federal law — began in January.

Anti-legalization groups have long claimed that eliminating criminal penalties on adult use would lead to a spike in use by young people, but the opposite seems to be happening.

Nationwide, teen usage has gone up from 20.8 percent in 2009 to 23.4 percent in 2013, according to statistics by the Centers for Disease Control cited by the Marijuana Policy Project.

"Once again, claims that regulating marijuana would leave Colorado in ruins have proven to be unfounded," said MPP spokesman Mason Tvert in a press release. "How many times do marijuana prohibition supporters need to be proven wrong before they stop declaring our marijuana laws are increasing teen use? They were wrong when they said regulating medical marijuana would do it, and they were wrong when they doubled down and said making marijuana legal for adults would do it."

Yet opponents of legalization continue to sound the alarm that Colorado's experiment with legalization is backfiring, even using the new numbers of declining usage in an attempt to prove it.

"[T]he survey shows a statistically significant 7 percent decline in the number of Colorado public high school students who think that marijuana is a risky activity," according to a press release from Project SAM, the national anti-legalization group headed by former Democratic Rep. Patrick Kennedy. "While the survey showed a non-statistically significant 2 percentage point reduction in teen marijuana use within Colorado, these results cannot be interpreted as representing an actual decline."

Although the CDPHE release also stated the declines are not statistically significant, it's notable that rates are dropping despite teens having a more relaxed attitude about how risky marijuana use is, Tvert said.

"It makes sense that teens' perception of its potential harms is falling in line with the evidence, but it has not correlated with an increase in use, thanks at least in part to thoughtful regulations," he said.

"Our goal should not be increasing teens' perception of risk surrounding marijuana. It should be increasing teens' knowledge of the actual relative harms of marijuana, alcohol, and other substances so that they can make smart decisions." ★★★

US~OBSERVER NOTE ON FALSE CHARGES:

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WORLD VIEW

Isis: it is very much of its time and place – and stronger for it

By Jason Burke

(The Observer) - Just under a decade ago, a battered militant group then known as al-Qaida in Iraq decided it needed rebranding. A new structure and name were introduced to a sceptical public. The formation of the Islamic State of Iraq, complete with designated ministers, was announced.

The ISI's leaders lacked credibility and its supposed administrative structure lacked substance. That the "state" in the title was nothing more than an aspiration was clear to all. But the scepticism with which the ambitious name was once greeted is now looking misplaced. The ISI eventually evolved into the Islamic State, which now controls a swath of land from western Syria to western Iraq running religious schools, bakeries and power plants, exporting oil, levying taxes and organising parades of tanks, a potent overseas outreach operation and fighting a war on several fronts.

The declaration by Abu Bakr al-Baghdadi, the leader of this new entity, that he is the supreme authority of a new "caliphate" makes it easy to portray the Islamic State as a reactionary throwback. But this is an error. Baghdadi's vision is profoundly contemporary.

It is also a radical break with the strategic vision of previous militant leaders. Political Islamists such as the Muslim Brotherhood and their offshoots have long talked of appropriating institutions and power, by a variety of means ranging from peaceful social activism to a violent coup d'etat, but never about creating a new state. Neo-traditionalists of the Salafi strand of hardline Islam have tended to see the modern state as anathema, an irreligious innovation that has divided the world's Muslim community. When confronted with the necessity of actually running a state, the response is a mix of bewilderment and incompetence.

Seventh-century scriptures are no substitute for administrative or technological expertise, as I witnessed when reporting from Taliban-controlled Afghanistan in the 1990s. A slogan daubed on the wall of one ministry read: "Throw reason to the dogs. It stinks of corruption." A catchy phrase, perhaps, but not particularly useful when setting up a sanitation system, finding cash to pay civil servants or maintaining order.

Osama bin Laden often spoke of a caliphate, a single politically and religiously united realm covering the extent of the Islamic empire at its height. But beyond the mobilisation and radicalisation of hundreds of millions of Muslims through a campaign of spectacular violence, he offered no real strategy as to how the new caliphate might be created or governed. It was understood to be a distant aspiration, not a concrete midterm goal. What Baghdadi has done is fuse the political Islamists' aim of seizing state power with the neo-traditionalists' more global vision to create a recognisable if rough-edged state that is simultaneously supposed to be a launchpad for greater expansion. This unprecedented combination is a powerful one.

Optimists hope – and they may well eventually be proved right – that the new Islamic State rests on very flimsy foundations. Their expansion has been extremely rapid, they say, and will overstretch resources that are slimmer than they appear from overseas. Isis's extreme violence and rigorous conservative value system will alienate local communities, they argue, and their avowed ambitions will provoke a regional and international response that will eventually weaken and destroy them. Some point to the example of the Taliban, ousted after al-Qaida launched strikes against the US from Afghanistan about which the movement's leaders knew virtually nothing.

Others cite the reaction against al-Qaida in Iraq in the west of that country in 2005 and 2006, when Sunni tribes turned against Baghdadi's predecessors on account of their violence, insensitivity and lack of respect for local vested interests. Yet Syria and Iraq today constitute an immeasurably more complex operational environment than Afghanistan did in 2001 and the Awakening fighters who took on al-Qaida could do so because the US army was there to provide protective firepower. Anyone trying something similar in ar-Raqqa or Mosul right now would not last long.

Even the Taliban, which clearly benefited, too, from very specific local circumstances, might well have maintained their grip on much of Afghanistan for a much longer period were it not for the adventurism of al-Qaida. Though very different from Isis in many ways, Hamas and Hezbollah, both organisations that have combined non-violent social and religious activism with violence and which, in part or entirely, are considered terrorist groups by many powers, have survived for three decades.

There is a further reason to fear Isis may be a more durable construction than some hope. A decade and a half ago the contrast between the capabilities and structure of an organisation such as Baghdadi's and states in the Middle East would have been dramatic. Militant activity in Iraq or Syria was small scale, fleeting and mercilessly tracked by dictators. Now, in the context of the Syrian civil war and a destabilised Iraq, as well as a regional context of ferment and change, the gap between informal and formal powers in the Middle East is narrower than before.

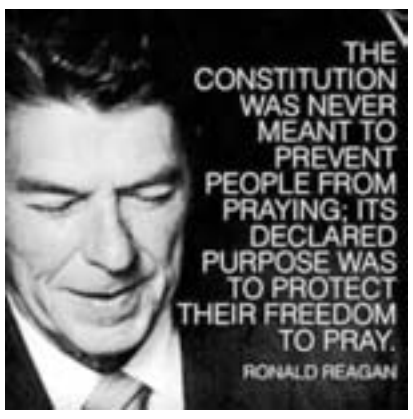
The leader of Isis has a few million fractious people of differing tribes and communities to rule. His main immediate focus is security and military operations. He has a shadowy range of overseas backers and is caught in a broader regional struggle for power. Almost incomprehensible brutality is an integral element of his way of exercising power, terrorising opponents and attracting supporters. If Baghdadi's new state were an anachronism, it would pose little threat. It is not, however. It is, tragically, very much of its time and place and much stronger for it. ★★★

Atheists are forgetting the meaning of freedom

By Dr. Ben Carson

Many people in this country were shocked when the U.S. Navy recently announced the removal of all Bibles from military hotels under their control. This was in response to pressure from the Freedom From Religion Foundation, a well-known atheist group.

The surprise is not the hypocritical stance of the Freedom From Religion Foundation, but rather the fact that an established bulwark of American strength and patriotism caved to a self-serving group of religious fanatics. The previous sentence may seem out of place if you don't realize that atheism is actually a religion.



Like traditional religions, atheism requires strong conviction. In the case of atheists, it's the belief that there is no God and that all things can be proved by science. It is extremely hypocritical of the foundation to request the removal of Bibles from hotel rooms on the basis of their contention that the presence of Bibles indicates that the government is choosing one religion over another. If they really thought about it, they would realize that removal of religious materials imposes their religion on everyone else.

Some atheists argue that there should be a library or cachet of religious material at the check-in desk of a hotel from which any guest could order a Bible, Torah or Koran for their reading pleasure. No favoritism would be shown through such a system, and those who reject the idea of God would not have to be offended.

This is like saying there shouldn't be certain brands of bottled water in hotel rooms because there may be guests who prefer a different type of water or are offended by bottled water and think everybody should be drinking tap water. The logical answer to such absurdity would, of course, be that the offended individual could bring his own water or simply ignore the brand of water he does not care for.

As a nation, we must avoid the paralysis of hypersensitivity, which prevents us from getting anything done because virtually everything offends someone.

We need to distribute "big boy" pants to help the whiners learn to focus their energy in a productive way. We must also go back and read the Constitution, including the First Amendment, which guarantees freedom of religion. It says nothing about freedom from religion, and in fact, if you consider the context and the lives of those involved in the crafting of our founding documents, it is apparent that they believed in allowing their faith to guide their lives. This has nothing to do with imposing one's beliefs on someone else.

Those of us who do believe in God can hope and pray that at some point secular progressives will come to understand that they must abide by the same rules with which they attempt to control others. There is nothing wrong with the philosophy of "live and let live." America was designed to be a free country, where people could live as they pleased and pursue their dreams as long as they didn't infringe upon the rights of others. By continually broadening the scope of an "infringement" on the rights of others, the purveyors of division will succeed in destroying our nation — but only if we continue to cater to their divisive rhetoric.

Liberty and justice for all has worked extremely well for an extended period of time, and there is no reason to upset the equilibrium by endowing the hypersensitive complainers in our society with more power than everyone else. Thankfully, the Navy quickly realized its mistake and restored the Bible to its lodges. Maybe now we can deal with the real issues that threaten our safety.

Ben Carson is a neurosurgeon who worked at Johns Hopkins School of Medicine in Baltimore for more than a quarter of a century. His website in www.realbencarson.com ★★★

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LIBERTARIAN • li-b?r-ˈter-ē-?n
1 : an advocate of the doctrine of free will
2 a : a person who upholds the principles of individual liberty especially of thought and action
~Merriam-Webster

Your Personal Liberty

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Do We Have A Sociopath In The White House?

Hi. I'm **Wayne Allyn Root** for Personal Liberty. Things aren't going so well for America. There was major rioting all week in Ferguson, Missouri. There are still no jobs for middle-class Americans. Our southern border is still under siege. Obamacare is a disaster. Our veterans are dying at the hands of the incompetent VA. ISIS threatens to create a radical Muslim empire in the Middle East. And the world (from Israel to Ukraine to Syria to Iraq) is literally on fire.

Where is our President? On vacation… again.

This time, even the media are whispering. "Where is Obama? Isn't his indifference to the problems of America and disconnect from reality, strange?" The simple answer is, "No." This is how he's been his entire adult life. It all started at Columbia University.

I believe we have a president who is an arrogant, egomaniacal sociopath.

Here is the definition of a "sociopath" from the Urban Dictionary online:

A person with antisocial personality disorder. Probably the most widely recognized personality disorder. A sociopath is often well liked because of their charm and high charisma, but they do not usually care about other people. They think mainly of themselves and often blame others for the things that they do. They have a complete disregard for rules and lie constantly. They seldom feel guilt or learn from punishments.

My new book "The Murder of the Middle Class" presents the story in vivid detail. I was Obama's college classmate at Columbia University, Class of 1983. I've been trying to tell America about Obama's "problem" for seven long years now.

By college, a person's personality, attitude and behavior are fairly well set. That's why Obama's Columbia days tell us so much about his behavior as president today. Where was he? Why does virtually no one from Columbia remember the future president of the United States? Why did the future president make an impression on none of his classmates?

Things rarely change. Thirty years ago, my classmate was rarely seen. Thirty years later, he rarely is seen conducting the business of the presidency. No one should be surprised.

What do I know about Obama at Columbia? Nothing. I never met him. As I've reported countless times to the media, Obama and I shared the same major: political science. We were both pre-law. It was a small class (about 700 students). The political science department was even smaller (maybe 150 students) and was a close-knit group. I thought I knew or had at least met everyone in this department.

But I never met Obama. Never even heard of him. Worse, neither did anyone I knew at Columbia. Think about that. Our classmate is president of the United States. Yet he didn't leave a footprint.

In all my years of publicly questioning Obama's absence at Columbia, I know of only two possible sightings. Two people called me claiming to be classmates. One caller claimed that he thinks he saw Obama once in a bar across from Columbia blowing smoke rings. Another called to say he thinks he saw Obama in the cafeteria at Barnard (our sister school for women only).

Two possible Obama sightings in 30 years: one smoking in a bar, the other at a women's cafeteria. Isn't that the perfect guy to run your country?

Obama defenders and the media (I know; they're the same) interpreted what I said wrongly. I never said Obama didn't attend Columbia. I said he was never in class, perpetually absent, missing in action. Sound familiar?

Obama acts exactly the same today as president as he did as a student at Columbia. Obama has always believed that Obama is brilliant and better than the rest of us. He's arrogant and detached. He thinks he's too smart to have to actually do the work the rest of us do. He's above it all. Why attend class? "What could someone as smart as me possibly learn in class?"

It's the same story today. Obama rarely attends meetings, even with his cabinet. He's too busy playing golf, taking vacations or attending fundraisers.

This past February, Obama skipped two national security meetings focused on Russia's potential invasion of Ukraine. He was too busy to attend a meeting about a crisis that could lead to World War III.

Even if Obama wasn't concerned about Russia invading Ukraine, certainly he finds America's jobs crisis important, right? Wrong. Obama never bothered to convene one meeting of his own Jobs Council in a full year, even with unemployment and underemployment at crisis levels.

Even more remarkable, within two weeks of that story, Obama closed down his Jobs Council — with 12 million Americans still counted officially as unemployed.

So what is so important in Obama's life? Golf and fundraisers. PolitiFact.com, the nonpartisan fact checker, confirmed our President golfed often and attended 106 fundraisers during just a six-month period wherein he could find no time, or interest, to attend even one meeting of his own Jobs Council.

And where was Obama the night of the Benghazi attack? Both Defense Secretary Leon Panetta and Joint Chiefs of Staff Chairman Martin Dempsey testified Obama was absent that night.

Four brave Americans died while Obama was "absent." What could be so important that Obama never checked in to ask a question or discuss a rescue attempt from 5:30 p.m. until the next morning (when everyone was dead)?

The track record is consistent. Just like his college days, Obama believes he's too gifted to do the actual work of president. He's too busy to have to worry about the plight of unemployed Americans. He's even too important to worry about young black males killing each other in Chicago, or being shot by police, or serious unrest, rioting and looting in Ferguson, Missouri. He's got more important things to do than stay in touch as a U.S. embassy is under attack. Hamas is lobbing missiles into Israel. Who cares? "I've got a golf game in the morning."

To be exact, Obama has played 186 rounds of golf and counting versus Bush's 24.

Does Obama ever work? Sure. Every once in a while he throws a "Beer Summit."

Nothing much has changed since Columbia University. Not Obama's personality, not his attitude, not his behavior. Either Obama is detached and just couldn't care less or he just doesn't like America very much, so he's purposely fiddling while Rome burns. Or like O.J. Simpson, maybe he's searching for the answers to all of these terrible crises in the holes and sand traps of America's greatest golf courses.

This is most certainly "The Murder of the Middle Class." And the death of America.

I believe we have a sociopath in the White House. ★★★

Ferguson Reminds Us: You Can Photograph Police On The Job

By Ben Bullard

It is legal to photograph or video record police officers in public as they carry out their duties. And, as a recent court ruling reinforces, it's absolutely legal to photograph police on your property, even (rather, especially) during the execution of a search warrant.

Just because something is legal doesn't mean the police will honor it. That's the crux of the argument for protest against police who kill in the absence of a threat, or those who, with much greater frequency, deny due process in hundreds of little ways to Americans every day.

The chaos in Ferguson, Missouri, over the police shooting of Michael Brown has drawn national media attention. Reporters from major networks and newspapers have converged on Ferguson to report on the shooting, the rioting and the inevitable, regrettable appearance of Al Sharpton.

But in doing so, the press has become a part of the story. At least two reporters for separate news organizations have been detained simply for documenting what they saw.

Here's Martin D. Baron, executive editor for The Washington Post, on the Ferguson Police Department's treatment of reporter Wesley Lowery. Lowery and another reporter from the Huffington Post were detained inside a McDonald's after several officers came inside the restaurant, told them to leave and ordered Lowery to stop filming once he'd whipped out his phone to document what was taking place:

Wesley has briefed us on what occurred, and there was absolutely no justification for his arrest.

He was illegally instructed to stop taking video of officers. Then he followed officers' instructions to leave a McDonald's — and after contradictory instructions on how to exit, he was slammed against a soda machine and then handcuffed. That behavior was wholly unwarranted and an assault on the freedom of the press to cover the news. The physical risk to Wesley himself is obvious and outrageous.

After being placed in a holding cell, he was released with no charges and no explanation. He was denied information about the names and badge numbers of those who arrested him.

We are relieved that Wesley is going to be OK. We are appalled by the conduct of police officers involved.

At one point after the police had placed Lowery and the other reporter, Ryan Reilly, in a cruiser, Lowery wrote about the following exchange:

A woman — with a collar identifying her as a member of the clergy — sat in the back. Ryan and I crammed in next to her, and we took the three-minute ride to the Ferguson Police Department. The woman sang hymns throughout the ride.

During this time, we asked the officers for badge numbers. We asked to speak to a supervising officer. We asked why we were being detained. We were told: trespassing in a McDonald's.

"I hope you're happy with yourself," one officer told me. And I responded: "This story's going to get out there. It's going to be on the front page of The Washington Post tomorrow."

And he said, "Yeah, well, you're going to be in my jail cell tonight."

Lowery's one foil against the cops was his power as a member of the press. It ultimately worked — he and Reilly were let go after spending a short time in a cell, with no charges filed.

But it's vital to emphasize that his rights are the same as any American's: It's not illegal for anyone to record what the police do in public.

"The arrest and intimidation of journalists for documenting the events in Ferguson is particularly disturbing because it interferes with the ability of the press to hold the government accountable," wrote The Atlantic's Olag Khazan last week. "But actually, anyone — journalist or otherwise — can take a photo of a police officer.

"Citizens have the right to take pictures of anything in plain view in a public space, including police officers and federal buildings. Police cannot confiscate, demand to view, or delete digital photos. Private property owners can set different rules for recording, but it did not appear from Lowery's account that the McDonald's manager was objecting to his video recording… Police officers frequently ignore these laws."

And there's the rub. Americans must routinely weigh their risks before participating in legal activities — if the police are nearby.

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COMMENTARY Your Right to Speak Out

What if democracy is a fraud?

By Judge Andrew Napolitano

What if you were allowed to vote only because it didn't make a difference? What if no matter how you voted the elites always got their way? What if the concept of one person/one vote was just a fiction created by the government to induce your compliance?

What if democracy as it has come to exist in America today is dangerous to personal freedom? What if our so-called democracy erodes the people's understanding of natural rights and the reasons for government and instead turns political campaigns into beauty contests? What if American democracy allows the government to do anything it wants, as long as more people bother to show up at the voting booth to support the government than show up to say no?

What if the purpose of contemporary democracy has been to convince people that they could prosper not through the voluntary creation of wealth but through theft from others? What if the only moral way to acquire wealth is through voluntary economic activity? What if the government persuaded the people that they could acquire wealth through political activity? What if economic activity includes all the productive and peaceful things we voluntarily do? What if political activity includes all the parasitical and destructive things the government does? What if the government has never created wealth? What if everything the government owns it has stolen?

What if governments were originally established to protect people's freedoms but always turn into political and imperialist enterprises that seek to expand their power, increase their territory and heighten their control of the population? What if the idea that we need a government to take care of us is a fiction perpetrated to increase the size of government? What if our strength as individuals and durability as a culture are contingent not on the strength of the government but on the amount of freedom we have from the government?

What if the fatal cocktail of big government and democracy ultimately produces dependency? What if so-called democratic government, once it grows to a certain size, begins to soften and weaken the people? What if big government destroys people's motivations and democracy convinces them that the only motivation they need is to vote and go along with the results?

What if Congress isn't actually as democratic as it appears? What if congressional elections don't square with congressional legislation because the polls aren't what counts, but what counts are the secret meetings that come after the voting? What if the monster Joe Stalin was right when he said the most powerful person in the world is the guy who counts the votes? What if the vote counting that really counts takes place in secret? What if that's how we lost our republic?

What if the problem with democracy is that the majority thinks it can right any wrong, write any law, tax any event, regulate any behavior and acquire any thing it wants? What if the greatest tyrant in history lives among us? What if that tyrant always gets its way, no matter what the laws are or what the Constitution says? What if that tyrant is the majority of voters? What if the majority in a democracy recognizes no limits on its power?

What if the government misinforms voters so they will justify anything the government wants to do? What if the government bribes people with the money it prints? What if it gives entitlements to the poor and tax breaks to the middle class and bailouts to the rich just to keep everyone dependent on it? What if a vibrant republic requires not just the democratic process of voting, but also informed and engaged voters who understand first principles of human existence, including the divine origin and inalienable individual possession of natural rights?

What if we could free ourselves from the yoke of big government through a return to first principles? What if the establishment doesn't want this? What if the government remains the same no matter who wins elections? What if we have only one political party -- the Big Government Party -- and it has a Democratic wing and a Republican wing? What if both wings want war and taxes and welfare and perpetual government growth, but offer only slightly different menus on how to achieve them? What if the Big Government Party enacted laws to make it impossible for meaningful political competition to thrive?

What if the late progressive Edmund S. Morgan was right when he said that government depends on make believe? What if our ancestors made believe that the king was divine? What if they made believe that he could do no wrong? What if they made believe that the voice of the king was the voice of God?

What if the government believes in make believe? What if it made believe that the people have a voice? What if it made believe that the representatives of the people are the people? What if it made believe that the governors are the servants of the people? What if it made believe that all men are created equal, or that they are not?

What if the government made believe that it is always right? What if it made believe that the majority can do no wrong? What if the tyranny of the majority is as destructive to human freedom as the tyranny of a madman? What if the government knows this?

What do we do about it?

Andrew P. Napolitano, a former judge of the Superior Court of New Jersey, is the senior judicial analyst at Fox News Channel.

★★★

It's game over for the dollar

By Simon Black
Senior Editor, SovereignMan.com

(Originally published 7-15-14)

Exactly 70 years ago to the day, hundreds of delegates from 44 nations were busy at work in Bretton Woods, New Hampshire creating a brand new financial system.

World War II had just ended. Europe was in ruin.

And since the US was simultaneously the largest economy in the world, the primary victor in the war, and the only major power with its productive capacity intact, it was easy to dictate terms: the dollar would dominate the new system.

Every nation would hold dollars as the primary reserve currency, and the dollar would be redeemable for gold at $35/ounce.

Also, global commerce would be conducted and settled in dollars, and these settlements would clear through the US banking system.

Naturally this created substantial demand from foreign governments who needed to begin accumulating dollars for trade and reserves.

So through a variety of programs, from the Marshall Plan to the IMF and World Bank, the US began flooding the world with dollars.

Initially everything went according to plan.

But soon the US government realized something important-- foreign demand for the dollar was so strong that they could get away with printing more dollars than they had gold.

This allowed them to run all sorts of deficits and spending initiatives-- more war, more welfare, more waste… all with minimal accountability.

Initially the consequences were insignificant.

Sure, the price of gold in London was a few dollars higher than in the US (they called this the 'gold window').

But demand for the dollar was still strong. So why bother changing?

By 1971, the situation had gotten far worse. Another decade of war, excessive spending, trade deficits, and money printing had pushed many foreign nations to their breaking points.

Foreign nations' dollar reserves far exceeded the US government's gold holdings. And with confidence waning, many began redeeming their dollars for gold.

Only days later, Richard Nixon put a stop to this and unilaterally terminated the US dollar's convertibility to gold.

Richard Nixon

Think about the magnitude of this decision: Nixon was effectively defaulting on US obligations to the rest of the world-- a complete betrayal of their trust.

Yet despite this massive shock that reset the global financial system, the dollar somehow managed to remain the world's #1 reserve currency.

You'd think they would have been grateful, thanking their lucky stars that the rest of the world gave them a second chance. But no.

Over the past 43 years, the US has continued to print, devalue, and mismanage the dollar.

Along the way, they've created epic bubbles and financial shocks.

They've run up the biggest deficits and debt levels ever seen in the history of the world.

They've bickered internally to the point of shutting down government.

They've passed arrogant, painful regulations and commanded the rest of the world to comply under threats tantamount to financial homicide.

They've unleashed their tax and securities authorities to terrorize anyone doing business with the US.

They've totally ignored foreign pleas to restructure the IMF and World Bank.

They've slammed foreign banks with record fines simply for doing business with nations that the US doesn't like.

They've waged pointless wars. They've spied on their allies. They've meddled in other nations' affairs.

And they've demonstrated absolutely no willingness or ability to improve.

Simply put, other nations are done. Fed up, really. And it's not just words.

Consider that in a matter of months, the US will be overtaken by China as the world's largest economy.

Not to mention, the total combined GDPs of China, India, Russia, and Brazil are roughly the same as the US and EU combined.

Just as the US was the biggest player back in 1944, China is the biggest player today. So it seems clear that the renminbi will become a critical component of a new financial system.

The renminbi already has experienced rapid growth as a dollar alternative for trade; in May, cross-border settlement surged 52% from the year prior.

Renminbi settlement banks are being set up from London to Canada, and the central banks of both France and Luxembourg have signed agreements for renminbi clearing.

There have already been numerous Western companies (like McDonalds) that have issued renminbi-denominated bonds.

And even the provincial government of British Colombia issued a renminbi bond earlier this year. It was a whopping five times oversubscribed.

I'd expect within the next 2-3 years we'll start seeing trade settlement in renminbi, even when none of the parties are in China.

Today, for example, a transaction between a Paraguayan merchant and a company in Angola will likely settle in US dollars.

Soon, I think we'll start seeing that transaction done in renminbi. And once that happens, you'll know it's game over for the dollar.

Shortly after, national governments in western countries will issue renminbi bonds (perhaps Greece or Portugal will be first). And eventually, even the US government itself.

Today, 70 years after Bretton Woods, leaders from China, Russia, India, Brazil, South Africa, and several other nations are hard at work in Fortaleza, Brazil creating a new development bank that will compete against the US-controlled World Bank.

This is a major step in an obvious trend towards a new financial system. Every shred of objective data is SCREAMING for this to happen.

It's a different world. Everyone realizes it except for the US government, which is still living in the past where they're #1 and get to call all the shots.

The consequences of missing this boat are enormous, and it's going to be a rude awakening for anyone not paying attention. ★

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

COMMENTARY

Confessions of a disillusioned Democrat

By Joe Piscopo

I'm a Democrat. I've been a Democrat my entire life.

I used to utter those two sentences with pride and would shout them from the highest rooftops. Now, I'm almost embarrassed to say those words.

I almost can't articulate my political affiliation in public (or on the radio) without immediately offering an apology and an explanation.

How did I get here?

My father was a proud Italian-American, but the American was second to no other nationality. "Pop" was a World War II veteran and a brilliant lawyer who devoted his professional life representing the working class, particularly new legal immigrants.

I was a Democrat because I believed in civil rights, like Lyndon Johnson. I was a Democrat because while it was clear to me that the Republican politicians were out of touch and cared for only the upper class, Democrats like Franklin Roosevelt cared for the masses and helping the working man. I was a Democrat because I believed in a strong defense and opposed communism, like John F. Kennedy. And I was a Democrat because I loved the fact that Kennedy understood we needed lower marginal tax rates.

By and large, none of these values are represented in the Democratic Party today. From where I'm standing, the party has largely abandoned its commitment to civil rights and instead allows race-baiters to be national power brokers. As spokesman for the Boys and Girls Clubs of New Jersey, I am hurt that there is not one Democrat in Washington who cares enough about the great inner cities of this country to help those in dire distress from poverty and crime. These cities are in worse shape than those countries from which all those illegal "children" crossing our borders daily are coming.

In my home state, if I can walk the streets of Camden to try to help the disenfranchised, why can't the Democrat in the White House walk the South Side of his hometown and do the same? In terms of caring for the working class, it seems as though Democrats are more interested in catering to the special interests, such as the trial lawyers, lobbyists and George Soros who fund their campaigns — rather than fighting for small-business relief to allow a higher minimum wage or (God forbid) middle-class tax relief.

Most disheartening, though, is the Democrats' weak commitment to a strong defense and maintaining America's place in the world as the only superpower. All I see is an American foreign policy led by a Democratic administration that is floundering when it comes to things like dealing with Iraq, Russia and Syria, inept when it comes to crises like Benghazi, and weak at the knees when it comes to protecting our strongest Middle Eastern ally, Israel.

I guess a big part of the reason I'm a Democrat has to do with who I am. I grew up idolizing the larger-than-life-personas I've encountered over the years in music, sports, movies and business. Which, of course, explains my fondness for "The Old Man," as we affectionately called Frank Sinatra. I grew up believing that all of the rock-star personas were Democrats — no bigger star in the world than Kennedy. Lyndon Johnson had a Texas swagger that got things done, and Ed Koch could host "Saturday Night Live" as well as any other politician.

In politics today, where are today's larger-than-life figures, ready to inspire the next generation of public servants to "ask not what your country can do for you …"?

When I met President Reagan, I felt inspired. I want to feel inspired again. Like Reagan, I think the time has come for me to leave the party I've been a member of my entire life — not because I want to leave it, but because it has already left me.

I don't think I'm ready to become a Republican yet (although despite their lack of solutions, I still find myself rooting for the Republicans in the midterm elections for the first time I can recall).

In good conscience, however, I can't continue to call myself a Democrat.

In becoming an independent, I think I'm maintaining the independent (dare I say, libertarian?) mindedness and patriotism that my parents endowed me with. For the country's sake and for their own, I hope the Democrats wake up.

I am also hopeful that we, the people, will wake up and strongly feel, with heart and soul, what my family always instilled in me and what is sadly absent in many of today's political leaders: the love, the appreciation and an unapologetic pride of being an American.

Joe Piscopo is an actor, comedian and host of "The Joe Piscopo Show" on AM 970 The Answer in New York.

★★★

The over-criminalization of the American people

By John W. Whitehead

Why are we seeing such an uptick in Americans being arrested for such absurd "violations" as letting their kids play at a park unsupervised, collecting rainwater and snow runoff on their own property, growing vegetables in their yard, and holding Bible studies in their living room?

Mind you, we're not talking tickets or fines or even warnings being issued to these so-called "lawbreakers." We're talking felony charges, handcuffs, police cars, mug shots, pat downs, jail cells and criminal records.

Consider what happened to Nicole Gainey, the Florida mom who was arrested and charged with child neglect for allowing her 7-year-old son to visit a neighborhood playground located a half mile from their house.

For the so-called "crime" of allowing her son to play at the park unsupervised, Gainey was interrogated, arrested and handcuffed in front of her son, and transported to the local jail where she was physically searched, fingerprinted, photographed and held for seven hours and then forced to pay almost $4000 in bond in order to return to her family. Gainey's family and friends were subsequently questioned by the Dept. of Child Services. Gainey now faces a third-degree criminal felony charge that carries with it a fine of up to $5,000 and 5 years in jail.

For Denise Stewart, just being in the wrong place at the wrong time, whether or not she had done anything wrong, was sufficient to get her arrested.

The 48-year-old New York grandmother was dragged half-naked out of her apartment and handcuffed after police mistakenly raided her home when responding to a domestic disturbance call. Although it turns out the 911 call came from a different apartment on a different floor, Stewart is still facing charges of assaulting a police officer and resisting arrest.

And then there are those equally unfortunate individuals who unknowingly break laws they never even knew existed. John Yates is such a person. A commercial fisherman, Yates was sentenced to 30 days in prison and three years of supervised release for throwing back into the water some small fish which did not meet the Florida Fish and Wildlife Commission's size restrictions. Incredibly, Yates was charged with violating a document shredding provision of the Sarbanes-Oxley Act, which was intended to prevent another Enron scandal.

The list of individuals who have suffered similar injustices at the hands of a runaway legal system is growing, ranging from the orchid grower jailed for improper paperwork and the lobstermen charged with importing lobster tails in plastic bags rather than cardboard boxes to the former science teacher labeled a federal criminal for digging for arrowheads in his favorite campsite.

As awful as these incidents are, however, it's not enough to simply write them off as part of the national trend towards overcriminalization—although it is certainly that. Thanks to an overabundance of 4500-plus federal crimes and 400,000 plus rules and regulations, it's estimated that the average American actually commits three felonies a day without knowing it.

Nor can we just chalk them up as yet another symptom of an overzealous police state in which militarized police attack first and ask questions later—although it is that, too.

Nor is the problem that we're a crime-ridden society. In fact, it's just the opposite. The number of violent crimes in the country is down substantially, the lowest rate in 40 years, while the number of Americans being jailed for nonviolent crimes, such as driving with a suspended license, are skyrocketing.

So what's really behind this drive to label Americans as criminals?

As with most things, if you want to know the real motives behind any government program, follow the money trail. When you dig down far enough, as I document in my book A Government of Wolves: The Emerging American Police State, you quickly find that those who profit from Americans being arrested are none other than the police who arrest them, the courts which try them, the prisons which incarcerate them, and the corporations, which manufacture the weapons and equipment used by police, build and run the prisons, and profit from the cheap prison labor.

Talk about a financial incentive.

First, there's the whole make-work scheme. In the absence of crime, in order to keep the police and their related agencies employed, occupied, and utilizing the many militarized "toys" passed along by the Department of Homeland Security, one must invent new crimes—overcriminalization—and new criminals to be spied on, targeted, tracked, raided, arrested, prosecuted and jailed. Enter the police state.

Second, there's the profit-incentive for states to lock up large numbers of Americans in private prisons. Just as police departments have quotas for how many tickets are issued and arrests made per month—a number tied directly to revenue—states now have quotas to meet for how many Americans go to jail. Having outsourced their inmate population to private prisons run by corporations such as Corrections Corp of America and the GEO Group, ostensibly as a way to save money, increasing numbers of states have contracted to keep their prisons at 90% to 100% capacity. This profit-driven form of mass punishment has, in turn, given rise to a $70 billion private prison industry that relies on the complicity of state governments to keep the money flowing and their privately run prisons full. No wonder the United States has the largest prison population in the world.

But what do you do when you've contracted to keep your prisons full but crime rates are falling? Easy. You create new categories of crime and render otherwise law-abiding Americans criminals. Notice how we keep coming full circle back to the point where it's average Americans like you and me being targeted and turned into enemies of the state?

That brings me to the third factor contributing to Americans being arrested, charged with outrageous "crimes," and jailed: the Corporate State's need for profit and cheap labor. Not content to just lock up millions of people, corporations have also turned prisoners into forced laborers.

According to professors Steve Fraser and Joshua B. Freeman, "All told, nearly a million prisoners are now making office furniture, working in call centers, fabricating body armor, taking hotel reservations, working in slaughterhouses, or manufacturing textiles, shoes, and clothing, while getting paid somewhere between 93 cents and $4.73 per day." Tens of thousands of inmates in U.S. prisons are making all sorts of products, from processing agricultural products like milk and beef, to packaging Starbucks coffee, to shrink-wrapping software for companies like Microsoft, to sewing lingerie for Victoria's Secret.

What some Americans may not have realized, however, is that America's economy has come to depend in large part on prison labor. "Prison labor reportedly produces 100 percent of military helmets, shirts, pants, tents, bags, canteens, and a variety of other equipment. Prison labor makes circuit boards for IBM, Texas Instruments, and Dell. Many McDonald's uniforms are sewn by inmates. Other corporations—Microsoft, Victoria's Secret, Boeing, Motorola, Compaq, Revlon, and Kmart—also benefit from prison labor." The resulting prison labor industries, which rely on cheap, almost free labor, are doing as much to put the average American out of work as the outsourcing of jobs to China and India.

No wonder America is criminalizing mundane activities, arresting Americans for minor violations, and locking them up for long stretches of time. There's a significant amount of money being made by the police, the courts, the prisons, and the corporations.

What we're witnessing is the expansion of corrupt government power in the form of corporate partnerships which both increase the reach of the state into our private lives while also adding a profit motive into the mix, with potentially deadly consequences.

This perverse mixture of government authoritarianism and corporate profits is now the prevailing form of organization in American society today. We are not a nation dominated by corporations, nor are we a nation dominated by government. We are a nation dominated by corporations and government together, in partnership, against the interests of individuals, society and ultimately our freedoms.

If the idea that a government would jail its citizens so corporations can make a profit sounds at all conspiratorial, then you don't know your history very well. It has been well-documented that Nazi Germany forced inmates into concentration camps such as Auschwitz to provide cheap labor to major German chemical and pharmaceutical companies such as BASF, Bayer, Hoechst, and others – much of it to produce products for European countries.

Makes you wonder, doesn't it, whether what we are experiencing right now is fascism, American style, or Auschwitz revisited?

Constitutional attorney John W. Whitehead is founder and president of The Rutherford Institute and author of "A Government of Wolves: The Emerging American Police State."

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Continued from page 1 • Florida's John B. Goodman, NOT GUILTY

case from a significantly unique perspective based on the evidence. This is not what the assigned West Palm Beach Prosecutors and a few deputies have reported to the mainstream media to pass on to the public. This reporting is the result of months of digging through evidence, testimony and communication with eye-witnesses and experts. More-so, when the research began, the presumption was that Goodman was guilty. What I uncovered was that there is more than enough evidence to illicit a preponderance of innocence, not guilt; and that unless the state continually lies about the facts, or the jurists have a vendetta to prosecute, Goodman cannot be found guilty. Quite simply, there is no definitive evidence that can be considered beyond a reasonable doubt in favor of a guilty verdict, it is quite the opposite. Remember, the burden of proof is the states, not Mr. Goodman's.

THE JOHN GOODMAN CASE

On February 12, 2010 John Goodman, 47, was returning home from a YMCA charity event, then a dinner/social function, when his car suddenly collided with another vehicle driven by 23-year-old Scott Wilson. The events that followed tragically ended the life of Wilson, and have left John Goodman fighting for his innocence - for the second time in almost four years. The evidence obtained in this case gives convincing details of how Sheriff's Deputies Ricardo Safford and Troy Snelgrove, along with Prosecutors Ellen Roberts (retired) and Sherri Collins allegedly committed crimes - revealing they had lied, withheld exculpatory evidence, threatened one law enforcement officer to not testify (would hurt the states' case), willfully and negligently destroyed key evidence, obstructed justice, failed to render aid, and possibly accepted what could amount to bribes.

John Goodman was originally convicted of DUI Manslaughter/Failure to Render Aid and Vehicular Homicide/Failure to Render Aid on March 23, 2012. Legal experts have stated that trial errors "warranted a new trial" and most likely would have resulted in a successful appeal, however, juror misconduct was discovered. Having kept John Goodman from receiving a review by an impartial jury, Goodman secured the right to a new trial, currently scheduled for Oct. 6, 2014. This trial is supposed to take place as if the first trial's outcome did not even exist, and Goodman is once again facing his charges which carry a reported 30-year sentence, if convicted.

THE ACCIDENT

The accident occurred shortly before 1:00 am on a dark February night. There were no eye-witnesses. The road conditions were normal, and the weather was reported to be in the 50's. Visibility was an issue due to the accident's rural location combined with a thumbnail moon. This made it difficult to see, which was expressed by two post-crash witnesses who called 911, and several other responders. In fact, five people claimed to have not seen Scott Wilson's car initially, as it was turned upside down, mostly under water in a nearby canal.

© The Palm Beach Post/ZUMA

Goodman hit his head as a result of the collision, losing consciousness. When he "came-to" he was incredibly "disoriented" and concussed by the sheer momentum of the accident. The prosecution claims Goodman was traveling around 63 mph at impact. The previous defense claimed "between 49 - 58" mph. Assuming either of those speeds, impact would cause someone's head to be extremely jarred, at the very least. Goodman also sustained a wrist fracture, a "questionable fracture of the sternum" with "soft tissue swelling," and a laceration and hematoma above his left eye. Goodman was transported to Wellington Regional Hospital, where he received medical attention by Dr. Adam Bromberg who confirmed Goodman's injuries.

Through analysis of the skid marks pictured above, Scott Wilson's car spun violently after the collision. According to the prosecution in Goodman's initial trial, Scott Wilson died as a result of drowning. Wilson's car was found just minutes after the accident by the fourth bystander to arrive on the scene – everyone else had not seen his car. Approximately 5 minutes later the sheriff's deputies arrived, but the responding deputies, and fire and rescue failed to find Wilson until 2:31:52 a.m. Why? It took authorities nearly an hour and a half after arriving on scene, fully aware of where Wilson's vehicle was, before his body was discovered. The canal was shallow enough that the Hyundai Scott Wilson was driving had its back tires sticking out of the water according to witnesses.

The prosecution has, and will again paint a picture that John Goodman, whose blood alcohol level was allegedly above the legal limit, was drunk at the time of the accident; that he was the sole cause of the crash; that he stood there callously watching Wilson's car sink and then fled into the night. Case closed, right?

Not so fast.

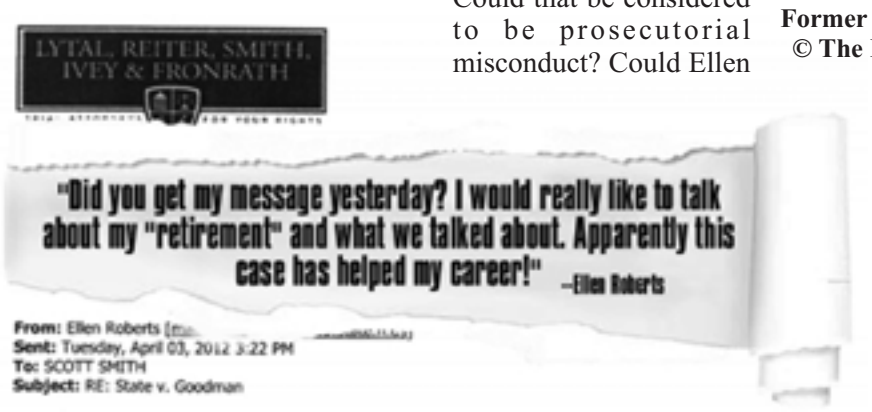
VEHICULAR HOMICIDE

To claim 1st degree vehicular homicide, the prosecution must prove that Goodman caused Wilson's death by, "... the operation of a motor vehicle ... in a reckless manner likely to cause the death ..." and that, "At the time of the accident, the person [Goodman] knew, or should have known, that the accident occurred; and … The person [Goodman] failed to give information and render aid as required by s. 316.062."

John Goodman was driving a 2007 Bentley GTC when the accident occurred. During the first trial Goodman's defense claimed that his vehicle "surged" without him manually employing the throttle, which led to the collision. The reported speed at impact, by both the prosecution and the defense experts, clearly suggests that Goodman never "stopped" at the stop sign. But, according to the state provided 911 transcripts, John Goodman told 911 dispatch that he had stopped. Could he have suffered a concussion and not known exactly what happened? Absolutely.

Have you ever been in a collision at 50+ mph? The likelihood of "trauma," not to mention misstated details of events is highly plausible.

So, could a Bentley surge out of control? After looking at online forums, and many hours spent talking with people who could possibly answer this question - I found a logical answer. I talked to a technician at Carrera (Porsche) Motors. He stated he has "worked on Bentley's in the past." At first he laughed at the probability that a Bentley, known as one of the world's most prestigious automobile manufacturers, could possibly surge. Then, I explained the circumstances. Later, his laugh became an "ahh!" after he looked further into the issue. During our second conversation he stated, "there is an electronic control unit (ECU) or module that has proven to be a big problem for this year, make and model when it gets wet." He continued, "there are currently 79 Bentley GT's (including GTC's) for sale in the U.S., and one of them lists that the ECU needs replaced." He also stated that this module, if compromised, could possibly cause the vehicle to "advance uncontrollably."



LYTAL, REITER, SMITH, IVEY & FRONRATH

"Did you get my message yesterday? I would really like to talk about my "retirement" and what we talked about. Apparently this case has helped my career!" --Ellen Roberts

From: Ellen Roberts
Sent: Tuesday, April 03, 2012 3:22 PM
To: SCOTT SMITH
Subject: RE: State v. Goodman

One certified technician verifyied that this issue exists, but I was still not entirely convinced. Next, I went to another exotic vehicle (vehicle type omitted intentionally) certified technician who has worked on "hundreds of Bentleys." He explained in detail the issues that can arise from this particular module failing. The tech informed me that this particular module controls "air, fuel" and yes, "ACCELERATION." He stated that Toyota, VW (owns Bentley), GM, Lexus and other manufacturers have had similar problems. He continued, "Toyota has manufactured vehicles where it was estimated that 140 out of every one million cars would result in sudden accelerations. Was it unlikely to happen, yes, but did it happen, yes." Although the cause of the malfunction in Toyota was different than what has been reported in Bentley, the result is likely the same, possible surging. Bentley is obviously nowhere near as common of a vehicle as Toyota, so this issue is definitely not as common with Bentley, but it still exists, according the tech.

I was informed by the tech that vehicle manufacturers utilize what is known as "Technical Service Bulletins" (TSB) to inform tech's how to fix certain problems. He stated that he has worked on roughly 200 Bentley's that were the same year, make, and model as Mr. Goodman's. He said it is common for tech's to print these bulletins and keep them in a readily accessible folder to refer back to when servicing each vehicle. He recalled fixing three Bentley's where the same particular module as Mr. Goodman's was compromised, each time, using the TSB to accurately fix the problem. But the problem that exists today - that particular TSB is nowhere to be found online according to both tech's I talked with. The second technician believes that he knows someone who has that particular bulletin, but he was fearful of coming forward with that document, afraid he would never be able to retain employment in his line of work again. Apparently, Bentley did go to great lengths to keep this information private, according to the tech. He informed me that Bentley can also "update their bulletins, or delete them entirely."

Why would Bentley do this? Could Mr. Goodman's case be the cause of why this information was allegedly deleted? Could a $40 million insurance (6 million more paid by another source) payout to Scott Wilson's family be an incentive to keep this a "hush-hush" issue with Bentley? Bentley would assuredly have liability if it was ever proven that Goodman's car surged.

The second technician I spoke with gave very compelling details. It would be very wise of Goodman's defense to utilize his knowledge to educate the jurors on all of the very technical information during the next trial.

Presumably, Bentley will be supplying their own "expert" for the prosecution during Goodman's upcoming trial. You can bet they will be doing everything possible to protect their prestigious name.

It has also been reported that former Prosecutor Ellen Roberts knew that Deputy Snelgrove had been given information by Bentley that suggested 5 or 6 other people had the same issues that Goodman's defense claimed, but she reportedly did not disclose this information to the Defense. Is this withholding exculpatory evidence?

So, what about that Bentley Goodman was driving on the night of the accident?

The new defense won't be able to examine that Bentley. The defense experts won't be able to examine it either, prohibiting their ability to conduct many necessary tests. Most importantly, the jury will not see the Bentley. They won't see the reportedly problematic $5,000.00 module, which, by the way, was NOT replaced on Goodman's vehicle according to service records. Arguably, the jury won't have the single most important piece of evidence to help them make an informed decision that could cost Goodman 30 years of his life.

Why not just get the Bentley back?

Mr. Goodman's Bentley has been scrapped, sold for parts and is currently in the hands of its third owner since former Prosecutor Ellen Roberts released it from the state's custody. Ask almost any attorney and they'll tell you that ALL evidence should be preserved pending any appeals in a criminal case. So, why would a "seasoned" prosecutor like Roberts do such a thing?

According to emails obtained and witnesses, state's prosecutor, Ellen Roberts, had a very close relationship with the Wilson Family's civil Attorney Scott B. Smith of Lytal, Reiter, Smith, Ivey and Fronrath, sharing all sorts of information, well before Goodman's first trail was over. In fact, Roberts retired shortly after Goodman's trial and took a job with the firm (Scott B. Smith) who represented the Wilsons. Could that be considered to be prosecutorial misconduct? Could Ellen have been guaranteed a spiff for her help?

Former Prosecutor Ellen Roberts
© The Palm Beach Post/ZUMA

Could Bentley have encouraged Robert's to dispose of Goodman's vehicle? Could the Wilson's civil attorney have coordinated this? There is no excuse for her actions when it pertains to getting rid of crucial legal evidence.

According to the Florida Bar, Ellen Roberts presumably violated her duty to preserve evidence:

"...courts cannot tolerate the wrongful destruction of relevant evidence if litigation is reasonably foreseeable. By so doing, courts undermine the foundation of the legal system and destroy public confidence in our judicial process, which depends on the evidence." --Florida Bar

What about Scott Wilson and his vehicle? Was he really going the speed limit? How many driving violations did Wilson have prior to this accident? Why was his speedometer displaying 120 mph after it was pulled out of the canal? Why were his headlights in the "off" position? Could he have had any culpability in the crash itself? Wilson's phone records suggest he may have been preoccupied with his cellular phone at the time of the accident.

SIMPLY, THERE IS NOT ENOUGH VALID EVIDENCE TO PROVE GOODMAN OPERATED HIS VEHICLE IN A RECKLESS MANNER.

FAILURE TO RENDER AID

Shortly after hitting his head during the accident, Goodman regained consciousness. As he stepped out of his car, he stated that at first, he thought it was a hit and run, as there was no other vehicle in sight. Visibility was reportedly very poor. He then thought that perhaps he'd hit a horse trailer being pulled by another vehicle, and it continued, leaving the scene. He reached for his phone to call someone for help, but it was dead. This was later confirmed through phone records and also by responding Deputy Ricardo Safford.

His car was totaled and his phone was dead. Being in the Wellington, Florida countryside at almost 1 o'clock in the morning, staying on the dark road waiting for someone to drive by didn't seem to be the best option. His next thought was, find a phone. Still shaky and disoriented from the accident, Goodman started walking down a dirt road, having seen what he thought was a light in the distance. It was later determined to be a large polo barn. Goodman walked around the bottom level of the barn, thinking there should be a land-line phone, which is common in polo barns in case of emergencies. Goodman found nothing.

As he continued to search, he found stairs that went to the upper level. Finding the upstairs door unlocked, he went inside to what he described as a "man-cave" with a fully furnished office, a large flat-screen television mounted on the wall, desks, and a shelf with liquor. Injured and thirsty, Goodman looked for water, but there was none. He consumed alcohol from the bar in an attempt to ease his pain as he continued searching for a phone. As he walked around the upstairs portion of the barn, he saw photos of his friend Kris Kampsen on the wall, and finally realized where he was. Knowing now there was no phone, he looked from the balcony and saw another light in the distance. Goodman left the barn and headed toward this next place where he could hopefully get assistance.

Goodman approached the light and saw it was a small horse stable, he continued through the stable unable to find a phone. Next, he continued walking past the stable, and noticed a small trailer. Goodman knocked and opened the door. Lisa Pembleton (now Del Mundo) was inside the trailer, and John asked her if he could use her phone. She was obviously cautious and startled, as a complete stranger had just entered her trailer, but she provided her phone. Goodman's first call was to his girlfriend. He informed her of his accident, completely unaware that there was another vehicle at the scene. Next, he called 911. It was reported that 54 minutes had elapsed between the time Goodman left the scene, to find a phone, and when he made his 911 call.

Lisa Pembleton
© The Palm Beach Post/ZUMA

During his conversation with 911, Goodman was informed that the Sheriff's deputies were looking for him. Goodman then flagged down the deputy as he left Pembleton's trailer. At this time Goodman was informed there was another vehicle at the scene of the accident.

If you did not know there was another vehicle involved, who would you call first? During a discussion with others regarding Mr. Goodman not knowing there was another vehicle at the scene, I was told their first call would be to a close family member or friend, next would likely be to insurance, followed by a tow truck and/or 911. I personally know from past vehicle accidents, my insurance company has always asked that I contact them first, if the accident is not life threatening.

Pembleton later became the state's main witness after speaking at length with deputies and prosecutors. She also allegedly had her legal counsel provided, free of charge, by an

Continued on page 11

Continued from page 10 • Florida's John B. Goodman, NOT GUILTY

attorney friend of the Wilson family's civil attorney. Conflict? Interestingly, Pembleton also wrote about the night in question on a blog. She stated, "I had a dream the week prior of a guy coming into my camper, saying he was in an accident and needed a phone…" Maybe she did have that dream, maybe not? Would you give much weight to Pembleton's testimony given these statements?

Meanwhile, there had already been four other civilians who stopped at the scene. Two of them actually called 911 before deputies arrived. The first witness was Nicole Ocoro. She was returning home when she found Goodman's Bentley "crashed on the side of the road." Ocoro was asked "what did it hit" four separate times during her call to 911. First, Ocoro stated, "I -- I don't even know; I just saw it pulled off on the side of the road." Ocoro, again, was asked twice what it hit before she gave her second answer. She stated, "I have no -- It looks like another car hit it. There's like (unintelligible)." Finally, Ocoro stated, "It -- It must've been something else that hit it because there's a nasty, like -- the inside is all banged up and the wheel is at a slant. Like, it looks terrible."

Ocoro never mentioned seeing another vehicle during her 911 call, and to this day, states that she never saw Wilson's vehicle before she left the scene.

Shortly after Ocoro left, Eli DeRosa and Stephen Chiappa stopped at the scene and called 911. During their call to 911 there was no mention of another vehicle. This is important, because these two witnesses were on location when deputy Mitch Reiger and Ricardo Safford arrived. Their names, information and a statement was reportedly never taken by responding deputies Reiger, Snelgrove or Safford.

Another witness, a young female, who asked to remain anonymous, also arrived on the scene shortly after the two boys, just minutes before deputies. She stated she found Wilson's vehicle in the canal, and the boys called 911 for a second time. This was the first time Wilson's vehicle was discovered. According to transcripts, the boy who called was told by 911 dispatch, "I don't want you going into the canal."

I talked directly to the girl who stated she found Wilson's vehicle.

She said, "I was there, they didn't take my information... It still haunts me, that night, because no one helped."

Q: "Did you in fact state to the deputy on the scene that you wanted to help save the person in the canal?"

A: "Yes, of course! Who wouldn't want to try and help? There was a car flipped over."

Q: "Were you at any time instructed not to try and help?"

A: "Yes."

It was also reported that one deputy stated he would not enter into the canal because he was concerned with getting, "pesticide poisoning."

None of these witnesses were ever mentioned in any law enforcement report, other than dispatch records. Does that cause concern?

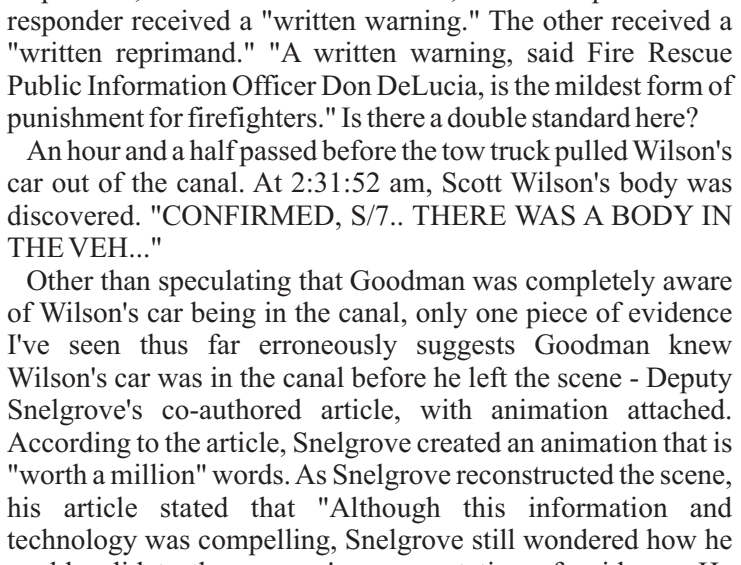
The facts show that the witnesses were likely on scene 8 - 15 minutes after the accident. Law enforcement was likely on the scene within 15 - 18 minutes after the accident. Since it was determined that Scott Wilson drowned, wouldn't it be safe to consider that Wilson could likely have been alive when the witnesses and/or sheriff's deputies first arrived? And, NO ONE helped him!!! It is outrageous and in my opinion criminal, that the state is trying to make John Goodman the fall guy and accountable for something only speculation can imply - claiming he saw the vehicle, when others, not just having been in a traumatic accident, did not. The fact is, 911 was informed of it and they advised the bystanders to do nothing. The police saw it, and did NOTHING. Where are their criminal charges of failure to render aid?

None of the nine Fire and Rescue responders found Wilson in the canal. It was reported that one responder put on a wet suit (no mask or oxygen tank) and felt around the car with his hands. He claimed no one was in the vehicle. Did they fail to render proper aid? None of them were charged with a crime, yet they reportedly failed to do their job. Interestingly, two rescue responders, out of the nine on scene, were disciplined. One responder received a "written warning." The other received a "written reprimand." "A written warning, said Fire Rescue Public Information Officer Don DeLucia, is the mildest form of punishment for firefighters." Is there a double standard here?

An hour and a half passed before the tow truck pulled Wilson's car out of the canal. At 2:31:52 am, Scott Wilson's body was discovered. "CONFIRMED, S/7.. THERE WAS A BODY IN THE VEH..."

Other than speculating that Goodman was completely aware of Wilson's car being in the canal, only one piece of evidence I've seen thus far erroneously suggests Goodman knew Wilson's car was in the canal before he left the scene - Deputy Snelgrove's co-authored article, with animation attached. According to the article, Snelgrove created an animation that is "worth a million" words. As Snelgrove reconstructed the scene, his article stated that "Although this information and technology was compelling, Snelgrove still wondered how he could validate the scanner's representation of evidence. He DECIDED that by overlaying the 2D diagrams on top of the 3D scanned crash scene, this would provide the VERIFICATION SNELGROVE NEEDED."

Did his reconstruction represent fact, or was it created to allusively prove Deputy Snelgrove's unfounded assumptions?



Deputy Troy Snelgrove © The Palm Beach Post/ZUMA

Snelgrove's animation "showed that Goodman spent approximately six seconds in front of his vehicle, standing in the sand on the top of the canal bank, presumably watching the Hyundai sink into the water." Wow... What scientific algorithm did Snelgrove use to determine the exact time Goodman stood there? Maybe Snelgrove has a crystal ball that we could use to see everything Goodman did after the crash, not just the 6 seconds he allegedly stood in front of his car. Snelgrove's "determination" is nothing more than pure speculation.

It is also important to note that John Goodman, now almost 51 years of age, had NO CRIMINAL HISTORY prior to this accident. He has never had a DUI. He has never had a speeding ticket as an adult, and he had never been arrested prior to this tragic accident. Does that sound like a person who fails to render aid? Remember, Goodman had sustained several injuries himself, and his phone was dead. So I ask, how was he to help, especially considering he did not know about Wilson's vehicle? It is an absolute fact that Goodman sought out a phone and called 911 after the accident. At this point, the only logical answer would be to indict everyone involved, and drop Goodman's Failure to Render Aid charges.

DUI MANSLAUGHTER

John Goodman had consumed alcohol before the accident. But was he impaired? He claims that he was not intoxicated, not even close. He had just wrapped up a charity event with professionals who were likely gracious givers. Goodman then went to a restaurant and bar for roughly one hour, before he headed home. When he closed his tab at 12:37 a.m., his bill was $212.00. 18 drinks were purchased. The state will argue that he was intoxicated, based off of this information alone. Goodman claims to have purchased nearly all of those drinks for friends, 16 of them were shots. That's the only answer that was given to this writer. So, without speculating, I ask, where is proof otherwise? There isn't.

The bartender, the manager, the valet crew, the servers, his friends, and the people in attendance, whom he didn't even know, won't say he was drunk. Not one of the witnesses at either establishment where Mr. Goodman was that night, will testify that he was drunk, or that he "drank several drinks." Is this because they are all liars? Doubtful. The state, fighting tooth and nail to get their assertions confirmed, reportedly threatened the bartender, among others. They continue to get nowhere. Could this be because Goodman was telling the truth? To assume different, would again be mere speculation.

According to Goodman he drank at a polo barn shortly after the accident. He informed Deputy Safford about going to the barn during their communication while they were driving back to the scene. Deputy Safford not only denies that this conversation ever took place, he still to this day denies ever going to Kris Kampsen's barn, where Goodman drank post crash.

Deputy Ricardo Safford © The Palm Beach Post/ZUMA

Why would Deputy Safford lie? Could it possibly be due to the fact that Goodman consumed alcohol post crash? Wouldn't that ruin the state's alleged .17 blood draw from Goodman while he was at Wellington Regional Hospital?

Two witnesses have already stated on the record that Deputy Safford came to the property, where the polo barn was, went to each of their trailers and woke them up, and asked them questions around 3:30 a.m. on that day. But Deputy Safford still claims that he wasn't there.

Unfortunately for Deputy Safford, Goodman's defense is armed with more than two witnesses this time. Now, the third witness has been deposed and confirms what the other two have said all along. More importantly, Safford's own GPS unit from his patrol vehicle confirms that he was at the polo barn where Goodman was post crash. During Safford's deposition he agreed with every location his GPS indicated he was at that night, except for... the polo barn. Will he be charged with perjury? Doubtful. It seems that three witnesses, and a state owned GPS unit are no match for a sheriff's deputy's word in Florida.

So why wouldn't Goodman's defense just subpoena the deputies dash cam or audio/video camera? Easy, right? Well, there are no dash cam video's. Magically, it is all gone. There is no personal audio or video from Deputy Safford. It, too, has seemingly disappeared into thin air. Again, the state of Florida (Deputy Safford) has failed to do something as simple as preserve evidence. Or, did the deputies have this evidence, but it didn't confirm the lies they created, so they decided to cover it up?

Finally, the blood draw. Experts for both the prosecution and defense fought over the admissibility of this evidence. While at the hospital, Deputy Snelgrove's blood draw kit was not used in its entirety. Instead, a nurse drew Goodman's blood, using all of the contents from the deputies blood draw kit, except one thing - the needle. She used a smaller, 25 gauge butterfly needle. This might not seem like a big deal to a normal person, but it has proven to be significant. According to many doctors, including Dr. Adam Bromberg - who by the way was not retained by the defense - this needle issue presents a big problem. During a deposition, Dr. Adam Bromberg was asked if a smaller gauge needle could cause hemolysis in blood samples. Dr. Bromberg replied, "There's a lot of factors that cause hemolysis in blood samples. Needle size is definitely one of them." The destruction of red-blood cells, can cause inaccurate test results, like a .17 blood draw that the state maintains would be Mr. Goodman's at 3:30 a.m., almost 3 hours after the accident occurred.

Bottom line, experts state the blood draw procedure was inaccurate, and Goodman is said to be appealing its inclusion as evidence - something that could have far reaching effects on Florida law regarding blood draws. Regardless, If he had consumed everything the prosecution claims, John Goodman would have been so sloppy drunk upon leaving the bar that everyone would have noticed, yet not one witness claims he was intoxicated. So, Goodman had to have had drinks in the barn as he has maintained. This makes the state's charges of DUI at the time of the accident completely unprovable.

DEPUTY SNELGROVE'S FAILURE TO PRESERVE EVIDENCE

Apparently, not one single photo was taken by Deputy Snelgrove of Scott Wilson's car upside-down in the canal. Is it not important to document where Scott Wilson's car was found? According to the prosecution, it is considered "Hyperbole" to ask such a question.

As Deputy Snelgrove documented Goodman's belongings, he managed to take a photo of Goodman's bag, along with financial documents that were found in the back seat of his Bentley. But, the bag and documents have allegedly disappeared. According to West Palm Beach Sheriff's office, they were never there.

With a photograph taken showing they were there, followed by a claim they were never there, it shows the sheriff's department is perfectly capable of compulsively lying to obtain a conviction. It's either that or they are completely incompetent. Either way they can't be trusted.

Can Deputy Snelgrove, who can't even account for evidence which he took photos of, and can't even take photos of other pertinent evidence be relied upon to conduct an accurate accident reconstruction?

PROSECUTOR SHERRI COLLINS - OBSTRUCTION OF JUSTICE?

Prosecutor Sherri Collins © Palm Beach Post/ZUMA

During a bond violation hearing where Mr. Goodman was alleged to have "broken his ankle monitor," Collins outright threatened former West Palm Beach Deputy Bridgette Bott "not to testify." According to Bott, the threats occurred just outside the courtroom and kept her from testifying in the first hearing. However, an attorney (prior assistant prosecutor) who has no association with Goodman, also overheard the conversation and came forward, which allowed for another hearing on the matter, wherein Bott did testify.

Bott had been working as part of Goodman's court-ordered security detail and her account of Goodman allegedly breaking his monitor was significantly different from the other deputy who testified for the state. According to Bott, Goodman did not break his monitor as the other officer claimed. Her testimony proved that some members of the sheriff's department were willing to lie to put John Goodman behind bars.

Goodman was released from jail and his bond was reinstated.

As for prosecutor Sherri Collins threatening deputy Bott, she walked away scott-free, no punishment whatsoever. Sherri Collins is still part of the state's prosecution team for Goodman's upcoming trial.

Deputy Bott has since been suspended by the Sheriff's Department, and has a pending lawsuit against West Palm Beach Sheriff Rick Bradshaw.

JUDGE JEFFREY COLBATH BIASED?

Judge Jeffrey Colbath © Palm Beach Post/ZUMA

Judge Jeffrey Colbath is assigned to preside over Goodman's upcoming trial. Is Judge Colbath biased? If so, why? Colbath disallowed the blog, written by the state's main witness, Lisa Pembleton, from being entered as evidence for the jury to see in Goodman's first trail. This was evidence specific to her accounts of that night, yet the jury was not allowed to see it. Was this because she talked about a dream that happened before the events unfolded? Could Colbath have kept the jury from questioning the state's main witness' credibility?

I'm not one to delve into speculation, but why in the world would Goodman feel comfortable with Colbath presiding for a second time? Considering the following statements during Goodman's sentencing, after his original conviction, it would seem impossible to expect that Colbath could be a neutral referee in any further court proceedings involving Mr. Goodman.

Sentencing transcript of Judge Jeffrey Colbath:

" I agree with the jury's verdict... Mr. Goodman was extremely intoxicated. His blood alcohol level verified that... He had an opportunity to try to save Mr. Wilson... He could have gotten in that canal... He knew he pushed that car in the canal... He left to try to save himself... Mr. Goodman seems to me to be the perfect candidate to be a flight risk..."

JUROR MISCONDUCT

Juror misconduct is the reason for Mr. Goodman's new trial.

Two jurors wrote to the judge about their "pressure to render a guilty verdict." This was not disclosed to Goodman's defense until one of the jurors contacted them directly. Didn't Judge Colbath have a duty to inform both parties? Again, is this fair? It hardly shows impartiality.

Why would one juror lie during voir dire (jury selection), then vote to convict Goodman?

CLOSING ARGUMENT

This case exemplifies the saying, "It's hard to imagine a more stupid or more dangerous way of making decisions than by putting those decisions in the hands of people who pay no price for being wrong."

Sadly, a life has been lost, and our thoughts and prayers go out to the Wilson family; yet certain facts still remain... Several people in charge of handling this case have consistently used speculation as fact in order to portray Goodman's guilt. Some of those very people even committed crimes in an attempt to obtain another "win."

One thing is sure, Scott Wilson was failed by some of the same people that claim Goodman is guilty. Perhaps, had they acted, Wilson would be here today.

The evidence in this case justifies a "Not Guilty" verdict. It is the state's burden to prove Goodman's guilt, and they have failed miserably to do so.

Editor's Note: The on-line version of this article at www.usobserver.com contains links to all of the evidence. As more is uncovered, more will be added.

★★★

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.

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GOA

Growing movement among states aims to nullify federal firearms regulation

By Justine McDaniel, Robby Korth and Jessica Boehm

(NEWS21) - Across the country, a thriving dissatisfaction with the U.S. government is prompting a growing spate of bills in state legislatures aimed at defying federal control over firearms - more than 200 during the last decade, a News21 investigation found.

Particularly in western and southern states, where individual liberty intersects with an increasing skepticism among gun owners, firearms are a political vehicle in efforts to ensure states' rights and void U.S. gun laws within their borders. State legislators are attempting to declare that only they have the right to interpret the Second Amendment, a movement that recalls the anti-federal spirit of the Civil War and civil-rights eras.

"I think the president and the majority of Congress, both in the House and Senate, are just completely out of touch with how people feel about Second Amendment rights," said Missouri state Sen. Brian Nieves, who has fought for bills to weaken the federal government's authority over firearms in his state.

In Idaho, the Legislature unanimously passed a law to keep any future federal gun measures from being enforced in the state. In Kansas, a law passed last year says federal regulation doesn't apply to guns manufactured in the state. Wyoming, South Dakota and Arizona have had laws protecting "firearms freedom" from the U.S. government since 2010.

A News21 analysis shows 14 such bills in 11 states were signed into law, mainly in western states, along with Kansas, Tennessee and Alaska. Of those, 11 were signed into law, though one was later struck down in court. In, Missouri, Montana and Oklahoma,three others were vetoed.

More than three-quarters of U.S. states have proposed nullification laws since 2008. More than half of those bills have come in the last two years after the shooting at Sandy Hook Elementary School in Newtown, Connecticut. All but three have been introduced since President Barack Obama took office.

Underneath the policy jargon lies a culture of firearms woven into the heritage and politics of states whose histories were shaped by guns.

"(The federal government) is diving off into areas unchecked that they're not supposed to be involved in," said Montana state Rep. Krayton Kerns, who introduced a bill in 2013 to limit the ability of local police to help enforce federal laws. "Not only is it our right in state legislatures to do this, it's our obligation to do it. Somebody's got to put a 'whoa' on it."

Opponents say it's not federal gun regulation that's unconstitutional, but laws to nullify it.

The Brady Center to Prevent Gun Violence filed a lawsuit against Kansas on July 9 to stop enforcement of the state's recently passed Second Amendment Protection Act.

"The law should not be called the Second Amendment Protection Act, it should be called the Gun Violence Preservation Act," said Jonathan Lowy, director of the center's Legal Action Project.

Two types of bills are the primary vehicles for the movement, both based on model legislation introduced in statehouses from Tallahassee to Juneau.

The first type holds that federal laws do not apply to firearms manufactured and sold within a given state, relying on the Constitution's interstate commerce clause. It says Congress can regulate trade between states, but says nothing about trade within states.

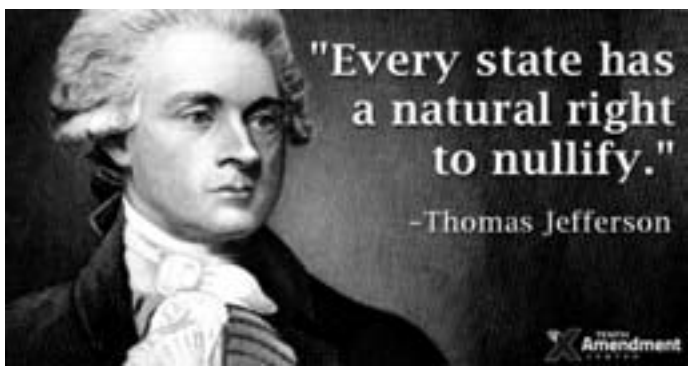
Under Utah law, for example, guns made, purchased and used in the state are exempt from federal laws. Commonly known as the Firearms Freedom Act, versions of the law have been debated during 78 legislative sessions across 37 states in the last decade.

The other approach says gun regulation falls outside the scope of the federal government's power, making it state territory. Such bills, often known as the Second Amendment Preservation Act, usually say state officials cannot enforce federal gun laws or limit the ability to do so, and some bills have tried to impose penalties on officers who help federal officials.

"It's basically saying, 'Federal government, if you want to enforce federal firearms laws in the state of Arizona, you're welcome to do it, but we won't give you any assistance. So in other words, no state police help with (Bureau of Alcohol, Tobacco, Firearms and Explosives) raids, no local law enforcement enforcing a federal gun law, none of that," said Mike Maharrey, national communications director of the Tenth Amendment Center, a for-profit nullification group based in California.

"This is a matter both of constitutional law and common sense," said Stuart Plunkett, a Brady Center attorney. "Our system of laws would break down if each of the 50 states could offer its own interpretation of congressional authority over interstate commerce."

In Kentucky, Rep. Diane St. Onge has already introduced a nullification bill for the 2015 session. Although she's sure a court challenge will come from the federal government if the bill is passed, she believes it will hold up.



"We're making a statement here about what we hold true, what we believe in here in Kentucky," St. Onge said.

The federal government has said little on the matter, but U.S. Attorney General Eric Holder rebuked Kansas for its law in April.

"In purporting to override federal law and to criminalize the official acts of federal officers, (Kansas' law) directly conflicts with federal law and is therefore unconstitutional," Holder wrote in a letter to Kansas Gov. Sam Brownback.

The measures often fizzle, even in conservative states. The National Rifle Association doesn't support nullifying federal gun laws because that could undo NRA legislative success in Washington.

"I think that is a misguided distraction," said Todd Rathner, an NRA board member from Arizona. "I empathize with what they're trying to accomplish, but I am not convinced it's the right way to do it."

In Montana, where the largely rural population is spread out over nearly 150,000 square miles of mountains, fields and valleys, one man has been pushing these bills since 2005.

Gary Marbut, president of the Montana Shooting Sports Association, has written scores of gun bills that have been introduced since 1985 in the Montana statehouse, 64 of which have become law.

Marbut lives on his family's old ranch, in a secluded geodesic dome near Missoula. A self-appointed guardian of state gun rights, he has failed in three bids for a seat in the Montana Legislature, but succeeded in starting a movement to weaken federal authority of guns across the country.

Marbut, who is running for state representative in 2014, didn't expect other states to take up the cause. When it comes to the gun bills that challenge federal law, Marbut's focus on guns seems almost incidental.His true target is challenging federal authority.

"I would like to see some of this power shifted back from governments, especially the federal government, to the states and to the people," Marbut said in his home on an overcast morning in June.

This libertarian streak, coupled with a deep-seated appreciation of the Second Amendment, is at the heart of the expanding national movement to nullify federal law.

"We could be arguing over crescent wrenches if they wanted to make that the debate," said Kerns, the state representative from Laurel, Montana.

"It just boils down to the federal government stepping across a boundary that they shouldn't."

Kansas Republican Rubin echoed Kerns' views for a bill that relies on the commerce clause and also punishes federal agents for enforcing federal law.

"To me, the Second Amendment Protection Act is even more about the Tenth Amendment than the Second Amendment," Rubin said.

One of the major forces behind these bills isn't even a gun rights group.

The Tenth Amendment Center, which created the model firearms legislation known as the Second Amendment Preservation Act, is actually focused on the Tenth Amendment, which says any powers not granted to the federal government by the Constitution belong to the states.

The group's "Tenther movement" promotes federal firearm law nullification, but also advocates legalizing marijuana and nixing Common Core education standards.

"The kind of motto of our organization is, follow the Constitution every time, no exceptions, no excuses," Maharrey said. "So we focus on any constitutional issue and try to limit federal power to its constitutionally delegated role."

However, others say nullification efforts will not stand up in court.

Adam Winkler, a law professor at the University of California, Los Angeles, said that both types of nullification laws are unconstitutional.

"States are not entitled to nullify federal law," he said. "Any law that interferes with a valid federal law is unconstitutional. The federal law is supreme over state law."

"Nullification is no more valid today than it was during the 1950s during desegregation or during the pre-Civil War era," Brady Center attorney Plunkett said.

The national News21 Initiative brings together a select group of student journalists to produce a major national investigation into a topic of wide interest. This year, News21 has documented the struggle over gun rights and regulations in America. Under the direction of some of the nations best professional investigative journalists, 29 students from 16 universities have traveled the country to produce text, videos and interactive graphics to tell the story "Gun Wars: The Struggle Over Rights and Regulation in America." Over the next two weeks we will be featuring much of their reporting.

US~Observer Editor's Note: Good luck to all those in the states trying to limit the federal government!

★★★

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The IRS: A Taxpayer's Tempestuous Journey

By US~Observer Staff

The Tea Party experience has shown us how the Obama Administration is willing to abuse the good offices of the IRS to punish its enemies. But did they go further, using the IRS to reward and defend its "friends" for private gain, to the detriment of common citizens? After you've read this story, perhaps you will agree with Yogi Berra when he observed, "some things are just too coincidental to be coincidence."

Charles Sisson and his wife's 5 year-and-counting "second" ordeal with the IRS began in February 2009, very interestingly only a few weeks after the Obama Administration took office, just long enough for a new political appointee to prioritize some tax audits. In addition to its timing, the letter informing the Sissons they were being assessed two hundred thousand dollars in unpaid tax liabilities in the years 2005-7 was remarkable for several reasons reported to us:

1. The amount of additional tax liabilities claimed exceeded their income for these years, let alone their taxable income, making IRS claims preposterous.

2. The assessment was issued by Tia Thomas in the District of Columbia IRS office, which had never contacted the Sissons before. All their previous contact with the IRS, including two previous tax audits, in the over thirty years they had filed as Virginia residents had been with the Northern Virginia regional office. Interestingly, the law firm representing the plaintiff in a recently concluded D.C. civil lawsuit that ended disastrously for the Sissons (more about shortly) is well-known for having considerable political clout in the District and virtually none elsewhere.

3. Whereas the two previous tax audits (in over thirty years) were rapidly and harmoniously resolved by audit reconsideration (as IRS Publication 1 states is every taxpayer's right), on this occasion the IRS denied mediation and insisted the Sissons could only appeal its unilateral determination to the U.S. Tax Court. The Sissons were soon to learn why the IRS was determined to proceed exclusively through the Tax Court.

According to the Sissons, they duly filed with the Tax Court, yet when they received the next notification it was a court order informing them a hearing had been held on March 5, 2011. In their absence, trial Judge Stephen J. Swift had found in favor of the IRS, so they now owed the IRS over two hundred thousand dollars. The Sissons were outraged that they had never been informed of the hearing to give them an opportunity to defend themselves.

The Sissons immediately set out to appeal the decision, but did not anticipate how devotedly Judge Swift would support IRS interests. At the hearing Judge Swift accepted, without evidence, IRS assurances that taxpayers had been informed of the hearing when they hadn't, and now was indifferent to the taxpayers' attempts to appeal his decision, twice refusing to docket their appeal, claiming they contained technical errors, and then waiting six months to rule on it.

It's hard to attribute motive to what any person does, but the inaptly named Judge Swift's delays certainly supported the IRS. It could then ignore the merits of the case--the fact that the Sissons didn't have any taxable income during the period--to argue that (because the judge refused to docket taxpayers' first two submissions) more than 90 days had passed from the decision, so the statute of limitations applied and the ruling was final. The judge couldn't agree more, and denied the Sissons' appeal. The IRS took this as a green light to collect the judgment, and even though the decision wasn't final until the U.S. Court of Appeals ruled on the Tax Court's decision, immediately set liens on their property to force their sale. The Sissons ultimately had to initiate a second lawsuit with the Tax Court to halt these collection activities. Even after the court agreed to a stay, the IRS sent one of its collection agents out to the Sisson residence to inform them they should sell their home to pay the judgment, even though it was by then officially under review.

When the appeal was heard by the 8th Circuit out in St. Louis, where judges can afford to be honest, the Sissons' cry for justice was heard.

During these proceedings the IRS missed a statute of limitations deadline and IRS Counsel Melissa Briggs reportedly filed a false affidavit swearing the delay was due to work pressures. Unfortunately for the IRS, the time dating on the document submitted proved the IRS had forgotten to process the appeal until after the statute of limitations already applied.

The panel of justices hearing the appeal at the 8th Circuit Court of Appeals, Judges Bye, Gruender, and Benton, made short work of IRS shenanigans/efforts to obstruct justice, noting that the court had a long and proud record of deciding issues on their merits, and the intent and purpose of Sissons' appeal was clear and obviously submitted within the 30 day period the court must hear appeals. They vacated Judge Swift's denial of their appeal and remanded the case back to the Tax Court with instructions to hear the motion on its merits. The decision also pointedly noted that the Sissons would be entitled to appeal that decision if they did not agree with it.

Thoroughly rebuked, the Tax Court granted their appeal, but its decision also provided for the IRS to refile its claim if it chose to do so. The second Tax Court case, to stop the IRS in its collection efforts, was rendered moot once the judgment in the first was voided and the presiding judge closed that case June 5, 2013, also noting that the IRS retained its right to pursue its case.

The IRS didn't take long to take a second bite at the apple. The Sissons duly began to organize their defense. According to Charles Sisson, "I immediately remembered the comments made by IRS Counsel at the one and only opportunity we ever had to interact with the IRS, at the June 5, 2012 Tax Court hearing in the collection review case. The presiding judge had gotten distinctly frosty with the IRS Counsel Richard F. Stein, who was inevitably but inarticulately opposing any delay in the collection proceedings." Reportedly, Stein was unable to answer any of the judge's queries why a delay would be inappropriate, especially when the Judge opined the Appeal Court likely would approve the Sissons' appeal (he clearly had done some homework). According to witnesses, Attorney Stein defended the IRS's knee-jerk opposition to the stay by telling the judge that this case was being directed by somebody at the very top of the IRS hierarchy, the very top, whose involvement made other opinions irrelevant. The judge pursued his inquiry by asking Attorney Stein if he had no position, perhaps the judge should call upon the IRS official who did to answer his questions, which was even less palatable.

Anticipating that this line of inquiry could answer many of Sissons' questions as to the origins of this IRS witch-hunt, they were sorely disappointed when they obtained a copy of the trial transcript only to find that it had no reference to this dialogue, save the nondescript statement that attorney Stein said he was just following orders. The Sissons immediately acted to get the transcript corrected, thinking that it could serve as an avenue of inquiry as to why the IRS would be persecuting such a frivolous case.

According to Sisson, "we determined that a copy of the audio tape of the hearing existed, then asked Jennifer Levy with the Tax Court, how to go about getting the transcript corrected. We were shocked to learn from her, after she had consulted with her colleagues that once a case was closed there was no provision for correcting the record." Still not willing to take no for an answer, on August 16, 2013 the Sissons wrote presiding Judge Robert N. Armen, Jr., asking for his help in obtaining an accurate transcript.

Sisson recalls, "We waited impatiently for Judge Armen's response to the letter we had hand delivered. Finally on September 5th Ms. Levy called to inform us that Judge Armen wouldn't be answering our letter, but we should submit a motion asking for the transcript to be corrected. So, we did. We even filed a motion to be heard 'out of time' as instructed by the court. On November 5th we were told the motion to correct the transcript was moot, as the case had already been closed and that the motion to be heard 'out of time' was denied, so he wouldn't have ruled on the transcript issue anyway."

In his decision, Judge Armen reportedly took care to precisely identify when the statute of limitations applied: September 4th, exactly one day before Ms. Levy allegedly informed the Sissons Judge Armen recommended they file their motions. His decision clearly put the onus on taxpayers for denying their motion, admonishing them for not acting sooner. According to Sisson, "this completely and deliberately ignored the earlier contacts we made with Tax Court staff and the letter we sent him - nearly three weeks prior to the deadline. And the request for a corrected transcript was hardly moot, as it directly related to our tax case the IRS refused to terminate!"

What's happened to the IRS threat to pursue their claims in Tax Court? Before the rescheduled case could be heard, they asked for a continuance, claiming they couldn't locate their records. The date for the rescheduled hearing has come and gone without comment. The IRS is not an agency to admit it is wrong, and far prefers to just ignore and conceal its mistakes, especially when they are epic in scope and execution, just look at the amount of "lost" emails they are claiming in the current Congressional investigation.

It seems pretty obvious why the IRS got the Tax Court involved; it needed unwavering support. But why throughout this five year ordeal was the IRS so determined to prosecute a patently frivolous lawsuit, trying to impose tax liabilities never owed? It's hard to imagine these proceedings were due to federal employee incompetence.

The Sissons wish they could believe incompetence caused the incredible waste of time and stress they endured, not to mention the difficult financial position they would have been in had the IRS prevailed. The incredibly more disturbing possibility is that this was a case of how the IRS has been politicized under the Obama administration, a powerful federal agency Shanghaied to support its political objectives and reward its friends. In this case, its immense power abused to further enforce other government agencies who have already demonstrated their willingness to obstruct justice and erode the very administration of justice for private gain.

The US~Observer has already chronicled how a federal court abused its good offices, and the presiding judge allegedly willingly lied to ensure a politically powerful law firm won a very dubious decision against Charles Sisson who was a defendant in the case. That court confiscated a lifetime of savings earned by Sisson's hard work. The presiding judge in that case was Rosemary M. Collyer.

Judge Collyer designated the plaintiff's foundation witness an "uncompensated fact witness" to promote the integrity of his testimony. When it was discovered, just before the trial began, that he and the plaintiff were secretly business partners, Collyer refused to allow the concealed relationship to be entered into evidence or used in examination of the witness - even though six witnesses were found who averred (three provided sworn affidavits) the plaintiff had bribed him and purchased his testimony; worse, several heard the foundation witness say the law firm knew of the arrangement, implicating them in the felony. Among other 'impressive' rulings by Collyer, she also credited the early testimony from a witness for the plaintiff, rather than the evidence he provided after the defendant's counsel had an opportunity to ridicule the witness's statements in cross-examination, effectively denying defendant his Constitutional right to confront his accusers. She also relied on the plaintiff's foundation witness as her solitary source of evidence, calling his a "crucial" witness who provided "critical" evidence for the plaintiff. Then, after the trial, she dismissed him as "irrelevant" to her decision to avoid opening an investigation.

You might think that an Appeals Court would find these actions disturbing, but not the District of Columbia Circuit, the so-called court of future Supreme Court justices. The panel of justices (Henderson, Rogers, and Kavanaugh) readily—perhaps even eagerly—concurred that it didn't matter if the only witness for the plaintiff was secretly getting a quarter of any award while he was pretending to be uncompensated for the testimony he was providing, and the law firm was complicit in this arrangement. No conflict of interest there... So much for the administration of justice in America.

The most amazing aspect of this blind and unflinching support for the law firm that had garnered such an amazing decision was its comparison with another, similar case about the same time in the same legal jurisdiction, but this time where the law firm at issue represented the defendant instead of the plaintiff. This was, of course, the much more famous bribery case of Alaskan Senator Ted Stevens, who was found guilty on corruption charges just before he stood for re-election, and as a result was narrowly defeated, by a few hundred votes.

His conviction was subsequently overturned, but of course the election results were final, swinging control of the Senate to the Democrats by a slim majority. It is instructive to study how the decision was reversed. The law firm was able to show willful concealment of evidence in the testimony of a prosecution witness, presiding Judge Sullivan called the worst he had ever seen. Attorney General Holder immediately agreed, and declared a mistrial and proclaimed the Department of Justice would not pursue the case further. Four prosecuting attorneys were investigated on charges of obstructing justice in the matter. One of these, Nicholas Marsh, was a young agent who looked set to have a long and distinguished career at the Department of Justice, and had set his goal to become a federal judge. He was widely respected, and according to those who knew him, could never accept the fact that anyone would think he would deliberately try to win a corrupt decision. He ultimately committed suicide, hanging himself; despondent over the malicious charges raised again him. America lost one of its best and brightest, but the law firm again prevailed over an adversary who was publicly recognized as a man of integrity.

So why were the Sissons subjected to such intense scrutiny, with the IRS determined to use all means at its disposal, fair or foul, to collect revenues it had to know were never owed? The process certainly diverted the Sisson's scarce resources of time and money to the immediate problem of protecting their home from confiscation rather than attempting to draw attention to the lawsuit that put them in such dire straits. And why would the Tax Court judges misrepresent the facts in the cases they sat in judgment of? Were they "ensuring that justice was done" or was the process more importantly a way to use government authority to cover up illegal proceedings in the earlier trial? Were they attempting to protect the law firm that was so vulnerable to censure over the way it conducted a simple liability case? Was this "payback" for defendants that refused to accept a rush to judgment as they continued to pursue justice, even if it meant calling judges liars when they lied? We think so.

The events discussed here should have created a major scandal. The fact that they didn't and that events were carefully suppressed is an even bigger one.

Contact the US~Observer at 541-474-7885 or via email at editor@usobserver.com if you have knowledge of this case. ★★★

The Dependency Trap

We Don't Have To Have More Fergusons

By Star Parker
WND.com

boil over and wind up in violent encounters, often with the police, and a young black man winds up pointlessly dead.

Wealthy black liberals – like billionaire Oprah Winfrey – despite being living proof that the America dream works, who build businesses fueled by American capitalism, invariably join the ongoing chorus of the same, failed explanations of why these impoverished communities persist generations after the Civil Rights Act became law.

Liberal black media serve up the same monotone left-wing propaganda,

Aug. 28, 1963, **Dr. Martin Luther King** (above) delivered his famous "I Have a Dream" speech on the mall in Washington, D.C. One year later, a half century ago, the Civil Rights Act was signed into law.

A half-century is a long time. Yet, as events in Ferguson, Missouri, attest to, race remains a problem in America.

Why?

Change has swept our nation over these years. Technologies abound that no one would have dreamed of. And millions of black Americans have moved into the ranks of the upper middle class, the rich and the super rich.

Yet, despite this, racial ghettos that harbor, even nurture, poverty and crime persist, generation after generation.

The tragedy of Michael Brown is too common a story. As the human spirit of black youth is suffocated under these horrible circumstances, frustrations the same explanations for failure years after the Civil Rights Act, despite having produced billionaire BET founder Robert Johnson.

What do these successful, wealthy black entrepreneurs know that they are not sharing with their own?

I broke out of the trap years ago, after seeing what the debilitating culture of the welfare state was doing to me and those around me.

I started my own policy organization in the hope that we could start providing research and information, forums for discussion, to generate light on how misguided government policies keep the poor poor rather than leading them out of the morass and how these policies undermine the very institutions of tradition – like conjugal marriage and family – that do provide the framework that nourish human growth and potential.

The cycle of events is too tragically clear.

Tragedies, like what we are now witnessing in Ferguson, bring national attention to the ongoing, self-perpetuating realities of poverty and crime in these ghettos, and the liberals turn the discussion immediately to race rather than policies.

They get their 15 minutes of fame and media, and then everything goes back to business as usual, with no change, until we repeat with the next incident.

When black conservatives, like me, speak out, the attacks, always personal, never about substance, begin.

From Bill Cosby to Dr. Ben Carson and now to House Budget Committee Chairman Paul Ryan, those who try to shine light, who try to think and analyze and get to bottom of what is wrong and fix it, are attacked.

Worse, liberal ideas inevitably are about government money. But the American taxpayer is tapped out. We are running out of money for everything, and certainly for failed ideas.

The steps out of poverty are not rocket science, yet people need to be free to take them.

It is insulting that liberals pretend to care about the poor yet fight any acknowledgment of what has failed and block efforts to move forward with what can succeed. Despite mountains of data showing the fruitlessness of secularism and government dependency, the liberal black establishment fights to hold these communities hostage to these destructive forces.

Promising ideas abound on how to redirect government policies that can empower rather than debilitate personal freedom and the human spirit – school choice, personal retirement accounts, vouchers to acquire private health insurance and housing.

Maybe this time, when the liberal demagogues leave Ferguson to move on to the next "race" crisis, black frustration will lead to a readiness to hear some hard but freeing truths.

Star Parker is president of CURE, the Center for Urban Renewal and Education. ★★★

Continued from page 1 • Curt Chancler for Commissioner

been picked up across the country and redistributed to help educate readers on such important topics as administrative law and jury nullification. And, he has championed the causes of many people who have been falsely targeted, oftentimes facing illegitimate criminal charges. To that end, Chancler co-created the Jackson County Citizens Group and its court-watch program which logged over 1,700 hours observing the local judicial process.

Recently, Chancler had a booth at the Jackson County Fair collecting signatures so his name could be placed on the November ballot as a candidate for Jackson County Commissioner. Having gathered the needed signatures, Curt is looking forward to being the only option not associated with a political party. As he says it, "My only loyalty is to the people."

The residents of Jackson County would have an individual that not only believes that a leader should be principled, he practices it. He demands accountability now, so he would ensure it. He is passionate about personal liberties, so he would defend them.

One thing is sure, Jackson County would be well served to have such a devoted person in the office of commissioner as Curt Chancler.

Vote for Curt Chancler. You deserve him.

Curt Chancler's vital statistics as they will likely be presented in the voter's pamphlet:

Occupation: Investigative Journalist (2001 – present)
Occupational Background: Construction Technician and Transmission Expert (1972 – present)
Educational Background: Home-schooled at high school age, self-educated ever since. Co-founder of constitutionally based Jackson County Citizens Group (1999)

As a prominent conservative leader Mr. Chancler co-founded the Jackson County Citizens Group and its court-watch program, observing the local judicial process by all its members logging 1,700+ hours.

Government must be limited, establishing a smaller size than its over-burgeoned, uninvited presence.

Limited government should be efficient delivering a return on taxpayers investment in public safety.

Government officials should be accountable to the people by transparently upholding their constitutional oaths of public officials, abolishing the good-old-boy network, for a better county.

Focused on the County

- protecting the people's right to live freely, enough to prosper economically
- ensuring the people's "grandfathered" land-use protections are respected
- overseeing the balance between a clean environment and a flourishing economy
- restore a most-healthy respect for the Oregon and American constitutions
- roll back excessive land-use regulations wherever possible for the private sector prosperity
- reinstate the people's constitutional protection of their right to jury trial in civil matters

★★★

New street drug to watch: Acetyl fentanyl

By Bahar Gholipour

(LiveScience) - Emergency doctors may soon see larger numbers of patients who appear to have overdosed on heroin, but have actually taken a relatively new and deadly designer drug called acetyl fentanyl, a researcher says.

Acetyl fentanyl is a relative of a powerful prescription painkiller called fentanyl and is five times more potent than heroin as a painkiller, according to the Centers for Disease Control and Prevention. The illegally produced compound may be secretly mixed with heroin to make it a more potent product, or may be sold in pills disguised as oxycodone.

"What's frightening about this emerging street drug is that users themselves may not be aware that they are ingesting it," drug researcher John Stogner, of the department of criminal justice and criminology at the University of North Carolina at Charlotte, said in a statement.

Clusters of deaths related to acetyl-fentanyl overdoses have occurred in several states, including Rhode Island and Pennsylvania.

Such overdose outbreaks will likely continue to happen, Stogner wrote in a report about the trend published Sunday (Aug. 17) in the journal Annals of Emergency Medicine.

"The number of potentially problematic compounds is countless," but with experience in criminology, "it is possible to forecast which drugs are likely to become an issue, Stogner said. "Acetyl fentanyl, a slight variant of fentanyl, is one such drug." [Krokodil, Molly and More: 5 Wretched New Street Drugs]

Drug users who overdose on the spiked heroin or pure acetyl fentanyl marketed as heroin appear as if they have overdosed on heroin they look lethargic and disoriented, and have shallow breathing, a slow heart rate and low blood pressure, he said. But if an overdose victim doesn't respond to the standard treatment for opioid overdose, which is a medicine called naloxone, doctors should consider that acetyl fentanyl might be the culprit.

A larger dose of naloxone may save the patient, Stogner said.

Doctors should also test for acetyl fentanyl and report the cases they see, because such

overdoses tend to occur in clusters after a number of people consume mixed batches of acetyl fentanyl and heroin, Stogner said.

Legally, acetyl fentanyl is in a gray area. It is considered illicit for human consumption, but it is not regulated if it's labeled as "not for human consumption." This presents legal loopholes that drug distributors use to make a profit by mixing a highly regulated drug, such as heroin, with a less-regulated one, such as acetyl fentanyl, Stogner said.

It is likely that, ultimately, acetyl fentanyl will be rendered a "schedule drug," similar to what happened in the case of stimulant drugs dubbed "bath salts," Stogner said. But it would be wiser to close the legal loophole proactively, he said.

★★★

NewsWithViews.com
WHERE REALITY SHATTERS ILLUSION

Continued from page 1 • What every American needs to know ...

Now, far too many people are lulled into a deep sleep by the distractions of today and ignore the iconic lessons of the past. We threw off tyranny once, but continual vigilance requires acknowledgment of repeated patterns of despotism; else they pass right over our heads, unnoticed and will visit us again.

When it comes to the innocent being persecuted in America, those aware are asking the proverbial question: "Who's next?" and those suffering cognitive dissonance are in denial, qua: "it couldn't happen here," and "my government wouldn't do that" are common retorts. The voluntarily-uninformed claim the ostrich privilege (head-in-the-sand style ignorance) and will say in the crunch: "I didn't know," "nobody told me" or "how did that happen?"

Let's cut to the chase. Who among you would not defend a child wrongfully accused or a loved one indicted for something they did not do? Yet, there is a plague of fabricated charges and an epidemic of false accusations sweeping the nation, spawned by unscrupulous officials, sending numerous innocent people to prison for life-long sentences.

PRACITCAL SOLUTIONS

There are many writers who have opined about the causes and the conditions that create the 'Perfect Storm' countenancing the imprisonment of the innocent. There are few who offer solutions, and most look back and see what's happened, but can't see the pathway for the future. "I can see what went wrong," they say, but have no generally applicable remedies.

There are three causes to abuse of the innocent: corrupt investigators, corrupt prosecutors and corrupt judges.

There are three remedies: honorable defense attorneys, knowledgeable trial support and public opinion influenced by fair and honest news reporting.

Public opinion must be expressed in socially acceptable ways to be effective, such as when Mark Taylor, first male victim shot in the Columbine massacre, was imprisoned by the State of Arizona in a phony mental-health-hold from 2010 to 2011. He was prohibited from contacting or being contacted by his family. Mark was guilty of politically incorrect advocacy against anti-depressants and Big Pharma which he said was responsible for the deaths at Columbine.

It was a so-called "Human Rights" worker from the Arizona Governor's Office who was principally responsible for his false imprisonment; which provoked the flood of cards, letters, faxes, emails, phone calls and protest signs into Gov. Jan Brewer's Office in droves with the message: "We are informed. We know what you're doing. Let Mark Taylor go or we are going to make a huge stink that will come upon you." The public was alerted and responded well, as did the alternate talk-radio media, abuzz with the story. The Court of Public Opinion was in full swing. Two attorneys, one from Arizona and the other from Colorado, collaborated by filing parallel suits, one in each state as a platform to release him, and on March 29, 2011, the pressure was too great and the Governor's Office relented and Mark was sent home.

Could lightning strike again? Could an informed public with unrelenting demands secure the release of other innocents? All it takes is the will of the people exercising the prerogative to be involved and by staying vigilant and demanding for others the liberty we need most for ourselves; understanding that if we don't take a stand, it will be everlastingly too late. Even the mainstream media is covering the fact that Obama is systematically deconstructing the American Republic. Hello, are we in the Last Days, or what?

Who's next? Is the first question we should ask, and the second is: Who will come to our rescue when it's me or a member of my family? Consider the following three abbreviated case studies:

1. David Hinkson was an effective advocate for the underdog. He is a veteran who was in the Navy during the Viet Nam conflict. He helped others protect their property rights from those embedded in the crony system. David's passport proves he was out of the USA when accused of soliciting to murder federal officials; it was suppressed by Federal Judge Richard C. Tallman, an appellate level judge who sat as an Idaho trial court judge, and no offer of proof was made by Hinkson's attorney who let him down. *(www.rolandhinksonfiles.com)*

2. Edgar Steele, also a veteran of the Viet Nam era, helped protect individual rights for those persecuted by the so-called child protective system, and then he had the unmitigated gall to defend those who wanted to exercise religious freedom. Edgar Steele's expert witness proof that the Government's audio recordings were fabricated was suppressed by another Federal Judge, Lynn Winmill of Idaho and, no offer of proof was made by Steele's attorney who let him down. *(www.free-edgar-steele.com)*

3. Schaeffer Cox, a minister, exercised religious freedom and freedom of speech. The FBI put out a bounty offering $350,000 to anyone who could get him to commit a crime, which attracted a "take down team" of criminals who regularly worked with the FBI as confidential informants, willing to make up stories. Audio recordings made by the FBI that absolutely proved he had no intent or involvement in any crimes or plans to commit a crime were suppressed by the corrupt Federal Judge in Alaska. Bail was set at $3 million so that he could not assist in his own defense. *(www.freeschaffercox.com)*

What these and so many others have in common is that they committed no crime, were falsely accused of law violations that never occurred (actually accused of crimes made up by corrupt FBI agents) and have been convicted with lengthy prison sentences that exceed their life expectancy.

The other common elements for these three are that the prosecutors knowingly introduced false testimony, and the judges suppressed exculpatory evidence. In a word, each of them was set up and convicted of fictitious crimes made up by the government simply to silence them.

These statements are provable in the absolute, but no court will hear them because the judges use procedural excuses to block the accused from proving their innocence. Make no mistake about it; the Presumption of Innocence is dead in the American Justice System. But, what's worse; if accused today, you must prove your innocence or you will be found guilty; and the judges are programmed to prohibit you from presenting exculpatory evidence. The only defense is to have as your attorney, one who is well schooled in the corruption of government officials who has the integrity, fortitude and chutzpah to make an offer of proof on the record each time the trial judge denies the admission of evidence that would show innocence.

It takes great preparation, foresight and guts to stand before a judge, who can hold you in contempt and send you to jail for defending your client and say these words: "If you will not allow this witness to testify, I will make the following offer of proof as to what that witness would have said."

Judges consider it an affront to their dignity if someone demands the right to honorably defend himself when Constitutional rights are being systematically denied. But, that's what it takes, because the innocent must present evidence at trial or they will have nothing for an appeal court to review on appeal; then they will never see the light of day again. A warning to all, even if you are innocent and can prove you are innocent, you must assume you will be convicted. Then you must stand your ground and find the way to make your case through offers of proof. You must get the Court of Public Opinion to send out continual messages that you are being persecuted. If the judge denies the right to present the offer of proof, you'd better have it in writing and have a legal assistant immediately file the written version with the Court clerk to make a record, or you will ultimately lose because the appellate court must have evidence that was presented at the trial which can be considered. This is about taking action when the opportunity presents itself by those knowledgeable and skilled in the art of defending the innocent.

There is no glory in defending the innocent any more, there is only satisfaction when, like the starfish thrown from the sandy beach back into the ocean, it makes a difference to that one. I hope and pray that those who read this article are willing to step up and send cards, letters, emails, faxes, and make phone calls to the officials responsible for imprisonment of the innocent, just as they did with Mark Taylor; so that when it happens to you or one of your loved ones, others will do it for you. In this way, maybe, just maybe, a defense can be etched from the government's foregone conclusion of guilt, and then if others are willing to step up we can save each other from the guillotine – or, frankly, all will be lost.

There is a ray of hope: the US Supreme Court, in May 2013 handed down a ruling in *McQuiggin v. Perkins* that allows one who is actually innocent to pass through a "gateway" in order to avoid the procedural bars that prohibit him from proving his innocence, even years after his conviction occurred. There may be light at the end of the tunnel for some, if they get the right help in time.

Wesley W. Hoyt is now in the private practice of law admitted in Colorado and Idaho with special "pro hac" admissions in several other western states. He spends the majority of his time representing the innocent who have been falsely accused of crimes they did not commit. He can be contacted through Independent News International World Report or by email at hoytlaw@hotmail.com. ★★★

Continued from page 1 • Anonymous Call Prompts Abuse of 9 Year Old Girl

only false, but completely ludicrous criminal charges against Rinehart.

"Matthew Rinehart was arraigned on October 10, 2012 on three counts - Sexual Abuse in the 1st Degree, Unlawful Sexual Penetration in the First Degree, and Sodomy in the First Degree, all for one allegedly routine and common event that took place on October 6th at his grandparents' home where the two were living and sleeping together."

The US~Observer laid out more than sufficient evidence of Matthew Rinehart's innocence in the two articles we published on this case to have his case dropped; "Innocent Matt Rinehart Jailed On Unbelievable Rape Charges" and "DA Vitolins Continues Rinehart Abuse - Blatant Crook County Corruption". Instead, Crook County District Attorney (DA) Daina Vitolins continued wasting tens of thousands of tax-payer dollars and continued her vicious and unwarranted attack on an innocent young man. Vitolin's was aided by an either completely ignorant or corrupted Crook County Deputy Sheriff named Theresa Plinski, who was more than willing to assist DA Vitolins in this attempted false prosecution.

TRIAL CHARADES AND EXPERT DEFENSE

Plinski and Vitolins promoted Pike's absolute lie that she was asleep while a man who was roughly her height, weight, and age was on top of her for more than 5 minutes because an antibiotic Pike had been taking had "knocked her out."

There must be only three people on earth who would say that Pike's antibiotic could have knocked her out - Pike, deputy Plinski, and DA Vitolins. The nurse who examined Pike on October 6th testified at trial that she had never heard of the antibiotic causing unconsciousness. Esteemed Physician and drug expert Robert Julien testified at trial that there is no known incident of Pike's antibiotic ever causing unconsciousness in any adult when administered orally in the dose she took.

Keep in mind as you read on, Pike's charges against Matt were recognized by the US~Observer to be both false and ridiculous well over a year and a half ago, at which time we presented our absolute evidence to DA Vitolins.

With the US~Observer's help, Matt's grandparents found and hired James E. Leuenberger to represent him. Leuenberger brought several of the weaknesses of the case to the attention of the state. He showed the state that the medical literature did not show that Pike's antibiotic had unconsciousness as a side effect. He told the state that no normal woman would remain asleep while a man of her size and weight "dry-humped" her unless she was under the influence of intoxicants and there was no evidence that either Pike or Matt had taken any alcohol or any drug other than Pike's antibiotic. He reminded the state that Pike and Matt had a consensual sexual relationship for several months prior to October 6, 2012. He informed the state that Pike had gotten into Matt's bed willingly a few hours before she alleged she was "knocked out" and "taken advantage of."

Diane Pike & Matt Rinehart

Months before trial, Leuenberger sent the state a picture of Pike taken by the nurse who examined her on Ocotber 6th. The picture showed Pike with a big smile on her face. Leuenberger told the state that a picture is worth a 1000 words and the picture of Pike's smile said she was not distressed. DA Vitolins paid no attention to the facts presented by Leuenberger, as she continued her blood-thirsty pursuit of Rinehart.

Shortly before trial, Leuenberger told the state that he intended to use an audio recording of Pike's October 8, 2012 statement to Plinksi to show that on that date, Pike was happy and lighthearted and laughing.

Unlike victims of sexual abuse who are almost universally distressed, hurt, and sad, Pike exhibited no non-verbal cues in the October 6th photograph or the October 8th audio recording that she was distressed, hurt, or sad.

Notwithstanding the weaknesses in the state's case, the state insisted on a trial. Why? The best explanation for the state going forward, apart from the fact that this DA is an extremely evil person, is Vitolins must have thought they could use Matt's words against him. Matt, a very immature 18 year old in October of 2012, had confirmed that he had told Pike that he might have taken advantage of her and that he had broken her heart. Vitolins must have thought that Matt would convict himself if he were to testify at trial. Vitolins knew that Matt had been badly hurt physically and emotionally when he was a child. Damaged people often hurt themselves. In short, Vitolins was merely exposing her own corrupt and perverse nature as she continued her attempts to destroy an innocent Matt Rinehart. She certainly wasn't "seeking justice," by any stretch of the imagination.

To make it more difficult to prepare for Matt's trial, the state had the court put Matt in jail 2 weeks before trial because the state said he had contacted minors in violation of his pre-trial release conditions. The conditions of Rinehart's conditional release were a bi-product of false and malicious charges and I assure any who punish him for this, that they will be in turn be punishing themselves publicly!

Leuenberger did not reveal the state's greatest weakness in its case until he cross examined Pike during the trial. It was then that he got her to admit that she had told Crook County Deputy Sheriff Durheim that shortly after she had awoken on the floor, she had gone back to sleep and been awakened by Matt's six year old, 40 pound sister getting on Pike's bed – remember, she supposedly had just slept through Matt being on top of her.

The second greatest weakness in the state's case was Pike. Pike put on the worst, least convincing performance of her acting career. Whenever the jury was in the courtroom, Pike looked sad and faked tears. Shortly after Leuenberger began cross examining her, she jumped off the witness stand and ran out of the courtroom. When the jury was not in the courtroom, Pike laughed and smiled. Pike even smiled at Matt in the courtroom when the jury was out. Leuenberger got Pike to admit to the jury that she was laughing and smiling immediately before the jury returned to the courtroom.

Leuenberger also demonstrated that Pike had a motive to lie. On October 1, 2012 Pike's parents had kicked her out their home because she had spent the prior night with Matt. The next day Pike's mother continued to condemn Pike. The next day Matt made sure Pike got examined and treated for what turned out to be a urinary tract infection. Two days later, when Pike was starting to recover from her urinary tract infection, she decided that she wanted to return to her parents. Pike figured that the way to have her parents accept her back was to accuse Matt of a crime. Pike accused Matt. Pike's parents took her back.

Pike had enough of a conscience to send Matt text messages telling him she regretted sending him to jail.

A RESPONSIBLE JURY

On July 7, 2014, 12 Crook County jurors began hearing the state's case. They heard Deputy Durheim, Deputy Plinski, Nurse Haines, and Pike herself.

As the case continued, the jury endured warm afternoons as the heat in the courtroom rose to over 90 degrees because air conditioning could not be used when the jury was in the courtroom. Notwithstanding the heat and the seriousness of the charges, the jury remained cheerful throughout. There is a saying amongst defense attorneys, "a happy jury is a defense jury." That old saying proved true. ★★★

Are You Facing False Criminal Charges?

Have You Been a Victim of False Prosecution?

Welcome to the largest racket in history: The American Justice System

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

You then rush to an attorney, pay him a huge retainer to cover the usual $175.00 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.

There is only one way to remedy a false prosecution: Obtain conclusive evidence, 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.

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

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

The US~Observer investigates cases for news 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.

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

The US~Observer's services have VINDICATED

over 4,200 cases to-date. Here are a few:

James Faire — Victim: Land Use Violation
Status: Dismissed
"They saved my property and accomplished what our attorney couldn't at much less expense."

The Parkers — Charges: Felony Tax Evasion, Wire Fraud, Money Laundering
Status: Dismissed
"You did the opposite of the mainstream media and actually investigated."

Dean Muchow — Charge: Government Abuse
Status: Cleared
"Your investigative reporting was instrumental in stopping the District Attorney's abusive attacks ."

Manuel Mairs — Charges: Felony Perjury
Status: Dismissed & Compensated
"I was a victim of a malicious prosecution for turning in a child abuse claim. The US~Observer investigated and exposed everyone."

Pamela Fanning — Charges: Felony Grand Theft/RICO
Status: Dismissed
"Thank you for everything... You are the bomb."

Al Perelstein — Victim: Investment Scam
Status: Compensated
"I can't thank you enough for getting our investment money back."

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