



**CIVIL ACTION SPOTLIGHT**

## After Being Acquitted, Father Files Lawsuit: "I was Falsely Charged with Sexually Abusing My Daughters"

By Joseph Snook  
Investigative Reporter

Albany, Oregon - Dain Sansome, through his attorney James Leuenberger, is preparing to file a civil lawsuit against the City of Albany, Linn County, Benton County, and the Oregon State Department of Human Services (DHS). According to reputable sources, the suit stems from Dain Sansome's false arrest, and him being, "falsely prosecuted." Although Sansome was acquitted, the troubles continue for himself, and his family.



Detective Glenn Fairall

The lawsuit is reported to claim that Sansome and his family had their civil rights violated, and gross error was made by Detective Glenn Fairall of the Albany Police Department, who was

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**FALSE CHARGES SPOTLIGHT**

## Escaped with Their Lives, Then Charged with Murder

### The James Faire Story

By Edward Snook  
Investigative Journalist

Okanogan County, WA – "We've been ambushed" was the simple one line text message Angela Nobilis reports to have sent to the owner of the vehicle she and James "Strat" Faire were driving. The text was sent when they got to the Junction, an area they knew had cell coverage, unlike where they had previously been on East Sourdough Road. It was at this time that Faire, from another phone, dialed 911 to report that they had been attacked by a 300-plus lb. man with a chain.



Angela Nobilis-Faire with James Faire chain, at a place they thought was safe; a place where they had, by invitation, stored many of their belongings; a place they had desperately tried to flee from, for their lives.

According to Nobilis, she and Faire were shaken to the core by being violently confronted just minutes earlier by a group of people, one with a

date. Moments later a Tonasket police officer arrived on the scene who immediately asked for their IDs. Nobilis recalls, "he began asking more questions and both James and I requested an attorney, because we've both heard of bad dealings with law enforcement before. The officer asked both of us to stand with our backs to the South facing wall of the Junction. At this time, I was still of the mindset that we would be going home soon; that we were waiting for an Okanogan sheriff to arrive, take our statement and let us be on our way." But, that isn't what happened.

When the Sheriff's Deputy arrived, he informed Faire and Nobilis that someone had died up on Sourdough

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## Forced to Strip, Then Charged with Sex Crimes The Jessica Morton Story Continues

By Joseph Snook  
Investigative Reporter



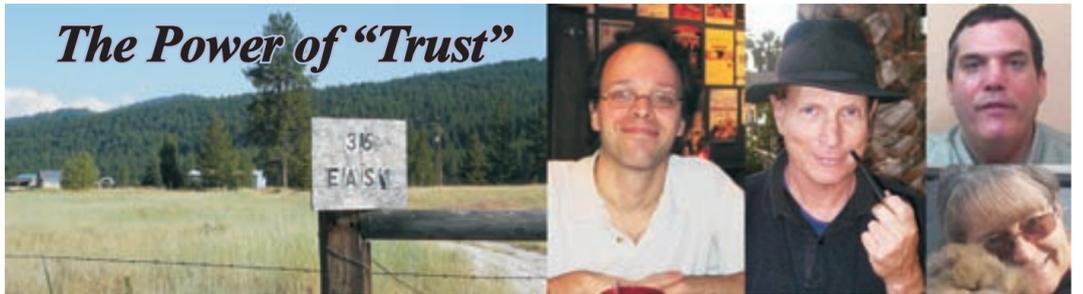
Jessica Morton with her family

Grants Pass, OR - As Jessica Morton continues to raise funds to defend herself, from what could amount to ten years in prison if convicted, Morton has learned that the burden of proving her innocence is, as she puts it, "anything but what I was taught to believe." Jessica Morton, a former supervising skills coach at Kairos Three Bridges psychiatric treatment facility in Grants Pass, is facing six criminal charges - one felony and

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## The Conspiracy to Frame James Faire

### The Power of "Trust"



By Doug Parris  
Investigative Journalist

From Left to Right: Richard Finegold, Michael St. Pierre, (top) George Abrantes, and (bottom) Ruth Brooks

When dying people trust someone they can frequently be induced to give away all they have.

In August, 2014, Michele St. Pierre, a heroine to thousands in the Tea Party and Ron Paul movements, lay secretly bedridden and barely able to eat, extremely weak, and enduring the first major crisis of a cancer she had kept hidden from the public eye. Friends found her on the threshold of death. Her only care giver then was her boyfriend, Richard Finegold, a man afflicted/gifted with Savant Syndrome: that is, he had outstanding talent in one

area but severe social disability. (Richard is a computer genius but needed Michele to take care of him. He is incapable of caring domestically for himself, much less a terminal cancer patient.) They were living in filth and not eating.

They had moved back to Western Washington from the Sourdough ranch for Michele's health care. Michele's Stanwood house was in the I-5 corridor near many providers. The "Sourdough" ranch, by contrast, was in the extremely remote Aeneas valley. About five and a half

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**COMMENTARY**



## Rush to Judgment



By Ron Lee  
Verbal Assassin

America suffers from a rush to judgment. We judge on appearances; don't say we don't. We judge on feelings. We judge on bias, and gossip, and belief. And almost all of us judge on what we think are the facts, which are presented to us by a mainstream media whose agenda is to serve whichever side is

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**GOV'T OVERREACH**

## "Grand-Father Rights" No Good in Oregon?



By Kelly Stone  
Investigative Reporter

Jackson County, OR – This case is about an issue that affects countless people, in every state in this nation. This issue comes in all shapes and sizes and is known as Administrative Government. Most of the time, Administrative Agencies are abusive, heavy-handed, dictatorial and very expensive for all taxpayers. Administrative Government is always unconstitutional, just as it is rapidly contributing to the downfall of America. Again, although this article focuses on a case in Oregon, this case is

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**IRS LOSES AGAIN**

## Lawyer Michael Minns Pitches No-Hitter!



### Another Tax Evasion Acquittal

By Edward Snook  
Investigative Reporter

It's baseball season so perhaps Michael Minns' latest victory against the IRS was inspired by the national sport. When prior counsel had given up, Minns was brought in months before trial to take over and pitch, successfully striking out the governments four criminal tax evasion charges.

At the historic Federal Courthouse in Marquette, Michigan on Washington street, near

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Linn County D.A. Doug Marteeney, the man ultimately responsible for Sansome's prosecution.

instrumental in bringing false child sex abuse charges against Dain Sansome. Despite being found innocent by a jury on December 12, 2013, Dain and his family are still suffering from the immense emotional distress they were forced to endure for over two years, which according to Dain, "the effects of my false arrest and malicious prosecution continue to this day." A close examination of the record in this case proves that the Sansome's pain and suffering is a direct result of Fairall's cunning lies and incompetence.

Detective Fairall, who "investigates" cases involving child abuse, responded to a telephone call on November 13, 2011. The call was made by Sansome's neighbor, Cori Smith, allegedly claiming she was a "mandatory reporter" for DHS. According to documents filed several years earlier, Smith had reported her then six-year-old son to DHS for "highly sexualized behavior."

Smith claimed that she overheard part of what she thought was a filthy conversation between her two sons, then ages five and eight, and Sansome's six-year-old daughter. These children were reputedly playing in a blanket fort in another room. Detective Fairall proceeded based on this hearsay.

Sansome, a father of three little girls, then ages one, three, and six, was thirty-three years old at the time. He is a successful bamboo grower, landscape contractor, and a hard-working family man, a truly kind-hearted man with a soft friendly demeanor. He lives in Albany, Oregon on a two acre farm with his Japanese wife and little girls. Sansome and his wife Suya share both American and Japanese cultural values, since their family is a blend of both. Sansome's criminal charges stemmed from occasional bathing with his young children, which is not uncommon for many Americans and completely normal for Japanese families.

Detective Fairall allegedly failed to accurately verify the report by not interviewing or investigating Cori Smith, the reporter, before rushing to question Sansome's six-year-old child. Needless to say, Detective Fairall didn't even bother to get a warrant or seek the parent's consent before he interviewed the child.

Instead, Detective Fairall summoned DHS child protection worker Matthew Stark and interviewed Sansome's daughter. Enlisting the authority of her teacher, Fairall interviewed the little girl at her school in Corvallis. Fortunately, the interview was recorded, which would later benefit Sansome.

Sadly, Dain's young daughter had her first detailed sex-ed talk from this police detective - disgusting!

A second interview of the Sansome's young

child was done later the same day at a local advocacy center, the ABC House. This one was much more intense. Detective Fairall, an "expert on child abuse," was unable to get any disclosure of inappropriate touching. Fairall showed the girl graphic pictures and anatomically correct dolls. While questioning Sansome's daughter for a second time, Detective Fairall, as he had done earlier, repeated most questions, trying to prompt answers from the six-year-old, who was playful in nature. His questions were repetitive throughout the interview, causing the young girl to say, "I already told you that a couple of times."

Several experts for the defense, along with experts for the State, reviewed the interviews conducted by Fairall. Their findings indicated grossly improper procedure.

One expert for the defense, Dr. Daniel Reisberg, Ph.D., Psychologist from Reed College, located in Portland, Oregon, claimed that Detective Fairall created, "substantial error" with the questions he asked, "suggesting to her (Dain's daughter) that she should acknowledge some form of touching." Reisberg further stated, "...I do not think we can count these interviews as 'unbiased,'" and, "I am troubled by the detective's heavy use of repeated questions."

Repetitive questions are considered highly suggestive and leading, and are discouraged by professionals as they likely result in children making false statements after being asked the same questions multiple times.

Hollida Wakefield, M.A. from the University of Maryland, Licensed Psychologist and a nationally recognized expert on child interviews and allegations of sex abuse, wrote a scathing report about the problems with Detective Fairall's interviewing techniques. Here are just a few excerpts from her report:

"Officer Fairall's interviews were interrogations geared towards getting the young child (name omitted) to affirm her father had sexually abused her. He (Detective Fairall) had a clear agenda. These interviews violate everything we know about the proper way to interview a child. He (Detective Fairall) said 2,254 words, to her 492 (first interview). He said 2,760 words, to her 982 (second interview). The two taped interviews of (her) leave no doubt that the investigators had made up their minds about this case prior to the interviews. Alternative hypotheses were never explored. From the beginning, Investigator Glenn Fairall assumed that, based on the report from the neighbor, her father was sexually abusing her (child)."

Dr. Eric M. Johnson, Ph.D., Licensed Psychologist, Forensic Mental Health Evaluator, also weighed in on Detective Fairall's line of questioning. He stated, "I continue to be concerned that leading

questions were asked throughout the interview and that all of her disclosures were interpreted to mean that she was sexually abused." He continued, "I am concerned, as stated above, that he (Detective Fairall) had a confirmatory bias."

Perhaps the greatest concerns of improper detective-work were drawn from the State's own "expert," Esther Friedman, an interviewer who was employed by ABC House. After reading her report, I found her comments to be clearly contradicting. She stated in her report, "The interview is (was) not completely ideal..." Although MANY questions were repeated, Friedman stated, "Some questions were repeated..." She followed by concluding that, "No coercive elements were noted in either interview."

Considering Friedman's analysis of the interview, she clearly contradicts herself by stating in one sentence that questions were repeated, then concludes that there were no coercive elements. This clearly shows the absurd lengths that certain people with power will go to ruin a kind and loving family, all in the pursuit of so-called justice.

Please note that Friedman's testimony was paid for by the State of Oregon. She seemingly supported the State in their false prosecution of Dain Sansome. When an expert witness is hired by the State and that witness fails to produce a conviction, they are far less likely to be paid by the State in the future on other cases.

Sansome, who had been interviewed by Fairall between his daughter's two interviews, originally thought that the police wanted information about a bothersome neighbor. He went with the detective to the police station under that

assumption and wound up in a three-and-a-half hour confession-driven interrogation. Sansome remained calm, despite being ambushed, intimidated, and told falsehoods about his child's communication with Detective Fairall.

It eventually became obvious that Detective Fairall was only interested in "bathing" and pursuing sex abuse crimes. Sansome defended himself, describing how his girls wanted to be in the tub with him, and how his wife encouraged it. On rare occasions the children would horseplay and get his attention by attempting to touch his genitals. When things of that nature would occur, Sansome would tell his children to stop. His wife, who was separately interrogated, described to the detective that the children were also curious about her body in the same way.

Detective Fairall ended his interrogation of Sansome by telling him that he found "no

sexual intent," but wanted a polygraph test just to be sure. Sansome said he would take the polygraph. In the meantime Sansome was told he should "voluntarily" stay away from his house and family until the investigation was "completed," something that should only "take a few days." DHS case worker Matthew Stark added they otherwise would "step things up," a thinly veiled threat of forced removal of the children from their home if Sansome did not comply.

What was to be a, "few days" away from his family, ended up being two years, according to court documents.

After this interrogation Sansome went to stay with his parents, who, fortunately, lived nearby. He then contacted an attorney.

The next morning when Fairall called Sansome about the polygraph, Sansome told Fairall he had an appointment with his attorney. Detective Fairall went "ballistic," telling Sansome he must arrest him. The outburst was on speakerphone and overheard by both of Sansome's parents. Fairall reportedly sent out six patrol cars to arrest Sansome. Fortunately, Sansome was already on his way to the lawyer's office. Before long, they appeared at the police station and Sansome surrendered.

A polygraph was completed by a neutral party. The results of the polygraph found Sansome was "truthful." His responses explicitly denied "any form of sexually motivated contact," or any contact "for the purpose of sexual arousal." After promising to dismiss the case if the polygraph was passed, Sansome discovered Detective Fairall had lied. Fairall pursued charges against his promise, by referring Sansome's case to the prosecutor for a formal indictment. Linn County Assistant District Attorney George Eder also ignored the polygraph results, the lack of evidence, and produced an indictment almost immediately.

The detective's probable cause affidavit contained errors, lies, and misrepresentations. In a rage and in an all-out effort to ruin Sansome, Detective Fairall manufactured four counts of first-degree sexual abuse and one count of rape.

The Grand Jury tossed out the rape charge, but indicted otherwise, threatening 20-30 years in prison. Remember, no one defends you in front of a Grand Jury.

Released on an eighty-thousand-dollar bond (\$80,000.00), further intimidation ensued. Sansome surrendered his computers. The police forensic technician located multiple images of little children, actually Japanese cousins, and thumbnail images in unallocated space, deep inside the computer,

which DDA George Eder portrayed as "child pornography." The images were not, which was confirmed by Marcus Lawson, J.D., forensic computer consultant, long-employed by the U.S. Customs Service. Prosecutor Eder eventually admitted this and no charges of possession were ever filed. Judge Thomas McHill, nevertheless, allowed the photos to be admitted at trial to show "intent" and "purpose," which was meant to prejudice the



Esther Friedman at the ABC House



Judge Thomas McHill

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Road, and that they would be taken into custody. They were read their Miranda rights and both invoked their right to remain silent.

"James and I sat silently as we traveled together in the back of the Sheriff's Deputy's SUV to the Okanogan County Courthouse. I'm guessing the trip was about 35 miles. I tried to make eye contact with James for some sort of reassurance. He was stoic, I imagine as scared and concerned as I was. Finally, he whispered an 'I love you' and I responded back. Those would be our last words to each other," Nobilis sorrowfully remembers of that night.

It would later be learned that the deceased was 52 year-old Debra L. Long. She had been run over and was found lying in the driveway. George Abrantes, the 48 year-old behemoth who, by all accounts, assailed Faire and Nobilis with expletives and the chain, had apparently also been injured when Faire tried to get away from being attacked.

Faire and Nobilis were subsequently charged with Murder, Assault, Trespass, and Theft. Nobilis' Murder and Assault charges were dropped days later. In defense of law enforcement investigating, they interviewed witnesses at the scene who gave statements that were in great part well-rehearsed and believable — some of which were out-right lies. The small group of "insiders" who provided "false or unknowingly fabricated information" to the police consisted of Richard Finegold, Ruth Brooks, Michael St. Pierre, and George Abrantes. I should stress at this point that not all insider witnesses were completely privy to the sophisticated plans of none other than Debra Long, the



Richard Finegold



Ruth Brooks



Michael St. Pierre

deceased, and her cohorts.

During the US-Observer investigation into what we can only classify as an obvious self-defense accident, we have unearthed a web of deceit spun by Long, for her own personal gain, and it proves beyond doubt that what was told to police by the "insiders" was deceptive and conspired.

The common denominator in this whole case is Michele St. Pierre, a friend of all involved. Michele died of cancer on June 15, 2015. Michele had been living with Richard Finegold, who is the registered owner of the Sourdough Road property (located in North Central Washington) where this incident took place. Michele and Richard had moved to one of Michele's properties located in Stanwood, WA (Western Washington State), as her cancer escalated, but had lived together at the Sourdough property on and off during the preceding three years. According to witnesses, Faire and Nobilis had been storing their belongings at, and taking care of, the Sourdough property during the months leading up to this incident.

George Abrantes, a renter at Michele's Stanwood property, traveled to the Sourdough property for the confrontation with Faire and Nobilis on June 18, 2015, as did Michael St. Pierre (Michele's brother), and Ruth Brooks, Michele's longtime friend. Most witnesses I have spoken to, who knew Michele St. Pierre and Richard Finegold, considered them a couple and most thought that they jointly owned their various properties.

Faire and Nobilis had been personal friends with Michele and Richard for at least 4-5 years according to witnesses,

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hours, for example, from the Providence Regional Medical Center where Michele would eventually receive emergency transfusions.

To make matters worse, by August 2014 Michele faced a foreclosure sale on the modern 3-story, 4.71-acre Stanwood house (valued at \$482,850 by epraisal.com). Despite realistic options to prevail, Michele had neither will nor energy left to fight the foreclosure.

To help Michele meet that 2014 crisis and save her property, one of her friends, on Michele's behalf, called in the woman known to them both by the alias **DEBRA JAMES**. "Debra" was believed highly skilled at property transactions and dealing with foreclosure. Not licensed to practice law, Debra, nevertheless, lived (under more than one name) by providing legal services and she prospered by securing people's trust. Debra was so engaging, so personable, so "concerned" for her clients, that people who would normally undertake due diligence, lapsed. She told varying stories to various people about many things including her qualifications and name. She claimed, for instance, to own a law firm, to hold a doctor's degree in clinical psychology and to have saved thousands of people from foreclosure. Debra's preferred method of "protecting" property was called a "TRUST" agreement, where you trust someone enough to place ownership and control of your most valuable items in their hands.

Over the next few months Debra demonstrated her ability to get full control of things.

While Michele's closest friends sanitized the Stanwood house, brought in food, fenced



Michele St. Pierre



Michele St. Pierre with James "Strat" Faire

out animals, repaired plumbing, talked with doctors, sought out medical information and gave Richard relief, "Debra," with regular access to Michele, carefully and gradually produced "information" that, like the "law firm she owned" and her "PhD," she had simply made up. Between September, 2014 and May, 2015, Michele's closest friends were "discovered," one-by-one, to be violating her privacy, or using her, or slandering her, or stealing from her, or even attempting to kill her. In her vulnerable condition, Michele began trusting Debra and accepted individualized accusations constructed against each of those closest to her. Following each false accusation Michele ejected her real friends, one by one, without discussion. Most of Michele's closest friends and advisors had been banished from her friendship by the end of 2014. Debra's "PhD" in psychology even drove a wedge between Michele and Richard, diagnosing Richard with "Asperger's" and convincing Michele that he was incapable of taking into account other people's feelings. All those that were capable of protecting her from Debra, were gradually weeded out in this way. Debra had become her only remaining advisor.

EXCEPT FOR JAMES FAIRE

James Faire and Angela Nobilis, you see, had been in Okanogan County, out of Debra's line of fire. They had been asked to rescue Michele and Richard's abandoned Sourdough ranch and had responded with extensive work

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jury. This tactic failed.

Multiple hearings took place over the next two years. During this time, in order to stay out of jail, Sansome remained apart from his family. It took several hearings to force Prosecutor Eder to release police and DHS records. At another hearing Fairall demonstrated that he neither knew nor followed the State's interviewing guidelines. Hearings were also necessary to contest and show tainted child witnesses, that the children's memories were distorted and destroyed by the detective's abusive and egregious interviews and Cori Smith's interference. Judge McHill, however, ordered the children to take the stand and testify, continuing his obvious attempt to assist the prosecution (something he has done in other criminal cases as well).

The first trial date was canceled thirteen months after arrest, canceled by the Chief Judge at the last minute due to a reportedly congested court calendar and Detective Fairall's own supposed emergency room visit.

The second trial date at sixteen months was canceled at the last minute when the defense realized that date, set by the court, was the beginning of Child Abuse Awareness Month, an event heavily publicized in the local newspaper.

At eighteen months the trial started. Prosecutor Eder objected when the defense mentioned in the opening statement the documented sexualized history of the neighbor boy. The judge declared a mistrial, which Sansome's lawyer, Steven Sherlag of Portland, Oregon called totally erroneous.

The fourth trial date took place at twenty-five months after arrest. The trial lasted eight days. The jury heard and saw all interviews. Sansome's wife testified twice that the children's behavior toward their father was identical with their behavior toward her, always in a playful manner. Defense experts testified as to the inappropriate and misleading investigation. Prosecutor Eder had no credible experts, in fact no evidence and no crime to present. He simply prosecuted with prejudice and innuendo.

Detective Glenn Fairall admitted during trial to making two "mistakes" in his probable cause affidavit, the document used by the judge to justify an arrest warrant. During trial Sansome's attorney underscored one of these falsehoods with the following exchange:

**Fairall:** I believe I found a mistake in this uh

probable cause affidavit yesterday when I was reviewing it, ah, regarding this session (interview) here.

**Sherlag:** You found it yesterday? This was relied on by a judge two years ago, right?

**Fairall:** That is correct.

**Sherlag:** Does it help to correct errors in it today? Does it help Mr. Sansome?

**Fairall:** I can only tell you that when I...



Attorney Steven Sherlag

**Sherlag:** It's a yes or no question; does it help Mr. Sansome?

**Fairall:** I guess not.

**Sherlag:** Does it help the judge(s) make a decision as to whether or not Mr. Sansome is going to be arrested, that a fair and full understanding of the facts are corrected today, two years later? Yes or no?

**Fairall:** No

**Sherlag:** You're supposed to make those corrections before you sign those things under oath, aren't ya? Yes or no?

**Fairall:** When I signed...

**Sherlag:** Yes or no?

**Fairall:** Yes, Yes.

**Sherlag:** Thank you. No further questions.

Detective Fairall had just admitted to altering what was said by Sansome on his sworn affidavit. Detective Fairall had misstated the facts about Sansome in order to obtain an arrest warrant and indictment. Detective Fairall had defrauded the court. A unanimous verdict of "Not Guilty" came quickly. Some jurors later voiced their anger at the prosecutor and his tremendous waste of time and money.

Sansome lived in a barn behind his parent's house for over two years. He could not return home. He was unable to see his children, even talk with them for six months, and from then on only with supervised and limited visitations was he allowed to see them with court-appointed personnel present. Sansome barely managed to keep his family intact. He had to move his office and business. His children endured ridicule. They were hurt by allegations and skepticism, prolonged uncertainty, and confusion. They were also greatly confused by parents and grandparents who had to remain mute on everything pertaining to the case.

The system bullied repeatedly. Prosecutor Eder offered three plea bargains, the first at three months for two months in jail, five years' probation, and a life-long label of sex offender. The final offer was just before the last trial — no jail time and two years of probation. Would you risk the chance of twenty-two years in

prison or take that plea and be tracked as a sexual predator for the rest of your life? Could you afford a costly private attorney, or would you like a public defender who is usually not an expert on sex abuse or versed in defending against false claims of child pornography? Sansome, knowing his innocence, felt he had no choice but to ante up for an outside attorney and refuse all plea deals.

Remember, the State has limitless resources and no qualms about imprisoning innocent people, so long as the jury convicts. District attorneys can spend hundreds of thousands of dollars of taxpayer money without accountability or liability. Judge Thomas McHill said he was obligated to rule for the State, and later told the courtroom the "process" was more important than people. In a courtroom most authorities hide behind "qualified immunity." Your rights often get violated with little or no chance of obtaining real justice.

Excessive charges, high costs, humiliation, separation from family, a prolonged process — all these are tactics to lure one, even force one, to accept a plea bargain. This is nothing more

than State-sanctioned bullying and extortion, and it is effective. How many innocent people are forced to plea? The statistics don't lie. Roughly 97% of all criminal cases in the United States result in the person indicted taking a plea deal, regardless of guilt or innocence. The percentage of innocents who are wrongfully convicted may never truly be known.

Sansome described his experience that nearly cost him his life. According to Sansome, "He (Detective Fairall) certainly wrote to kill (ruin my life) in his false probable cause affidavit. Two-plus years of chaos and stress, not knowing what's going to happen from day to day. Loss of business, loss of concentration. It felt like a near-death experience. Seeing my wife, my children, and my parents grieving was very hard for me. The damage Fairall, Smith, Stark and Eder inflicted continues to this day."

**Editor's Note:** If you have any information regarding anyone named in this article, please contact the US-Observer at 541-474-7885. ★★★

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# In The News

## WHAT THE?! SPOTLIGHTS

### Jury Tampering Charges for Man Promoting Jury Nullification



MARK IANNICELLI

By Barry Donegan  
Truth In Media

Occupy Denver affiliated jury rights activist Mark Iannicelli was arrested last Monday on seven felony counts of jury tampering after he allegedly distributed educational flyers promoting the concept of jury nullification outside of the Lindsey-Flanigan Courthouse in Denver, Colorado. Iannicelli reportedly issued the flyers from a booth with a sign reading "Juror Info."

An arrest affidavit cited by FOX 31 Denver alleged that Iannicelli issued the flyers to "actual and potential jury pool members" and that a death penalty case was underway in the adjacent building.

Authorities released Iannicelli on a \$5,000 personal recognizance bond...

Jury nullification refers to a discretionary act by a jury in which jurors refuse to hand down a conviction against a guilty defendant under the belief that the conviction or the law itself is fundamentally unjust. However, in most jurisdictions, defense attorneys are prohibited from informing jurors about jury nullification.

In light of this, jury rights advocacy groups like the Fully Informed Jury Association have been working to promote jury nullification to a nationwide audience. Doing so near courthouses can be legally risky,

though. In 2010, jury rights activist Julian P. Hecklen was charged with jury tampering for distributing jury nullification flyers from a booth that he had installed outside of a New York City federal court. However, according to The New York Times, Federal District Court Judge Kimba M. Wood threw out the charges against Hecklen, citing the fact that Hecklen's flyers did not contain any particular information "in relation to a specific case pending before" the juror that read it.

In response to Iannicelli's arrest, Fully Informed Jury Association's Kirsten Tynan wrote, "It does not sound likely that the accused's activity even met the definition of jury tampering. FIJA encourages everyone who is doing general educational outreach at courthouses to be clear that they are not advocating for or against any case in progress, but rather are sharing this information for educational purposes only. What jurors choose to do with that information is up to them. My impression from what I have heard and read so far is that those at this courthouse were aware of this distinction."

Tynan added, "Nonetheless, it sometimes happens that courthouse officials or law enforcement either are ignorant of the difference between general educational outreach and jury tampering or that they choose to ignore it for the sake of making a nuisance arrest that will interfere with free speech activity they find inconvenient or disagree with. It's possible that one or the other of these is the case in Denver this week."

Iannicelli's arrest reportedly took place on day two of a three-day drive to educate the public about jury nullification, with a previous outreach effort at another Colorado court having occurred without incident. ★★★

### Lois Lerner Emails Released: "Lincoln was our worst president"



By Michael Krieger  
Liberty Blitzkrieg

Remember Lois Lerner? How could you forget. She's the former head of the IRS' Exempted Organizations division who was caught using the agency to target Americans based on their political views.

Well we now have snippets from some of her email conversations, and it becomes crystal clear that she targeted conservatives because, well, she really hates conservatives. Clearly the type of person who should be placed in a position of governmental power.

From the Hill:

Lois Lerner, the central figure in the IRS targeting controversy, called Abraham Lincoln the country's worst president in an email disclosed in a bipartisan Senate report, according to USA Today.

"Look my view is that Lincoln was our worst president not our best," Lerner wrote in an email dated March 6, 2014.

Lerner, the former IRS director of Exempted Organizations, joked in one email that the 16th president should have just let the South secede, rather than fighting the Civil War.

"He should [have] let the south go," Lerner wrote in response to a friend who disparaged Texas as a "pathetic" state. "We really do seem to have [two] different mind sets."

And what is your "mind set" Ms. Lerner? That government officials should target American citizens if they hold political views you don't like?

The report also highlighted emails written by Lerner calling conservatives "crazies" and "a-holes."

Yes ladies and gentlemen, this is your government. Corrupt beyond belief, shady, unethical, dangerous and vengeful.

So why is Lois Lerner not sitting in a jail cell for this clear abuse of power? Because oligarchy. ★★★

## Forensic Evidence Identity Crisis

(The Economist) - The more that is known about a science, the more uses tend to be found for it. But in the case of forensics — the discipline through which villains are identified by stray fingerprints, strands of hair or other giveaways — it seems that the more is discovered about the field, the more courts are losing faith in it.

Advances in forensic science have led to spectacular breakthroughs in justice. In 2009 Sean Hodgson, who had spent 27 years in jail for the 1979 murder of a Southampton barmaid, had his conviction quashed after DNA tests proved that blood found at the crime scene could not have been his. But in other cases faulty forensic evidence has led police and prosecutors astray. In 2012 a man spent five months in jail awaiting trial for a rape committed in a city he had never visited, after a police lab confused his DNA with samples taken from the victim. In 2014, after spending 12 years in jail, Dwaine George had his murder conviction overturned after a retrial established that the tiny quantity of gunshot residue found on a coat in his house could have been picked up anywhere.

In America, concerns about forensic evidence are well established. Dodgy forensics contribute to nearly half of all wrongful convictions there, according to the Innocence Project, a New York-based charity dedicated to overturning miscarriages of justice. In 2009 America's National Academy of Sciences argued that fingerprint, bite-mark and blood-spatter analysis were being used unreliably. Earlier this year a report by a defense-lawyers' association found hair analysis to be untrustworthy in 95% of cases.

As a result of such doubts, the use of some forms of forensic evidence has been suspended. In January a

New York judge threw out evidence obtained from mixed DNA analysis, where two profiles are extracted from one sample. The FBI has abandoned the use of gunshot residue. Scepticism has grown in other countries, too: the Netherlands has given up the use of handwriting analysis, for instance.

Britain, on the other hand, remains keen on the Sherlock Holmes stuff. Mixed-DNA, gunshot residue and handwriting analysis are all still used in British trials, to the concern of some jurists. The profession has other problems, highlighted in a recent series of papers published by the Royal Society, a fellowship of eminent scientists. A restructuring of the national forensics service in 2011, in which the scientific analysis of crime-scene evidence moved from the public to the private sector, left it fragmented.

According to two official reports that followed, this led to dangerous levels of disorganization.

Problems are not limited to the lab. Scientists and lawyers come from different cultures with different languages, and can find it hard to explain things to each other in court. This makes it easier for barristers wilfully to misrepresent the evidence, according to Paul Roberts of Nottingham University's school of law. Meanwhile jurors, educated by crime dramas, tend to overestimate what forensics can do—a tendency dubbed the "CSI effect" by lawyers.

The forensics profession has been slow to address its problems. And the erosion of forensic science's credibility has happened so gradually that policymakers have not fully realised the scale of the problem, thinks Mr Roberts. This is worrying: cutting-edge science tends to be experimental, but justice should try not to be. ★★★



## Bill would protect civilians recording police activity



By Patrick Mcgreevy

(LA Times) - From the LAPD beating of Rodney King 24 years ago to last year's death of Eric Garner after a scuffle with New York police officers, bystanders who recorded the incidents on video have allowed the public to see at least some of what happened.

One California state senator wants to protect citizens who properly record the actions of officers in public from arrest or interference by the police. Sen. Ricardo Lara (D-Bell Gardens) has introduced legislation that

would clarify that a civilian who makes an audio or video recording of a police officer, while the officer is in a public place, is not violating the law.

The measure also would make clear that recording does not constitute reasonable suspicion to detain a person or probable cause to arrest.

"Recent events throughout the country and here in California have raised questions about when an individual can -- and can't -- record," Lara said in a statement. "SB 411 will help erase ambiguity, enhance transparency and ensure that freedom of speech is protected for both police officers and civilians."

The bill also restates that civilians are not allowed to obstruct an officer from doing his or her job. Representatives of the Los Angeles Police Protective League and California Police Chiefs Assn. were not immediately available for comment on the legislation.

The First Amendment permits the filming of police officers in public places as long as the filming does not interfere with officers, according to Larry Doyle, a legislative representative of the Conference of California Bar Assns. "Recordings of law enforcement activity benefit victims and innocent police officers by creating clear evidentiary accounts of what took place," Doyle said in a statement released by Lara's office. ★★★

## Seattle City Council Unanimously Approves "Gun Violence Tax" on Firearms, Ammo

By Barry Donegan  
Truth In Media

The Seattle City Council voted unanimously on 8/10 to levy what lawmakers are calling a "gun violence tax" on ammunition and firearms sales. Seattle, Wash. lawmakers also approved a bill that would penalize individuals who fail to report lost or stolen firearms with up to a \$500 fine. Seattle Mayor Ed Murray reportedly supports both bills.

According to The Seattle Times, the measure, which was introduced by City Council President Tim Burgess, would apply a \$25 tax on firearms sales, a 5 cents-per-round tax on most types of ammunition, and a 2 cents-per-round tax on ammunition at or below .22 caliber.

Seattle Mayor Ed Murray said in a statement on the tax proposal, "The unanimous Council vote on this ordinance demonstrates the commitment of this City and this community to lead on the ongoing national epidemic of gun violence. While action at the federal level and in many other jurisdictions remains gridlocked, we are moving ahead to address an issue so damaging to the young people of Seattle, especially young people of color."

KOMO-TV notes that city officials estimate that the tax will bring in between \$300,000 to \$500,000, which would be spent on gun safety and gun violence prevention programs. Lawmakers plan to implement the program on January 1, 2016.

However, Washington state law bans municipalities

from regulating firearms, and gun rights groups are expected to sue to block the legislation. A Seattle law banning guns in parks was overturned in 2010 after pro-gun organizations filed suit. Seattle City Attorney Pete Holmes has argued that the tax is authorized under the city's taxing authority.

Second Amendment Foundation co-founder Alan Gottlieb called the proposal "dead on arrival" and said, "The courts aren't going to buy it. This is not authorized by state law, and therefore it's not going to hold up."

Some gun shop owners believe the tax is a covert attempt at driving them out of the city. Sergey Solyanik, who owns the Seattle-area gun shop Precise Shooter, said, "I would have almost no margins, so I would pass the tax on to my customers and most people would simply not buy from me. They would go to any of the stores around Seattle — there are a large number — and I would have to close." He also pointed out the facts that guns and ammunition would still be available tax-free just outside of the city and that city officials' tax revenue estimates are not factoring in the possibility that buyers will shift their purchases away from stores within city limits to evade the tax.

City Council President Tim Burgess said that he has been inundated with emails about the proposal. "The reaction has been mixed. We're getting a ton of emails arriving from outside Seattle and across the country in opposition. But we're getting emails of support, as well," he said. ★★★



City Council President Tim Burgess

## U.S. Police shot and killed more people in July than any other month yet



By Wesley Lowery  
Washington Post

More people were shot and killed by on-duty police officers in July than in any other month so far in 2015.

At least 103 people were shot and killed by police officers last month, according to a Washington Post database tracking all fatal on-duty police shootings this year. That is 13 more fatal police shootings than March, the second most deadly month, during which 90 people were shot and killed by police.

As of today, The Post has tracked 570 fatal police shootings.

July joins April as the only two months so far this year with at least one fatal police shooting every day, and there were 14 days in July with four or more shootings — including July 7, which had eight.

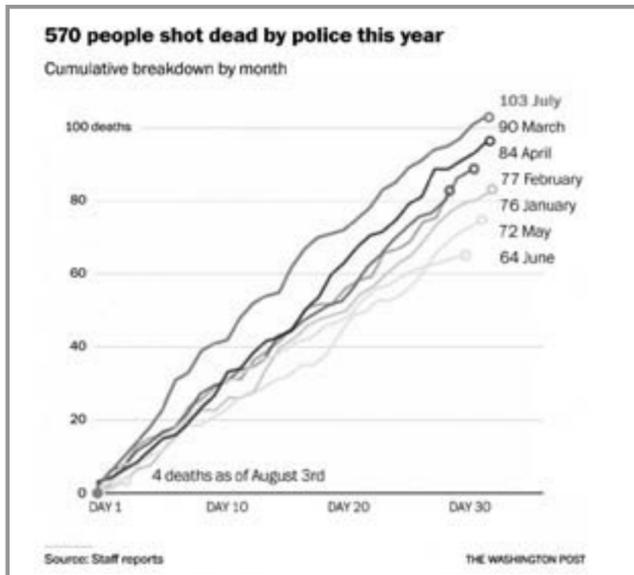
Of those killed in July, 87 of the 103 were armed, and in 17

— 44-year-old Tamala Satre, a white woman who was shot and killed July 23, 2015, in a house in Meadow Vista, Calif., after officers received a call about a suicidal person. After they arrived, police say, Satre pulled out a .38-caliber handgun and ignored orders to drop her weapon.

The number of fatal shootings by police so far this year tracked by The Post far exceeds the figures reported by the FBI for any single year since 1976. The federal data, which officials acknowledge is incomplete, has never recorded more than 460 fatal police shootings in an entire year. The Post identified 463 such shootings in just the first six months of 2015. ★★★

shootings mental illness was a factor.

Of the 103 victims of fatal police shootings, only one was a woman



## Bills seek to turn U.S. land over to 11 states

By John M. Glionna

(LA Times) - So far this year, 36 bills have been introduced in 11 western states aimed at wresting control of public lands from the federal government and turning management over to state legislatures, according to recent tally by a conservation group.

But a report released Tuesday said states are not prepared to administer public lands within their boundaries, adding that the bills are largely supported by a handful of state lawmakers with anti-government ideologies and do not have widespread public support.

The report, "Going to Extremes: The Anti-Government Extremism Behind the Growing Movement to Seize America's Public Lands," was issued by the Center for Western Priorities, which identifies itself as a nonpartisan land conservation policy organization. The group characterized the recent spate of bills as "advocating a wholesale grab" of federal lands.

According to the report, a bipartisan team representing Democratic and GOP polling groups found last year that 52% of voters in western states oppose state government taking control of managing public lands. The poll, conducted by Public Opinion Strategies, a GOP polling group, and FM3, a Democratic group, found that 71% of western voters believe that public lands belong to all Americans, not just residents of a particular state.

Nevada state Rep. Michele Fiore, who this year introduced a bill for her

state to take control of 85% of Nevada now being administered by Washington, balked at those conclusions.

"Any poll can be skewed to the agenda of what the pollsters want them to prove," she said. "That most Americans think that the federal government should own our land is simply not correct."

The report is the latest volley in an often bitter battle across the West in which many states insist they can do a better job taking care of vast swaths of public land than bureaucrats in far-off Washington.



Utah state Rep. Ken Ivory

Utah state Rep. Ken Ivory, an outspoken critic of federal intervention in public lands, labeled claims made in the report "patently ridiculous."

"It's actually laughable," he said. "We have worked through the legislative and education processes and will soon enter the legal process with the federal government on this issue. If that's extremism, we simply do not have the structures of government engineered for by the founding fathers."

Of three dozen bills proposed in 11 states, six measures passed in states including Nevada, Utah and Montana mandate further studies of state-led land management. No state has yet voted to seize federal lands within its boundaries.

The Center for Western Priorities report says most states are ill-equipped to manage public lands.

Ivory called the report "fear-mongering."

★★★

## 28 years later: Denver D.A. tries to quash facts in apparent wrongful conviction case

By Susan Greene  
The Colorado Independent

A convicted rapist is making strong admissions in a Denver rape case for which an apparently innocent man is serving his 28th year in prison.

After three days of bombshell testimony in Denver District Court, the biggest mystery in the 1987 rape, beating and burglary in Denver's Five Points neighborhood seems less about "who dunnit?" than why District Attorney Mitch Morrissey's office continues trying to quash facts about what for years has looked like a wrongful conviction.

Judge Kandace Gerdes has two months to decide whether to grant a new trial to Clarence Moses-EL, who's serving a 48-year sentence for a rape he has said, unwaveringly, he didn't commit.

The following new evidence backs up his claim:

\*That L.C. Jackson — the first man the victim named, repeatedly, as her assailant — is confessing to having sex with her and beating her up at the exact time and place of her attack.

Police and prosecutors never questioned Jackson as a suspect. Instead, they pursued Moses-EL based on the only evidence linking him to the case: The victim's assertion a day and a half later that his identity came to her in a nightmare.

\*That Jackson's then live-in girlfriend corroborates Jackson's testimony that he had left their house during the exact time of the victim's nearby attack

\*And that blood evidence shows it's "very likely" the perpetrator's semen was from a man with Jackson's blood type and "very unlikely" it came from a man with Moses-EL's, according to a University of Denver forensic biology expert



Clarence Moses-EL, Photo by Susan Greene

who analyzed the results of a vaginal swab from the case.

Data about the swab is all that's left of the forensic evidence which — though stored in a box marked "Do Not Destroy" so it could be tested for DNA — police tossed in a dumpster.

"Mr. Moses EL has been waiting a long time for this day — almost exactly 28 years," defense attorney Eric Klein told Judge Gerdes, trying to persuade her to let Moses-EL be retried.

"We've got abundant evidence pointing to L.C. Jackson," Klein continued. "At the end of the day, a jury would have reasonable doubt. A jury should get to hear this evidence and make a decision."

Morrissey doesn't want a new trial. He and his staff have spent nine years not only denying that there's any new evidence in Moses-EL's case, but also misstating facts about it.

In a stunning display of tax-funded, win-at-all-costs hubris, Morrissey's chief deputy, Bonnie Benedetti, spent much of the three-day hearing trying to defend Moses-EL's conviction despite the fact that, through a DNA cold case hit orchestrated by her own office, Jackson has been convicted in what had been the unsolved 1992 rape of a mother and her 9-year-old daughter at knifepoint not far from the scene in the Moses-EL case and under circumstances that were uncannily familiar.

Benedetti tried blocking several defense witnesses in the Moses-EL hearing, saying their testimonies would be a waste of the court's time.

She strained to argue that Jackson's sworn confession "wasn't a confession." She said he lacked credibility because he admitted only to having consensual sex — not raping — the victim he also beat up in Moses-EL's case. And she said his admissions put forth "absolutely no new evidence in this case whatsoever."

"There is nothing new," Benedetti told Gerdes.

The judge used to work with Benedetti — and under Morrissey — as a Denver prosecutor. She has 63 days to issue a written order about whether there's enough new evidence to lift Moses-EL's conviction and, if her former colleagues in the D.A.'s office so choose, let them retry him.

"I'm making it an utmost priority," Gerdes said. ★★★



District Attorney Mitch Morrissey



## US-OBSERVER NOTE ON FALSE CHARGES:

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

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

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

**541•474•7885**  
editor@usobserver.com

**LIBERTARIAN • li-bər-'ter-ē-ən**

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

—Merriam-Webster

# YOUR PERSONAL LIBERTY

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

## Freedom and central planning can never coexist

By Brandon Smith

The average person is a statist, whether he realizes it or not. It is important that liberty activists recognize and accept this fact because the truth of our limitations as a movement determines the kinds of solutions into which we should ultimately put our time and energy. The fantasy of a final grand march of an awake and aware majority on the doorsteps of power is just that: a fantasy. Some people might argue that given more time, such an event could be organized or could happen spontaneously. But what these people seem to forget is the immediacy of crisis inspires awareness and cuts the bindings of complacency for a certain percentage of any given population. With “more time” often comes more complacency.

So history becomes a kind of balancing act, with crisis generating the necessity of intelligent and moral action in some people but rarely, if ever, in most people (even during the American Revolution, in which patriots represented a stark minority). The reason that the culture of freedom consistently plateaus and remains stuck at underdog status is because human beings are obsessed with the idea that governments should retain prohibitory and administrative power over the public. As stated earlier, the average person is a statist.

Not all people necessarily “love” their current government, but many citizens tend to see the idea of government as an inevitability of a stable society. They assume pre-eminence of the state because they have never known anything else. Not only that, but as people separate into political and ideological factions, often based on false paradigms (such as the false left/right paradigm), they covet government as a kind of tool or weapon that can be used for “the greater good” if only their side had total control of it. Very few people in this world want to shrink government down to a manageable size comparable to that which existed just after the American Revolution, and even fewer would entertain the idea of erasing central governments entirely. The allure of the state as a means to impose ideological control over others is intoxicating.

At bottom, the only viable purpose of any central government is to safeguard individual liberty. All other claims and supposed benefits are irrelevant. Infrastructure, food and water, health, education, public security: All of these issues can be provided for at a local level by common people without the aid of a central authority. In a culture where vigilance is encouraged rather than labeled paranoia, in a culture where productivity is enabled rather than obstructed, in a culture where free thought is treated with interest rather than disdain, government holds no value.

The only people who understand the true nature of government and still value the existence of an overreaching state are the people who would like to exploit the unchecked power such a state affords. We often call these people “elitists.” They often call themselves elitists. Big government serves only the interests of these elites. Everyone else is either a hapless victim of it, a useful idiot in service to it or a revolutionary opposed to it.

When a government becomes a power mechanism for a select few, it has lost all relevance. When a government like ours here in America violates the tenets of individual liberty despite its constitutional mandate in the name of “protecting” individual liberty, that government no longer serves any purpose. Even further, when a government’s policies are designed only to ensure its own continued dominance rather than the freedom and prosperity of the citizenry, that government becomes separate from the people and is, by extension, an enemy to the citizenry.

Governments and the elites behind them retain control over populations through the use of central planning. Central planning is essentially a bureaucratic structure that bottlenecks productivity, resources, academia and ideas until all progress and expression require approval. That is to say, central planning is a machine that turns rights into privileges. It also sets up bureaucracy as the final arbiter of who is considered an authority in any particular field and who is a “layman.” These designations are not based on individual ability, intelligence or accomplishment. Rather, they are based on subservience and the level of blind faith in the establishment each person is willing to display in order to attain professional status.

Some of the most ignorant people in any given field or profession are often those deemed “experts” by establishment institutions, from politics, to law, to medicine, to economics, to science, to history, etc. The sad fact is mainstream experts are rarely the most knowledgeable, but they are the most

indoctrinated.

As central planning gains ground, it moves away from more subtle institutional dependencies into full-bore tyranny. The line between permission and despotism is razor-thin, and this is where we in the U.S. stand today. Most nations around the globe are socialized nations, with central planning as the very foundation on which their societies stand. For the most part, these cultures are disarmed and servile with a modicum of perceived freedom that is treated as a privilege granted by the state rather than an inborn right of natural law. Yes, many societies have “freedoms,” as America does; but the difference is that these societies can have their freedoms confiscated at any given moment on the whim of the political elite. They have no recourse to obstruct such an action and no power to remove the offending system that rules over them when they finally get fed up.

In the U.S., central planning is surely prevalent and socialization is on a fast track. But Americans still retain the ability of independent response — as we saw at Bundy Ranch, for instance, or in the defense of shopkeepers in Ferguson, Missouri, despite threats from government. We will lose our advantage of independent action if we allow the following changes to occur within our culture.

### DISARMAMENT

A disarmed population is utterly useless, philosophically and organizationally impotent, and easily ruled. Take a look at simpering weakling societies like the U.K., which prohibits anyone under the age of 18 to

**“Essentially, central planning is not about the efficient allocation of economic resources, it is about control.”**

--Daron Acemoglu and James Robinson, *WHY NATIONS FAIL*

**“The greatest advances of civilization, whether in architecture or painting, in science and literature, in industry or agriculture, have never come from centralized government.”**

--Milton Friedman

purchase plastic knives and punishes victims of crime for physically defending themselves. Governments that seek to undermine personal liberty always disarm their respective populations if they can get away with it. In America, the only reason we have not yet been disarmed is because the establishment understands that revolution would immediately follow any attempt and that revolution would be seen as justified. I believe ultimately that disarmament in the U.S. will not be fully attempted until a national crisis has been triggered.

### CENTRALIZED HEALTH STANDARDS

The real purpose of Obamacare was not to provide universal health insurance. Such a task is utterly impossible in an economic system that is in the midst of decline with an aging population and reduced profit opportunities for the young. Socialism works only as long as there is someone from whom to steal money and resources. No, the purpose of Obamacare was to bond the healthcare industry to government in such a way as to make it an appendage of the state.

Already, we have seen the push for the use of doctors as government informants, the issuance of forced vaccinations regardless of religious orientation or philosophical objection, increased taxation in the name of “harmonization” of care, etc. The system must continue to perpetuate its own usefulness. And I have no doubt that one day we will see such things as mandated health appraisals of individuals up to and including psychological health, as well as restricted care based on age,



life habits or even ideological orientation. If the state can have your flight status restricted merely for your political beliefs, then why not one day have your access to medical care restricted?

### POPULATION PLANNING

We have heard it said many times that people should be required to attain a “license” before they are allowed to have children, but who gets to decide who is eligible for the “privilege” of children? Well, the state and its central planners do, of course. And what makes such people so ethically competent as to deserve this power over the right to family? Not a thing. In many cases, bureaucrats are the most psychopathic and unintelligent people in any given society.

Some people might argue that this kind of development is unthinkable in America and not a legitimate concern. But already in the U.S. we have seen instances of Child Protective Services abductions of children belonging to parents with political conflicts with the existing establishment and living habits outside of the mainstream. We also live in a system in which many parents are forced by law to hand over their children to state-controlled schools for half of every weekday (and home-schoolers are attacked as aberrant child abusers). We are only a short step away from a world in which having a child invites as much government intrusion and restriction as rearing a child.

### OVERT MILITARIZATION OF POLICE

Yes, many people would claim that overt militarization of police has already occurred. I would say that they haven’t seen anything yet. We do not yet live in a country where jacked out cops with armor and M4 carbines stand on every street corner 24/7, but it won’t be long before this becomes our everyday environment. With politicians openly suggesting extreme measures to combat “lone wolf terrorists,” up to and including internment camps for “disloyal Americans” (thanks for at least being honest about your intentions, Wesley Clark), all it would take is one large-scale attack to inspire enough confusion in the population to provide cover for a full-blown police state. Central planning survives and thrives through fear. Fear is defeated through preparedness, planning and mindset.

### RESOURCE MANAGEMENT

A person cannot plan or prepare for crisis if he is not allowed to manage his own resources. In Venezuela today, the government has locked down all food production and is rationing out necessary supplies through sophisticated electronic tracking due to economic crisis. Make no mistake, America is just as vulnerable to financial disaster as any Third World nation, if not more so. Resource management will be the inevitable result. In fact, the Obama administration has already positioned itself for resource management

through the National Defense Resources Preparedness Executive Order. Government officials will call preppers “hoarders” and argue that no one person should be allowed to have more than he needs. Again, it will be state bureaucrats who will decide what amount of resources is too much.

### CENTRALIZED ECONOMY

We already have a centralized and socialized economy for the most part, but private trade and production are still possible. Central planning is designed to wipe out alternative forms of trade and subsistence so that all people can be made dependent on the singular state. As in Venezuela, we should expect that economic declines will be used as a rationale for a clampdown on individual trade. The only way to fight these kinds of measures is for average people to become avid producers and be willing to fight back physically against confiscation and government-controlled rationing.

Beyond trade controls, centralization will culminate in economic “harmony” through multilateral currency schemes, ending in a one-world currency. A single currency system by default calls for a single economic authority, and this by default calls for a single political authority. A one-world currency is not only a fiscal coup for central planners; it is also a stepping stone toward world government.

### CASHLESS SOCIETY

A cashless system is a kind of unholy grail for central planners because it allows for total control of economic trade. Electronic-based currency systems can be dictated from the comfort of a computer, and savings can be erased or limited arbitrarily. Cashless systems also allow banking structures to operate without the normal consequences of supply and demand fundamentals. Today, even in our massively corrupt financial system, one cannot get around the concrete effects of diminishing demand, endless debt obligations and criminal fiat creation. We are seeing these effects vividly so far in 2015, just as we saw then in 2008. In a completely cashless system, though, debts can vanish, capital can be stolen and shifted away from the public in a more precise manner, taxes can be excised without waiting for taxpayers to comply, and demand can be artificially generated with digital fiat directed to the correct accounts without any trail to follow.

Of course, there will be damages. But those damages will be foisted upon the general public incrementally until Third World living standards become normal, and no one will be the wiser after a couple of generations. Control of the population would be absolute, while any dissent could be met with immediate financial reprisal, as activists are sentenced to starvation.

The examples listed above may be measured as extreme, but every single one has support within our existing government structure either legally or through actual programs already being implemented. The speed at which they might occur is an unknown, but the desire for them by central planners is absolutely certain. There is no good or benevolent form of central planning. There is no scenario in which the system will not be abused because such power concentrated in the hands of any group of human beings invites abuse. Therefore, the only prudent course, the only solution to the absolute terror of complete state power, is to reduce government down to a shell of its current size or to remove its existence entirely and focus on localized systems and independent trade and infrastructure development. If the state as an edifice no longer exists, then it can no longer be exploited by evil people.

★★★

# PERSONAL LIBERTY CONTINUED

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

## Yes, you can resist government tyranny



By Bob Livingston

There is government and there is us, and it seems that never the twain shall meet.

Government makes laws out of thin air. But those laws are meaningless without the consent of the people.

All too often people accept the laws even if they don't like them, especially if government tells us they are for our own good. More often than not, laws passed "for our own good" are not good for us at all, but are good for government. They increase government power or they enrich the system, but they reduce our liberties.

Last week, I mentioned in "You are guilty!" that an unelected bureaucrat working for the Alabama Department of Transportation (ALDOT) had taken it upon himself to write a "law" ostensibly making it illegal to carry a weapon in rest areas along Alabama's highways and interstates. Signs then went up at all Alabama rest areas proclaiming that carrying a weapon into the rest area was

unlawful and any "offender" would face fines and imprisonment.

Yellowhammer News reported:

*ALDOT cites a provision of the Alabama Code that gives the agency the power to "prescribe any reasonable rules and regulations so as to prevent unnecessary trespassing upon or injury to any of the public roads, bridges, or highways of the state upon which state money may be expended or appropriated or upon any part of the right-of-way of any of the public roads or highways in the state upon which state money may be expended or appropriated."*

*In their own administrative rule, ALDOT created a regulation which reads, "No person other than a duly authorized law enforcement officer shall enter any Alabama Department of Transportation building with a firearm... without the written permission of the Director."*

*This ALDOT enactment seems to contradict state law, which gives "the Legislature complete control over regulation and policy*

*pertaining to firearms, ammunition, and firearm accessories in order to ensure that such regulation and policy is applied uniformly throughout this state to each person subject to the state's jurisdiction and to ensure protection of the right to keep and bear arms recognized by the Constitutions of the State of Alabama and the United States."*

Suddenly a person exercising his 2nd Amendment right was to become a criminal (or a "trespasser" under the "rules and regulations") in the eyes of ALDOT by passing an imaginary barrier established by a pointy-headed cubicle dweller in the hallowed halls of ALDOT. The choices left to the citizen were to disarm while traveling, ignore the law as arbitrary and stupid and become subject to the criminal justice system, or relieve himself on the side of the road and again become subject to the criminal justice system.

This "law" stood in conflict with an Alabama law recently passed that reinforced Alabama as an open carry state and designated the areas in which it is not legal to carry (the lunacy of this is a discussion for another day). But rest areas were not included in the list established by the Legislature, and Alabama law already stated that only the Legislature — and not government agencies or counties or municipalities — can make laws regarding guns.

Despite widespread outcry by Alabamians and several gun rights groups, ALDOT refused to back down on its edict and, in fact, passed the buck off to Alabama's feckless and likely corrupt attorney general. (I say "likely corrupt" because an air of corruption surrounds his office's handling of ethics charges filed against the state's Republican House majority leader.)

Attorney General Luther Strange, who campaigns as a conservative but behaves as something much less, crawled into his shell — as he has done on all gun-related issues before this one — and tried to ignore the issue altogether, hoping it would blow over. It would

not. ALDOT, the attorney general's office and the governor's office were all swamped with calls. There was even a growing groundswell movement of gun owners pledging to go to all of the state's rest areas carrying their weapons in an act of civil disobedience. Prominent among those pledges was a letter to ALDOT Director John Cooper, shared by "Three Percenter," journalist and smuggler Mike Vanderboegh on his Sipsey Street Irregulars blog.

*"[I]f you ignore the telephone blitz you are currently experiencing, it will be my honor and my pleasure to lead 'I Will Not Comply' armed civil disobedience actions numbering (at least) in the hundreds of participants at every Alabama Welcome Center in the state, as well as in front of your headquarters," Vanderboegh told Cooper after outlining some of the actions he's led defying edicts in other states. "So, I hope you save us the trouble and reverse this dangerous and deadly policy."*

On Friday, Alabama's faux conservative, milquetoast, education union tool-of-a-governor relented and ordered ALDOT to remove the signs. After all, as he has so eloquently stated of late after he vetoed a budget that cut spending and called the Legislature back into special session, he doesn't need distractions because he has "taxes to raise and work to do."

The truth is that government is not used to people standing up to it over its unjust laws. It counts on people mindlessly accepting whatever outrage it foists upon them.

But remember, there are more of us than there are of them. They don't forget that. They just count on you forgetting.

And the laws passed by government bureaucrats and the elected class are worthless and meaningless without their armed-enforcer class looking their fellow citizens in the eyes while they abuse them enforcing those unjust laws. That is why I hold the enforcer class in such contempt. ★★★

## Intel Officials use 'lone wolf' terrorists to justify calls for more spying power

By Sam Rolley

(PLD) - Director of National Intelligence James Clapper said Tuesday that Americans should be more worried about "lone wolf" extremists in the homeland than organized terror as he called for changes that would make it easier for the government to keep tabs on individuals.

Clapper told MSNBC's Andrea Mitchell that intelligence officials are having a tough time detecting radicalization in individuals throughout the country because of "declining" effectiveness of the tools they use to ferret out possible lone wolf threats.

"This is a very serious problem for us, particularly in light of the growing use of encryption," Clapper said. "When an overseas recruiter gets a promising prospect here in the United States on the line and then directs them to go to an encryption system, and then we kind of lose the continuity."

Clapper's remarks are the latest in a growing government campaign to encourage tech companies to provide backdoors in their data encryption for use by U.S. law enforcement.

On numerous occasions, FBI Director James Comey has also referenced increased danger of lone wolf attacks in the U.S. because of communication technology advances.

"From a homeland perspective, it is ISIL's widespread reach through the Internet and social media which is most concerning as ISIL

has aggressively employed this technology for its nefarious strategy," he recently told the Senate. "ISIL blends traditional media platforms, glossy photos, in-depth articles and social media campaigns that can go viral in a matter of seconds. No matter the format, the message of radicalization spreads faster than we imagined just a few years ago."

As terrorists are getting more tech savvy, Comey has claimed, the FBI is "going dark" because of encryption advances.

The only answer, according to the intelligence community, is providing the government with unfettered access to private communications data and trusting that it won't be abused.

Meanwhile, a new U.N. Human Rights Committee review gave the U.S. government a "not satisfactory" mark for its track record of protecting privacy and civil liberties.

Via The Intercept:

*In particular, the committee noted that the U.S. government failed to establish an adequate oversight system to make sure privacy rights are being upheld, and failed to make sure that any breaches of privacy were regulated and authorized by strict law, such as requiring a warrant. The lowest grade reflected the U.S.'s failure to "Ensure affected persons have access to effective remedies in cases of abuse."*

*The committee also expressed dismay at the U.S.'s failure to "Establish the responsibility of those who provided legal pretexes for manifestly illegal behaviour."* ★★★



## Secessionist movement in California draws rural support



By PLD's News Desk

The long-brewing secessionist movement in Northern California got another momentary boost this week when a crowd of secessionists turned out at a meeting to win local government support for the plan.

Sacramento's KCRA News reports that "hundreds" of pro-secession Californians showed up at a board of supervisors meeting in El Dorado County to float a proposal that would create a 51st U.S. state from California's 20 northernmost counties.

"The state of Jefferson would be made up of California's 20 northernmost counties with a population of approximately 1.7 million people, similar to the number of people living in Idaho," the reports states.

"Under the current vision, each of the 20 counties would have one state senator, while the 60 assemblymen would represent districts based on population size.

"Currently the region in question is represented by just six lawmakers in Sacramento. The rest of California has 114."

Weak representation of the state's rural population and its generally shared set of rural values and priorities has been a defining feature of the push to create the so-called State of Jefferson. Many residents of California's rural northern region believe their interests barely register in Sacramento, where representatives of the state's enormous urban centers greatly outnumber those from the north.

"We have 11 counties up here with one state senator, L.A. County has 11 senators so you



can see the mismatch," secession advocate Mike Thomas told KCRA. "Our Founding Fathers never envisioned that a state would actually do that."

The board of supervisors did not pledge anything to the secessionists, other than to give the matter further thought. ★★★

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# COMMENTARY Your Right to Speak Out

## The Tyranny of One Man's Opinion



By Judge Andrew Napolitano

(FOX News) - Thomas Cromwell was the principal behind-the-scenes fixer for much of the reign of King Henry VIII. He engineered the interrogations, convictions and executions of many whom Henry needed out of the way, including his two predecessors as fixer and even the king's second wife, Queen Anne.

When Cromwell's son, Gregory, who became sickened as he watched his father devolving from counselor to monster, learned that an executioner for the queen had been sent for from France a week before her conviction, he asked his father what the purpose of her trial was if the king had preordained the queen's guilt and prepaid the executioner. Cromwell replied that the king needed a jury to give legitimacy to her conviction and prevent the public perception of "the tyranny of one man's opinion."

In America, we have a Constitution not only to prevent the perception but also to prevent the reality of the tyranny of one man's opinion. The Constitution's Fifth Amendment makes clear that if the government wants life, liberty or property, it cannot take it by legislation or executive command; it can do so only by due process -- a fair jury trial and all its

constitutional protections.

The constitutional insistence upon due process was the result of not only the Colonial revulsion at the behavior of Henry and his successors but also the recognition of the natural individual right to fairness from the government. If one man in the government becomes prosecutor, judge and jury, there can be no fairness, no matter who that man is or what his intentions may be. That is at least the theory underlying the requirements for due process.

President Barack Obama has rejected not only the theory but also the practice of due process by his use of drones launched by the CIA to kill Americans and others overseas. The use of the CIA to do the killing is particularly troubling and has aroused the criticism of senators as disparate in their views as Rand Paul and John McCain, both of whom have argued that the CIA's job is to steal and keep secrets and the military's job is to further national security by using force; and their roles should not be confused or conflated, because the laws governing each are different.

Theirs is not an academic argument. The president's use of the CIA is essentially unlimited as long as he receives the secret consent of a majority of the members of the House and Senate intelligence committees. The secret use of these 37 senators and representatives constituting the two committees as a Congress-within-the-Congress is profoundly unconstitutional because Congress cannot delegate its war-making powers to any committee or group without effectively disenfranchising the voters whose congressional representatives are not in the group.

Moreover, the War Powers Resolution regulates the president's use of the military and essentially precludes secret wars. It requires the public consent of a majority of the full Congress for all offensive military action greater than 90 days. That, in turn, brings about transparency and requires a national political will to use military force.

President Obama has formulated rules -- agreed to by a majority of the 37, but not by a majority in Congress -- that permit him to kill

Virginia, was aimed at a house in Pakistan and was sent on its lethal way without the approval of the Pakistani government or the knowledge of President Obama.

The use of drones is not only constitutionally impermissible but also contraindicated by the rules of war. Drones pose no threat and little danger to those doing the killing. Except when the intelligence is bad -- as it was in the January case -- deploying drones is a low-risk endeavor for the country doing so. But Obama's wars by robots produce more killing than is necessary. War should be dangerous for all sides so as to limit its lethality to only those venues that are worth the risk -- those that are vital for national security.

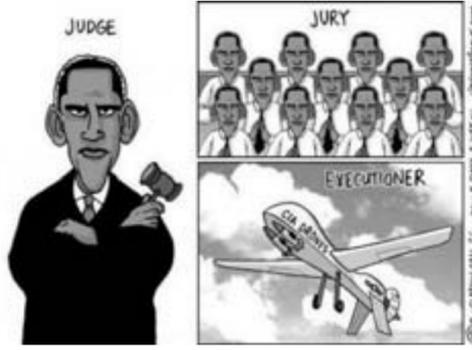
If war is not dangerous, it will become commonplace. By one measure -- the absence of personal involvement by decision-makers -- it has become commonplace already. A mere three years after his self-written rules for the deployment of drones were promulgated, the president has delegated the authority to order drone killings to his staff, and the members of the congressional intelligence committees have delegated their authority to consent to their staffs.

Obama apparently doesn't care about the Constitution he swore to uphold, but he should care about the deaths of innocents. Obama's drones have killed more non-targeted innocents in foreign lands than were targeted and killed in the U.S. on 9/11.

And the world is vastly less stable now than it was on 9/11. The president's flying robots of death have spawned the Islamic State group -- a monstrosity far exceeding even Henry VIII and Thomas Cromwell in barbarity.

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

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Americans and others overseas when he believes they are engaging in acts that pose an imminent threat to our national security, when their arrest would be impracticable and when personally authorized by the president. This is not federal law, just rules Obama wrote for himself. Yet none of the Americans he has killed fits any of those rules.

Recently, the White House revealed that in January, the government launched its 446th drone into a foreign land, and this one killed three Americans and an Italian, none of whom had been targeted or posed a threat to national security at the time of his murder. The drone, which was dispatched by a computer in

## Jury nullification not often discussed



By Glenn Harlan Reynolds  
Montgomery Advertiser

If you are a member of a jury in a criminal case, even if you think the defendant is guilty of the crimes charged, you are entirely free to vote for acquittal if you think that the prosecution is malicious or unfair, or that a conviction in that case would be unjust, or that the law itself is unconstitutional or simply wrong. And if you do so, there's nothing anyone can do about it.

Judges and prosecutors know this. But they don't want jurors to know it, which is why we occasionally see cases like this one in which jury-information activist Mark Iannicelli was arrested and charged with "jury tampering" for setting up a small booth in front of a Denver courthouse labeled "Juror Info" and passing out leaflets. Putting up a sign and passing out leaflets sounds like free speech to me, but apparently Denver District Attorney Mitch Morrissey feels differently.

It's legal, but prosecutors don't want jurors to know about it because if jurors knew they were free to acquit in the interest of justice, it would weaken prosecutors. (Prosecutors don't even like billboards aimed at educating jurors.)

Of course, prosecutors have essentially the same power, since they're under no obligation to bring charges against even an obviously guilty defendant. But while the power of juries to let guilty people go free in the name of justice is treated as suspect and called "jury nullification," the power of prosecutors to do the exact same thing is called "prosecutorial discretion," and is treated not as a bug, but as a feature in our justice system.

But there's no obvious reason why one is better than the other. Yes, prosecutors are professionals -- but they're also politicians, which means that their discretion may be employed politically. And they're repeat players in the justice system, which makes them targets for corruption in a way that juries -- laypeople who come together for a single

case -- aren't.

As Clay S. Conrad notes in his *Jury Nullification: The Evolution of a Doctrine*, to the framers of our Constitution, jury nullification was itself a feature, not a bug. Distrustful of the bureaucracy and even of the judiciary, framing-era Americans viewed a jury's refusal to convict as an important protection for liberty. This remained the case until, Conrad notes, juries began refusing to enforce the Fugitive Slave Act of 1850, because they thought returning escaped slaves to their owners was unjust. In response, the system began trying to get around juries' power not to convict.

These efforts increased when juries were reluctant to convict labor leaders, or to enforce Prohibition. And though there were racist juries that refused to convict racist defendants in the civil rights era, Conrad notes that those juries were part of a system that also involved racist prosecutors, racist police, and racist judges.

Nowadays, jury nullification is less important because, as I recently wrote in the *Columbia Law Review*, so few cases even go to a jury anymore. Instead, prosecutors draft massive "kitchen sink" indictments charging dozens or hundreds of crimes, then bludgeon defendants into accepting a plea bargain rather than risk a trial in which conviction on even a single count out of hundreds of charges could be disastrous.

A different kind of jury -- the grand jury -- is supposed to discipline prosecutors on indictments, but in practice, they've turned into rubber stamps for the most part.

If we value justice in this nation, the solution isn't to give prosecutors a freer hand. It's to hold them more firmly to the limitations our nation's founders intended. That's not "tampering." It's setting things right.

*Glenn Harlan Reynolds is a University of Tennessee law professor.*

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### Continued from page 1 • Rush to Judgment

more powerful. For years, it was the public; and the media would expose government corruption up to the highest levels. Now, it's the government; and the media, in general, obfuscates for the government, telling the people what has been pre-approved for public

The typical prosecutor is one of the most willing to rush to judgment. Prosecutors look at arrested individuals and force-feed stacked charges to them. They relay a sense of dread and never-ending incarceration to the accused in hopes to pry a plea deal from them.



Regardless, if there is evidence of innocence, they strive to convict the one who stands accused. And it works: 95 percent to 97 percent of every person in the U.S. charged with a crime takes a plea deal. Of those 3 percent to 5 percent who don't take a plea deal, 63 percent to 78 percent (depending on the offense) are convicted at trial. The perception, with such high "conviction" rates, is that those charged are always guilty. But it's a false

consumption and what the government has determined people should believe.

Nowhere is this more prevalent than in criminal cases when a person is arrested or charged and their name is reported not as the allegedly guilty party but as the one who in fact committed the crime. This reported presumption filters into the public perception and throughout the intended jury pool. If you stand accused, the rush to judgment is that you are guilty.

Inside the justice system we have officers who rush to judgment about individuals who happen to be in the wrong place at the right time for the officers to arrest. Many seem to be fueled by a "blood-in-the-water" appetite to arrest (and abuse). Anyone who stands in the way of their "authority" is a target. These officers often perpetrate the biggest of frauds on those they are supposed to protect and serve, by arresting them on trumped-up crimes like resisting arrest and/or obstruction of justice. However, when an officer does stand on the side of the law and of the people, their "brothers in blue" often ridicule them right out of the force. If you aren't on "their" side, you are one of "them."

perception based on a system that seeks conviction rather than justice, promotes an agenda of persecution rather than the prescribed notion of "innocent until proven guilty."

Recently, President Obama has been lauded by the mainstream for justice system reforms, and in part for commuting the sentences of 46 nonviolent offenders. What a joke. There is no reform, nor will there be. The system will stay broken. And 46 people are a drop in the bucket to thousands who plead because they were blackmailed into it, even though they may be innocent.

One thing that could help is this: If you are charged with a crime and you are innocent, don't take a plea deal! Fight and scream out loud to everyone who will hear you: "I am innocent!" Only then will some people look up from their haze and listen instead of rushing to judgment. And just maybe, we can demand accountability.

*For the last 12 years Ron Lee has spent his time helping US-Observer clients with his no-nonsense investigative reporting style. He also designed the look and feel of the US-Observer web site and newspaper.* \*\*\*

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

# COMMENTARY



By Alex Horton

I got home from the bar and fell into bed soon after Saturday night bled into Sunday morning. I didn't wake up until three police officers barged into my apartment, barking their presence at my door. They sped down the hallway to my bedroom, their service pistols drawn and leveled at me.

It was just past 9 a.m., and I was still under the covers. The only visible target was my head.

In the shouting and commotion, I felt an instant familiarity. I'd been here before. This was a raid.

I had done this a few dozen times myself, 6,000 miles away from my Alexandria, Va., apartment. As an Army infantryman in Iraq, I'd always been on the trigger side of the weapon. Now that I was on the barrel side, I recalled basic training's most important firearm rule: Aim only at something you intend to kill.

I had conducted the same kind of raid on suspected bombmakers and high-value insurgents. But the Fairfax County officers in my apartment were aiming their weapons at a target whose rap sheet consisted only of parking tickets and an overdue library book.

My situation was terrifying. Lying facedown in bed, I knew that any move I made could be viewed as a threat. Instinct told me to get up and protect myself. Training told me that if I did, these officers would shoot me dead.

In a panic, I asked the officers what was going on but got no immediate answer. Their tactics were similar to the ones I used to clear rooms during the height of guerilla warfare in Iraq. I could almost admire it — their fluid sweep from the bedroom doorway to the distant corner. They stayed clear of one another's lines of fire in case they needed to empty their Sig Sauer .40-caliber pistols into me.

They were well-trained, their supervisor later told me. But I knew that means little when adrenaline governs an imminent-danger scenario, real or imagined. Triggers are pulled. Mistakes are made.

I spread my arms out to either side. An officer jumped onto my bed and locked handcuffs onto my wrists. The officers rolled me from side to side, searching my boxers for weapons, then yanked me up to sit on the edge of the bed.

At first, I was stunned. I searched my memory for any incident that would justify a

## In Iraq, I raided insurgents. In Virginia, police raided me.

police raid. Then it clicked.

Earlier in the week, the managers of my apartment complex moved me to a model unit while a crew repaired a leak in my dishwasher. But they hadn't informed my temporary neighbors. So when one resident noticed the door slightly cracked open to what he presumed was an unoccupied apartment, he looked in, saw me sleeping and called the police to report a squatter.

Sitting on the edge of the bed dressed only in underwear, I laughed. The situation was ludicrous and embarrassing. My only mistake had been failing to make sure the apartment door was completely closed before I threw myself into bed the night before.

I told the officers to check my driver's license, nodding toward my khaki pants on the floor. It showed my address at a unit in the same complex. As the fog of their chaotic entry lifted, the officers realized it had been an unfortunate error. They walked me into the living room and removed the cuffs, though two continued to stand over me as the third contacted management to confirm my story. Once they were satisfied, they left.

When I later visited the Fairfax County police station to gather details about what went wrong, I met the shift commander, Lt. Erik Rhoads. I asked why his officers hadn't contacted management before they raided the apartment. Why did they classify the incident as a forced entry, when the information they had suggested something innocuous? Why not evaluate the situation before escalating it?

Rhoads defended the procedure, calling the officers' actions "on point." It's not standard to conduct investigations beforehand because that delays the apprehension of suspects, he told me.

I noted that the officers could have sought information from the apartment complex's security guard that would have resolved the matter without violence. But he played down the importance of such information: "It doesn't matter whatsoever what was said or not said at the security booth."

This is where Rhoads is wrong. We've seen this troubling approach to law enforcement nationwide, in militarized police responses to nonviolent protesters and in fatal police shootings of unarmed citizens. The culture that encourages police officers to engage their weapons before gathering information promotes the mind-set that nothing, including citizen safety, is more important than officers' personal security. That approach has caused public trust in law enforcement to deteriorate.

It's the same culture that characterized the early phases of the Iraq war, in which I served a 15-month tour in 2006 and 2007. Soldiers left their sprawling bases in armored vehicles, leveling buildings with missile strikes and shooting up entire blocks during gun battles with insurgents, only to return to their protected bases and do it all again hours later.

The short-sighted notion that we should always protect ourselves endangered us more in the long term. It was a flawed strategy that

could often create more insurgents than it stopped and inspired some Iraqis to hate us rather than help us.

In one instance in Baghdad, a stray round landed in a compound that our unit was building. An overzealous officer decided that we were under attack and ordered machine guns and grenade launchers to shoot at distant rooftops. A row of buildings caught fire, and we left our compound on foot, seeking to capture any injured fighters by entering structures choked with flames.

Instead, we found a man frantically pulling his furniture out of his house. "Thank you for your security!" he yelled in perfect English. He pointed to the billowing smoke. "This is what you call security?"

We didn't find any insurgents. There weren't any. But it was easy to imagine that we forged some in that fire. Similarly, when U.S. police officers use excessive force to control nonviolent citizens or respond to minor incidents, they lose supporters and public trust.

That's a problem, because law enforcement officers need the cooperation of the communities they patrol in order to do their jobs effectively. In the early stages of the war, the U.S. military overlooked that reality as well. Leaders defined success as increasing military hold on geographic terrain, while the human terrain was the real battle. For example, when our platoon entered Iraq's volatile Diyala province in early 2007, children at a school plugged their ears just before an IED exploded beneath one of our vehicles. The kids knew what was coming, but they saw no reason to warn us. Instead, they watched us drive right into the ambush. One of our men died, and in the subsequent crossfire, several insurgents and children were killed. We saw Iraqis cheering and dancing at the blast crater as we left the area hours later.

With the U.S. effort in Iraq faltering, Gen. David Petraeus unveiled a new counterinsurgency strategy that year. He believed that showing more restraint during gunfights would help foster Iraqis' trust in U.S. forces and that forming better relationships with civilians would improve our intelligence-gathering. We refined our warrior mentality — the one that directed us to protect ourselves above all else — with a community-building component.

My unit began to patrol on foot almost exclusively, which was exceptionally more dangerous than staying inside our armored vehicles. We relinquished much of our personal security by entering dimly lit homes in insurgent strongholds. We didn't know if the hand we would shake at each door held a detonator to a suicide vest or a small glass of hot, sugary tea.

But as a result, we better understood our environment and earned the allegiance of some people in it. The benefits quickly became clear. One day during that bloody summer, insurgents loaded a car with hundreds of pounds of explosives and parked it by a school.

They knew we searched every building for hidden weapons caches, and they waited for us to gather near the car. But as we turned the corner to head toward the school, several Iraqis told us about the danger. We evacuated civilians from the area and called in a helicopter gunship to fire at the vehicle.

The resulting explosion pulverized half the building and blasted the car's engine block through two cement walls. Shrapnel dropped like jagged hail as far as a quarter-mile away.

If we had not risked our safety by patrolling the neighborhood on foot, trusting our sources and gathering intelligence, it would have been a massacre. But no one was hurt in the blast.

Domestic police forces would benefit from a similar change in strategy. Instead of relying on aggression, they should rely more on relationships. Rather than responding to a squatter call with guns raised, they should knock on the door and extend a hand. But unfortunately, my encounter with officers is just one in a stream of recent examples of police placing their own safety ahead of those they're sworn to serve and protect.

Rhoads, the Fairfax County police lieutenant, was upfront about this mind-set. He explained that it was standard procedure to point guns at suspects in many cases to protect the lives of police officers. Their firearm rules were different from mine; they aimed not to kill but to intimidate. According to reporting by The Washington Post, those rules are established in police training, which often emphasizes a violent response over deescalation. Recruits spend an average of eight hours learning how to neutralize tense situations; they spend more than seven times as many hours at the weapons range.

Of course, officers' safety is vital, and they're entitled to defend themselves and the communities they serve. But they're failing to see the connection between their aggressive postures and the hostility they've encountered in Ferguson, Mo., Baltimore and other communities. When you level assault rifles at protesters, you create animosity. When you kill an unarmed man on his own property while his hands are raised — as Fairfax County police did in 2013 — you sow distrust. And when you threaten to Taser a woman during a routine traffic stop (as happened to 28-year-old Sandra Bland, who died in a Texas jail this month), you cultivate a fear of police. This makes policing more dangerous for everyone.

I understood the risks of war when I enlisted as an infantryman. Police officers should understand the risks in their jobs when they enroll in the academy, as well. That means knowing that personal safety can't always come first. That is why it's service. That's why it's sacrifice.

*Alex Horton is a member of the Defense Council at the Truman National Security Project. He served as an infantryman in Iraq with the Army's 3rd Stryker Brigade, 2nd Infantry Division.*

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By Dr. Ron Paul

Many people think the Internal Revenue Service was violating civil liberties when it harassed Tea Party groups. After all, the groups were

targeted because they wanted to exercise their civil liberty to challenge government policies. However, the specific issue in the IRS case was the groups' application for tax-exempt status, which seems to be an aspect of economic liberty. In fact, the IRS case demonstrates that there is no meaningful distinction between civil and economic liberties. A true friend of the free society defends both civil and economic liberties.

Many "civil libertarians" who oppose government laws interfering in the personal choices of consenting adults support laws preventing consenting adults from working for below the minimum wage. Other civil libertarians support government programs forcing consenting adults to purchase health insurance. Many liberals who join libertarians in opposing the NSA's warrantless wiretapping fail to protest Obamacare's assault on medical privacy. Even worse are those "1st Amendment defenders" who cheer on government actions preventing religious individuals from operating their businesses in accord with the teachings of their faith.

The hypocrisy of left-wing civil libertarians is matched by the hypocrisy of many

"economic conservatives." Too many conservatives combine opposition to high taxes and Obamacare with support for authoritarian measures aimed at stopping individuals from engaging in "immoral" behavior. These conservatives do not understand that using force to stop people from engaging in nonviolent activities that some consider immoral is just as wrong as using force to make people purchase health insurance. Obamacare and the drug war both violate individual rights, and neither has any place in a free society.

In a free society, individuals must respect the right of others to make their own choices free from government coercion. However, they do not have to approve of those choices. Individuals are free to use peaceful persuasion to stop others from engaging in immoral or destructive behavior. They can also avoid associating with individuals or businesses whose actions they find immoral or simply distasteful.

Many civil and economic libertarians also mistakenly believe that they can defend liberty while supporting an imperialist foreign policy. It is impossible to be a true civil libertarian, or a true fiscal conservative, and support the warfare state.

America's imperialist foreign policy is the underlying justification for the rise of the modern surveillance state, and the reason Americans cannot board an airplane without being harassed and humiliated by the Transportation Security Administration. The warfare state is also the justification for the government's greatest infringement on personal liberties: the military draft.

## The seamless web of liberty

The U.S. government's militaristic foreign policy costs taxpayers over \$1 trillion a year. The costs of empire are major drivers of the American debt. Yet many of the most fervent opponents of domestic spending oppose even minuscule cuts to the defense budget. The government's budget will never be balanced until conservatives give up their love affair with the welfare state and military Keynesianism.

Scholars, commentators and other public figures who defend liberty in some areas and authoritarianism in other areas — or combine a defense of economic or civil liberty with a defense of the warfare state — undermine the case for the liberties they claim to cherish. Restoring the link between economic liberty, civil liberty and peace is a vital task for those seeking to restore a society of liberty, peace and prosperity. I examine the link between an

interventionist foreign policy and a loss of our civil and economy liberties in my new book "Swords into Plowshares."

*Former Representative Ron Paul has maintained a steadfast consistency in speaking out against executive power, taxation and war. As a Congressman, he voted against the Patriot Act and against the Iraq war.*

*Paul is the author of many books, including End The Fed, Liberty Defined and Revolution: A Manifesto. Along with a lengthy political career as a Congressman and Presidential candidate, Paul has also worked as a respected obstetrician in his home State of Texas. Since his retirement from Congress in 2013, Paul has stayed busy encouraging Americans to fight for liberty by founding the Ron Paul Institute for Peace and Prosperity and his own news channel. ★*

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Tell him Devvy sent you!

Continued from page 3 • Escaped With Their Lives, Then Charged With Murder - The James Faire Story

although they had known Faire for much longer than that. Faire had been doing maintenance on St. Pierre's and Finegold's properties, while Angela cooked, cleaned, and attended to her terminally ill friend Michele, when Michele was at her Stanwood property. Given the destitution they found when they arrived for a visit last February, Nobilis started a fund-raising campaign for Michele and Richard while they were dealing with Michele's illness.

**MURDER OR ACCIDENT?**

After Michele's death, Faire and Nobilis notified Finegold and Debra Long that they would be traveling to the Sourdough property to pick up their belongings. Even though Michele St. Pierre had already died, Long intentionally withheld this information from Faire and Nobilis.

Upon arriving James Faire got out of his truck and when he saw 300-plus lb. George Abrantes coming at him with a chain, yelling obscenities, James drew the pistol he carried with him and held it at "low-ready" for a moment. According to an eye witness James was able to holster his gun and get back into his truck before being struck by the chain. After the incident, insider witnesses made it clear to police that the insiders intended to keep Faire and Nobilis from leaving the Sourdough property under the deception they were trespassing and committing theft.

The police reports in this case make it quite clear that James Faire was attempting to leave the property after being attacked by Abrantes, who was wielding a quite dangerous weapon, a heavy chain. Since when does attempting to avoid an Assault become a crime? When does attempting to protect yourself and your family become Murder?

The police report quotes insider Michael St Pierre, "Everyone was yelling at James. George especially was yelling at James. George started banging on the window with the chain with the lock on it and broke the window." The police reports go on to state that the truck had been struck by the chain and a "side mirror was shattered."

**INSIDER WITNESSES CONTROLLED BY DEBRA LONG**

It is obvious from reading the police reports that most, if not all "insider" witnesses thought that Debra Long was an attorney. Ruth Brooks stated to police that Debra Long "owned her own law firm." The police report continues to quote Brooks, "Debra was the most knowledgeable of all of them. Debra had suggested that they (meaning herself and the insider witnesses) come and secure the property... and move Angela and Strat's (James') belongings out of the house onto the porch or someplace that they could be notified to come and get them."

Just prior to Faire and Nobilis arriving at the Sourdough property Long's plans apparently changed. She instructed the insiders with her to move their vehicles out of sight. Long was obviously preparing her ambush. According to police reports,

as soon as Faire and Nobilis arrived, Long instructed Richard Finegold to go next door and call the police. Long and George then waited until Faire pulled completely into the driveway before she and George rushed Faire and Nobilis.

**THE UNASSOCIATED WITNESS**

The only unbiased eyewitness at the scene of this accident was 60 year-old Boyd McPherson. McPherson lived at the same private trailer park in Lake Stevens, WA as Faire and Nobilis and was hired the morning of June 18th by Faire to travel to the Sourdough property to help the couple haul their property back to Lake Stevens. According to McPherson, he had only spoken to Faire and Nobilis a couple times and really didn't know them.



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

McPherson stated, "Immediately when Jim's vehicle stopped after entering the driveway, two people aggressively, I mean aggressively came to Jim's side of the truck. Jim had stepped out of the truck and he stated that he was just there to get their belongings and leave. Jim was very calm but he also had a very serious look on his face. Jim holstered his gun and he was able to get into the truck. He showed extreme discipline to be able to do that."

McPherson continued, "the heavy guy [George Abrantes] started hitting Jim's door with the chain and I saw the mirror shatter and the window flex. Jim backed his truck up. The guy [George Abrantes] and the gal [Debra Long] then went to the front of the vehicle and directed their attention towards the passenger [Angela Nobilis]. They continued yelling threats and obscenities. The gal in the orange shirt [Debra Long] literally tried to tie her shirt to the grill of the truck to prevent Jim from leaving. Jim continued to back up. At about that time another individual [Michael St. Pierre] came running out of the house and towards the back of Jim's truck, screaming accusations and vulgarities. Jim could back up no further, so he made a fairly aggressive move to the right to avoid people and was able to exit the driveway. We didn't have any cellphone reception, so we drove to a convenience store on the main highway and spoke to each other. Jim then called 911."

**THE SET UP**

In early 2014, Debra Long enters the picture and "takes control over those living with Michele and Richard." One witness states, "Debra had total control over Richard, and George listened to and obeyed Debra like a puppy dog." Why? Why did Long, who was with Michele under the "guise" of helping her deal with the legalities of her properties before her death, plant seeds of distrust regarding James Faire and Angela Nobilis. According to most all witnesses, it was Long who continually fueled the fire of hatred towards Faire and Nobilis regarding the GoFundMe fund raising. Further, it was Debra Long who planted the idea with Richard Finegold that Faire and Nobilis were "out to get" Finegold's Sourdough property. The old saying, "the proof is in the pudding" certainly proved to be true when I discovered that Debra Long, working with her "live-in boyfriend" Michael Fritch of Loomis, CA, created a trust called the Maple Road Holding Trust, which named Fritch as Trustee.

A look into public records shows that the two properties owned by Michele St. Pierre were transferred to Michael Fritch. For additional first-hand facts on the "Set Up" read the sensational companion article to this one titled, "The Conspiracy to Frame James Faire - The Power of 'Trust'" located on the front page of this edition.

**RICHARD FINEGOLD DECEIVES POLICE**

On June 17, 2015, Finegold filed a Trespassing and Theft report with police against Faire and Nobilis for their operation of a GoFundMe site they had set up for Michele and for trespassing on Finegold's Sourdough property. Finegold's attempt was directed by Debra Long and occurred just one evening prior to Long getting run over. In the police report Finegold stated that he, "really doesn't know that much about James and Angela," however, numerous witnesses and many emails between them paint a much different picture. Richard told police, "I have been away since September 2014."

Emails from Michele to Angela and Strat in September of 2014 state, "Dear Angel and Strat - Thanks so much for watching out for our property... Love you so much and miss you terribly and home (Sourdough property) as well." Michele then refers to a trip Richard plans on making to Sourdough - "Don't know if you can hook up but I know Richard would love to see you." Does this sound like Richard "really doesn't know that much about James and Angela," as he told police on June 17, 2015? Or, does this sound exactly like it was - that Richard had been indoctrinated by Debra and he was out to get James and Angela by lying to the police. James and Angela had many of their belongings, including a dump truck and trailer at the Sourdough property and they had both Michele's and Richard's permission to do so.

According to one witness, "Richard and James used to go

Continued on page 14

**Assisting The Public "Off Duty"**

*Editor's Note: Red is one of the most ethical individuals to have ever worn a badge. Besides, he has some real good stories.*

By Red Smith

I was working for the Sheriff's Office as a criminal investigator assigned to the patrol division. It was a cold, rainy and windy October night. I had just completed swing shift which was 2:45 PM to 11:00 PM. I had been busy, mostly with traffic accidents as a result of the weather and I was cold, tired, and hungry (no chance to stop for any chow). I had already changed out of uniform and was on my way home and it was still raining hard, accompanied by a strong wind.

At the intersection where I normally get on the freeway to begin my trip home I stopped at a signal light and I noticed a pickup truck with no tail or brake lights. This was no night to be without lights! So, I put on my hazards, ran up to the truck and told the lady driver she had no lights and it would be dangerous to continue without them. I then returned to my truck. When the light changed and traffic began to move the lady pulled to the shoulder and stopped. Now, I was cold, wet and shivering again and didn't really feel like getting out in the rain and wind, but I did.

I discussed her fuses, went to my truck got some of my extra fuses which burned out as soon as I put them in. I went back to my truck retrieved tools and removed her taillights, one after the other. The taillights

were extremely corroded and the bulbs were burned out on both sides. I removed the old bulbs, cleaned the corrosion, replaced the bulbs with extra bulbs I carried, and then replaced the fuses again.

We then checked to make sure the lights were working correctly. She told me she was on her way home to Klamath Falls some distance from Medford, and told me she really appreciated me stopping and helping her. She then asked me, "where are all the damned cops when you need them? They should be out here helping people like this instead of writing tickets!"

I asked her to wait for just a minute so I could provide her a couple of extra fuses and bulbs just in case she might need them on the way home. Once back at my truck I took one of my business cards and wrote on the back, 'Please drive carefully and have safe trip home.' I returned to my truck and watched her, waiting for her to pull into traffic. She looked at the card, hung her head for a moment and drove away.

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



Continued from page 1 • "Grand-Father Rights" No Good in Oregon

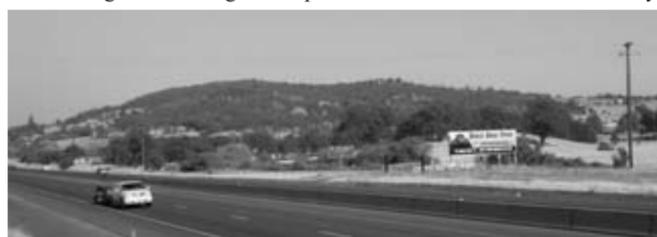
mirrored on a daily basis in each and every other state. In other words, it applies to all of us - to each and every pocketbook.

Clams, LLC based in Medford, Oregon owns a billboard near Interstate 5 in rural Jackson County, Oregon. The billboard has been where and how it currently is since before Interstate 5 was built and long before there were any federal or state laws being promulgated by Congress or state legislatures, limiting billboards.

Years ago the Oregon Department of



Clams, LLC Billboard pre-1966, as I-5 was completed in 1966



Clams, LLC Billboard off I-5 North of Medford, Oregon - 2015

Transportation (ODOT) attempted to have the billboard removed. ODOT stopped that effort because in 2006 the Oregon Supreme Court held that ODOT could not constitutionally discriminate between on premises signs (signs advertising a business on the same premises as the sign) and off premises signs (signs advertising a business located away from the sign).

In response to the Oregon Supreme Court decision, the legislature amended the form of the law but left the same on site/off site distinction in place. This is the same distinction the Oregon Supreme Court held unconstitutional.

ODOT has just ruled that the amended law is constitutional even though it is functionally identical to the older unconstitutional law.

ODOT has also just ruled that it does not have to pay Clams, LLC just compensation for taking the billboard because Clams, LLC has not shown that the billboard was lawfully created and maintained. This ruling is a real puzzle because the only evidence concerning the sign's existence is that it was installed long before laws restricting billboards were enacted and that it has remained the same advertising billboard for as long as it has existed.

The notion that the government can make speech it doesn't like - rural billboards - illegal,

flies in the face of the First Amendment to the United States Constitution and Article I, Section 8 of the Oregon Constitution. It also wipes out "Grand-Father" rights, which have been a valid and recognized right across the nation since its inception. The only recognized and constitutional way around "Grand-Father"

rights is the payment of just compensation for the government taking the rights from their holders.

Oregon is not willing to pay for the sign. Oregon wants to steal the sign. Both the Fourteenth Amendment to the United States

Constitution and Article I, Section 18 of the Oregon Constitution require the government to pay for property the government takes. ODOT says that it is not required to pay for a billboard unless the owner proves the sign was lawfully erected and was maintained as a sign since it was erected. Clams, LLC proved those two facts and yet Oregon is too greedy and immoral to pay for what it wants.

Oregon knows that what it is doing is unconstitutional and immoral. Attorney and constitutional scholar, James E. Leuenberger has told Oregon that it is violating both the federal and Oregon Constitution.

Lawless government is tyranny. The time is now to speak up and tell ODOT to stop stealing property, to stop silencing sign owners. If you remain silent now you should not be surprised when the government steals your property and tells you to stay quiet about it.

**If Administrative Government concerns you, as it definitely should; if you are tired of Bad Government, and you are sick and tired of government stealing your property and therefore your rights, call Matthew Garrett, the Director of the Oregon Department of Transportation, at 888-275-6368 and tell him.**

★★★

Continued from page 3 • The Conspiracy to Frame James Faire

on that property. This was well known to all within Michele's close circle, including Richard Finegold.

But in February 2015 they drove west to the Stanwood house to pay a visit to their friends Michele and Richard and discovered the conditions that resulted from the ejection of Michele's other close friends, leaving only Richard, George Abrantes, and Michael St. Pierre in the house.

"The physical appearance of the room Michele and Richard spent their time in was horrific..." The pungent smell of rotting flesh filled the room. Dirty dishes and clothes were piled high everywhere. Richard Finegold, a formerly-high-paid computer expert had been reduced to subservience to Michele, abject menial servitude, living like a dog on a mattress on the floor of Michele's room and endured constant verbal abuse from George Abrantes. He had not worked in more than a year, depleted his savings and his 401k and he and Michele were virtually penniless. There was no food in the house.

Debra had eliminated Michele's support group, (those who had originally brought Debra in) those who lived close enough and were willing to give their time to care for Michele. They had been banished and barred from returning.

In their absence...

- I Michele had tried and failed to secure government social services.
- II Richard had run out of money.
- III And the only volunteers available were:

- 1 **George Abrantes**, the huge, emotionally disturbed truck driver. But George had lived there for a year and did almost nothing to help with care.
- 2 **Ruth Brooks**, Michele's childhood friend, was a professional caregiver. But Ruth lived in Tennessee, needed to make a living, and had gone home.
- 3 **Michael St. Pierre**, an admitted former heroin addict from Southern California, was Michele's brother. But Michael was living in the house when James and Angela visited in February and had not prevented the wreckage they found, and
- 4 **Richard Finegold**, Michele's devoted submissive, who expressed open gratitude at being totally dominated by Michele. But Richard had severe social disabilities and, as we have seen, was incapable of caring for Michele and barely able to care for himself.

James and Angela stepped in, put their own lives on hold, moved back to the six-bedroom Stanwood house, and went to work, full time, to save Michele.

Angela washed clothes, cleaned, cooked breakfast and dinner and did most of the dishes. James did property maintenance and auto repair. Angela started an online fundraiser through "GoFundMe" to address the desperate financial need. There was no heat in the house so they made an online call for firewood and organized the response: some had trees, some had cut wood, some had chain saws, others labor. James and Angela worked all day on a Saturday collecting the result. Angela got a job cleaning a house to buy food. James took a job, too, and

what he didn't need to buy gas he gave to Angela to buy food for the whole household. Michele and Richard were at death's door, physically and financially and James and Angela saved them from starving.

All this proved to be a real problem for Debra.

James Faire could ruin her plans because he could now, potentially, protect Richard and Michele from Debra's manipulation.

By the time of her death, Debra had used her position of **TRUST** to gain control of Michele's Stanwood Property, her Clearview development property, and was closing in on Richard's Sourdough property. She did this with carefully constructed fabrications; "confidential" information whispered behind the target's back. Most of this has been uncovered following Debra's death.

Michele had signed away the Clearview 5.37 acre development property (she owned free and clear) for no legitimate purpose during her first real health crisis in the summer of 2014 and was on track to do the same with the Stanwood house, putting them both in the name of Debra Lynn Stuart Emery James Long's live-in California partner, Michael Fritch. Although Michele probably never learned it, Public Records show the Clearview property has already been used as security for Fritch to acquire \$25,000 (in some form) from a California rare coin dealer using a Deed of Trust document that was not lawful when written (RCW 61.24.010) and not recorded until after Debra and Michele, both, had died. Where this money went no one yet knows. (Another Debra claim was to have over a million dollars in precious metals stored up.) But the only motivation for Richard to do anything with the Sourdough property, if he was without Michele, was to be rid of the responsibility through selling or leasing it... because Richard had only bought Sourdough for Michele. It was her dream, he had neither the skills nor inclination to use it for any purpose. It would just be a tax burden. Richard, by his own admission, is an "inside guy not an outside guy." And the market in the Aeneas Valley was depressed.

James and Angela, by contrast, actually could use the property. With Michele gone (and everyone could now see she shortly would be) it would not be long before Richard and James would come to an agreement and Debra's dreams to steal Sourdough would be gone. Debra had to get Richard and James separated...

Debra responded very creatively on two fronts. The first was a bait-and-switch property fraud, the second, good old trusty slander.

Summoning survivalist sentiments, Debra erected the vision of a sort-of Sourdough cooperative where everyone, Debra

included, would combine their talents, efforts and resources to live off the land and protect themselves from the roving bands of marauders that would come in search of food after "the collapse." Debra spun lots of ideas about how this would work. She said she had a "dumpster" full of AR-15 assault rifles hidden illegally in California (she thought would appeal to James). She said everyone would bring their tools and stuff to Sourdough, contribute \$5,000, get a "share certificate" and go to work growing food and doing daily living tasks and preparing defenses. But none of her ideas included any written agreement. Clearly Richard would need a trust to handle such an enterprise. She began pitching the idea to James and Angela in April.

Also in April (2015), Debra, planted the behind-the-back slander. She had "uncovered" that James and Angela Faire had "stolen" money from the GoFundMe campaign that Angela had created to raise funds for Michele. The accusation is not only false, it is impossible. The GoFundMe campaign never belonged to Michele or Richard. Nothing in it could have been "stolen."

The "cooperative" land scheme didn't work out so well with James around. He was the only one of Michele's closest friends remaining that wouldn't simply "trust" Debra — that demanded a written agreement. That was a real obstruction to her total control of that property. For weeks Debra told James she was negotiating a written property agreement on their behalf with Richard but that Richard wouldn't budge. Meanwhile she was pressuring Richard to give away the property to a "trust."

The behind-the-back slander worked much better. All of her "insiders" — Michele, Ruth, George, Michael and Richard — believed (or acquiesced to) the undocumented accusations based on their trust in Debra, her dominant position with Michele, and their belief that she was an "expert" in these things.

On April 28, after James and Angela discovered the accusations, they accounted for all the funds, but presenting an accounting was a fool's mission. Debra apologized to their face and maintained the lie behind their back. Debra was really good at what she did. Debra James' Gang (Ruth, George, Michael, and Richard) simply followed their new leader. As Michele wasted away, they trusted Debra to know what to do.

On April 29 James and Angela left Stanwood, convinced there was nothing further they could do for Michele. But they continued to negotiate (fruitlessly, of course) with Debra for a formal agreement with Richard over Sourdough. Torpedoing that agreement was the whole point of the slander from its beginning.

The morning of Monday, June 15, her body having been



Angela Nobilis-Faire and James Faire

Continued on page 14

Continued from page 1 • Lawyer Michael Minns Pitches No-Hitter!

Lake Superior, known as the UP, or Upper Peninsula, after a five year criminal investigation, and a four count felony indictment, Jon Matteson, who lives in Moran, Michigan, and was in the Marine service business with two full service marines on Gun Lake, was found not guilty on all of four charges of income tax evasion.

The jury trial began on Monday May 18th, and the jury returned with a verdict of not guilty on Friday, May 22nd. Matteson, if convicted faced up to twenty years in a federal prison, and fines of up to one million dollars. The case was prosecuted out of the Grand Rapids, Michigan U.S. Attorney's Office by Assistant United States Attorney (AUSA) Rene Shekmer, and Special Agent Rick Pike. Jon Matteson was defended by one of the nation's top criminal defense lawyers, lead counsel Michael Minns, and his partner Ashley Arnett, both of the law firm Minns and Arnett (formerly The Minns Firm) and local counsel Karl Numinen.

The government had previously indicted the trustee of Mr. Matteson's trust, Herb Friske, who plead guilty and received time in prison. Friske, during the trial of Matteson, testified that he plead guilty after IRS Special Agent Pike conducted a raid on his home, breaking down the door in the wee hours of the morning, hand cuffing his ill wife, cuffing his son and restraining him on the floor with four officers holding M16's to his head. Friske testified Pike threatened him with nine years in prison and that both his wife and his son would be indicted if he did not agree to plead guilty to a felony.

Both Friske and Matteson had purchased trusts from alleged expert, David Simmons, who operated out of Sarasota, Florida. Mr. Simmons had secretly cooperated with the IRS to accuse and convict his two former clients of tax evasion by voluntarily testifying before a grand jury against each client, Friske in 2010, and Matteson in December 2014. Both Friske and Matteson claimed that they had paid

Simmons a great deal of money to give them tax and trust planning advice. Simmons, however, had twice secretly testified before Grand Juries that he did not do that. During the trial itself Simmons testified that he never gave legal advice or accounting advice or any other advice regarding trusts.

Mr. Matteson's former tax preparer, Bill Ayers testified that he quit doing Matteson's tax returns when Special Agent Pike approached him and "suggested" that Ayers quit doing Matteson's work. Ayers testified that he was then fearful of losing his license if he did not do as Pike asked.

During a blistering cross-examination by Minns, Simmons admitted that he had worked for A.L. Williams and was called a "termite." The A.L. Williams "termites" would "sell" generally elderly customers on the idea that they should convert the valuable equity in their whole life insurance policies, into cash and "invest" the cash with them. Most of the Williams "termite" customers lost all or most of their equity in their insurance. Simmons angrily responded that he failed to see what his past had to do with Matteson's trial. Minns calmly smiled and told him, "That's for the jury to decide." And in short order they would.

Simmons also admitted that he had a one million dollar tax lien against himself, that he had been ordered by the Florida State Bar not to practice law, had signed a consent agreement, had been found guilty of using a false social security number, and had been found guilty by a tax court Judge of selling



Lawyer Michael Minns and Co-Counsel Ashley Arnett

useless trusts of the same nature as the one he had sold both Friske and Matteson.

Pike never took the witness stand to explain his actions. In closing argument Minns asked the jury why the IRS would separate a legitimate tax preparer from his client Jon Matteson, while simultaneously doing nothing to separate him or anyone else, from con-man, termite Simmons.

IRS revenue officer Jaime Howard testified that Matteson owed back taxes for incorrectly prepared returns in 2008, 2009, 2010, and 2011, in substantial amounts. However, on cross examination by Minns, she admitted she may have gotten her figures wrong and it was possible that Matteson owed no taxes and in fact was due a refund. Earlier, on cross-examination, another IRS agent Victoria O'Brien was interrogated by Minns' partner Ashley Arnett, who introduced a refund check for 2013 in the amount of \$529.00, through the IRS agent. The agent agreed it was a bona fide refund check from the IRS and she admitted under Arnett's continued and forceful questioning that it meant the IRS believed no

taxes were due as of 2013 on any returns previously filed. The government gave no clear explanation for this inconsistency.

In final argument to the jurors Minns reminded them that one IRS expert said she wasn't sure a tax was owed; and another said the refund for 2013, received in 2014, meant no tax was owed for the previous years.

The jury deliberated for two hours on Thursday afternoon and continued until 11:00 on Friday morning before reaching its unanimous "Not Guilty" verdict on all counts. AUSA Rene Shekmer appeared to

be shocked by the verdict and asked that the jury be polled. Twelve jurors then rose and one by one said that, "Not Guilty" was their verdict.

The case was tried in a small, old court house near Lake Superior, to a full court room of supporters of the Matteson family, on-lookers who simply came to watch Michael Minns' trial expertise (some of whom traveled hundreds of miles) and numerous IRS officials who also tend to flock to these trials when Minns is leading the defense.

The US-Observer has only found nine acquittals on criminal tax evasion counts this entire year by American juries. All nine belong to Minns and Arnett. If you are aware of a bona fide "not guilty" jury verdict, this year (2015), particularly if it involved misconduct by Government officials, please notify the US-Observer at 541-474-7885 or send an email to editor@usobserver.com.

If you or anyone you know has done business with David Simmons of Florida, or purchased trust products, or received legal or accounting advice from him, please notify us as well. ★★★

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# When Prosecutors Believe the Unbelievable



By Dahlia Lithwick

(Slate) - Three years ago, one of the strangest criminal cases in recent memory began in Charlottesville, Virginia, where I live, when a young woman sent a series of text messages telling her boyfriend that a man had abducted her, followed by a series of texts, allegedly from her captor, taunting her boyfriend with threats of sexual violence. Her story was strange, and the case was fraught with complications from the get-go, but the accused ended up in prison long after the doubts outweighed the evidence.

This story is bizarre, but it's not all that unusual: Prosecutors can prosecute even the weakest, most clearly flawed cases relentlessly, and innocent people can end up in jail.

This week, after two and a half years in prison, Mark Weiner saw his conviction vacated. It finally ended a saga in which Weiner was arrested, convicted, and sentenced to eight years in jail on charges of abducting a woman with the intent to sexually harm her.

(Disclosure: Weiner's son and mine attended the same preschool. I have had no contact with him or his family in several years.)

The story began on a December night in 2012. Weiner, then a 52-year-old man who managed a local Food Lion and attended night classes at a local community college, stopped and picked up 20-year-old Chelsea Steiniger, who was walking from a convenience store to her mother's house. Steiniger's boyfriend, Michael Mills, had just informed her that she could not sleep at his apartment, which did not permit guests after a certain hour, so she was angrily headed to stay with her mother. It was cold, it was dark, it was late. Weiner saw her and offered to drive her to her mother's house, picking her up directly across from the local police station.

Mark Weiner's version of events: He drove Steiniger to her mom's house and went home.

Most of the rest of the trial narrative unfolds through the sequence of texts Steiniger sent her boyfriend as they drove to her mom's place.

At 12:10 a.m., Steiniger texted her boyfriend that "some dud[e] was giving her a ride. At 12:18 a.m., she texted, "he tried to get in my pants." At 12:21 a.m., she texted, "just pulled up he wont let me out of the car."

At 12:23 a.m., the texts allegedly start coming from Weiner instead of Steiniger, the first one reading: "[S]he doesn't have her phone." And at 12:27: "Shes so sexy when shes passed out." At 12:28: "She was a fighter ill give her that much." At 12:36: "Ill let her wake before i let you talk to her."

When a panicking Mills texted back at 12:38 a.m., "w[h]ere are you taking her," Weiner allegedly responded: "[S]hes in my house she said she was cold so IMMa warm her up."

Steiniger testified that Weiner, while driving past the mother's house, managed to knock her out at about 12:22 a.m. with a chemical-soaked cloth that worked in 15 seconds, at which point he began sending the taunting texts to Mills. Including a text using the word IMMa—not the most common expression for white, 52-year-old Food Lion managers.

That's right: Over the course of four minutes, Weiner allegedly incapacitated Steiniger, took control of her phone, and texted her boyfriend, all while driving to a rural property late at night.

Steiniger claimed she awoke on the floor of an abandoned building she had never seen before, and when Weiner left her unattended, she grabbed her phone and jumped off a second-floor balcony, hid in the woods, then made her way on foot to her mother's house two miles away. She never called 911.

But her boyfriend, Mills, had already called 911 to report the abduction. When the Emergency Communications Center called Steiniger at 1:07 a.m. and left a message, then called again at 1:08, she checked her voicemail and quickly shut off the phone. She would later testify that her battery was dead at this time, but records would show she retrieved the voicemail and then switched the phone off.

When the police were unable to reach Steiniger by phone, they went to her mother's home. Steiniger answered the door, clothes intact and unsoiled after she supposedly jumped from a second-floor balcony and walked two miles in the cold.

On Dec. 14, 2012, Mark Weiner was arrested. He had been incarcerated in the Albemarle-Charlottesville Regional Jail ever since.

Records later showed that Steiniger's phone accessed two cellphone towers near her mother's house dozens

of times that night, but never once pinged a tower near the abandoned house.

This was the basis of a massive trial in the spring of 2013. The most vigilant reporting on the entire Mark Weiner prosecution has been done by Lisa Provence, who has covered the case for more than two years, showing growing doubts about the strength of the case against Weiner and deepening concern about the state's persistence in going after him, even in the face of a growing mountain of exculpatory evidence. Her accounts of Weiner's trial and subsequent hearings are worth reading in full. The fact that there was a trial at all is remarkable.

When defense counsel learned of the cellphone evidence and attempted to use one of the detectives as a defense witness, Lunsford had him disqualified as an expert, objecting to the fact that the defense attorney hadn't subpoenaed the right witnesses to get the phone record evidence in. When the defense lawyer asked in chambers for a continuance so that he could call the correct witnesses, the motion was denied by trial court Judge Cheryl Higgins. Jurors would never hear what the phone tower records showed. Local lawyers and trial observers were shocked.

Deirdre Enright, director of investigation for



Mark Weiner

the University of Virginia School of Law's Innocence Project Clinic (disclosure: and a friend of mine), notes that this is where the idea of justice got confused with the promise of winning. As she says, "Lunsford appears to have learned in the middle of her case against Mark that the 'victim's' cell phone tower records contradicted the victim's version of events, and corroborated the defendant's. Leaving aside the fact that a competent prosecutor is not learning the underlying facts of her case mid-trial, this was the kind of exculpatory evidence that would cause a fair prosecutor, honoring her obligation to seek and serve justice, to dismiss the charge. Instead, she successfully argued against their admissibility in court. In the wrongful conviction world, the nicest description we have for this phenomenon is 'tunnel vision.'"

At the trial, no physical evidence was presented that in any way connected Weiner to the abandoned house or to Steiniger's cellphone. No rag was found soaked with a chemical that could knock you out in 15 seconds.

Weiner was convicted by the jury on Steiniger's testimony. He was immediately sent to jail.

In the spring of 2014, Weiner's new lawyers filed a motion to set aside the jury verdict. They alleged ineffective assistance by his original trial counsel. (Among other errors, the first lawyer had found a matchbook in which Steiniger had written her phone number in case a job opened up at Food Lion, but didn't put it into evidence.) They also noted that Steiniger's then-husband, Howard Steiniger, who was incarcerated at the time of the alleged attack, had signed an affidavit saying that she had admitted to making this story up in an attempt to get back at a guy named Mike. Her admission, he said, was made while they talked on the phone, on a recorded prison call. Records of the call were destroyed when lawyers attempted to obtain them. The new defense team also informed the court that even Mills, the boyfriend, suspected Steiniger was lying when he texted her: "why did u lie to me."

Weiner's lawyers also presented an affidavit from anesthesiologist John Janes, testifying that there is no chemical that can be put on a rag and placed on someone's face that would cause that person to pass out within 15 seconds.

At a sentencing hearing, however, prosecutors introduced evidence that there were three police reports involving Weiner approaching women at night.

The defense team's motion to reverse the verdict was denied.

In another motion, filed in April of 2015, Weiner's attorneys told the court that they now had testimony from three former friends of Steiniger who said she drank and smoked pot several times at the abandoned house in 2012,



Albemarle Courthouse

despite her claim at trial that she had never been to the home before the alleged abduction. Again Commonwealth's Attorney Lunsford took the position that this changed nothing.

At a June 3 hearing, Judge Cheryl Higgins did not dispute most of the new allegations. But she claimed she didn't have the authority to throw out the verdict and said the new claims could be raised on appeal. On June 9 she sentenced Weiner to 20 years in prison, with 12 years suspended.

After that final hearing, at which Mark Weiner was sentenced to eight years in prison for giving a young woman a ride home, Lunsford explained why none of the new evidence mattered: "I interviewed the victim twice, and I believed her."

And perhaps that's the problem right there: Facing a mountain of evidence that showed there was no way the alleged victim could be telling the truth, the prosecutor believed her, then believed her, and then believed her some more.

Finally, Judge Higgins did vacate Weiner's conviction. This time, prosecutor Lunsford joined with Weiner's defense attorneys in a motion to call for his conviction to be vacated, only a month after fighting the earlier motion. New evidence had surfaced: Steiniger, the alleged victim of Weiner's attempted abduction, had been caught this past February selling cocaine to two undercover officers. According to a motion filed by the defense, joined by the prosecutor, this new evidence might impeach the credibility of the complaining witness.

The motion to vacate and the statements made by the prosecutor are not an admission of error, it seems, so much as an admission that public confidence has been eroded in so many tiny increments in this case that Weiner should walk free. Lunsford referred to the drug sale as "the straw that broke the camel's back," suggesting that she knew this camel had been overloaded for a long, long time.

Mark Weiner has lost more than two years with his young son and with his wife, he's lost his job, he's lost his family home, and he's lost every penny he ever had in savings or retirement accounts.

This has been a horrific year in Charlottesville, between the loss of Hannah Graham and the Rolling Stone article about an alleged gang rape at the University of Virginia. There are indeed predators everywhere. But not every man is a predator just because the police catch him or prosecutors try him. And we have a system that doesn't allow for the admission of error when we make errors in our zeal to feel safer.

If anyone suggests that the fact that Mark Weiner was released means "the system works," I fear that I will have to punch him in the neck. Because at every single turn, the system that should have worked to consider proof of Weiner's innocence failed him.

Lunsford claimed in a radio interview that the commonwealth needed to vacate the conviction based on preserving the "integrity of the system" and the "perception of the system as being fair." But none of this explains why the prosecutor's office deemed a subsequent drug charge to be more disqualifying than contemporaneous phone records, impeachment testimony, expert testimony, and other exculpatory evidence that had not only been dismissed, but in some cases excluded, by the prosecutor's office for more than two years. The criminal justice system allows multiple opportunities to stand down from a bad prosecutorial call—opportunities ranging from dropping a bad case, to turning over exculpatory material, to recommending that convictions be vacated. But there is no incentive to stand down.

Because we elect our prosecutors, there is no chance of apology, and no admission of error. Justice by popularity contest will ensure that. But Mark Weiner's journey into legal purgatory is more than just a quirky local tale; it shows why innocent people get trapped in a system in which it is costless for prosecutors to make errors, while mistakes made by defense counsel at trial are virtually impossible to correct.

Mark Weiner's freedom did not come about because the system worked. It came about because the system protected the system from actual embarrassment. That isn't justice. That's just sad.

★★★

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# Taxing Wrongful Conviction Money Is Wrong



By Robert W. Wood

(Forbes) - Our justice system is complex, and sometimes gross injustices occur. Undoing them does not always happen, and even when it does, it takes time.

Few of us can imagine what it would be like to be convicted and imprisoned for crimes we did not commit. And while taxes seem far removed from this topic, they are not.

A few years ago, Congressmen Sam Johnson (R-TX) and John Larson (D-CT) tried to get legislative tax relief for innocent people who are wrongfully convicted. Their bill failed but they haven't given up. Now, they have re-introduced the Wrongful Convictions Tax Relief Act. The bill would amend the tax code to say that:

*“In the case of any wrongfully incarcerated individual, gross income shall not include any civil damages, restitution, or other monetary award (including compensatory or statutory damages and restitution imposed in a criminal matter) relating to the incarceration of such individual for the covered offense for which such individual was convicted.”*

They correctly point out that there is a gap in the tax law. Fortunately, one can read feel-good stories about wrongfully convicted people who are subsequently freed. But what happens then?

Sometimes they seek financial redress in one of a number of different ways. Sometimes they get it, but how is it taxed? It depends.

The tax issues have been surprisingly cloudy. In the 1950s and 1960s, the IRS ruled prisoners of war, civilian internees and holocaust survivors received tax-free money for their loss of liberty. In 2007, the IRS “obsoleted” these rulings suggesting the landscape had changed. The IRS now asks whether a wrongfully jailed person was physically injured/sick while unlawfully jailed.

If so, the damages are tax free, just like more

exoneree gets \$50,000 for physical injuries and \$450,000 for being unlawfully behind bars?

It may be difficult or even impossible to separate out all of the multiple levels of horror, all the losses that can never be made up. But in many cases, the loss of physical freedom and civil rights is at the root of the need for reparations.

The loss of physical freedom should be tax-free in its own right. Many exonerated individuals experience severe hardship acclimating to society, finding jobs, housing and reconnecting with family. The Wrongful Convictions Tax Relief Act proposes to allow exonerees to keep their awards tax-free.

The debate over these recoveries has focused (probably incorrectly) on the factual question whether the wrongfully jailed person experienced physical injuries or physical sickness while unlawfully incarcerated. If so, the damages are tax free, just like more garden variety personal physical injury recoveries. If not, taxable.

More and more prisoners are being exonerated based on DNA or other evidence. Under statute, by lawsuit or even by legislative grant, exonerees may receive compensation for their years behind bars. In fact, are you ready for some shocking figures?

Since the first DNA exoneration in 1989, wrongfully convicted persons have served thousands of years in prisons before being exonerated. The average exoneree has served more than ten years in prison. Although a few get lucky and get out quickly, some spend multiple decades behind bars. Whether you look at an individual case or at the averages, the numbers are astounding. ★★★



garden variety personal physical injury recoveries. What if an exoneree isn't physically injured? In IRS Chief Counsel Advice 201045023, the IRS said a recovery was exempt, but the IRS sidestepped whether being unlawfully incarcerated is itself tax-free. The Tax Court and Sixth Circuit in *Stadnyk* suggest that persons who aren't physically injured may be taxed. That's why the *Stadnyk* case is a lemon.

There are usually significant physical injuries and sickness but not always. Besides, what about the money just for being locked up? What if an

Continued from page 1 • Forced to Strip and Then Charged with Sex Crimes - Jessica Morton Story Continues

five misdemeanors, for claims of sexually abusing a man while under her care. Tyler Watson (19), the man making the claims, had been a resident of Kairos, while in custody of the Oregon Youth Authority in 2014, for committing various felony crimes.



Tyler Watson

Kairos is reported to house both male and female residents, ages 17-26 years-old and have facilities in Grants Pass, Merlin, Medford, North Bend, Eugene and Salem. The residents are wards of the state, who are basically in-between jail and needing treatment before being reintroduced into society.

Within one week, Morton went from receiving the “employee of the month” award at Kairos, to being jobless. The allegations sparked an investigation that took police over one year to investigate, resulting in Morton being labeled a sex abuser (not alleged) by the mainstream media, via the Grants Pass Police Department. In a press release, “approved by: Chief Landis,” Tyler Watson was labeled as a “victim,” while the Grants Pass Police, “revealed that Jessica Morton had sexual contact with a male (Tyler Watson).” Maybe by “revealed” the police mean that when they made Jessica Morton take off her clothes on July 17, 2014 while they photographed her nude body, they were able to determine that she, “groomed herself” as Watson vaguely alleged. Maybe by “revealed” they meant that a mole on her body was confirmed which was also vaguely alleged - unfortunately their so-called investigation didn't uncover other evidence that would have easily refuted the credibility of that allegation. Needless to say, Jessica Morton was completely violated in what this writer believes was solely based off of a completely circumstantial and false allegation.

So, why wait over one year to arrest Morton? The police would have you believe it was because of their “lengthy investigation,” and, “scientific analysis of evidence.” After having read the police report and investigating this case myself, I find that impossible to believe.

Several other employees of

Kairos' other facility, who were not personally known by Morton, were fired and arrested on completely unrelated incidents shortly before Jessica Morton was arrested - over one year after the allegation against her was first made, and “investigated”. The headlines against these other two were large and the public outcry was great. Coincidentally, there was an upcoming vote for a public safety levy. What a better way to demonstrate to the public the District Attorney's Office's pursuit of justice than to ride the Kairos headlines and add another Kairos employee to the mix. Two weeks after their arrests, Jessica was arrested and the headlines were equally damning. However, Jessica Morton came out swinging in an article first released by the *US-Observer* trumpeting her innocence, and it went viral. With that article and her outstanding stature in the community, there was an immediate backlash against the DA's office. Some Morton supporters have even speculated that this was the reason the ballot measure failed so miserably.

Regardless of what happened, you're supposed to be innocent until proven guilty, right? Today, the police simply rubber stamp a half-assed report (I've earned the right to call it that, because I've read it), write a media release, and the mainstream publishes, and a prosecutor indicts - you're basically halfway into your little prison cell, without having stepped into a courtroom.

Sound like innocent until proven guilty?

So, the evidence should, without any doubt, substantiate ruining Jessica Morton's life. After all, she was fired, losing her ability to help provide for her four-year-old daughter. She has had her mug shot published all over television and the internet. She's been labeled guilty by the Grants Pass Police Department, and she is facing ten years in prison, from charges brought by Josephine County District Attorney Ryan Mulkins, with assistant Matthew Corey prosecuting. Most difficult for Morton, she has had to humbly ask her closest relatives, friends, and complete strangers for help financing a \$50,000.00 defense, which is actually cheap considering the charges she is facing (attorneys usually charge \$300 per hour for similar cases).

Still sound like innocent until proven guilty?

What about Tyler Watson? There is no doubt that Grants Pass Police Detective John Lohrfink believed this guy. So, why would Lohrfink believe him? Did Detective John Lohrfink conduct a thorough investigation?



Some of the many Jessica Morton supporters

Lohrfink manufactured the case against Morton by creating and leading witnesses who were not witnesses. He subtly changed the answers that people gave to his questions through the simple use of “suggestion.” These created witnesses are in for a real surprise – they will eventually have to get on a witness stand and testify under oath. At that time they can all rest assured that I will document each “suggested” answer and then I will make each coerced answer public knowledge.



Detective John Lohrfink

While reading the 52 page police report, it was obvious that Tyler Watson lied several times during multiple police interviews, whether they were small in nature or not, these are serious criminal allegations, and lies should not be permitted - ever. The lies were not only permitted, Detective Lohrfink didn't even acknowledge most of them.

Tyler Watson has been arrested for multiple felony crimes, including first degree theft and delivering drugs in a school zone - both felonies in Oregon. Watson had a reputation at Kairos of falsely accusing others before he falsely accused Morton. He has allegedly

abused methamphetamines since the age of thirteen-years-old, and was reportedly caught using “meth” during his stay at Kairos. Tyler Watson has been prescribed pharmaceutical drugs for diagnosed mental disorders. Tyler Watson was in Kairos for a reason. According to numerous witnesses, Tyler Watson was the one who was attracted to Morton. Was her rejection of him, more than he could handle? Do residents of Kairos have the ability to manipulate the “system?” According to several sources, apparently so, and they have confirmed that it only takes an allegation to be fired by Kairos.

Unsubstantiated accusation, speculation, insufficient evidence, rush to judgment and a suspect that was unwilling to cooperate (Jessica would not speak or work with police after her first interview with them, when they repeatedly told her to admit that she was guilty). That is what this writer has concluded. I work on cases similar to Jessica Morton's for a living - often spending many, many days reading police reports, talking to witnesses, going over court transcripts, you know - investigating. Never have I seen a case that exemplifies poor policing, poor investigative skills and poor oversight by superiors in my eight years of reporting. I hope this comment is not taken lightly, because I often try to help the government when possible, just like I did in Jessica Morton's case.

Evidence not obtained by police which the *US-Observer* has gathered throughout our investigation was offered to District Attorney Ryan Mulkins. I am talking about compelling evidence that proves the charges against Morton should never have been filed. Evidence that someone whose job is to, “serve justice” should desire.

Continued on page 15

# The staggering number of wrongful convictions in America



By Samuel R. Gross  
Washington Post

I edit the National Registry of Exonerations, which compiles stories and data about people who were convicted of crimes in the United States and later exonerated. The cases are fascinating and important, but they wear on me: So many of them are stories of destruction and defeat.

Consider, for example, Rafael Suarez. In 1997 in Tucson, Suarez was

convicted of a vicious felony assault for which another man had already pleaded guilty. Suarez's lawyer interviewed the woman who called 911 to report the incident as well as a second eyewitness. Both said that Suarez did not attack the victim and, in fact, had attempted to stop the assault. A third witness told the lawyer that he heard the victim say that he would lie in court to get Suarez convicted. None of these witnesses were called to testify at trial. Suarez was convicted and sentenced to five years.

After these facts came to light in 2000, Suarez was released. He had lost his house and his job, and his plan to become a paralegal had been derailed. His wife had divorced him, and he had lost parental rights to their three children, including one born while he was locked up. Suarez sued his former lawyer, who by then had been disbarred. He got a \$1 million judgment, but the lawyer had no assets and filed for bankruptcy. Barring a miracle, Suarez will never see a penny of that judgment.

The most depressing thing about Suarez's case is how comparatively lucky he was. He was exonerated, against all odds, because his otherwise irresponsible lawyer had actually talked to the critical witnesses and recorded those interviews despite failing later to call them at trial.

Suarez served three years in prison for a crime he didn't commit. The average time served for the 1,625 exonerated individuals in the registry is more than nine years. Last year, three innocent murder defendants in Cleveland were exonerated 39 years after they were convicted — they spent their entire adult lives in prison — and even they were lucky: We know without doubt that the vast majority of innocent defendants who are convicted of crimes are never identified and cleared.

The registry receives four or five letters a week from prisoners who claim to be innocent. They're heartbreaking. Most of the

writers are probably guilty, but some undoubtedly are not. We tell them that we can't help; we are a research project only, we don't represent clients or investigate claims of innocence. Fair enough, I guess, but some innocent prisoners who have been exonerated wrote hundreds of these letters before anybody took notice. How many innocent defendants have I ignored?

Innocence projects do handle these cases, or at least some of them. They receive many times more letters than we do. I've spoken with lawyers who do this work, and who have successfully exonerated dozens of defendants. Most of them have clients who remain in prison despite powerful evidence of their innocence that no court will consider. And they all know that there are countless innocent defendants hidden in the piles of pleas for help that they will never have time to investigate.

How many people are convicted of crimes they did not

could be lower than for capital murders, or it could be higher. Of course, in a country with millions of criminal convictions a year and more than 2 million people behind bars, even 1 percent amounts to tens of thousands of tragic errors.

The problem may be worst at the low end of the spectrum, in misdemeanor courts where almost everybody pleads guilty. For example, in July 2014 Wassillie Gregory was charged with "harassment" of a police officer in Bethel, Alaska. The officer wrote in his report that Gregory was "clearly intoxicated" and that "I kindly tried to assist Gregory into my cruiser for protective custody when he pulled away and clawed at me with his hand."

The next step in the case would normally be the last: Gregory pleaded guilty, without the benefit of a defense lawyer. But Gregory was exonerated a year later after a surveillance video surfaced showing the officer handcuffing him and then repeatedly slamming him onto the pavement.

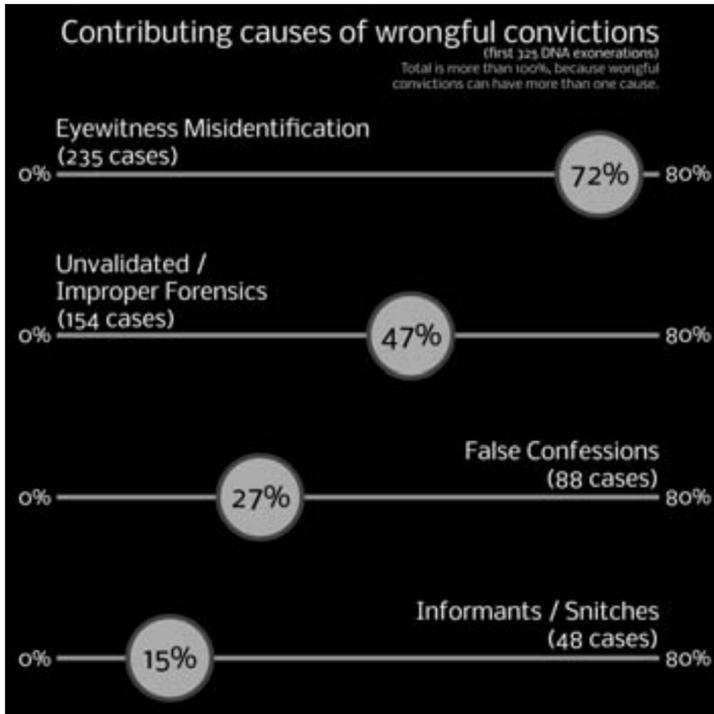
In the past year, 45 defendants were exonerated after pleading guilty to low-level drug crimes in Harris County, Tex. They were cleared months or years after conviction by lab tests that found no illegal drugs in the materials seized from them.

Why then did they plead guilty? As best we can tell, most were held in jail because they couldn't make bail. When they were brought to court for the first time, they were given a take-it-or-leave-it, for-today-only offer: Plead guilty and get probation or weeks to months in jail. If they refused, they'd wait in jail for months, if not a year or more, before they got to trial, and risk additional years in prison if they were convicted. That's a high price to pay for a chance to prove one's innocence.

Police officers are supposed to be suspicious and proactive, to stop, question and arrest people who might have committed crimes, or who might be about to do so. Most officers are honest, and, I am sure, they are usually right. But "most" and "usually right" are not good enough for criminal convictions. Courts — judges, prosecutors, defense attorneys, sometime juries — are supposed to decide criminal cases. Instead, most misdemeanor courts outsource deciding guilt or innocence to the police. It's cheaper, but you get what you pay for.

We can do better, of course — for misdemeanors, for death penalty cases and for everything in between — if we're willing to foot the bill. It'll cost money to achieve the quality of justice we claim to provide: to do more careful investigations, to take fewer quick guilty pleas and conduct more trials, and to make sure those trials are well done. But first we have to recognize that what we do now is not good enough.

*Samuel R. Gross, a law professor at the University of Michigan, is the editor of the National Registry of Exonerations.* ★★★



commit? Last year, a study I co-authored on the issue was published in the Proceedings of the National Academy of Sciences. It shows that 4.1 percent of defendants who are sentenced to death in the United States are later shown to be innocent: 1 in 25.

Death sentences are uniquely well-documented. We don't know nearly enough about other kinds of criminal cases to estimate the rate of wrongful convictions for those. The rate

Continued from page 10 • The James Faire Story



Okanogan County Jail visitation cells

shooting together and James gave him instructions for free." James Faire is well known for his firearms training abilities and his love of the sport. Obviously, the two couples knew each other very well and were in fact friends long before this incident occurred. I am in possession of emails and other documents that clearly prove that Faire and Nobilis had carte blanche permission to not only store their possessions at Sourdough, but to stay there if they needed to.

### INNOCENT MAN JAILED FOR OVER TWO MONTHS

On July 9, 2015, I spoke with Sheriff Rogers, in response to his interview with local TV stations, made public shortly after the incident. Rogers had claimed that Faire and Nobilis were "squatters" and that Debra Long had been murdered. I told him he was very mistaken and why. He was cordial and turned me over to Chief Deputy Brown.

On July 15, 2015, Deputy Brown called and I gave him more than enough evidence to conclude Faire's innocence. He took notes and told me he would deliver the notes and my phone number to Detective Sloan. I have not had any further contact with law enforcement in Okanogan County; however I have received reports that they have been actively investigating this case. On the downside, the two main

witnesses I gave to Deputy Brown, who have complete knowledge of this case, have not been contacted by law enforcement yet. And still, James Faire sits in his cell at the Okanogan County Jail.

On July 23, 2015, I wrote a letter to Okanogan Prosecutor Karl Sloan (Detective Sloan's brother) wherein I disclosed the main facts of this case. I have not received any response from Mr. Sloan.

Ethical police and prosecutors usually get to the truth in short order and they always pursue justice. This case is actually a very simple one; in fact, the police have already obtained enough



Sheriff Rogers

evidence to conclude that James Faire and Angela Nobilis are completely innocent. They also have plenty of evidence that shows George Abrantes and Richard Finegold factually committed very serious crimes.



Prosecutor Karl Sloan

On the other hand, bad police and prosecutors rush to judgment, they make public statements that are false, and then they do everything within their power to cover-up their injustice. At this time we choose to give the police and Prosecutor Sloan every benefit of the doubt.

However, Prosecutor Karl Sloan needs to drop this false prosecution and release James Faire immediately.

Don't miss our next edition for updates on this case. Anyone with information on any of the people involved in this case, including the police and prosecutor are urged to contact Edward Snook at 541-474-7885 or by sending email to editor@usobserver.com.

And remember, read the companion article on the front page of this edition that outlines the conspiracy Debra Long — among others — engaged in, which ultimately led to her accidental death.

**Editor's Note: I would ask our readership to please donate to James Faire if possible. Due to the false prosecution he is facing, he is without work and struggling to obtain the funds to hire competent counsel. We would not ask for your help were it not for the fact that James is 100% innocent and he is an exceptional human being. Make your check or money order payable to:**

**Mike Faire  
900 4th Street  
Sultan, WA 98294** ★★★

Continued from page 11 • The Conspiracy to Frame James Faire

wracked with cancer, cannabis, expensive proprietary boutique nutrients, and morphine, Michele St. Pierre passed from this life to the next.

And the James gang began to swing into action. At Debra's instruction some kept the death secret from Michele's thousands of friends and admirers, while they ransacked the house, in violation of law, as they divided Michele's personal property.

The evening of June 15 (Monday) Debra met James and Angela at the Ram Brewery in Marysville and entertained their last offer for an ongoing agreement on Sourdough. She lied to them. She told them Michele was still alive and Richard would not make a decision. They decided to go get their things from the ranch and move on.

On Wednesday, stirred up by Debra's lies with hatred for their former benefactors, the James gang packed up Richard's car, took Michele's SUV and made an "emergency" trip to the Aeneas Valley to frame James and Angela for trespass and theft.

Debra was the "expert." Everyone followed her lead, and, for the most part, just did what they were told. Richard did not expect his false accusations (of James and Angela to the police by phone on the 17th) would result in any death. He was just getting even for Debra's imaginary "theft." Neither Ruth nor Michael cared about seizing the Faires' property, they just believed what they had been told.

### THE ONLY FLAW WAS GEORGE

Deeply frustrated with his life, weight, career failure and self-image, George compensated by abusing Richard and others much smaller than his 350+ lb. stature. But Angela had stood up to his threats because George feared James.

And this was his chance to redeem himself.

When James and Angela drove on to the property on the 18th, all the cars had been hidden. A neighbor who James had asked to drop by the property earlier had let them know James was on his way. When his truck came into view, Debra dispatched Richard the half block to the nearest landline to alert the police to the "thief/trespasser" her lies had framed. (Contrary to the sheriff's report to



George Abrantes

media the following day there was no "confrontation with the owner." The owner was next door making a phone call.)

It was planned that they would surround the truck. It was planned that they would detain James and Angela until the police could arrive.

But George Abrantes' pent up frustration exploded unexpectedly into fury. He made the biggest mistake of his life and touched off lethal violence he can never live down.

Within minutes chaos ensued, the architect of TRUST lay dead, George lay screaming in pain, and the carefully led gang was left floundering, leaderless, eventually dispersing across the deserts of eastern Washington and disappearing into the unknown reaches of a vast country, their remaining friends lost in grief and confusion at how this all came about.

\*\*\*  
**Editor's Note: I would ask our readership to please donate to James Faire if possible. Due to the false prosecution he is facing, he is without work and struggling to obtain the funds to hire competent counsel. We would not ask for your help were it not for the fact that James is 100% innocent and he is an exceptional human being.**

**Make your check or money order payable to:**

**Mike Faire  
900 4th Street  
Sultan, WA 98294** ★★★



# Church Scam Artists and How to Stop Them

By Keith Scambusters.org

Church scam tricks exploit trust and cost their victims millions of dollars every year, so much so that one state has named one variety of this type of crime its number one scam.

Yet by applying some commonsense measures, most of these con tricks can be avoided — whether you're a member of a religious organization or on the receiving end of a bogus request for help.

On this issue, we highlight the 10 most common types of religious scams and give you our five golden rules for avoiding them.

## LET US PREY: HOW CHURCH SCAM ARTISTS GET AWAY WITH MILLIONS

The trusting nature of many religious worshippers, and, often, their fervent wish to help others, have opened the floodgates to an evil deception — the church scam.

Church scams can happen when members of a congregation, a church, temple or mosque, or even a whole religious organization, are fooled into parting with their money either for a supposedly profitable investment or simply to support an individual who claims to have fallen on hard times.

Tens of millions of dollars have been plowed by individuals into hopeless projects that have turned out to be Ponzi schemes. You can find out more about Ponzi schemes in this article: The Top 10 Ways to Avoid Being Sucked into a Ponzi Scheme.

Perhaps the most common religious scam is a variation of the Nigerian scam, which we wrote about in SCAMMED! What We All Can Learn from These Real-Life Victims (under Foreign Inheritance).

In other religious scams, churches have been left with thousands of dollars of debt after being hoodwinked into signing costly leases for equipment they thought was free.

In this issue, we take a look at the most common types of church scams and offer some advice on how to avoid them.

### THE AFFINITY CHURCH SCAM

"Affinity" simply means something like "a shared understanding, interest or belief." And claiming to share someone else's viewpoint is the sneaky cover many church scam artists use.

Pretending to share their faith lulls members of religious organizations into thinking a scammer is genuine.

Often claiming some kind of divine guidance, using religious slogans, or claiming

Ponzi scheme paying for their personal lifestyle.

This is such a huge and common crime that the state of Arizona just listed affinity scams of this type as its number one scam for 2009.

And in one recent nationwide religious scam, churchgoers are said to have lost more than \$50 million in a phony gold bullion scheme, promoted on daily telephone "prayer chains," in which they thought they could earn a huge return.

Many affinity church scams involve promises of triple digit returns or other similarly unbelievable come-ons.

In the bullion case, for example, the amount of precious metal said to be involved was greater than the gold reserves held by the United States!

### THE SOB-STORY CHURCH SCAM

In a way, this religious scam is a variation of the affinity scam. It just happens at a personal level and usually involves less money.

A newcomer turns up at church. They may profess to be recently converted to the faith and claim this has changed their lives.

Sometimes immediately, sometimes over a lengthy period of time, they tell a story of a struggle against hardship or a recent tragedy.

Typical examples are stories about needing to travel across country to reunite with family they haven't seen for years or to attend a parent's funeral, or claims to be suffering from a terminal illness.

Church funds or contributions from compassionate congregation members usually appear quickly. And just as fast, the scammer disappears!

### "FREE" OR CUT-PRICE EQUIPMENT OFFERS

Recent news reports have highlighted several variations of this type of church scam, in which religious organizations sign up to use equipment for what they believe to be little or no cost.

Typically this may involve computers, photocopiers or other technology.

Sometimes the organizations are told they have to pay upfront but that their costs will be reimbursed by a sponsor, who fails to materialize.

Other times, fees and other costs are hidden in the fine print of an agreement or lease.

And on yet other occasions, churches have replaced equipment leased to them via a third party (i.e., not the original supplier or manufacturer).

The third party — the scammer in this case — does not return the equipment to the

supplier or cancel the original lease. They sell the equipment instead.

In one case, a church with two photocopiers discovered it owed money on 14 leases!

### OTHER COMMON RELIGIOUS SCAMS

If you belong to a religious organization, here are a few more scams to beware of:

- Using a church as a drop-off. The scammer orders equipment in the name of a church, then waits for the item to be left on the step, knowing no one will be there.
- Hijacking of the church's email account, which is then used to send out phony distress messages (for example, from the pastor) asking for money to be wired.
- A "Nigerian" scam in which church members are told they are entitled to buy cut-price cars or other equipment, supplemented by a religious bequest. Again, they have to wire cash in advance.
- "Gifting clubs" — a sort of pyramid scheme, where new members contribute money in the hope that they too will get cash by recruiting more members. These are illegal. See Are Your Home and Cell Phone Records Private? for more on gifting clubs. In addition, here are three more church scam tricks, this time ones crooks use to try to fool the general public:
  - Business and door-to-door collections supposedly on behalf of a church or religious group. Or phony church-goers who charge in advance for community services, like meals-on-wheels that never arrive.
  - Illegal tax avoidance schemes that claim you can set yourself up as a church so you can claim charitable status.
  - Cults. This is a whole church scam subject

### HOW TO AVOID CHURCH SCAMS

There are five golden rules for avoiding church scams drawn from the tips we frequently provide subscribers across all type of con tricks.

1. The most common adage applies to affinity and equipment-related church scams — if it seems too good to be true, it probably is.
2. Never believe someone is who they say they are, or that their claims are true, without independent proof.
3. Never wire or donate cash unless you are 100% sure who the recipient is.
4. Always read the small print of any agreement you are signing. Discuss it with others — don't rush.
5. Carefully check out the credentials of any organization you are dealing with, whether they're investment firms or equipment suppliers.

There is also some useful guidance on church scams on the Federal Trade Commission website.

By applying these common sense rules, you can ensure your church or religious group can safely maintain its spiritual and social focus.

The church scam artists meanwhile can await their day of judgment — whether it's in this world or the next!

*Editor's Note: If you have been scammed and would like to shine light on the crooks while also getting your money back, contact the US~Observer today - 541-474-7885, or via email at editor@usobserver.com. ★★★*

### Continued from page 13 • Jessica Morton Story Continues

Recently, I went to a meeting with Ryan Mulkins, which we scheduled for the purpose of sharing evidence beneficial to Morton. Mulkins had told us that he would bring a new Detective into the case — that he "needed something to work with." Mulkins showed he was keeping his word, as Grants Pass Chief of Police Bill Landis and Detective Moran entered the room, sat down and placed their tape recorder in the center of the table, ready to record.

At this point, assistant prosecutor Corey shut us down — he didn't want to hear the evidence. Corey displayed a "Napoleonic" personality. He acted like a "little" god, who thinks he possesses ultimate power over those around him. District Attorney Ryan Mulkins totally backed down as Corey took over. The meeting ended, without any evidence shared.

Although the evidence - or lack thereof - will set Jessica free, it will not repair the damage done by police and prosecutors. I know crime goes unpunished in Josephine County, and I believe there are some good, honest police officers in Grants Pass. But all it takes is one to ruin it for the rest. In this case there is more than one member of the justice system

responsible for the damage to Jessica Morton, her family, and her career. I hope that one day, the government, whether it be local or national, will start listening to the people, and stop putting their careers (paycheck) before the very people that they are supposed to



Erin Biencourt

serve.

*Editor's Note: We have chosen to withhold much of the evidence in this case until the appropriate time. Although we would love to report on it now, we have reason to believe that Jessica's defense has been compromised. Her public defender, Erin Biencourt, who had initially worked on Jessica's case, withdrew as Jessica's attorney just after taking a job... with the*

*PROSECUTOR'S OFFICE. Now, the very person who knew the bulk of Jessica's case is attempting to put Jessica Morton behind bars. Furthermore, certain elements of her case that were originally non-issues are being pursued by detectives - with the alleged help of her previous public defender. I'll venture to say, that in light of this issue, the recent work by detectives is for the purpose of building a stronger prosecution, not with the intent of serving justice.*

*If you, or anyone you know has been wrongfully terminated by Kairos, or wrongfully arrested as a result of an accusation by a resident at Kairos or if you have any information regarding Jessica Morton's case, I strongly urge you to*

*contact the US~Observer. Have you been abused by Grants Pass Police "Detective" John Lohrfink", Grants Pass "Detective" Dan Evans or Josephine County Assistant Prosecutor Matthew Corey? If so, be responsible and call 541-474-7885. ★★★*



Detective Dan Evans

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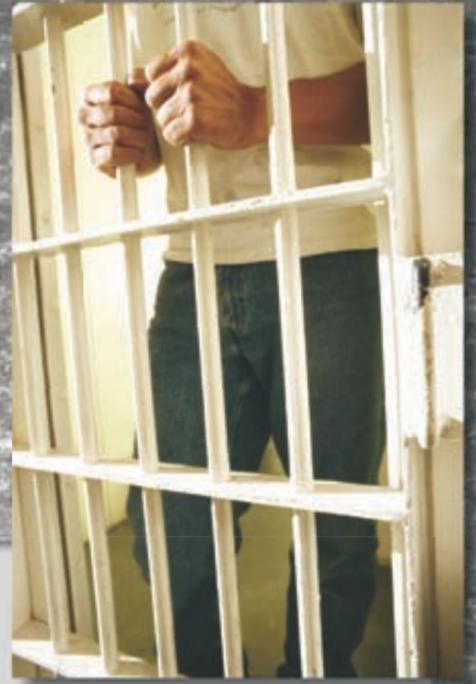
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# Are You Facing False Criminal Charges? Have You Been a Victim of False Prosecution?



## 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.

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.

**Call Us Today!  
541-474-7885**

**If you prefer email:  
editor@usobserver.com**

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

The US~Observer's services have

# VINDICATED



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

**Ryan Sanchez**

**Victim: Custody**

**Status: Full Custody**

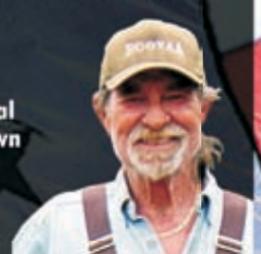
"You were a big change for the good in this case."



**James Roberts Charges: Three Misdemeanor's**

**Status: Acquitted**

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

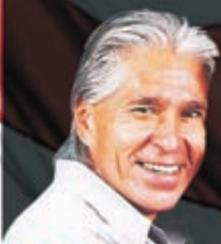


**Reno Francis**

**Conviction: Murder**

**Status: Released**

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



**Sarah Walker Victim: DHS Abuse**

**Status: Dismissed**

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

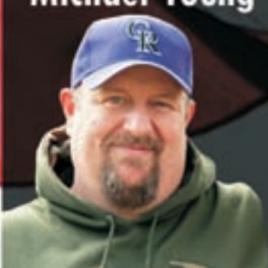


**Michael Young**

**Charges: Felony Sex Abuse**

**Status: Dismissed**

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



**Armando Garcia Charges: Felony Rape**

**Status: Acquitted**

"Not many people would've been on the side of someone who was being accused of such charges. I really appreciate what the US~Observer did for me."



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