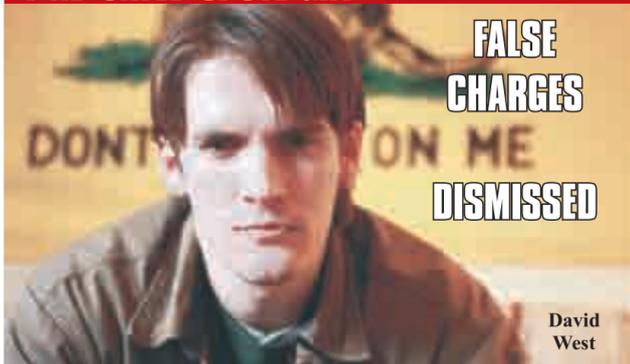


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Volume 2 • Edition 20

VINDICATED SPOTLIGHT



David West

Open Carry a Gun, Go to Jail!

Medford PD Continues Lying – Conspiring

By Joseph Snook Investigative Reporter

Medford, OR - On the afternoon of July 25, 2012 David West was returning home from

work when he saw a familiar Radar Enforcement Van operated by the City of Medford, Oregon. This van had been parked in his neighborhood before and it posed concern for West.

West, 22 years of age is an aspiring filmmaker and is described as an astute man who is knowledgeable and active in politics and civil/human rights. West decided to protest the van that afternoon while recording

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State Nullification - Our Last Hope?



By Lorne Dey Investigative Journalist

America 2013 - It is patently unfair that moral, hard-working people in this country—who do not want and have never wanted nor voted for the kind of corrupt individuals that now populate our nation’s capitol—are once again expected to live, without protest, under the unconstitutional mandates and government give-away programs instituted by so-called leaders

who are clearly bent on transforming America into a bankrupt, Soviet-style state.

To be sure, Barry Soetoro aka Barack Obama was re-elected not by an electorate who love America and want to see its founding ideals preserved, but by opportunists who unjustly want something from it for which they are not entitled or deserving.

Whatever the reasons, on its current trajectory, America will indeed slump into what Soviet Russia once was and may even become the kind of third-world

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US-OBSERVER INVESTIGATION SPOTLIGHT

Florida’s 15th Judicial Circuit – Past Officials Flip-Flop on Justice

By Edward Snook Investigative Reporter

Palm Beach County, FL - On Thursday, September 15, 2011, a jury of six women determined Jamie Clark to be guilty of DUI Manslaughter according to Florida Law. That law states any person who is "legally intoxicated" and "causes, or contributes to the cause of the death of another while operating a motor vehicle" shall be found guilty. If you believe in a strict sense that consuming alcohol and operating a vehicle is a crime, I strongly urge you to read this article.

The current judicial system in the United States would have you believe that in most cases, if you consume alcohol and operate a motor vehicle, you have broken the law - simple enough. Some states have even implemented new laws that specify if your blood alcohol level is under .08, you can still receive a DUI at the

officer's discretion. As of 2011, all 50 States have adopted the .08 blood alcohol level-standard for determining when someone is "legally intoxicated".

What the United States judicial system rarely recognizes however, is that many times there are circumstances in which impairment and guilt, can and should be, called into question. For example, in a recent DUI Manslaughter case in Florida, an SUV driver who was over the legal limit made a left hand turn late at night. A motorcycle coming the other way was seen traveling 80-90 miles per-hour just moments before and ran into the side of the SUV as it turned. The cycle was determined to be engaged in a "wheelie" at the time, its headlight pointing into the sky, when it ran straight in the side of the other driver's car and literally up over the top of it, leaving tire tracks across the roof. The driver of the motorcycle was not wearing a helmet and was killed.



Jamie Clark

He was also found to be under the influence of alcohol. However, the jury in this case was allegedly never told about that fact. And, under Florida's DUI law where an individual "causes, or contributes to the cause,"

Continued on page 3

How DHS Fails Children Gov't Agency Threatens Ruling by Judge

By Joseph Snook Investigative Reporter



Amber and her children

Linn County, OR - After years of severe abuse by Michael Duran (Duran), Amber Parker/Duran (Amber) finally realized how problematic her marriage had become when the Department of Human Services attained custody of her children in November of 2011. Knowing that Duran was not healthy for her or her children, Amber filed for divorce soon thereafter.

On January 8, 2013 Amber and Duran accompanied with attorneys met in court for

their divorce/child custody hearing. While in court, Ursula Beattie, a case worker for DHS threatened to disregard the judge's custody ruling, depending on his decision. Ursula Beattie confirmed during the hearing how DHS has wrongfully and continuously attacked Amber and her ability to parent since their involvement began in late 2011. DHS' position regarding this case is something that should concern any family, especially those with children because DHS has continuously ignored what is best for Amber's children

Continued on page 2

Dr. Kathy's Corner



Not much has changed in the wild-wild west

By Dr. Kathy Marshack

The American West was exactly as depicted in many Hollywood movies. It was wild and dangerous and corrupt. Only the toughest and shrewdest of men and women survived. In the Oregon Territory if you didn't drown in the Columbia River rapids, or die of some common disease like small pox or pneumonia, then you might be killed or swindled by your neighbor. The local Native Americans caused little trouble for those early American settlers. The real problem was that there was no way to rein in the few ruthless psychopaths who dominated the early frontier. And I'm talking about some of the first big ranchers, businessmen, and lawyers!

Nothing has changed much by the looks of the emails I get at the US-Observer, from some of my neighbors in Clark County Washington. Just a few days ago I heard from James J. O'Hagan who writes, "I have been involved in a

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By Ron Lee The Verbal Assassin

"Reality" is exactly as we are led to believe in this day and age of a virtual society. Daily, we are

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Judge Napolitano • Guns and the President Page ... 8



Joe Schallmoser • Newtown - Don't be Surprised... Page ... 8



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and pursued their own agenda, which could happen to anyone involved with DHS.

Duran had an admitted "decade long" past ranging from domestic abuse and assault, to drug abuse and trafficking - resulting in numerous criminal convictions. Duran had previously shoved an eight month pregnant woman down a flight of stairs, and had attempted to hit Amber with a motor vehicle after pushing her from her car then attempting to hit her with the same vehicle according to police reports.

During the hearing, Duran admitted to previously selling about "two pounds of cocaine" per month. Please visit www.usobserver.com to read our previous alarming article regarding DHS, Duran's criminal record and the history of this case.

Michael Duran, father of Amber's two youngest children, currently has temporary custody of both - awarded to him by DHS. This blatant disregard of common sense and right and wrong by DHS verges on criminal activity!

Despite Amber's attempts to do what has been asked of her, DHS has done everything seemingly possible to help Duran and has shown a severe disconnect with reality in this case by their own actions towards Amber. It is reported that Duran is a very cunning and deceptive individual - DHS is proving this report to be sadly and dangerously correct.

During the recent divorce hearing, Amber's case worker Ursula Beattie of DHS testified on behalf of her soon to be ex-husband Michael Duran. Ursula testified, "Amber sees things different than normal people", and attempted to state that Amber has mental health issues, which was apparently based off of a previous DHS case workers notes and a completely inept psychological exam by Dr. James A. Ewell that was not allowed as evidence at this recent hearing. When Ursula attempted to claim Amber had "mental issues", Amber's well-prepared Attorney Paul M. Nelson objected because it was a continuing series of hearsay testimony that was not based on her knowledge or expertise - Ursula was not qualified to give her opinion, and Judge Murphy quickly sustained. A few minutes later, Judge Murphy had to sustain another objection by Attorney Nelson after Ursula continued to offer her non-qualified opinion to the court.

DHS employee Ursula Beattie was asked what actions were necessary to meet DHS's requirements, allowing Amber to eventually retain custody of her children and she stated that an alcohol and drug assessment as well as another psychological exam was her recommendation.

According to renowned Psychologist, Dr. Frank Colistro's testimony and reports, he has seen Amber 17 times since May of 2012. Amber completed an alcohol and drug (A&D) assessment on May 14 and 16, (two day test) 2012. Dr. Ewell, who had originally seen Amber, reportedly gave Amber the same test which was only 1-2 hours. (see our original article online for a background on Dr. Ewell and DHS) Amber completed another "official A&D test" with Dr. Colistro on or around August 21, 2012, reportedly "because Ursula wouldn't accept the original one." The tests were confirmed to have been sent to Ursula at DHS. Dr. Colistro has stated that Amber suffered from PTSD and his findings were also "supportive of the appellation of Battered Women's Syndrome..." This writer would ask; what woman wouldn't suffer from PTSD after experiencing the

outrageous abuse that has been leveled at her by Duran and the Department of Human Services! Colistro subsequently testified when asked about Amber's ability to parent her children that "Amber is currently fit to parent her children."

Ursula then attempted to attack Dr. Colistro's professionalism by stating that he was "biased towards Amber." She continued by stating Dr. Colistro only knows what Amber tells him. Attorney Nelson quickly reminded Ursula while she was under oath, that Dr. Colistro has the same paperwork that Amber has, which included everything produced by DHS. Dr. Colistro further testified to making numerous telephone calls to Ursula since he became involved and only "one" call had been returned. Regarding the attempted communication between Dr. Colistro and herself, Ursula testified, "They had been playing phone tag."

Ursula seemingly did not find Dr. Colistro to be a very credible Psychologist, which was confirmed by her testimony that Amber should seek another Psych exam and A&D assessment. Attorney Nelson informed Ursula during the hearing that Dr. Colistro has handled and is currently handling numerous DHS referrals and has worked with DHS for many years. The US-Observer's background check on Dr. Colistro shows that he is among the very elite in his profession...

“Fathers who abuse their families are more likely to win custody of their kids than those who don’t.”

—American Psychological Association

DHS employee Ursula Beattie has a blatant disconnect with Amber Parker/Duran. It is also clear that Ursula Beattie feels that, "over a decade of drug abuse and assaults" committed by Duran should be excused after only a hand-full of classes have been completed by Duran in about twelve months. It is also vividly clear that Ursula Beattie has entered into a clear and concerted conspiracy with "others" at DHS against Amber Parker.

Mr. Duran is currently on probation for the next "30 months or so" and has violated probation numerous times. Although Amber has zero criminal arrests or convictions she has been continually labeled a "mental case" by DHS. One of the only examples Ursula could give while testifying about Amber's mental issues was that Amber took her children to the doctor for reported carbon monoxide poisoning five times within one week. Amber stated that she had only taken her children to the hospital three times and the reasons for continued visits were for appointments that had to be made, minus one extra visit due to her concerns as a parent. One must assume that she was under severe distress provided this was during the time she was reportedly enduring abuse from Duran and one must also assume that her fears for her children were completely valid.

Amber had been beaten, verbally abused, threatened and was going through a very rough time in her life. Amber has been cleared by a "DHS" qualified Doctor to parent her children, yet



Oregon Department of Human Services
ODHS

ODHS Logo

Agency overview

Formed	1971
Jurisdiction	U.S. state of Oregon
Headquarters	Salem
Employees	9,800 (approx.)
Annual budget	\$10.8 billion (2007-2009)
Agency executive	(Erinn Kelley-Siel, Current Director 2013)

“DHS’s Ursula Beattie threatened Judge Murphy while in court that the state would retain custody of Amber’s children if he rules in her favor.”

Continued on page 13

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Continued from page 1 • Florida's 15th ...

the driver of the SUV was convicted of DUI Manslaughter. A court of appeals recently ruled that even though the driver of the SUV had been drinking, the evidence did not show him to have "caused or contributed to the death of the motorcycle driver" as required by law. "The appeals court ordered (Judge) Komanski to resentence the defendant for a lesser offense: DUI, which carries a maximum sentence of 12 months in jail."

According to the Orlando Sentinel newspaper, "The judge then revised the sentence he had originally imposed on a second charge, leaving the scene of an accident. He initially sentenced Pennington to 15 years of probation for leaving the scene. ...he made that 12 years of prison followed by 15 years of probation."

"Goerner (Defense Attorney) said case law prohibited a judge from ratcheting up a sentence on a charge unaffected by an appeals court ruling. The appeals court had explicitly affirmed Pennington's conviction and sentence on that count."

"But Assistant State Attorney Deborah Barra had argued that since Pennington had not yet begun serving that portion of his sentence, the judge was free to rework it." Defense attorney Goerner is filing an appeal on Judge Komanski's recent decision and it is this writer's opinion that the judge abused his lawful authority, which should favor Goerner's appeal.

In the majority of these kinds of cases, it seems that even though the courts expect us to believe the evidence is always clear-cut and a jury trial will be the deciding factor, the real choice juries have to make is slowly being deteriorated through corrupt legal motions designed to exclude evidence from the jurors. These are commonly referred to as "Motions in Limine".

Some basic questions come to mind when one looks into the facts surrounding an alcohol-related vehicle accident. Questions such as: Who was involved? What caused the accident? How much alcohol was consumed? And, what did the responding law enforcement officers conclude? These are the types of queries that a prudent investigation should answer.

Next, I would like to state that I am not in any way an advocate for drinking and driving. However, I am an advocate for blind justice - the kind of justice that seeks to protect the innocent and punish the guilty.

Although laws are clearly not consistent across the U.S., where do we, as supposedly "informed citizens" draw the line? When does a law that is deemed "unjust" become nullified? How does one determine whether or not a law is "just"? Do jurors really see all of the necessary evidence in order to return a proper verdict? Has our criminal justice system been manipulated to the point that it makes it almost impossible for a defendant to receive a fair trial? Why are more than 90% of all criminal cases in the U.S. resolved through plea-bargaining? Why does the "Land of the Free" have the highest incarceration rate per-capita than anywhere else in the world? For Jamie Clark, who has been locked up since 2011, many of these questions are finally on the verge of being answered.

THE ACCIDENT

On the night of October 13, 2006, shortly after 9:00 pm, 35-year old Jamie Clark was returning home from meeting friends after work when he came upon a vehicle attempting to make a u-turn. The vehicle, turning around in a six-lane busy thoroughfare, pulled directly in his path, causing a fatal accident that resulted in the death of 85 year-old Lucy Miller who was operating the other vehicle. A few minutes later Jamie found himself sitting in a nearby Jewish Temple security officer's golf cart, with ice covering a gash bleeding heavily above his eye. The security officer remembers Jamie stating, "There was no way he could avoid the accident, the car pulled out right in front of him." He was reportedly travelling at a speed between 5-10 mph over the posted 45 mph speed limit.



Judge Kastrenakes

According to an eyewitness statement, the vehicle, operated by Lucy Miller, was travelling at "a very low speed". According to responding Police Officer Michael D. Daly's report, one witness stated, "Due to the approaching vehicles, I would not have attempted the u-turn at that time."

A Rabbi from the Temple, Rabbi Bloch, who was in a vehicle directly behind Ms. Miller's stated during a taped interview with police, "It was very clear to me when she (Lucy Miller) was making it (u-turn), that I had a moment of wanting to say, 'Don't go...What are...What are you doing!'" The Rabbi further stated, "And... And... It was almost like there wasn't enough judgment in the turn, because it was... I... I... would never have made that turn." When Officer Daly asked her why she wouldn't have made the turn the Rabbi stated, "Because I saw that cars were coming." When he asked about the lack of "judgment" involved he said, "Slow, slow motor skill type reaction?" The Rabbi replied "Yeah, like very, very..." The Rabbi also stated that she couldn't tell if any of the approaching vehicles were speeding. Officer Somers then asked her, "Was it (approaching vehicle) to some degree of speed that would make you uncomfortable making a turn at that particular time?" Rabbi Bloch responded, "Absolutely... I cannot answer if that person was speeding or not. I don't remember if that person was speeding or not." Officer Somers then stated, "That's why I asked you the question that way." To which the Rabbi replied, "Yeah, I know... and that's why I'm answering this way... I don't know if that person was speeding or not. But I know for sure I would have never made that turn... like I said, I wanted to scream out, 'Please don't go!' - But it was too late." Surprisingly, not one of these statements were allowed to be told to the jury during Jamie's trial - they had been blocked by a "Motion in Limine".

Although other witnesses were interviewed, there were reportedly no other "eyewitnesses". Jamie was released from the scene that night after giving his statement, without any field sobriety tests or a citation of any kind after a required blood test was taken.

ALMOST 5 YEARS PASS BEFORE TRIAL

Although the accident in question occurred in October of 2006, it took the Palm Beach County State Attorney's Office until April of 2007 before filing charges. Even then, more than three and a half years would pass until December 2010, when a seemingly frustrated Palm Beach County Judge John Kastrenakes denied the state's request for another extension and bluntly told the state they would be "Picking a jury probably starting in an hour..." The State Attorney's office then filed a "Nolle

Prosequi" and dropped the charges. Judge Kastrenakes said in part, "I wasn't going to postpone it again... The people of Palm Beach County have the right to a speedy resolution to a case... It's inexcusable that a case takes four years to be in the ready position to be tried... And I really, frankly, am upset that anybody would even walk in here and try to postpone the case after all of the postponements. It doesn't speak well for the state to have a case postponed this long and still try to get another postponement." He then

discharged Jamie's bond and advised, "Mr. Clark, you are free to go..." However, the following year, in January 2011, the state filed the case again, restarting the clock. Another nine months would transpire before the case finally reached trial in September of 2011, just one month shy of five years since the fatal collision had occurred.

During trial, while questioning Police Officer Michael Daly, the Defense Attorney posed a question: "In any accident, particularly a fatal accident, is it very important for a trained and experienced officer to note any indication of impairment...?" Daly's response was, "Yes". The Defense Attorney continued, "And you have been trained in DUI detection, correct?" Officer Daly again replied, "Yes." Actually, after several discussions with Jamie right after the accident, including a taped interview that

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ATTENTION!!!

All Retired Military Personnel

Were you Prescribed Niamid or Nialamide?

Did the U. S. Military prescribe Niamid or Nialamide to you or a loved one? Currently, we would expect that mainly living widows of servicemen would remember that this drug was given to their spouses.

The US~Observer is investigating a case involving our Military and the death of Master Chief Kenneth Helms. Chief Helms was prescribed the drug Niamid or Nialamide in 1962 and took the drug until his death on November 26, 1976.

The US~Observer needs to hear from everyone who was prescribed this drug as we have reason to believe that it may have contributed to Chief Helms death.

We will address the Veterans Administration publicly with the results of our investigation.

Please call 541-474-7885 if you have knowledge of anyone who was prescribed Niamid or Mialamide.

Wanting to rectify the unjust of this world!

On July 15, 2010 Milton J. Knudson did not receive a fair trial. His constitutional rights were absolutely and totally denied. All lawyers involved should be held accountable as many professional rules of conduct were broken, ethical duties thrown aside and many statues were not applied.

There have been Lawyers who have reviewed this case and have agreed that we have a "broken system" and have stated that we "should live with it" - they won't take any action to correct.

We invite any and all who would like to expose the truth of this corruption and injustice to help, not just Milton, but to all of those in our justice system to whom this is happening.

Wyoming, in our Nation's Legal System, is rated 48th in Accountability. We challenge you, Reporters, Lawyers, Law Professors and Citizens, to thoroughly investigate and report your findings on this matter, to improve the ranking of your legal systems accountability.

For material pertaining to this case, all inquiries can be submitted to justice4mick@live.com.



Milton "Mick" Knudson

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In The News

FLASHBACK:

ABA Tells Courts to Provide Detailed Brady Checklists

(burneylawfirm.com, 2011) - We wrote recently on our distaste for those on the defense side who persist in playing games. It should go without saying that it is far worse for the prosecution to play games. And yet it happens all the time.

Ideally, when the prosecution has done its job right, it's going to be holding all the cards. If those cards are good, there's little reason not to show them early and convince the defense to fold. It saves everyone the expense and burden of litigating and trying a case that ought to just plead out.

And if those cards aren't so good, then fairness requires that they still be shown. Simple due process requires that a criminal defendant — someone whose life, liberty, reputation and property the government intends to destroy — be told when the government has evidence that might help him defend himself. If such evidence is in the government's possession, it's not realistic to believe that the defense would ever discover that evidence. Law enforcement is rarely willing to share information with the defense. And even with evidence from other sources, the defense never has anywhere near the resources and ability of the government to discover that evidence. Anyone who thinks the two sides are fairly matched in this regard either has no experience, or no active brain cells.

So that's why we have the Brady rule. Prosecutors are supposed to give the defense any evidence possessed by the government that might help the defense at trial or at sentencing. It's a great rule, but the problem is that prosecutors often have a hard time following it. And they get away with it plenty, because it's not like the defense was ever going to learn of the existence of that evidence. And they have absolute immunity from civil suit for their Brady violations.

What happens often enough, unfortunately, is that prosecutors try to game the rule. Any game-playing by a prosecutor is abhorrent, beyond unethical, as it abuses the overwhelming power of the government. But gaming the very rule intended to prevent such game-playing is perverse.

How do they do it? One simple way is to just not hand it over, secure in the expectation that the defense won't ever find out. The prosecutor can justify this by claiming it wasn't really Brady material. Perhaps they spin it as something that isn't really helpful to the defense, as if their perspective is the only correct one. Perhaps they spin it as just discovery-type stuff, which unfortunately is not discoverable at this time, if ever. Or they can just cross their fingers and hope nobody ever gets wise.

Another way to game the rule is to claim ignorance. There may in fact be exculpatory evidence, but law enforcement never let the prosecutor know of it, and the prosecutor didn't try all that hard to look for it, if at all. That's no excuse — law enforcement is the government, and what it knows is imputed to the prosecution — but the prosecutor's failure to obtain the information keeps it out of the defense's hands.

Another way to game the rule is to rely on an office's "open-file discovery" policy to make the defense think they've received everything they're entitled to, when in fact the critical evidence was either withheld, knowingly excluded from the prosecution's file, or otherwise not made part of the file, or deemed "not discoverable." This game involves a level of deception, essentially lying to the defense that they've been given everything.

An "open-file discovery" policy can also be used to game Brady by

just dumping a warehouse full of documents on the defense, without highlighting where the potentially exculpatory evidence might be found. The closer in time to trial this happens, the worse it is. But it's intellectually dishonest for the prosecution to claim "we gave it to them, it's not our fault they didn't spot it."

A particularly nasty game gets played when the defense has reason to believe the evidence is out there, but for some reason — such as when it's possessed by the police — the defense isn't able to get the specifics. So the defense notifies the prosecution, and the prosecution claims not to have a Brady obligation, because the defense already knows about the information. This also happens when the prosecution tells defense counsel that the defendant was there, so go ask him what happened. That's not the rule. If the defense actually possesses the evidence (or could reasonably get it), then there's no need for the prosecution to provide a second copy. But anything short of that imposes an affirmative duty on the prosecution to collect and share that evidence. Prosecutors like to hide in the penumbra of what a defendant might, with reasonable diligence, discover on his own. But that's avoiding a constitutional duty, not complying with it.

There are any number of other games that get played — like all the procedural obstacles that get thrown in the way of post-conviction attempts to establish actual innocence — but these are all examples we've come across in our own experience. Suffice it to say, prosecutors are playing games with people's lives all the time.

So it was with some cautious optimism that we saw the resolution that the American Bar Association adopted today, basically telling courts to devise detailed laundry lists of things that count as Brady material in their courthouse, and to provide them to prosecutors and defense counsel in the cases that come before them. If adopted, this practice would make it at least more difficult for prosecutors to claim ignorance of material that could have existed. And it would make it easier for defense attorneys to spot particular bits of police paperwork and other kinds of evidence that they might not have known to ask for, if not disclosed. It would help the hard-working defense lawyer to root out the Brady that might be there, and it would help the ethical prosecutor collect such material that they might not otherwise have obtained.

Here is the resolution:

RESOLVED, That the American Bar Association urges federal, state, territorial, tribal, and local courts to adopt a procedure whereby a criminal trial court shall, at a reasonable time prior to a criminal trial, disseminate to the prosecution and defense a written checklist delineating in detail the general disclosure obligations of the prosecution under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny and applicable ethical standards.

FURTHER RESOLVED, That the American Bar Association urges federal, state, territorial, tribal, and local courts in implementing the above procedure to require a criminal trial court to create a standing committee of local prosecutors and criminal defense attorneys to assist the court in formulating and updating the written checklist delineating in detail the prosecution's general disclosure obligations.

FURTHER RESOLVED, That any omissions or deficiencies in the written checklist provided by the court should not relieve either the prosecutor or defense counsel of their legal and ethical responsibilities with respect to providing and seeking disclosures.

Now let's see if it has any effect. ★

Cleared of One '95 Murder, 3 Men Have Conviction Vacated in a 2nd



By Colin Moynihan

(NY TIMES) - Three men who had been imprisoned for 17 years for two murders they had long denied committing were released on Wednesday night after a judge granted the prosecution's request to vacate the last remaining convictions.

The men had already been exonerated of killing a Senegalese cabdriver in the Bronx in 1995 after two former members of a street gang recently confessed to that murder. But another conviction remained, stemming from the murder of a Federal Express executive.

But because prosecutors at the time of the trial closely linked the slaying of the livery-cab driver, Baithe Diop, to that of the executive, Denise Raymond — they took place in the Soundview neighborhood three days apart — the conviction for Ms. Raymond's murder had become suspect.

Addressing Justice Denis J. Boyle of State Supreme Court on Wednesday, an assistant district attorney, Nicole Keary, acknowledged problems with some of the evidence that had been used against the men, then concluded that "the convictions then must be vacated."

As Ms. Keary spoke, friends and relatives of the men, Michael Cosme, Devon Ayers and Carlos Perez, began sobbing and hugging. Glenn A. Garber, of the Exoneration Initiative, a nonprofit legal group that handles prisoners' claims of innocence, who was representing Mr. Ayers, said he was "very pleasantly surprised."

At the prosecution's request, the indictment was not dismissed; Justice Boyle scheduled a hearing in 90 days to see if the prosecutors could come up with new evidence that would justify a second trial. In the meantime, he freed the three without bail.

"We agreed that proof concerning the two crimes was so closely connected at trial that when one conviction was vacated the other should also be vacated," Steven Reed, a spokesman for the Bronx district attorney's office, said.

Prosecutors told jurors that the defendants had

conspired to kill both Ms. Raymond and Mr. Diop. That account was bolstered by testimony from a teenager who said that she had heard the men plan the crimes and later confess to them; another witness, Miriam Tavares, testified that, through a window, she could see the three men, assisted by two other people, Kathy Watkins and Eric Glisson, shoot Mr. Diop.

But over the years, that account began to erode. In May, two members of a Bronx gang named Sex Money and Murder told a federal investigator that they had shot Mr. Diop. Based on that testimony, Mr. Glisson and Ms. Watkins, who had been convicted of the murder of Mr. Diop but not of Ms. Raymond, were released.

Around the same time, lawyers for Mr. Ayers, Mr. Perez and Mr. Cosme asked that their convictions also be set aside.

Those lawyers wrote that Cathy Gomez, the 16-year-old who had testified that the men planned and acknowledged carrying out the murders, had recanted, saying that her testimony was delivered under duress. But the most powerful evidence cited by the defense involved what lawyers referred to as the "spillover effect" between the Raymond and Diop murders.

"The tainted murder counts involving Diop influenced the guilty verdict of the Raymond homicide," Earl Ward, a lawyer for Mr. Cosme, wrote to the court.

After the handcuffed defendants were led from court, relatives assembled outside to await their release.

About five hours after the hearing ended, the three men emerged, greeted by shouts, hugs and handshakes. Mr. Ayers beamed as he greeted his daughter, Barbara Santana, 18, who was 2 months old when he went to prison. Mr. Perez said he was going to try to "make up for lost time" with his son, also named Carlos, 25.

Two young nieces clung to Mr. Cosme's legs. Even as he savored his freedom, he said he was deeply upset at having been jailed for nearly half his life after being convicted of a crime he said he did not commit.

"I've been innocent and I've been fighting all these years," Mr. Cosme, 37, said. "I lost a lot." ★★★

Police captain exonerated in wife's murder, freed from prison

By Jim Kavanagh

(CNN) - A former Akron, Ohio, police captain who was convicted of murdering his wife in 1997, has been cleared of the crime and released after more than 14 years in prison.

Douglas Prade walked out of the Madison Correctional Institution around 4:30 p.m. Tuesday, CNN affiliate WOIO reported, a few hours after Summit County Common Pleas Judge Judy Hunter ruled he was innocent of the crime and ordered him released. County officials said they will appeal the decision.

Margo Prade, a popular doctor, was found dead of multiple gunshot wounds in her vehicle in her office's parking lot in November 1997. Douglas Prade was indicted for aggravated murder the next February and convicted in September of that year. He was sentenced to life in prison. The case dominated local headlines for months and was the subject of crime shows on national TV.

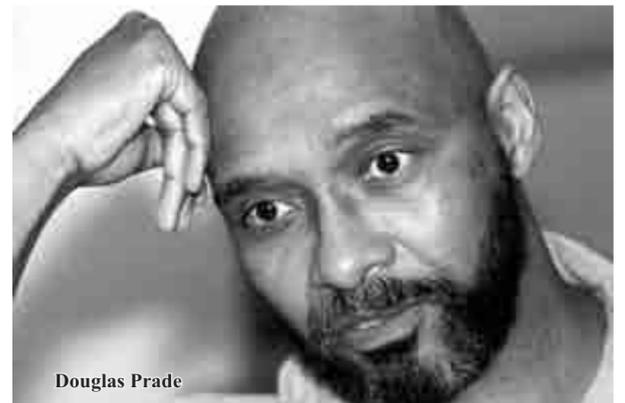
Although DNA tests conducted at the time were inconclusive, the main evidence against the captain was a bite mark on the victim's arm and lab coat that a prosecution expert matched to her husband's teeth. No weapon was found and prosecutors produced no one who witnessed the killing.

With help from the University of Cincinnati's Innocence Project, Douglas Prade appealed the conviction and eventually won a ruling from the Ohio Supreme Court in 2010 that allowed the DNA evidence to be retested using newer methods. When the results came back, none of the DNA evidence could be matched to Douglas Prade.

"The defendant has been conclusively excluded as the contributor of the male DNA on the bite mark section of the lab coat or anywhere else," Hunter wrote in her 26-page ruling Tuesday. Hunter also cast serious doubt on the reliability of bite-mark evidence, leaving the prosecution with little to go on.

"The DNA results prove what Prade has said all along, that he is 100% innocent," Carrie Woods, Prade's Innocence Project lawyer, said after a hearing last summer.

"The Court is not unsympathetic to the family members, friends and community who want to see justice for Dr. Prade," Hunter wrote. "However, the evidence that the defendant presented in this case is clear and convincing. Based on the review of the conclusive Y-STR DNA test results and the evidence from the 1998 trial, the court is firmly convinced that no reasonable juror would convict the defendant for the



Douglas Prade

crime of aggravated murder with a firearm." She ordered that Prade be released from prison "forthwith."

Summit County law enforcement officials were dismayed at the decision.

"This is a gross misapplication of the law, and we will be appealing Prade's exoneration," county Prosecutor Sherri Bevan Walsh said in a news release.

"All of the evidence clearly points to Prade as Dr. Margo Prade's killer," Akron Police Chief James Nice said in the same release. "He was proven guilty in front of a jury using a substantial amount of other evidence."

If Ohio's Ninth District Court of Appeals reverses Hunter's ruling, the state will have 30 days to file a motion seeking a new trial, Walsh's office said.

"I feel like my life is in danger and my family's life is in danger now. (Dr. Prade and her mother) are probably turning over in their graves, but God will have the final say," Tony Fowler, Margo Prade's nephew, told CNN affiliate WEWS.

"The decision is unfair and unjust, in my opinion," Tammy Fowler, a niece, told the station. ★★★

Peterson found factually innocent after 15-years

By Tim Gurrister
Standard-Examiner staff

Ogden, UT - Kevin George Peterson has been officially found innocent of the crimes for which he spent 15 years in the Utah State Prison.

Peterson's soon-to-be-expunged file in Ogden's 2nd District Court now includes a letter from Judge Scott Hadley that reads "Because it is the Order of the Court that you are factually innocent of the crime for which you were convicted, you are hereby relieved of all obligations and collateral consequences attributed to that prior conviction."

Hadley has ordered that Peterson be removed from the state's sex offender registry under terms of a settlement with the Utah Attorney General's office, the remainder of the terms sealed by the judge.

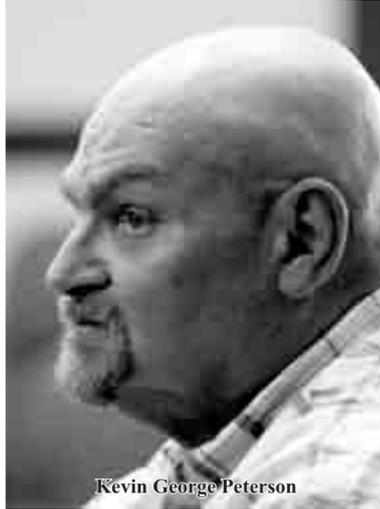
After a nearly four-hour, closed-door mediation session Dec. 11 with the attorney general's office, presided over by fellow 2nd District Judge W. Brent West, officials would only say there was a settlement, but terms are sealed. Peterson's was the second case decided in Ogden under the statute that can pay wrongly imprisoned inmates in the six-figure range.

"All I can say is that it happened and the agreement is under seal," said Jason Richards, who with fellow Ogden lawyer Keith Henderson, represents Peterson, after the mediation with lawyers Scott Reid, Pat Nolan and David Carlson of the attorney general's office. Requests for comment through their office spokesmen were declined. Reid and Nolan head the division that is defending the state in at least half a dozen factual innocence lawsuits filed around the state.

Last year Debra Brown was released from the Utah State Prison under Utah's 2008 Factual Innocence statute, which lays out the process for suing the state for wrongful imprisonment. Ogden 2nd District Judge Michael DiReda freed her, finding her 1993 murder conviction in Logan unfounded.

In Brown's case, DiReda ordered the state to pay her more than \$570,000 under the statute's compensation formula, likely the maximum, as it has a cap of 15 years on the number of years of lost income to be repaid. Her case is on appeal to the Utah Supreme Court, with no payment made to date. Officials have said they do not seek to return her to prison if DiReda's order is overturned.

Peterson would likely be in line for a similar



Kevin George Peterson

maximum amount.

Peterson served the full 15 years of a one- to 15-year prison term for child molestation because he refused to admit guilt to the state Board of Pardons.

Peterson's lawyers are more talkative with Hadley's order now public. "He just wanted people to know he was innocent," Richards said, declining to comment on the financial settlement.

"Anything else was insignificant as far as he was concerned," said Henderson.

Peterson, 54, formerly of West Haven, now an Ogden truck driver, was sent to prison in early 1993 on charges alleging sexual contact short of rape. He moved back to the Ogden area when he was released from prison in November 2007.

Peterson's lawsuit includes sworn affidavits from his two children, who say they were coerced by their mother and stepfather to tell authorities their father sexually molested them. The son and daughter were 11 and 9 at the time.

Peterson pleaded no contest to the second-degree felony charges, meaning he denied guilt but couldn't defeat the state's evidence.

The whereabouts of the ex-wife and stepfather are unknown, any prosecution of them complicated with statute-of-limitation problems.

Peterson's factual innocence trial, which had been set for August of last year, was cancelled in June as the attorney general's office accepted the offer of mediation from Peterson's lawyers. ★★★

CORRUPTION SPOTLIGHT

Nine Philadelphia judges indicted in traffic ticket fixing scheme

By Dave Warner

(Reuters) - Nine current and former Philadelphia Traffic Court judges were indicted for fraud, conspiracy and other charges on Thursday in what federal prosecutors called a culture of ticket fixing.

A federal grand jury that was convened to hear evidence of the scheme said to involve judges, politicians and businessmen also indicted the court's former director of records and two business owners.

"Those who seek to game the system by refusing to follow the rules need to be held accountable by the rule of law they swore to uphold," U.S. Attorney Zane David Memeger said in a statement.

The 77-count indictment said "the ticket fixing was pervasive and frequent," continued from July 2008 until September 2011 and cost the city an untold amount.

"For years, even beyond the dates of the conspiracy charged, there existed a culture of ticket fixing at Traffic Court," it said.

The grand jury found that judges and high-level administrators at Traffic Court arranged, received and granted requests for ticket fixing.

Tickets were fixed by being dismissed, finding the driver not guilty, or finding a defendant guilty of a lesser offense, the indictment said.

The indictment said that local politicians, including ward leaders,

politically connected individuals, and those with influential positions in business, labor, industry or society, asked Traffic Court judges or administrators for preferential treatment for constituents, relatives, friends, and associates who had been issued citations.

Traffic judges, who are elected, seek the endorsement of local politicians to win their post.

One business owner, Henry Alfano, 68, described in the indictment as the owner of an automotive business and the landlord for two gentlemen's clubs, is accused of fixing tickets for his friends. In exchange, he paid a judge with free car repairs, car maintenance, car towing, videos and seafood.



Another businessman, Robert Moy, 56, owner of a translation service, sometimes guaranteed his customers favorable results on their traffic tickets, and did so by working through a traffic court judge, the indictment said.

In all, two sitting judges were named in the indictment, along with a senior judge, three former judges, and three judges from suburban counties who sometimes served on the city

"Those who seek to game the system by refusing to follow the rules need to be held accountable by the rule of law they swore to uphold."

— U.S. Attorney Zane David Memeger

court. They were identified as sitting judges Michael Sullivan and Michael Lowry; former judges Robert Mulgrew, Willie Singletary and Thomasine Tynes; suburban judges Mark Bruno, H. Warren Hogeland and Kenneth Miller; senior judge Fortunato Perri; and former court director of records William Hird.

All of the defendants were charged with

conspiracy to commit wire and mail fraud. Mulgrew, Lowry and Tynes were each additionally charged with committing perjury before the federal grand jury. Singletary and Hird were also charged with lying to the FBI.

If convicted, they face prison terms of up to 440 years and fines as high as \$5.5 million, prosecutors said.

William Brennan, a lawyer who represents Singletary, told Reuters on Thursday that he will enter a plea of not guilty for his client.

"I'm pleased after reviewing this lengthy document, this indictment, that the government does not allege that my client took one thin dime," Brennan said.

★★★

Wrongfully convicted man has trouble clearing his name Must fight Cook County state's attorney to be "officially" innocent

By Steve Mills
Chicago Tribune reporter

Illinois - On the day last spring that James Kluppelberg walked out of prison for the first time in nearly 25 years, his wrongful murder conviction for setting a fire that killed a woman and her five children finally dismissed, he gazed at the darkening sky and, with scarcely any joy, said he was lost.

Eight months later, Kluppelberg is still lost.

He sleeps only three or four hours a night, he says. He has little money. He lives in northwest Indiana with a son and daughter-in-law who support him.

Kluppelberg, 47, has sought a certificate of innocence, which would clear his record and help him receive nearly \$200,000 in compensation from the state, but Cook County prosecutors said they plan to oppose his request, meaning he will have to fight yet another court battle.

He has applied for some 400 jobs, he said, but has gotten no full-time offers. After one interview for a warehouse job, a prospective employer told Kluppelberg she does not hire convicted murderers.

"I thought my life would be moving forward by now," Kluppelberg said in an interview this month. "In a way, I feel like I'm still locked up. I'm stuck."

Kluppelberg's post-prison struggle mirrors the difficult adjustments other inmates have faced after they have been exonerated and set free: a rush of excitement and a large measure of bewilderment as they re-enter the outside world, then the long process of trying to get a handle on all that has changed and all they have lost in the years they were away. Because they leave prison with their old lives having been upended, they must start anew.

While grateful to be free, Kluppelberg lives a tightly circumscribed life. He seldom leaves his tidy home except to look for work or drive a granddaughter to school. He still eats with a plastic spoon and bowl, as he did in prison. He sometimes frets about keeping doors locked.

The key for many exonerated inmates is the certificate of innocence, a document granted by a circuit court judge on the request of the inmate after his conviction is vacated. Prosecutors weigh in, either by supporting the inmate's request, opposing it or taking no

position.

"It's so important for them emotionally," said Laura Caldwell, director of the Life After Innocence project for exonerated inmates at



James Kluppelberg

Loyola University Chicago's law school. "This has someone official saying not just that their conviction is overturned. It's a stamp that what you've been saying all these years is right. It's not just the money. It's a declaration to the world that you're innocent. It's a notch on your belt to get started."

Kluppelberg was convicted of setting a 1984 fire in the Back of the Yards neighborhood that killed Elva Lupercio, 28, and her five children, ages 3 to 10. Although prosecutors sought the death penalty, he was sentenced to life in prison. He maintained his innocence during his nearly 25 years in prison, but what turned his case around was an advance in science — specifically, what we now know about how fire behaves. Experts concluded that the fire might well have been accidental. A witness who implicated Kluppelberg also admitted he testified falsely against him.

Kluppelberg's lawyers also learned that prosecutors failed to turn over information about a woman who admitted setting a fire on the same night as the fatal blaze about a block

away; she told officials she had been too drunk to remember whether she also set the fire Kluppelberg was convicted of setting.

Cook County prosecutors agreed to vacate Kluppelberg's convictions last May, which led to his release from prison. He filed for a certificate of innocence in August and waited for prosecutors to decide what they will do. Prosecutors told the Tribune last week they had decided to fight his petition.

"Based on this review, and significant advancements in the scientific analysis process in arson cases, the case was dismissed due to our inability to meet our burden of proof," Sally

Daly, a spokeswoman for State's Attorney Anita Alvarez, said in a statement. "However, we will be objecting to the petition of innocence in this case because we do not feel the evidence is sufficient to establish actual innocence."

The burden is on the person seeking the certificate of innocence to show by a preponderance of the evidence that he is innocent. Alvarez must file paperwork challenging his petition before a hearing can be set.

Karl Leonard, an attorney at the Winston & Strawn law firm and one of Kluppelberg's lawyers, said he was disappointed that prosecutors had decided after so many months to oppose the petition for a certificate of innocence, but he was prepared to argue Kluppelberg's case before a judge.

"We feel the evidence conclusively establishes that he is, in fact, innocent and that, in the end, the petition will be granted," Leonard said. ★★★

US-OBSERVER NOTE ON FALSE CHARGES:

False prosecutions are getting some well needed main-stream attention these days. Over the past 25 years, the US-Observer has been the lone voice exposing this rampant issue. Our clients, over 4,100 of them, have been vindicated of their false charges through the use of our services; an achievement no other group, lawyer or agency can claim.

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

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

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Group Finds More Fake Ingredients in Popular Foods

By Jim Avila and Serena Marshall

(ABC News) - It's what we expect as shoppers - what's in the food will be displayed on the label.

But a new scientific examination by the non-profit food fraud detectives the U.S. Pharmacopeial Convention (USP), discovered rising numbers of fake ingredients in products from olive oil to spices to fruit juice.

"Food products are not always what they purport to be," Markus Lipp, senior director for Food Standards for the independent lab in Maryland, told ABC News.

In a new database to be released Wednesday, and obtained exclusively by ABC News today, USP warns consumers, the FDA and manufacturers that the amount of food fraud they found is up by 60 percent this year.

USP, a scientific nonprofit that according to their website "sets standards for the identity, strength, quality, and purity of medicines, food ingredients, and dietary supplements manufactured, distributed and consumed worldwide" first released the Food Fraud Database in April 2012.

The organization examined more than 1,300 published studies and media reports from 1980-2010. The update to the database includes nearly 800 new records, nearly all published in 2011 and 2012.

Among the most popular targets for unscrupulous food suppliers? Pomegranate juice, which is often diluted with grape or pear juice.



Pomegranate Juice

"Pomegranate juice is a high-value ingredient and a high-priced ingredient, and adulteration appears to be widespread," Lipp said. "It can be adulterated with other food juices...additional sugar, or just water and sugar."

Lipp added that there have also been reports of completely "synthetic pomegranate juice" that didn't contain any traces of the real juice.

USP tells ABC News that liquids and ground foods in general are the easiest to tamper with:

Olive oil: often diluted with cheaper oils

Lemon juice: cheapened with water and sugar

Tea: diluted with fillers like lawn grass or fern leaves

Spices: like paprika or saffron adulterated with dangerous food colorings that mimic the colors

Milk, honey, coffee and syrup are also listed by the USP as being highly adulterated products.

Also high on the list: **seafood.** The number one fake being escolar, an oily fish that can cause stomach problems, being mislabeled as white tuna or albacore, frequently found on sushi menus.

National Consumers League did its own testing on lemon juice just this past year and

found four different products labeled 100 percent lemon juice were far from pure.

"One had 10 percent lemon juice, it said it had 100 percent, another had 15 percent lemon juice, another...had 25 percent, and the last one had 35 percent lemon juice," Sally Greenberg, Executive Director for the National Consumers League said. "And they were all labeled 100 percent lemon juice."

Greenberg explains there are indications to help consumers pick the faux from the food.

"In a bottle of olive oil if there's a dark bottle, does it have the date that it was harvested?" she said. While other products, such as honey or lemon juice, are more difficult to discern, if the price is "too good to be true" it probably is.

"\$5.50, that's pretty cheap for extra virgin olive oil," Greenberg said. "And something that should raise some eyebrows for consumers."

Many of the products USP found to be adulterated are those that would be more expensive or research intensive in its production. "Pomegranate juice is expensive because there is little juice in a pomegranate," Lipp said.

But the issue is more than just not getting what you pay for.

"There's absolutely a public health risk," said John Spink, associate director for the Anti-

Counterfeit and Product Protection Program (A-CAPPP) at Michigan State University. "And the key is the people that are unauthorized to handle this product, they are probably not following good manufacturing practices and so there could be contaminants in it."

Spink recommends purchasing from "suppliers, retailers, brands, that have a vested interest in keeping us as repeat customers."

Both the FDA and the Grocery Manufacturers Association say they take food adulteration "very seriously."

"FDA's protection of consumers includes not only regulating and continually monitoring food products in interstate commerce for safety and sanitation, but also for the truthfulness and accuracy of their labels," the FDA said in a statement to ABC News.

Most recently the FDA issued an alert for pomegranate juice mislabeled as 100 percent pomegranate juice, as well as one for the adulteration of honey.

The Grocery Manufacturers of America told ABC News in a statement that "ensuring the safety and integrity of our products - and maintaining the confidence of consumers - is the single most important goal of our industry," and that their members have "robust quality management programs and procedures in place, including analytical testing, to help ensure that only the safest and highest quality products are being offered to consumers."



Olive Oil



Tea

FDA begins implementing sweeping food-safety law

By Brady Dennis

The Obama administration moved ahead with the first major overhaul of the nation's food-safety system in more than 70 years, proposing tough new standards for fruit and vegetable producers and food manufacturers.

The long-awaited proposals by the Food and Drug Administration are part of a fundamental change aimed at preventing food-borne outbreaks - caused by everything from leafy greens to cantaloupes to peanut butter - rather than simply reacting to them. Every year, contaminated foods sicken an estimated 48 million Americans and kill 3,000.

The rules, which span 1,200 pages, are aimed at creating safer conditions from farm to fork. Produce farmers would be required to ensure that their crops aren't contaminated by bad water or animal waste. Some will likely be compelled to build fences to keep out wildlife and to provide adequate restrooms and hand-washing facilities for field workers.

Food-processing companies would be required to design and document an exhaustive regimen of sanitary measures - from pest control to bathroom cleanliness to what workers wear on the factory floor.

"It's a big leap forward in applying modern, preventive measures across the whole food supply," Michael R. Taylor, the FDA's deputy commissioner for foods and veterinary medicine, said in an interview. "It's important to see these rules as setting the standards for food safety."

The proposed rules focus on two key portions of a broader food-safety bill that President Obama signed into law two years ago and that many lawmakers, consumer advocates and industry officials say has taken far too long to implement.

FDA officials and consumer advocates say the rules are essential to laying the groundwork for a major revamping of the country's food safety system.

These rules "are the heart and soul of the law," said Sandra Eskin, director of the Food Safety Campaign at the Pew Charitable Trusts. "These are the priorities. Everything else flows from them."

Taylor said FDA officials tried to craft the rules in a way that would set a common safety standard while allowing for the different ways in which foods are produced.

"The strength of this system is it is science-based; it's not one-size-fits-all. It's inherently adaptable to all sorts of operations," he said. "We're looking to take widely recognized principles and apply them to a widely diverse food supply."

Food industry groups welcomed the proposals, saying they provided some clarity but stopped short of endorsing them outright. They said many growers and processors already adhere to high standards. Groups such as the Grocery Manufacturers Association and

the Produce Marketing Association said they would continue to work with the FDA to shape the rules in the months ahead.

The FDA estimated that the produce regulations would cost a large farm roughly \$30,000 a year. The agency exempted a wide array of fruits and vegetables that are almost always consumed only after being cooked or canned, from plantains to pumpkins to sweet potatoes.

What remains unclear is how to pay for a wave of new inspectors and additional regulations, which the Congressional Budget Office estimated would cost the government \$1.4 billion over the first five years.

FDA officials have said that they will rely in part on help from state and local governments, and Commissioner Margaret Hamburg has said that user fees from food companies and farms could help pay for the increased oversight costs. But Republicans in the House, eager to shrink the size of government and skeptical that the pending regulations warrant vast new resources, have resisted an increase in funds for the FDA.

"We still have a food supply that's 99.99 percent safe," Rep. Jack Kingston (R-Ga.) told The Washington Post shortly after Congress approved the food safety bill in late 2010. "No one wants anybody to get sick, and we should always strive to make sure food is safe. But the case for a \$1.4 billion expenditure isn't there."

The next summer, House Republicans made much the same argument in voting to cut millions of dollars from the FDA's budget, arguing that the greatest priority was reducing the budget deficit.

"We need additional resources to fully fund" the law, Taylor said when asked how the agency would pay for the new rules. "We're hopeful we can work with Congress to get those resources."

President Obama set the stage for a massive food-safety overhaul early in his presidency when he used a weekly address in March 2009 to highlight outbreaks involving spinach, peppers and peanut products that had sickened Americans in recent years. "Food safety is something I take seriously, not just as your president but as a parent," he said.

Nearly two years later, Congress passed the far-reaching Food Safety Modernization Act with bipartisan support and backing from an array of consumer groups and food industry representatives.

The law focuses on the 80 percent of the food supply regulated by the Food and Drug Administration, including produce, dairy and seafood. Beef, poultry and some egg products are overseen by the Department of Agriculture.

The law gives the FDA broad new powers, including the ability to force companies to recall products and the authority to examine internal records at farms and food-production

plants. It calls on the FDA to increase inspections, particularly at "high-risk" facilities prone to contamination, and to hire about 2,000 new inspectors.

Supporters had grown increasingly frustrated by repeated delays in the rule-writing process. Food safety experts, consumer groups, industry representatives, editorial boards and lawmakers on Capitol Hill took turns urging the Office of Management and Budget to release the rules.

Those calls grew louder after a 2011 outbreak of listeria traced to cantaloupe that left 33 people dead and led inspectors to unsanitary equipment at a processing plant in Colorado. In November, a salmonella outbreak that sickened 42 people in numerous states prompted the FDA to assert its new powers to temporarily halt production at the country's largest organic peanut butter producer after finding numerous safety and

sanitation problems.

The new proposals spent more than a year awaiting final approval from the OMB. That led some stakeholders to speculate that the administration might have been holding up the proposals until after the election.

"There's no one explanation," Taylor said when asked about the long delay. "They are complicated and interconnected; they are legitimately complex."

More proposed rules are expected to be issued soon, including ones that would require that imported foods comply with U.S. safety standards. The FDA also plans to propose rules involving the production of animal foods.

It could be years before the proposals become final regulations. The FDA will take comments on the proposals for four months and then probably make changes. And some farms will have two years or more to comply with the rules. ***



Michael R. Taylor

Mitch McConnell Joins Rand Paul in Supporting Industrial Hemp in Kentucky



Industrial Hemp

Sen. Rand Paul (R) and Sen. Mitch McConnell (R)

By Nick Wing

(The Huffington Post) - Senate Minority Leader Mitch McConnell (R-Ky.) on Thursday came out in support of developing industrial hemp in Kentucky, becoming the most powerful voice to back the state's contentious effort.

"I am convinced that allowing its production will be a positive development for Kentucky's farm families and economy," McConnell said in a statement. "The utilization of hemp to produce everything from clothing to paper is real and if there is a capacity to center a new domestic industry in Kentucky that will create jobs in these difficult economic times that sounds like a good thing to me."

McConnell joins fellow Kentucky Sen. Rand Paul (R), half of the state's six-member congressional delegation and the Kentucky Chamber of Commerce in supporting the push.

In his announcement, McConnell cited conversations with Paul and Kentucky Agriculture Commissioner James Comer, a longtime advocate of legalized hemp, saying they'd led him to reverse his previous opposition.

Comer responded to the development a statement, touting the support of "the most

powerful Republican in the country."

McConnell enters the debate as lobbying efforts on behalf of industrial hemp begin to pick up steam around the state. Paul has filed federal legislation to draw a clear distinction between hemp and marijuana, and state lawmakers in Kentucky have prepared a bill to jumpstart the industry if it is passed.

Bloomberg reports that U.S. retail sales of products with imported hemp were valued at more than \$452 million in 2011, according to an estimate by the Hemp Industries Association.

But some state lawmakers and the Kentucky law enforcement community have remained resistant to proposals to lift the restriction, claiming that it will complicate efforts to fight hemp's more potent relative.

Perhaps wary of that hesitation, McConnell -- a noted opponent of marijuana -- said in his statement that he's confident hemp production can be approved "in a way that does not compromise Kentucky law enforcement's marijuana eradication efforts or in any way promote illegal drug use."

US-Observer's Note: We are proponents of the complete legalization of Industrial Hemp. It is our hope that states realize the monetary and environmental benefits of this amazing plant. For more, search for hemp at our web site: www.usobserver.com. ***

NDAAs 2013 Allows Indefinite Detention Of U.S. Citizens

By Policymic

We have all heard the endless list of promises politicians make when campaigning. However, many of these promises go unkept. This appears to be no different for President Barack Obama. While campaigning in 2008, Obama had vehemently promised that he would close down Guantánamo Bay prison.

Now, almost officially into his second term as president, he still has not fulfilled this promise, and with the signing of the National Defense Authorization Act on January 3, it looks like the promise to close Guantánamo Bay prison is just another failed promise. It appears to be "déjà vu all over again" as this time last year the president signed the National Defense Authorization Act of 2012, and despite the threat of a veto Obama once again signed the NDAA. So, as we get over the shock of a politician failing to keep a promise, it is crucial to ask why did Obama sign the NDAA?

The president expressed in his signing statement that he agreed to sign the NDAA because "it authorizes essential support for service members and their families, renews vital national security programs, and helps ensure that the United States will continue to have the strongest military in the world." He also went on to express that "the need to renew critical defense authorities and funding was too great" and therefore he could not overlook the bill.

It is important to look at what exactly the defense bill does, and how it affects Americans. Let us first define the National Defense Authorization Act (NDAA). The NDAA is a federal law which is passed every year; it designates the budget and expenses of the U.S. Department of Defense. First off, the National Defense Act of 2013 approves a

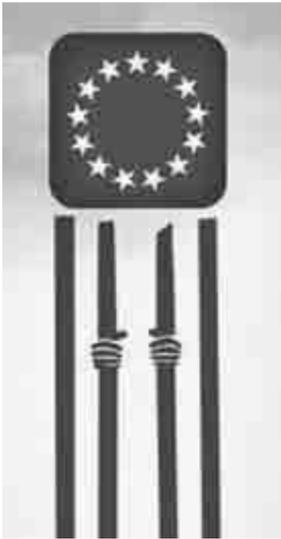
\$633 billion budget for military forces. This is however, the least controversial component of the bill. The NDAA of 2013 has added an array of new and controversial provisions. Of the most controversial provisions, one provision sets forth proscriptions on closing Guantánamo Bay. The bill in particular expands and enforces limits on individuals who can be transferred out of Guantánamo Bay.

But by far the most controversial provision allows for the indefinite imprisonment of U.S. citizens, or as Obama calls it "prolonged detention." Prolonged detention allows for the detention of an individual without a charge or trial.

This notion of detaining U.S. citizens has people screaming on both sides of the aisle, such as Senator Dianne Feinstein (D - Calif.) and Senator Rand Paul (R - Ky.). Some argue that the bill does not allow the indefinite detention of U.S. citizens because one part of the bill states that it will not change the law in regards to the detention of U.S. citizens. However, with further examination, it becomes clear that another part of the bill actually states that it will change the law. From this, another argument arises which is that the provisions are too vague. With all this in mind, it should be noted that it is left up to the executive

branch to decide whether or not it will adopt these powers. The president has made it clear that his administration will not be detaining U.S. citizens.

But nonetheless, this provision in particular has civil liberties activists barking mad. Civil liberties groups believe that this bill further strengthens the power of the federal government and continues to infringe upon our constitutional rights as citizens of the United States of America... To read more log on to usobserver.com. ★★★



Homeland Security has advice for defeating mass shooters: scissors

By S.A. Miller
Post Correspondent

(NY Post) Washington - Is your workplace getting shot up by a crazed gunman?

No problem — just grab a pair of scissors and fight back!

That's some of the helpful advice in a new instructional video from the Department of Homeland Security that was posted on the agency's Web site just a month after the massacre at Sandy Hook Elementary School in Connecticut.

"If you are caught out in the open and cannot conceal yourself or take cover, you might consider trying to overpower the shooter with whatever means are available," says the narrator in the video, which shows an office worker pulling scissors out of a desk drawer.

The video, titled "Options for Consideration," also advises that people who get caught in an "active shooter" situation should run away, hide under a desk or take cover out of the line of fire.

The nearly four-minute-long video opens with chilling scenes from the 2007 Virginia Tech massacre, the 2009 mass shooting at Fort Hood in Texas, and the 2011 attempted assassination of Gabrielle Giffords.

But the video quickly shifts to hokey footage of office workers scampering under desks, crouching in corners and racing into closets to hide from a rampaging gunman on the loose.

"To protect your hiding place, lock the door if you can. Block the door with heavy furniture," recommends the male narrator, speaking in measured, authoritative tones.

Other survival strategies promoted in the video include hiding "behind large items such as cabinets or desks. Remain quiet. Silence your cellphone or pager. Even the vibration setting can give away a hiding position."

Richard Feldman, president of the Independent Firearm Owners Association, said he has a better option for consideration than a pair of scissors when confronting an armed mass murderer — a legal firearm.

"That's why I prefer a gun, and I usually do carry a gun when it is lawful to do so," said Feldman. "Clearly, you use whatever you

can" to fight for your life, he said.

So if scissors are all you've got, grab them by all means.

The video is part of the Obama administration's ongoing campaign to reduce firearm violence in the wake of the horrific mass murder last month of 20 children and six teachers in Newtown, Conn., said a Homeland Security official.

Homeland Security has operated an active-shooter preparedness-training program for years, and the "Options for Consideration" video was in production prior to the Dec. 14 shooting in Newtown.

The video was released to coincide with President Obama's sweeping proposals to curb gun violence in America, said the official.

Obama's most controversial proposals include a ban on military-style assault rifles and high-capacity ammo clips, as well as expanded background checks for firearm purchases.

Security consultant Andrew Scott called the information in the video "adequate."

He conceded that Homeland Security was correct in recommending that people use scissors to attack a gunman but only in a "last, worst-case scenario."

"Just the suggestion [to fight back] is a positive move," said Scott, a former SWAT commander in North Miami Beach. "You don't want to be sheep for the slaughter."

But if you do arm yourself with shears, the narrator warns you to drop them when cops arrive.

"Put down any items. Immediately raise your hands," is the closing advice.

Editors Note: Although a "pair of scissors" could potentially be used for self defense, our government has clearly missed the big picture again. Protection in "gun free" zones or any public place doesn't start with scissors.

People need to be able to protect themselves. Proper training with arms is a very important safeguard, which is not mentioned in the report, and apparently not politically correct with our government today. ★★★

Continued from page 1 • Dr. Kathy's Corner - Not much has changed in the wild-wild west

legal nightmare in Vancouver that involves very serious crimes. These crimes include the embezzlement of over 5 million of dollars from me and others, by attorneys in Vancouver, Seattle and Portland." While I can't vouch for the veracity of these claims, since I have not personally investigated, I certainly have heard these types of stories before. It is alarming that US citizens are not safe from our own legal system.

My home town Vancouver, Washington is truly a classic example of a wild-west town, founded in part by scoundrels and grown into a larger town run in part by scoundrels. According to Pat Jollota, historical author and former Vancouver City Council Member, Vancouver was founded by 100 Americans in the 1840s-50s, many of whom have wealthy descendants currently living in the area. She describes these men as ruthless and greedy. For example, the first Mayor of Vancouver, Amos Short was accused of murder but never convicted. Even worse is US Army Captain Hamilton Jordan Goss Maxon who has the distinction of riding the Cavalry into a Nisqually Indian village and killing every man, woman and child. That escapade was published in the Oregonian at the time and proudly described as "Maxon's Massacre" because he was helping to rid the west of the "Red menace." Captain Maxon settled on a square mile of land that later became Camas Washington. All over Clark County there are

streets named after these "pioneers," even though none of them are particularly famous for any beneficial contribution to society. . . unless you count the public donation of a park that is now named after Amos Short's wife, Esther.

Instead of philanthropic community service, these "founding fathers" will go down in history as creating a legacy of murder, theft and corruption that lingers to this day.

I learned first-hand about being victimized by powerful forces in Clark County, and my story has been profiled in the US-Observer. In the course of fighting for my rights, my freedom and my family, I discovered the sordid history that underpins current Vancouver politics. Believe me; it's no prettier today than it was in the early days of the Oregon Territory.

I just happen to live on a small corner of what was once the Silas Maxon Donation Land Claim (established in 1847). Silas' was Captain Maxon's younger brother. The brothers made quite a profitable team. For example, they stole two sawmills from the British Hudson Bay Company. One sawmill was in Camas. The other was down near the current Columbia Springs Park. After stealing the mills the brothers convinced Mayor Amos Short to commit tax money to build a road between the two sawmills and on into Vancouver.

Silas made a ton of money wangling all kinds

of deals out of the unsuspecting early settlers. He built the first jail and the first hotel with lumber from the confiscated mill. He was the first County Treasurer and the first Justice of the Peace and he was elected to the Washington Territorial Legislature ... all the better to keep an eye on his investments.

To be perfectly honest, Silas didn't steal the sawmill all by himself. The US government offered him a "stimulus" package. The government agreed to pay the Hudson Bay Company ten cents on the dollar for their property if they would leave town. Then the government gave the sawmill to Silas free of charge. Silas had already been profiting from the sawmill by then, but the government payoff made it all "legal." History shows us that there is really "nothing new under the sun."

Silas Maxon is a good example of the legacy that we in Vancouver have to deal with to this day. Not only did Mr. Maxon steal the Hudson Bay Company sawmill and got the US government to pay for it, but he made good use of the primitive frontier legal system when he sued his neighbor Louis Love. The unsuspecting Mr. Love moved in next door to the cunning Silas Maxon and a short time later the sawmill burned to the ground. Sawmills were always burning down in those days, but Silas was successful in convincing a jury that Mr. Love destroyed his mill. Poor Louis had to pay a couple thousand dollars to Maxon for the

mill Silas stole from the Hudson Bay Company. . . and was originally paid for by the US government! That was a lot of money in the 1850s and was a crushing blow to Mr. Love.

When I hear stories like Mr. O'Hagan's I am not surprised. After decades of corruption by crooks like Silas Maxon and those who followed him, how can we possibly clean up this mess? Mr. O'Hagan asks you to contact him if you want to help. He says, "I would like to offer a reward of whatever I recover to anyone willing to investigate and assist me in recovering damages from these individuals, who have attacked my family and I." He can be reached at 360-267-7911.

I admire Mr. O'Hagan and his courage in fighting this type of corruption by taking legal action. However, I am reminded by the US-Observer with every edition that I read . . . the only real way to attack the incredible and destructive corruption in our American legal system is to take it to the "Court of Public Opinion." The more others hear your stories, the more the American people have a chance to wake up and take back their rights.

Dr. Kathy Marshack is a practicing psychologist out of Vancouver, Washington. She has helped countless people with her practice and can help you, too.

Send your questions and stories to Dr. Kathy! Write her at: kathy@usobserver.com.

★★★

Devy Kidd

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

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COMMENTARY Your Right to Speak Out



By Andrew P. Napolitano

Here is an uncomfortable pop quiz: Who has killed more children, Adam Lanza or Barack Obama? We'll hold off on the answer for a few paragraphs while we look at the state of governmental excess -- including killing -- in America. But you can probably guess the correct answer from the manner in which I have posed the question.

We all know that the sheet anchor of our liberties is the Declaration of Independence. The president himself quoted Thomas Jefferson's most famous line in his inaugural address earlier this week. He recognized that all men and women are created equal and endowed by our Creator with certain inalienable rights and that among these are life, liberty and the pursuit of happiness.

The president would no doubt like to modify the word "created" to read "shall be maintained," since his presidency seems dedicated to keeping us equal, not in terms of equality of rights and opportunity but of outcome. He has dedicated himself to using the coercive power of the federal government to take from those who have and give to those who don't. Under the Constitution, charity is a decision for individuals to make, not the

Guns and the President

government.

This forced egalitarianism was never the purpose of government in America. When the people in the original 13 states gave up some of their personal liberties to create their state governments so they could perform the services that governments in the West do, and when the states themselves gave up some of their liberties to create the federal government of limited powers to address the issues of nationhood, they never authorized government to impose taxes to transfer wealth to those who lack it or need it.

This may sound harsh, but there is simply no authority in the Constitution for the feds to tax Americans or to borrow money in their names to rebuild private homes in New Orleans or at the Jersey Shore. And there is no moral authority for that, either. If folks want to give money to those whose properties were damaged by natural disasters and lacked adequate insurance coverage, they are free to do so, but nowhere does government have the authority to compel us to do so.

This shows how far we have come from the Constitution the Founders gave us. They "constituted" a government of limited powers, and they did so because they wanted the government to protect our freedoms, since they understood that personal responsibility and freedom -- not government handouts -- are the soundest routes to prosperity. Hence, they limited the government because they knew the lessons of history. And those lessons informed them that often it is the government itself that is the greatest threat to personal freedom.

One hundred years ago, during the Progressive Era, Theodore Roosevelt and Woodrow Wilson turned the concept of limited government on its head. They argued that the Constitution could be disregarded

because the federal government possesses unlimited powers to address the people's needs. Barack Obama is their ideological heir. As their heir, he is not only the head of the executive branch of the federal government, but he is also the head of one of the two dominant political parties.

That political party has dedicated itself to making certain killing legal. The Democrats have continually celebrated the abominable decision of the Supreme Court in *Roe vs. Wade*, issued 40 years ago this week. They have championed abortion for the past 40 years. They have assaulted the greatest and most fundamental of human rights: the right to live. In doing so, they have succeeded in causing the government to permit the killing of more than 50 million American babies in their mothers' wombs in the past 40 years -- for the sake of convenience and sexual activity without consequence, in a manner that is antiseptic and lawful. And no one hears the babies' cries of pain or anguish.

The president himself has more directly killed about 176 children in Pakistan by the use of CIA drones. These drones have been dispatched by him alone -- not pursuant to any congressional declaration of war. At least two of these murdered children were Americans. But since the cameras were kept away, since all of this takes place 10,000 miles from America, and since the survivors are legally and politically helpless, no one here hears the Pakistani children's cries of pain and anguish.

One of the reasons we have the constitutionally guaranteed right to keep and bear arms is to enable us to resist a drone sent to the path of our children by shooting it down, no matter who sent it. But you can't stop a drone with a BB gun. Hence the need for serious firepower in the hands of ordinary



Americans -- to give tyrants pause and to stop tyrants when they don't pause. The president wants to use Lanza's horrific slaughter of 20 babies in a public school in Connecticut with a stolen gun as an excuse to restrict the freedoms of all law-abiding gun-owning Americans, any one of whom would have stopped Lanza in a heartbeat with a lawful gun, before the police could, had they been in that school.

Now back to our pop quiz: Who has killed more children, Lanza or Obama? Does a president with blood on his hands have any moral standing to infringe upon the natural right to self-defense of those whose hands are clean? Would you sacrifice your liberty to defend yourself and your children so that the government can kill whom it pleases?

The answers are obvious.

★★★



By Paul Harvey

If I were the prince of darkness, I would want to engulf the whole world in darkness.

I'd have a third of its real estate and four-fifths of its population, but I would not be happy until I had seized the ripest apple on the tree -- thee.

So, I would set about however necessary to take over the United States.

I'd subvert the churches first, and I would begin with a campaign of whispers.

With the wisdom of a serpent, I would whisper to you as I whispered to Eve: "Do as you please."

To the young, I would whisper that the Bible is a myth. I would convince them that man created God instead of the other way around. I'd confide that what's bad is good and what's good is square.

And the old, I would teach to pray after me, "Our Father, which art in Washington ..."

And then, I'd get organized. I'd educate authors in how to make lurid literature exciting so that anything else would appear dull and uninteresting.

I'd threaten TV with dirtier movies and vice-versa.

I'd peddle narcotics to whom I could. I'd sell alcohol to ladies and gentlemen of distinction. I'd tranquilize the rest with pills.

If I were the devil, I'd soon have families at war with themselves, churches at war with themselves and nations at war with themselves



If I were the Devil ...

until each, in its turn, was consumed.

And with promises of higher ratings, I'd have mesmerizing media fanning the flames.

If I were the devil, I would encourage schools to refine young intellect but neglect to discipline emotions, just let those run wild until before you knew it, you'd have drug-sniffing dogs and metal detectors at every schoolhouse door.

Within a decade, I'd have prisons overflowing. I'd have judges promoting pornography. Soon, I could evict God from the courthouse and then from the schoolhouse and then from the houses of Congress.

In His own churches, I would substitute psychology for religion and deity science. I'd lure priests and pastors into misusing boys and girls and church money.

If I were the devil, I'd make the symbol of

Easter an egg and the Symbol of Christmas a bottle.

If I were the devil, I'd take from those who have and I would give to those who wanted, until I had killed the incentive of the ambitious.

And what'll you bet I couldn't get whole states to promote gambling as the way to get rich?

I would caution against extremes in hard work, in patriotism, in moral conduct.

I'd convince the young that marriage is old-fashioned, that swinging is more fun and that what you see on TV is the way to be.

And thus, I could undress you in public and lure you into bed with diseases for which there is no cure.

In other words, if I were the devil, I'd just keep right on doing what he's doing.

Paul Harvey, good day ...

Editor's Note: Originally created in 1965, this Paul Harvey commentary was updated through the years until the above final version aired in 1996. ★★★



By Joe Schallmoser
Former Colorado Police Sergeant

In the aftermath of this unspeakable homicidal rampage, I'm taken back to my involvement at Columbine. Every time we hear of one of these types of criminal episodes we correctly ask, "What is wrong with us"? "How does this continue to happen"? And "How can we prevent this from ever happening again"?

But I truly believe that everyone reading this will agree that there will be more of these incidents.

In 1958, Bishop Fulton J. Sheen wrote, in his book, "The Life of Christ" that "modern life is tragic when there is spiritual darkness and unredeemable guilt". How prophetic were his words written over 50 years ago. Since he wrote those words we have chiseled away at removing our Judeo-Christian values and mores from our lives as free Americans. As a

Newtown - Don't be Surprised, It's Predictable

result, we have become myopically focused on our rights and have failed to admit the nexus between those rights and the responsibilities that exist to exercising those rights.

We have slowly taken God out of our schools and work places and have legalized abortions. That has led to 4,000 of our most innocent being slaughtered EVERY DAY! Yet we ask "how can this happen"? It can happen and will continue to happen because we have lost our way. In our pathetic effort to become politically correct we have abandoned our commitment to truth and justice (don't forget, there's a difference between justice and mercy).

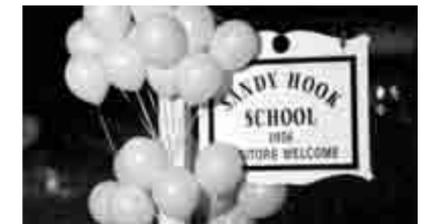
God gave us free will and we have chosen materialism, hedonism, narcissism and probably a bunch of other "isms". With that freedom, we have surrendered to the material and secular pleasures of modern life and too many have abandoned the reality that we are created in God's image to know, love and serve Him.

After responding to Columbine during the gunfire and spending the day there I will never forget the "surrealistic" state of mind I experienced throughout that day. Before returning to the school early the next morning I distinctly recall stopping by the security office, which I supervised, and telling one of our dispatchers that what I saw and what happened the day before was the work of the devil incarnate.

Sadly, yet predictably, within hours of the

Newtown massacre we began hearing the emotional appeals for more gun control. In the words of Dennis Prager, we don't need more gun control, we need more self-control! Connecticut already has some of the most stringent gun control laws in America. The guns used in this massacre were obtained by the killer stealing them from his mother who had purchased them legally. There are laws in Connecticut against theft (stealing of the guns), homicide (killing his mother when taking the guns), burglary (breaking into the school) and the killing of all of those most innocent among us, our children and those who dedicated their lives to educate and safeguard them. None of those laws were adhered to by this madman. The laws simply don't mean anything to the criminal and mentally unstable people among us and passing more laws to regulate guns are only obeyed by those of us that respect the law and wouldn't violate any of those laws -- the ones regulating theft, burglary, homicide and all the others.

Mike Huckabee reminded us recently that years ago, you would find many vehicles parked in school parking lots with guns hanging visibly in gun racks. Kids would hunt before and after school and not use those guns against other people. It's the culture that has changed and the mindset of people who have a void in their lives when it comes to a spiritual connection with God. Moral relativism has replaced right and wrong.



It's not about more laws. In the years since Bishop Sheen wrote about how tragic modern life is, we have passed thousands and thousands of laws trying to provide a framework within which peace loving people can live free and thrive. I would only ask, "So how's that working for us"? The answer lies in removing the spiritual darkness and reconnecting with the responsibilities of living in today's world, not just our rights.

I would ask everyone to only honestly answer one question, then do what needs to be done. The question is, do you feel more distant from God than in the past? If your response is "yes" then remember the most important reality in this -- GOD HASN'T MOVED away, you have.

Joe Schallmoser is a former Police Sergeant and former Security Supervisor for the Jefferson County Public Schools (144 schools - including Columbine) in Colorado.

He authored prevention procedures the year PRIOR to Columbine which, had they been followed, may very well have prevented it from ever happening. ★★★

"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

Columnist Gives No Quarter in War on Liberty



By James Leuenberger, Attorney

Oregonian columnist Steve Duin took aim at liberty on December 17, 2012. He fired. He missed the truth.

First he demanded the Gov. John Kitzhaber convene a special legislative session dealing with "semi-automatic weapons." What is Mr. Duin's problem with semi-automatic weapons? A semi-automatic firearm fires one bullet with each pull on the trigger. A semi-automatic firearm is not an automatic weapon (a.k.a. "machine gun"). Federal laws have made automatic weapons rare and expensive for people who are not employed by a government.

Second he pointed to a \$11,000 Barrett 50 caliber as being, somehow, bad. What Mr. Duin and the other liberty haters do is ascribe moral qualities to inanimate objects. No

firearm, no matter how large, no matter how accurate, no matter how many bullets can be fired through it in a given time, has any goodness or badness whatsoever. To ascribe badness or evil to a gun is as nonsensical as to ascribe badness or evil to a hammer or an automobile.

Because his column contained a hyperlink to a picture of a Barrett 50 caliber, Mr. Duin knows that a Barrett 50 caliber is merely a rifle that fires one half-inch diameter bullet with each pull of the trigger. So what? So nothing.

Is Mr. Duin envious because he can't afford to spend \$11,000 for a rifle? Only a short time ago liberty haters called for laws prohibiting the sales of "Saturday Night Specials." What is the one "bad" characteristic of "Saturday Night Specials?" The liberty haters claimed "Saturday Night Specials" are bad because they are cheap (inexpensive).

Third he ridiculed a firearms salesman for saying the right to keep and bear arms is necessary to protect us from tyrants rather than from criminals. Please Mr. Duin, read the history of our country and our state. The Englishmen who deposed their tyrannical kings and their descendants who revolted against King George and Parliament and declared independence from England in 1776 spoke of tyranny and the dangers posed by a standing army.

The well-regulated militia of the Second

Amendment to the United States Constitution was at least until passage of the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution all white, male adults capable of wielding weapons. With the recognition that former slaves had rights – including the right to keep and bear arms – and the destruction of the Indian Tribes as effective armed forces – membership in the militia was extended to all men capable of wielding weapons.

The founding fathers of the United States and Oregon recognized and understood power in the hands of the people cannot be used to take from those people their property, their freedom, or their lives. Although Mao was a mass murdering monster, he knew and proclaimed one important truth. "Political power grows out the barrel of a gun."

Duin ridicules the idea that our governments can threaten our freedoms. The fact that government employed tyrants have rarely stolen our freedoms is not because they are good people. Its because they know that when they come to take our firearms from us we will be shooting back at them.

Tyrants are often frightened people. Few people, tyrants or otherwise, enjoy being fired upon. It is their rational fear that they may lose their lives when taking our freedom, our property, and our lives that keeps tyrants in check. It is not their benevolence.

Oregon's most recent, notorious example of tyranny occurred at the Clackamas Town Center recently. A tyrant who had just stolen the lives of two people revealed his cowardice when he was confronted by a hero. A hero armed with a firearm. A hero who witnessed tyranny and reacted in the correct, true, and proper fashion. That hero aimed his firearm at the murdering tyrant. The tyrant then displayed his weak, spineless character by turning his own firearm on himself and ending his own, worthless life.

The hero at Clackamas Town Center was an ordinary man. A person who could and did defend himself and others because he had the tool necessary to defend himself and others. The hero had and used his firearm.

After the hero had done his duty to himself and his community, law enforcement officers arrived to write their reports and collect their evidence.

What Mr. Duin and the liberty haters fail to understand is, law enforcement officers can't be everywhere where heroism is needed immediately. The murdering tyrant's butcher's bill would have been much higher had the hero been unable to act immediately and effectively.

We don't have too many firearms. We have too many laws infringing our right (and our duty) to defend ourselves, our families, and our communities. ★★★

No Joke! Zombie Apocalypse Coming



By Creek Stewart

(WND.com) - Throughout the past few decades, zombie-themed entertainment has grown from a small subculture movement to mainstream big business. In addition to annual, blockbuster movies, devoted zombie fans now enjoy zombie-themed obstacle races, zombie stores, zombie dotcoms, zombie charity walks and award winning "Walking Dead" television shows. Even the Centers for Disease Control put your hard-earned tax dollars to use with a zombie-themed emergency preparedness campaign in 2012.

Being in the survival business, the "zombie apocalypse" is always a fun topic of conversation and one that I enjoy joking about. I even teach a zombie-themed survival course here at Willow Haven.

Lately, though, it seems my zombie jokes have been hitting a little too close to home. The whole zombie thing is starting to feel a little too real. Am I going crazy? I don't think so. Allow me to elaborate.

Let me start by listing some well-known zombie characteristics:

- Zombies have a one track mind and only think about one thing: Consumption.
- Zombies only take what they want (typically brains). They are not productive members of society.
- Zombies gather in large hordes that roam the streets, terrorizing hardworking citizens.
- The zombie virus is highly contagious. Once exposed, it is very difficult (if not impossible) to be cured.
- Zombies have an insatiable appetite and will stop at nothing to feed their cravings.
- Once a zombie outbreak occurs, it is incredibly difficult to regain order and normalcy.
- Zombies don't make a lot of sense when they speak. They have a severe lack of communication skills.



INTRODUCING: THE AMERICAN ZOMBIE VIRUS

Make no mistake about it, there is a "zombie-esque" way of life spreading like wildfire throughout this country. And, unlike make-believe TV zombies, this mentality has devastating consequences on America's

survival and the future of life as we know it.

This "take only and give nothing back" lifestyle is fueled by a never-ending supply of free (to them, not to you) government goodies and perpetuated by spineless politicians who don't have the guts to stand up for productive members of society and immunize this country-killing infection before it's too late.

To make the problem worse, the American zombie virus is passed to children. Entire generations of new Americans are being raised to suckle from the ever-generous government teat. Meanwhile, our self-seeking government officials work hard to ensure that the flow of milk and honey doesn't run dry by taking excess from those who are already giving more than their fair share.

OUR ZOMBIE-PANDERING GOVERNMENT

The most disturbing aspect of our very real zombie movement is that the victims are always hard-working, tax-paying, law-abiding American citizens.

While the infected tirelessly feast on the fruits of our labor, their feelings of entitlement engorge with every free fistful of goodies. The incessant moaning and groaning for "more brains" is directed toward government officials who have turned their backs on productive members of society to serve the growing zombie horde electorate.

Elected officials have traded integrity for fear and are too cowardly to stand up for the people who pay their salaries. What will happen when those people are all gone?

THE TIPPING POINT

The government-dependent zombie horde is growing at a mind-splitting pace. With new laws exacerbating the virus, the future looks bleak for self-respecting Americans who still believe in hard work, personal responsibility and traditional values.

Maybe I've just seen too many zombie movies, but it's hard for me to imagine a cure for the virus that plagues our country. Or maybe it's because I've lost so much faith in our misguided elected officials. Regardless, I fear that hard-working, God-fearing, freedom-loving and independence-seeking Americans are slowing being outnumbered by a culture of zombie-like people who mock the America that changed the world.

PREPARE FOR THE APOCALYPSE

When the zombie demand outweighs that which can be taken from us to provide for them, a very real zombie apocalypse will break loose across our great nation. The well of free stuff is only so deep and can only quench the thirst for so long. A moaning and groaning horde will rise – armed not with thank-you

cards for your years of sacrifice, nor with the readiness or willingness to work. They will skip the government middleman and charge directly to the source of where the free stuff originates – your front door.

Sometimes, we the providers, feel alone in the wilderness – surrounded by moaning takers. Stay strong, my friends, you are not alone. There are others out there fighting for survival with you. Hold tight to the one thing more contagious than even the most viral zombie virus – the American spirit. It is this spirit that built the best country the world has ever known. The zombie way of thinking is by definition self-destructive and cannot survive long-term. At the end of the day, take solace in knowing that you are the one who still has the brains.

Remember, it's not if, but when...

★★★



Creek Stewart is the founder of Willow Haven Outdoor Survival & Preparedness Training Facility in central Indiana. An experienced survival instructor backed by thousands of hours in the field, he has been featured on "Fox & Friends," MensFitness.com and Discovery.com and is the author of "Build the Perfect Bug Out Bag" and "The Unofficial Hunger Games Wilderness Survival Guide" (Spring 2013).

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Doctors kill 2,450% more Americans than all gun-related deaths COMBINED



By Mike Adams
The Health Ranger
Editor of NaturalNews.com

(NaturalNews) - Everyone agrees the Sandy Hook shooting was a tragedy. Lots of people subsequently exploited the deaths of those children to push a political agenda of disarming Americans by claiming "guns kill people."

But compared to what? Swimming pools kill people. Horseback riding kills people. And yes, even childbirth kills people. (Does that mean we should criminalize getting pregnant?)

To make any sense of death statistics, we have to ask, "Compared to what?" Because if we compare deaths by firearms to other causes of death, the picture is very, very different from the doomsday fear mongering scenarios CNN and other gun control pushers have whipped up into a nationwide frenzy. In fact, as the following infographic shows, doctors kill 2,450% more Americans than all gun-related deaths combined.

YOUR DOCTOR IS FAR MORE LIKELY TO KILL YOU THAN AN ARMED CRIMINAL

It's true: You are 64 times more likely to be killed by your doctor than by someone else wielding a gun. That's because 19,766 of the total 31,940 gun deaths in the USA (in the year 2011) were suicides. So

the actual number of deaths from other people shooting you is only 12,174.

Doctors, comparatively, kill 783,936 people each year, which is 64 times higher than 12,174. Doctors shoot you not with bullets, but with vaccines, chemotherapy and pharmaceuticals... all of which turn out to be FAR more deadly than guns.

This is especially amazing, given that there are just under 700,000 doctors in America, while there are roughly about 80 million gun owners in America.

How do 700,000 doctors manage to kill 783,936 people each year (that's over one death per doctor), while 80 million gun owners kill only 31,940? Because owning a gun is orders of magnitude safer than "practicing" medicine!

You are over three times more likely to be killed by a drug side effect than a firearm.

On the firearms side of things, you are almost twice as likely to be killed by YOURSELF than by someone else using a gun. But even this number can't be blamed on guns themselves, because if people really want to commit suicide, they will find other ways to accomplish it (such as jumping off buildings or bridges).

WHERE IS THE CALL FOR "DOCTOR CONTROL?"

Despite the statistical fact that you are overall 24.5 times more likely to be killed by your doctor than by a gun -- and it's actually far worse if you spend more time around doctors than you do gang members -- there is absolutely no call in the media for "doctor control."

There's zero talk about making medications safer, or reducing the number of people who are medicated every day in America.

There's no mention of the

astonishing fact that surgical procedures do not need to be proven safe and effective before being tried on patients. Surgery in America is, in effect, a grand experiment often conducted with little or no scientific support.

There's no discussion of the fact that psychiatric drugs promote violent shootings as we've seen over

and over again across America.

Nope, the entire focus is on how BAD guns are, while the government simultaneously promotes how GOOD vaccines are!

...and chemotherapy, surgery, pharmaceuticals and everything else that's killing us en masse.

EVERY U.S. HOSPITAL IS ANOTHER SANDY HOOK

Hundreds of people are killed every single day across U.S. hospitals from pharmaceutical side effects alone. On top of that, hospitals are killing people with superbug infections, fouled up surgeries, and failed heart stents, among other deadly problems.

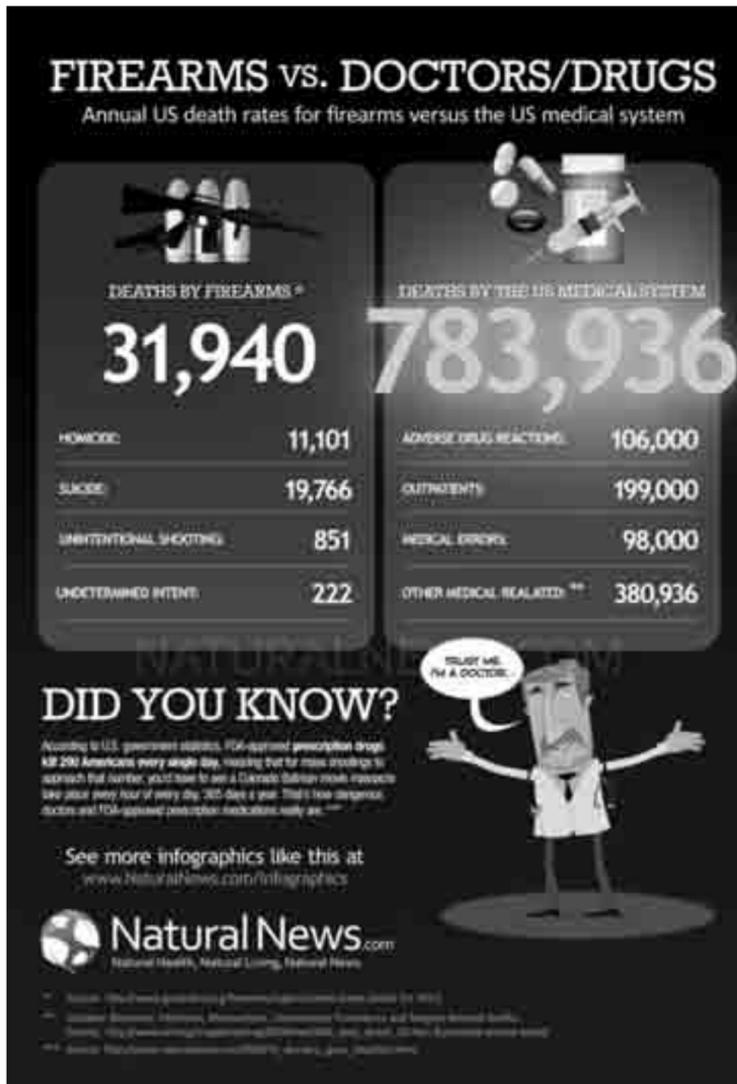
Sandy Hook was the tragedy the government wanted you to see. But they didn't want you to pay attention to all the deaths happening elsewhere -- in far greater numbers -- such as at hospitals and via pharmacies.

Because all those deaths overseen by doctors and pharmacists are making billions of dollars for the corrupt, criminally-run pharmaceutical industry and the for-profit, corporate-driven health care complex.

While Sandy Hook was mass murder, the U.S. health care system is practically a holocaust. In fact, the U.S. health care system has killed more people than Adolf Hitler -- by far!

Spread the word: If we want to save lives, the most important place to start is at the doctors and drug companies. They are dealers of death who have been granted obscene monopolies by the FDA and state medical boards. Until their stranglehold on U.S. health care is finally broken, millions more innocent Americans will die at the hands of doctors, surgeons and pharmacists.

Editor's Note: Sad, but absolutely factual. ★★★



Characteristics of Successful Ex-Felons: A Microanalysis

By Tracy Andrus, Ph.D.

The stigma associated with being an ex-felon in America is unlike anything a person can comprehend unless they walk in the shoes of ex-felons. People get ill everyday but they somehow recover and are able to seek opportunity and they are made whole. Ex-felons on the other hand suffer for a lifetime for decisions that they made in the spur of the moment. Some people understand the dynamics associated with persons who struggle daily to regain their respect and dignity in their communities because they were previously convicted of a felony. Then there are those who believe that once a person has been convicted of a felony they should be treated as felons and denied opportunities for the rest of their lives. We have programs in every state that offers assistance to ex-felons being released from prison, yet, every time ex-felons complete applications for employment, they are constantly reminded that some things never change.

In America ex-felons carry the stigma of being convicted for life. A conviction is like the metaphorical scarlet letter. When people see you they see your conviction because many folks in America will never let you forget that you committed a crime.

Today we are beginning to witness a paradigm shift in how ex-felons are treated. Unfortunately it is not because of the reasons that we would think. Ex-felons are treated different now because of the economy. Many states, counties and cities are receiving fewer funds for housing prisoners and have released prisoners who in times past they deemed posed threats to society. Decisions such as these makes rational people think about whether these people actually ever posed a threat to society in the first place.

According to the research, there are approximately 2.8 million ex-felons currently locked up in jails and prisons in the U.S. African American make up approximately 47% of the inmate population in the U.S. yet they account for only 12.7% of the population in the U. S. African Americans are disproportionately represented in every state in the U.S. This means that their percentage in the prison population is greater than their percentage in the state's general population. Sixty (60%) of the one million people who are released from prison return to prison within 3 years many of them much quicker!

Today Ex-felons are visible in every facet of life. America and Americans are becoming more tolerant of ex-felons in sports, media, education, military and areas in which felons benefit organizations but corporate America and political entities continue to maintain a strict stance against ex-felons. However,

there are states such as Louisiana who allow ex-felons to run for public office after being released from probation or parole for five years.

Ex-felons have a much lower rate of recidivating when they are released to stable living environment and caring families. Without these two safety nets most ex-felons are DOA-Doomed on Arrival. Ex-felons who are released from prison and acquire gainful employment, have the support of their love ones, and are connected to a higher power are much more likely to stay out of prison longer and in many cases never return.

No ex-felon should be punished for life. Once ex-felons are released from prison they should be treated like any other citizen. Corporations who do not hire ex-felons based on their criminal records only, in my opinion should not be supported by the ex-felons or their families. In some recent research in which I surveyed 100 of the largest corporations in Texas, many of the HR Departments responded to the questions of "Do your corporations hire ex-felons?" by saying that each decision is made on a case by case basis. That was a common response from employers. In my book "Why Are So Many Black Folks In Jail", I constantly remind readers that if corporations refuse to hire qualified ex-felons solely based on the fact that they committed a crime in their past not taking into account that they have paid their debt to society, then "if they don't hire we don't buy". The best way to get people's attention is to affect their wallets and pocketbooks! Ex-felons have much more power than they think, if they harness and organize their power!

One of the strongest predictors of ex-felon success on the streets lies with their religious beliefs while in the penitentiary. We know that many people believe that felons have nothing else to turn to when they are in jail so they try God. Many folks refer to this as jailhouse religion. In a survey of characteristics of successful ex-felons, 78% reported that they attended church and religious services on a weekly basis while in prison. Sixty-seven percent (67%) were serving a first or second sentence in a penal institution, (62%) were serving time for drug and property offenses. Many of these felons had previous charges but had come to the conclusion that they did not want to spend the rest of their lives in prison.

Most ex-felons say that their greatest desire upon release is to be given a fair chance to succeed in America. When businesses close their doors to ex-felons and private and public entities refuse to allow ex-felons a chance to work, what other recourse do they have other than selling dope, robbing folks, carjacking, burglary etc.? If we are going to hold ex-felons accountable for pulling themselves up by their own boot straps, we have to

provide them with some boots and some straps. Ex-felons love their families, lives, children etc. and many of them want to live the American Dream but America in many cases have written them off as nobodies and relegated them to the back waters of society. The American Dream for many ex-felons has become the American Nightmare!

There are approximately 25, million ex-felons in the U.S. and every year approximately 1,000,000 new people are convicted of a felony. Ex-felons have power that they do not realize that they could have. If they can restore their right to vote, ex-felons can decide the outcome of many local, state and national elections. Just like gays, women and African Americans united and wielded their power at the voting booth; ex-felons in the not too distant future will resolve to use their power also. When any group unite and go to the voting booth, politicians immediately recognize them and the power that they wield.

Until America is ready to bring all people to the table and find out what is needed in all communities to reduce crime, America will continue to build prisons and jails and incarcerate people for crimes which could really be avoided. The three greatest predictors of crime are one's environment, economics and genetics. Yes, I said genetics. Unlike Lombroso, I do not believe that people have criminal genes but I do believe that some people from particular families and cultures are predisposed to a greater extent to commit certain types of crimes. In my theory "Enviroecogenetics" I explain the rationale for these statements. Until we address the education issues surrounding poor people and the extreme poverty faced by poor people, we are not even tapping the surface in regards to reducing crime and recidivism. A lack of education produces poverty and poverty breeds crime and criminals go to jail and so the cycle goes. Many of my colleagues might disagree with this statement, but I believe that the one greatest predictor of crime is education. As Horace Mann stated many years ago, "Education is the great equalizer."

Finally, there are many ex-felons whose only wish is to be given another chance. A chance to get a good education, a chance to work, and a chance to have their voting rights restored, a chance to learn a skill, a chance to get another opportunity. My message to ex-felons is to never give up...

Dr. Tracy Andrus became the first African American in the U. S. to earn a PhD in Juvenile Justice from Prairie View A&M University in 2005. Dr. Andrus is Director of Criminal Justice at a private HBCU in East Texas.

★★★

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WHERE REALITY SHATTERS ILLUSION

Marco Rubio's 2-front battle for immigration reform



(Alex Wong/Getty Images) Sen. Marco Rubio

By Chris Moody

(Yahoo! News - The Ticket) - Since Marco Rubio joined five colleagues, most of them Democrats, last Monday on Capitol Hill to launch a bipartisan campaign for a comprehensive immigration bill, the Florida Republican has become the GOP's top messenger for the most sweeping changes to immigration laws in a generation.

But Rubio, a first-generation American born to Cuban immigrants who rose to national prominence with support from the party's conservative base in 2010, has no choir listening to him preach. Everywhere he goes beyond the capital to sell his immigration reform blueprint, which would offer a path to legality for some 11 million undocumented immigrants in exchange for enhanced border security, Rubio faces skeptical audiences.

Essentially, one moment he's fighting liberal Democrats to ensure the package contains strictly defined measures to secure the nation's borders, and the next he's sparring with conservatives who have vowed to fight the principles he has agreed to defend.

Despite the challenges, however, Rubio's role as El Gran Comunicador of the immigration debate is one he's openly embracing. Since his Jan. 14 interview with the Wall Street Journal in which he outlined a Republican vision for a new immigration law,

Rubio has appeared a dozen times on conservative talk radio programs, joined Fox News as a guest seven times, granted four exclusive interviews with right-leaning magazines and newspapers, appeared six times on Spanish-language media and has penned opinion articles that have been published in eight other major newspapers and websites.

He has challenged immigration reform skeptics Rush Limbaugh, Mark Levin and Lou Dobbs, and his efforts seem to be paying off.

"Why are we doing this?" Limbaugh began in his Jan. 29 interview with Rubio. The two went back and forth for several minutes on immigration reform as Rubio made his case. Limbaugh voiced his many concerns. Rubio was sympathetic, but firm. By the end, Rubio may not have made a true believer out of the conservative talker, but he didn't create an enemy, either. It was a start.

"Well, what you're doing is admirable and noteworthy," Limbaugh conceded near the end of their discussion. "You are recognizing reality. You're trumpeting it, you're shouting it."

Rubio had similar success with Levin, a conservative radio host and author who railed against "statist" calls for "comprehensive immigration reform" in his 2009 book "Liberty and Tyranny." Over the course of two interviews with Rubio on the subject, Levin softened his tone and called Rubio's proposal "more conservative" than the 1986 immigration reform bill signed by President Ronald Reagan.

Rubio's efforts to patiently and painstakingly make his case to his own side reveal how important he finds having a conservative coalition on board with him. But it also shows

the fragility of the immigration reform effort. Both the left and the right need each other to deal with a reality both view as a serious national problem. For some conservatives, this 41-year-old Senate newbie represents the glue that could hold it all together.

But for every prominent conservative like Limbaugh or Levin who have given Rubio at least partial nods of encouragement, there are others standing firm. On Jan. 30, for instance, Rubio faced an entire day of pummeling from his own. In her weekly column, author Ann

And these are his supposed allies.

Beyond conservative salons and radio shows, Rubio, as one of the chief proponents of the bill, must also focus his energy on going head-to-head with President Barack Obama, liberal interest groups and labor unions. Although four Democrats signed their names to the immigration reform principles last week that outlined a plan to beef up border security and implement a slow path to legality, there are powerful voices on the left demanding immediate citizenship. Obama, who has deferred to Congress on the issue in the short-term but still retains the most powerful bully pulpit in the nation, has demanded that the final piece of legislation contains a clear earned path to citizenship. Republicans supporting reform, including Rubio, are calling for a plan that allows eventual legal residency that could take decades before an illegal immigrant becomes a citizen. Labor unions are also pushing for quicker citizenship and have vowed to fight against efforts to create a new system of temporary guest worker visas. Rubio must walk a fine line to see the bill through, but he has in recent weeks declared his intention to remain firm on the the border enforcement triggers and the guest worker provision.

While he faces his own critics on the right, the battle with the left is not something he's looking forward to. "There's no such thing as an honest policy disagreement with the left anymore," Rubio vented to Levin on his radio show. "If you disagree with them, you're a bad person."

With several months left in the immigration process, if Congress wants a comprehensive bill passed, everyone will have to learn to get along.



Rubio

Limbaugh

Coulter ripped Rubio's plan as "a wolf in wolf's clothing," arguing that conservatives would be bamboozled by "amnesty" for illegal immigrants without receiving the necessary amount of border security in return. Meanwhile, the editors of the National Review said Rubio was "wrong to think that an amnesty-and-enforcement bill at this time will end up being anything other than the unbuttered side of a half-a-loaf deal."

And in a classic, (but perhaps unintentional) kick-him-while-he's-down moment on the same day, Louisiana Republican Sen. David Vitter called Rubio "amazingly naïve" and "nuts" for trusting Democrats to work with him. The day before, conservative website RedState.com editor Erick Erickson penned an article entitled, bluntly, "I Don't Like Marco Rubio's Plan." Rubio quickly followed up with a counterargument in the same space.

Continued from page 1 • State Nullification

nation similar to what Mexico is now.

But decent Americans who want to see our nation preserved the way it was originally envisioned do have a practical and workable alternative.

Without a doubt, the way out of this mess is not waiting for another "election" and again casting our lots with an even more dumbed-down, on-the-government-dole electorate that hangs from our nation's neck like a colossal albatross. The path to changing America for the better is through a concept that has been around since its founding. It's called, State nullification. It is where sane people bypass the collectivists, get control of their states, and say No to the federal government anytime it tries to force something down their throats that they don't want or is just plain unconstitutional.

Just because the Feds aren't interested in abiding by the U.S. Constitution, doesn't mean that the rest of us in the fly-over states should just give up our sovereignty given to us through the 10th Amendment and fall into the ditch with them.

The 10th Amendment was derived from Article Two of the Articles of Confederation and was added to the Bill of Rights section of the U.S. Constitution to protect states' sovereignty because our founding fathers did not want a central government that was all powerful. They didn't want a tyrannical entity that was located far away from the populations of the individual states dictating to those people how they should live their daily lives. They wanted as much power as possible to be retained by local government and individual state legislatures.

And that is where the opportunity for attainable influence by sane people of whatever financial means resides—in local government and especially within state legislatures.

The idea of state nullification is nothing new and has been utilized since the days of Thomas Jefferson. State nullification

is the constitutional remedy given to us by Jefferson and the other framers of the constitution for unconstitutional federal mandates.

State nullification is currently being exercised to defy unconstitutional mandates like the National Defense Authorization Act (NDAA) that Obama implemented in 2011 that allows any American citizen to be indefinitely detained anywhere, without due process, for any reason. Virginia has already passed bills making it illegal for federal officials to try and enforce the NDAA and at least 10 other states including Texas and Michigan are looking to implement similar measures.

Another example of state nullification is the issue of legalized marijuana where 18 states so far have legalized its use for medicinal purposes in defiance of Congress, the Executive Branch, and the Supreme Court.

Several states have already amended their constitutions to nullify Obamacare or any other federal mandate that requires "any person, employer, or health care provider [in their state] from being compelled to participate in any health care system."

Still another example of state nullification is how states, in general, basically ignored the implementation of a National ID Card.

State nullification is also how rationally thinking people will most likely prevail against the nascent unconstitutional efforts by the federal government to attempt to do away with the Second Amendment and try and implement some form of gun control. At the time of this writing, and in anticipation of what Obama will be allegedly attempting on the issue by presidential fiat, Wyoming is one of the first states to be already considering such nullification legislation.

But the only way state nullification will work is if enough

conservative-minded citizens, at the grass roots level, get actively involved and either run for local public office themselves or support like-minded people and elect them to their local governments and state legislatures.

State nullification is lawful under the U.S. Constitution and is infinitely better than a bloody revolution or succession and preserves the union of the United States until more common sense-minded people can prevail against the current state of Godless radicals to attain high places of power and restore our country to a state of viability and sanity. The ball is now in our court.

For more information on state nullification and the 10th Amendment, visit: <http://tenthamentmentcenter.com> and/or read Thomas E. Woods: Nullification: How to Resist Federal Tyranny in the 21st Century.

Editor's Note: Nullification is indeed the main way for authentic Americans to insure some semblance of freedom in the short-term future. The federal government is all powerful today, forcing their will on all states, so for nullification to work it will take major efforts by producing Americans and as recent history has proven, it won't be accomplished by political parties. Can freedom-bound people in this nation succeed with Nullification? Their track-record would suggest that they will not succeed; for their success would require that they abandon their apathy, greed and absolute traits of self-preservation-at-all-costs. True sacrifice has simply and sadly become foreign to the vast majority of people who would fit the profile of "authentic American."

*The US-Observer will most certainly be watching and reporting on their efforts, if any, with much enthusiasm and with equal pessimism... ****



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Wyoming to Preserve the Second Amendment?

By Kelli Sladick

(Tenth Amendment Center) - In response to current threats from the Federal Government on banning firearms, firearms accessories and ammunition, states are beginning to take action to hold the Federal Government to its constitutional limits under the 2nd Amendment. "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

Wyoming Rep. Kendell Kroeker has sponsored and introduced Hb0104 - the Firearms Protection Act. Representatives Baker, Burkhart, Jaggi, Miller, Piiparinen, Reeder and Winters and Senators Dockstader and Hicks have co-sponsored this bill.

Wyoming's Firearms Protection Act, is "an act relating to firearms; providing that any federal law which attempts to ban a semi-automatic firearm or to limit the size of a magazine of a firearm or other limitation on, in this state shall be unenforceable in Wyoming; providing a penalty; and providing for an effective date." This act nullifies all federal laws made after Jan. 1, 2013.

"We need the second amendment because it is the protection for all of our other rights. Without it, those rights have no protection," Kroeker said.

Passage of the bill is more than a statement;

it's a line in the sand: Wyoming will not let its citizens be intimidated by federal laws. "No public servant...or dealer selling any firearm in this state shall enforce or attempt to enforce any act, law, statute, rule or regulation of the United States government relating to a personal firearm, firearm accessory or ammunition that is owned or manufactured commercially or privately in Wyoming and that remains exclusively within the borders of Wyoming."



Beyond such statements, the bill backs things up with some teeth by providing for criminal charges for federal agents who attempt to violate the proposed state law:

"Any official, agent or employee of the United States government who enforces or attempts to enforce any act, order, law, statute, rule or regulation of the United States government upon a personal firearm, a firearm accessory or ammunition that is owned or manufactured commercially or privately in Wyoming and that remains exclusively within the borders of Wyoming shall be guilty of a felony and, upon conviction, shall be subject to imprisonment for not less than one (1) year and one (1) day or more than five (5) years, a fine of not more than five thousand dollars (\$5,000.00), or both."

Also, the attorney general may defend a Wyoming citizen against the Federal Government against any ban or law infringing on the right to bear arms.

The right to keep and bear arms is under threat. In a Politico article, Vice President Biden stated, "the president is going to act. There are executive orders, executive action that can be taken. We haven't decided what that is yet, but we're compiling it all ... as well as legislative action, we believe, is required."

Executive orders (EO) were never meant to let the executive branch bypass Congress and create laws. Article 1 Section 8 says, "the Congress shall have power...to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

LEGISLATION AND TRACKING

If you would like to see model legislation to introduce in your state to nullify federal firearm laws, please see The Tenth Amendment Center's Model Legislation: *The 2nd Amendment Preservation Act.* ★★★

Teachers In Ohio and Texas Flock To Free Gun Training Classes

By Kim Palmer and Jim Forsyth

(Reuters - The Hartford Courant) CLEVELAND/SAN ANTONIO - School teachers in Texas and Ohio are flocking to free firearms classes in the wake of the Connecticut elementary school massacre, some vowing to protect their students with guns even at the risk of losing their jobs.

In Ohio, more than 900 teachers, administrators and school employees asked to take part in the Buckeye Firearms Association's newly created, three-day gun training program, the association said.

In Texas, an \$85 Concealed Handgun License (CHL) course offered at no cost to teachers filled 400 spots immediately, forcing the school to offer another class, one instructor said.

"Any teacher who is licensed and chooses to be armed should be able to be armed," said Gerald Valentino, co-founder of the Buckeye Firearms Association. "It should be every teacher's choice."

The Dec. 14 tragedy in Newtown, Connecticut, sparked a national debate about whether to arm teachers, prompting passionate arguments on both sides.

The deaths of 6- and 7-year-old school children led President Barack Obama to promise "meaningful action" to curtail gun violence, while the National Rifle Association has advocated arming teachers and placing trained guards in each of the country's 100,000 schools.

Ohio and Texas are not the first to offer no-cost arms training to teachers. Just days after the Connecticut mass murder, some 200 teachers in Utah underwent free instruction from gun activists.

Critics ridicule arming teachers as a foolhardy idea promoted by overzealous gun enthusiasts, saying it would only add danger to the classroom while distracting teachers from their job of educating children.

Supporters say an armed teacher could have stopped the massacre at Sandy Hook, where a 20-year-old man armed with a military-style assault rifle killed 20 children and six adults before killing himself.

"What we know is that these spree killers are looking for the highest death toll possible. They look for no-gun zones like schools," Valentino said. "It doesn't make sense that we guard our gold with guns and we guard our kids with hope."

The Buckeye Firearms Association, which successfully lobbied for 2004 legislation allowing people to carry concealed handguns, is offering all eligible state educators free admission to what it calls "an intensive three-day class where you will learn many of the

same skills and tactics used by first responders."

Of the more than 900 applicants so far, 73 percent were teachers and 10 percent were kindergarten teachers, Valentino said. Sixty percent were male and 51 percent worked in high schools, he said.

GUNS AND THE LAW

Ohio law does not expressly prohibit guns in schools and leaves it to each individual school board to set policy. Ohio Attorney General Mike DeWine referred to teachers as "first responders" after the Connecticut shootings and announced his office would expand safety training for Ohio school employees.

Texas state law allows teachers who have concealed handgun permits to carry weapons into public school classrooms as long as they have permission from the district superintendent.

Measures introduced in the Texas legislature since the Sandy Hook shooting would make it easier to carry firearms onto college campuses and into schools and other public places where weapons are now banned.

Josh Felker, who teaches the firearms classes in suburban San Antonio, said many of the teachers have told him they plan to carry weapons into their classrooms, even at risk of losing their jobs.

"They are upset at what happened, and no one is going to hurt their kids," said Felker, who offered the class to teachers for free over the holiday break. "One teacher said flat out, 'I don't care if the law changes or not, I'm going to take it to school.' Most of them just want to protect their kids."

On Thursday, the Ohio Peace Officer Training Academy will offer its first "Active

Shooter Training Response for Educators Course," which up to now has been reserved for police officers.

One Texas superintendent who since 2008 has given permission to teachers with handgun licenses to carry a gun in school is David Thweatt, who heads the rural Harrold Independent School District, about 175 miles (280 km) northwest of Dallas.

"First they have to have a concealed handgun license, they have to be approved to carry on our campus, they have to undergo additional training, and they are limited to ammunition which breaks apart when it hits a hard object," Thweatt said.

He said he decided to allow teachers to carry weapons in class because in his rural district "law enforcement would never make it here on time" in case of an emergency.

Although the names of teachers who carry weapons were meant to remain confidential, their identities were widely known in town, Thweatt said.

Valentino was adamant that Ohio's armed teachers remain anonymous, citing concerns that local media might reveal who was taking the course.

"The idea is for no one to know what teachers might be carrying. It would be very dangerous to identify these teachers. We don't want to put a target on them," Valentino said.

Texas Republican State Representative Debbie Riddle has introduced a measure to require school boards and superintendents to give permission to teachers who have completed the concealed handgun licensing course to carry weapons into the classroom.

"It would have a chilling effect on any copycats who wanted to replicate what was done at Sandy Hook," Riddle said.

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Feinstein's Plan Bans Guns with a 'Grip'?

Analyst says list 'a smokescreen' to conceal true intent of total semi-automatic firearm ban

By Bob Unruh
WorldNetDaily

A key gun law analyst who has published books on the issue of the Second Amendment and its rights and responsibilities for decades says the Feinstein gun ban bill is just exactly that, a gun ban bill.

Not, essentially, a plan to limit certain guns. Not a limit on the size of magazines. Not a plan for restrictions on those with certifiable mental instabilities, a ban on criminals' access or a plan to encourage gun safety.

Alan Korwin is a nationally recognized expert resource on the issue of gun laws, and runs Bloomfield Press, which is the largest publisher and distributor of gun-law books in the country.

He said if the plan by Sen. Dianne Feinstein, D-Calif., is made law, “any semiautomatic firearm with uses a magazine – handgun, rifle or shotgun – equipped with a ‘pistol grip,’ would be banned.”

He explained, “That sounds like a limitation, but it is not. A pistol grip (on page 2) is defined (on page 13) as ‘a grip, a thumb-hole stock, or any other characteristic that can function as a grip.’”

He said, “In other words, the gun list does not matter. It is a smokescreen designed to distract people from the true meaning of the bill. And it has done a magnificent job. It worked! Any semi-automatic firearm that exists, with anything on it you can grip, is banned. (There is a grandfather clause for old stuff.)

“The list is meaningless tripe. It is camouflage for the real purpose of the bill. When the president said he is not going to take away your guns, well, Feinstein’s bill puts the lie to that. Magazine size does not matter. Brand name does not matter. It doesn’t matter if it’s black. If you can grip it, it’s banned under this bill.”

The bill, in fact, states, “‘Pistol grip’ means ... any ... characteristic that can function as a grip.”

That definition follows on the bill’s specific reference that a “pistol grip” is a banned component.

Make preparations, with a comprehensive guide to self-defense, “Armed Response”.

Korwin wrote his first book, “The Arizona Gun Owner’s Guide,” in 1989, and it now is in its 25th edition. He subsequently wrote or helped with nine more books on gun laws for several individual states, as well as federal guides to national laws and Supreme Court gun cases.

He maintains on his website a free directory to every gun law in the nation.

He told WND that the list of guns that Feinstein would ban is meaningless.

The definition, Korwin said, “invalidates her entire list of guns, and I’ve written 10 books on this topic, I know what I’m saying.”

He said while there is a grandfather clause for “old stuff,” the reality is that, “Any semi-automatic firearm that exists, with anything on it you can grip, is banned.”

“Pro-rights and anti-rights attention has been focused on the tremendous list of guns that would be banned under Feinstein’s bill, which takes up a significant portion of the 122 pages of this proposal,” he said in his analysis. “Here’s the problem none of the ‘news’ reports have spotted.

“The list of guns doesn’t matter. Magazine size doesn’t matter. If the semi-auto firearm has anything to grip it by, it is banned. It’s very clever actually,” he said.

He also noted there are a number of significant omissions.

In Feinstein’s plan, “nothing addresses criminals – everything is aimed at innocent people who haven’t done anything wrong. ... It is all ‘wrong because we say so,’ the worst kind of government abuse – crime by decree,” he said. “The critics appear to be right. This is not about gun control, it is purely about control. The bill simply removes the right to own property Americans currently own.”

He said there also is “nothing” that addresses people “who are nuts, borderline nuts, formerly nuts or no longer nuts and still perpetually banned from their rights.”

He noted there also is no mention of psychotropic drugs that “may cause psychotic episodes, suicidal tendencies, manic behavior,



sudden death and various social and psychological disturbances” in the bill. A significant number of perpetrators in most of the mass shootings in recent years have been linked to some sort of drug activity.

And, he said, there is “nothing in her 122-page bill [that] deals with gun safety. No training, no marksmanship, nothing for teachers, no self-defense awareness, no public education, nothing for schools, everything the president has asked for to increase child safety is missing in her long list of guns she would remove from the hands of the innocent,” he said.

The bottom line is that her proposal is something Congress should fear, he said.

“Every aspect of this bill appears to be an infringement on the Bill Of Rights, with no legitimate justification. Congress cannot pass infringements by majority vote. That is forbidden, although the word ‘infringement’ itself is universally missing in ‘news’ reports, in case you haven’t noticed,” he said.

“Congress can’t just enact whatever they want by majority rule. If they could, we would not have government of limited delegated powers, the hallmark of freedom and The American Way. It must just be a typo, on page two, continuing for 121 pages.”

Feinstein has claimed she wants banned “sale, transfer, importation, or manufacturing of 120 specifically named firearms, certain other semiautomatic rifles, handguns, shotguns that can accept a detachable magazine and have one or more military characteristics; and semiautomatic rifles and handguns with a fixed magazine that can accept more than 10 rounds.”

★★★

Continued from page 1 • The Matrix ...

programmed with mainstream propaganda. Their truth is only someone’s opinion, and the masses slurp it up buying every last moment of the “news”, taking it as gospel. Forgotten are the realities of the world; the horrors; the beauties; the tortures; the grandeur of it all. Reality exists now only as conspiracy and extremism, both sides’ fringes finding common truth that the people aren’t the problem; that greed is ultimately to blame. But, commonality is as passe as yesterday’s technology, and unity dies leaving few left fighting to free America from their bondage to this matrix.

People do really believe that what they are told on the nightly news and by their representatives; that what they read on the internet and are told by their bartenders is true. What we have lost, that had allowed us to see clearly, was using our logic, our ability to think, with our morality, our compass. It gave us reason. This quality has been several generations removed, instead replaced by emotional fanaticism. The ‘how it makes you feel’ is more important than what it was in the first place or what caused it. It doesn’t matter now if things have a simple solution, a root cause or a clearly defined definition. It just matters how it all feels. To me, that makes this place, this time, this matrix a sad desperate place where everyone is out for themselves and nothing true and right is safe. If it doesn’t play to the heartstrings of those in authoritative rule, it is outlaw.

Here we are today, this state of my union - frail, starving, tired from the constant nonsense fed to us. Horrified by the cluelessness. Terrified by the rule of the programmers, those who know the power of the mainstream and manipulate its



“This is your last chance. After this, there is no turning back. You take the blue pill - the story ends, you wake up in your bed and believe whatever you want to believe. You take the red pill - you stay in Wonderland and I show you how deep the rabbit-hole goes.” --Morpheus

every episode, broadcast, podcast, webcast and transmission.

If only it were as simple as taking the red pill to wake up. But then again, unlike most in society, I don’t believe a pill can solve my problems, heal my ails, or temper the pangs of youth. Waking for the masses is going to come much later, I am

afraid. It will come when even the most conscious have been lulled back by the constant flow of the matrix.

Tell me, what will wake you up? What will make you see that if a criminal comes at you or your child with a gun, running at him with a pair of scissors as prescribed by the Department of Homeland Security is crazy, that if you had and were trained in the use of your own gun, you could stop the criminal? Why can’t you see that gun ownership really has nothing to do with anything but keeping our government in check and from having the ability to murder us! What will make you see that if we kept from throwing our garbage about our world, the planet would be a much better place and for much longer? Perhaps you will never wake up. God knows there are times when I wish I never had.

Just remember this, America was built by those who dared to challenge their “reality”; to dream beyond their bonds and break through the matrix to be free. I wonder what they would say? I know one thing, they’d be ashamed that we are right back where they started; yoked by a governance that dictates to its people and maintains the perception that everything it does is in the people’s best interest.

Ahhh, how amazing it would be for history to repeat itself. Perhaps it would even turn out better than the film sequels, but then again, anything is better than those! ★★★

Continued from page 2 • How DHS Fails Children ...

Ursala threatened Judge Murphy by stating, if the father is awarded custody then DHS is out of the picture, but if the mother is awarded custody, the state will retain custody of Amber’s children.

To excuse years of abuse by Michael Duran after he completed a few classes is like telling abusive father’s, “hey, pay your traffic ticket and you can drive again”, as stated by Attorney Nelson. There is definitely no logic as to why Ursala and other DHS employees would support Duran and then attack Amber Parker without any valid reason for doing so.

Although Amber originally volunteered to take urinary analysis tests, DHS now requires that Amber take random urinary analysis tests, and she has done so for more than one year. She has “failed and or missed” ten of those tests according to Ursala. The failure was confirmed to be “due to her prescription for Aderal”, yet DHS continues to portray an image of Amber that labels her as a drug addict by continually referring to the positive results as “failed tests” rather than seeking confirmation from a legal doctor about Amber’s prescription that

would answer that question, which this reporter has - it was very simple for me to do, yet DHS doesn’t appear to be competent enough to accomplish that task. Amber admitted to using illegal drugs on two occasions - years ago with Michael Duran, and has never failed a drug test for using illegal drugs that DHS can validate as of this publication. Amber, has admitted to taking over 60 drugs tests and has to call a phone number every single day, if her “color” is the color for that day, then she has to take a drug test. Amber cannot leave the town in which she lives, in fear that “her color might be called that day.” Although Ursala stated that Amber has missed or failed at least ten drug tests, she could only verify two specific dates during her testimony.

Prior to the trials conclusion, when asked again what requirements were necessary for Amber, Ursala did a complete about-face and would not recommend any action required by DHS for Ms. Parker. She said DHS is pretty much out of the picture at this time. This caused concern for Amber and her Attorney because Ursala had already testified that Amber “needed a



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Continued on page 14

Continued from page 13 • How DHS Fails Children ...

new psych exam and another A&D assessment".

IN 2009, OREGON DHS' ANNUAL BUDGET WAS 10.8 BILLION

During the past fourteen months, numerous calls have been made by the US-Observer to DHS officials. Linn County Director of DHS Marco Benavides was originally contacted in our attempt to make him aware of this case and the problems with DHS employees Julia Blackburn, and Kimberly Williams (Amber's original caseworkers). He stated that he would re-assess this case, and get back to us. Mr. Benavides never returned a call to the US-Observer. DHS Communications Director Gene Evans was also contacted by the US-Observer. Upon our initial communication, he seemed concerned and was going to "look into this case" and get back to us. Mr. Evans has yet to return a call as of this publication. This is a direct reflection of how DHS has failed miserably to "Service Humans" properly in the Parker/Duran case. The only action that has been taken by DHS in this case, other than to attempt to destroy a loving mother has been to replace two incompetent caseworkers with Ursula Beattie, who those in power must have calculated as "more able to finalize the destruction of Amber Parker."



DHS Director Erinn Kelley-Seil

If Judge Murphy rules on behalf of Amber, giving her custody, which he should - it apparently doesn't matter. Again, in case you didn't catch it earlier - DHS's Ursula Beattie threatened Judge Murphy while in court that the state would retain custody of Amber's children if he rules in her favor. Ursula also stated the state would be out of the picture should the judge rule in

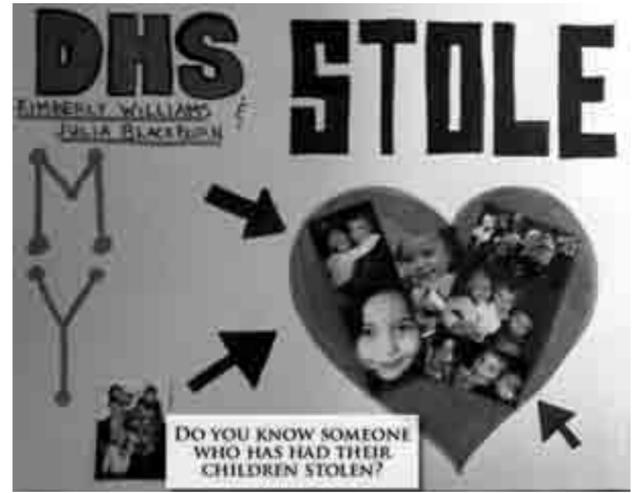
favor of Duran, who is on probation for assault, domestic abuse and who knows what else! This is direct proof of how our courts are controlled by Administrative Agencies and DHS is most certainly the most powerful agency within Oregon's government.

I'm sure the people of Linn County didn't vote for Ursula Beattie or her superiors to be the judge and jury when deciding family law. In all aspects, Judge Murphy should have removed himself from the bench that day and let Ursula put on a black robe. I should note that Murphy stated in open court that he would make his decision within one week and inform the parties. It has been well over three weeks and he has not issued a ruling yet...

Ursula Beattie, Marco Benevides, Gene Evans and others involved have failed Amber's children and Amber in this case. They have failed the tax-payers of Oregon and they have insulted Justice...

Now, DHS Director Erinn Kelley-Seil is urged to take action in this matter. Kelley-Seil is ultimately responsible for all of the abuse in this case. We will be contacting her directly and should she fail to take action, we will use every means possible to ruin her career - to convict her for life in the court of public opinion. What has happened to Amber and her children is something this writer and the US-Observer will not allow to continue. Even Michael Duran, when asked about Amber's ability to parent her children, testified "I don't have concerns because I've seen her as a mother."

Editor's Note: The US-Observer urgently asks that anyone with children, anyone who has dealt with the very destructive DHS, or anyone concerned for Amber Parker to please



contact these people at DHS and demand accountability - demand they give Amber her children back.

DHS Director Erinn Kelley-Seil
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Contact email: dhs.info@state.or.us

Office of Communications Director Gene Evans
desk 503-947-5286
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Case Worker Ursula Beattie
118 Second Avenue SE Albany, OR 97321
Work 541-791-5843
Fax 541-967-2105

Continued from page 3 • Florida's 15th ...

lasted more than 40 minutes, three responding police officers that admittedly were trained in DUI detection and enforcement (one being the most senior officer on the police force with more than 22 years experience and another being a DUI Instructor that had "literally made hundreds of DUI arrests"), could only testify to an odor of alcohol on Jamie's breath. According to all of their sworn statements and reports, there were "No signs of intoxication whatsoever" (No slurring of speech, slowed reaction, loss of balance, bloodshot or glassy-eyes, etc.).

EVIDENCE EXCLUDED FROM JURORS

Lucy Miller, who was pronounced dead at the scene, had a restriction "A" on her Florida Driver's License. This restriction requires corrective lenses to be worn while legally operating a motor vehicle. According to a police evidence voucher, Ms. Miller's glasses were located in her "make-up bag", which was in her purse at the time of the accident. However, this critical piece of information was never provided to the jury during Jamie's trial.

According to statements allegedly made by Lucy Miller's son, Ms. Miller had injured her foot while at Temple earlier that evening when she fell from a choir riser. Her shoes were found in the backseat of her vehicle, and pictures taken at the scene, revealed her feet had no presence of shoes. According to police reports, statements made by a Temple security guard who was first to approach Ms. Miller's car after the collision, stated her foot was "wrapped in some kind of bandage", allegedly before she attempted to drive that evening. Although driving without shoes is not illegal in Florida, one Florida Attorney, Kim Cullen stated, "...There might be a circumstance where a driver could be found to be careless for not wearing shoes, and be cited under that particular traffic statute". However, again, none of this information regarding Ms. Miller's glasses, the injury to her foot, or her driving without shoes was provided to the jury during trial. It is also the kind of information any reasonable person would deem as "evidence" needing to be considered in the events and circumstances that led up to the collision on that tragic evening.

Due to the laws in Florida that govern a motor vehicle accident when a fatality occurs, a blood draw was conducted at the scene. Toxicologist Xiaoqin Shan, Ph.D., Senior Forensic Scientist for the Palm Beach County Sheriff's Office Crime Lab confirmed the results. The outcome from two separate blood draws alleged that Jamie had a Blood Alcohol Content (BAC) of .12% at 22:26 hrs. and .10% at 23:30 hrs. Questions were posed by the defense that either the blood was not Jamie's, or the testing was inaccurate. Follow-up analysis to determine accuracy showed only to be a "positive match for blood-type" but witnesses involved stated that the "Facts surrounding the trial, and reports by police, left a high-probability of the tests being mishandled or inconclusive at best."

As recently as Oct. 25, 2012, accusations of highly inaccurate blood tests are still being reported in South Florida. These allegations have "caused much concern in the legal area"

according to prominent local defense attorney, David Bogenschultz. WSVN News reported, "Could bad blood tests have affected the outcome of thousands of court cases?" Public Defender Howard Finkelstein stated, "If it's not accurate, (crime lab blood-test results) that could throw into question convictions of DUI... DUI Manslaughter, even Murder cases. The really sad part here is, if we have inaccurate results, there could be people who are absolutely innocent sitting in prison as a direct result." Currently, more than 3600 cases are being retested to find out just that.

However, there was never a question of whether or not Jamie had consumed alcohol that evening. The three hours in which he reportedly took to consume four drinks along



Prosecutor Ellen Roberts

with food, coupled with Police testimony that he showed "absolutely no signs of intoxication" other than an "odor of alcohol" on his breath, is what causes concern for how his blood tests were conducted and validated.

Causing even more concern for the defense are other cases in Florida where people involved in DUI deaths have been either "not charged", or given probation with little to no jail time. One case, specifically where Assistant State Attorney Ellen Roberts (who also prosecuted Jamie Clark) decided not to prosecute for reasons that appeared to be, "Exactly why she prosecuted Jamie's case", left certain people confounded.

Questions arose regarding Jamie's speed - which ultimately posed the question that had he been driving the speed limit, could the accident have been avoided? Experts for the defense disagreed with experts for the prosecution, which is nothing unusual. Ellen Roberts sided with her "expert witnesses" by allegedly portraying to jurors that Jamie "gave up his right-of-way when he decided to travel over the speed limit", which was relevant during trial.

However, Ellen Roberts decided not to prosecute a separate case - that involved an off-duty police officer who was "traveling 64 mph in a 40 mph zone" and killed 6-year old Jasmine Jenkins, as well as leaving her younger twin brother handicapped for life. One 3-year old twin had permanent brain damage and was left a quadriplegic, paralyzed from the skull down and the other

brother suffered moderate brain damage. Here, prosecutor Ellen Roberts had a completely different approach. When asked why charges would not be filed in that case, Roberts said, "Maldonado (mother, and driver of the vehicle with Jasmine Jenkins) violated the right-of-way when she turned in front of Cohan (the off duty police officer)..." This is clearly the exact opposite of what Prosecutor Roberts stated regarding Jamie's loss of right-of-way, which brings into question "selective prosecution", and is also why the uncertainty of her ethics have caused great concern.

Additionally, the "Event Data Recorder" (EDR) or "black-box" which provides critical information from a vehicle involved in a collision, e.g. the speed it was travelling, brakes being applied, airbag deployment, etc. was never produced for Lucy Miller's vehicle. The defense never had that data at trial and Jamie's attorney was allegedly informed that "no usable information was available", but there was "usable data" according to witness statements. Besides the correct EDR data being withheld from Jamie's defense team during his trial, it has also been discovered that a different set of documents altogether were put in place of the actual EDR report and submitted to the court and defense - documents that were not even from Ms. Miller's car. All of this leads to the obvious question; had the jury known about all of these different and important facts, would they have reached the same conclusion?

As of today, Jamie Clark, now 41, awaits his appellate decision from a prison cell. Although

before the accident he had no criminal history, had never been convicted of DUI, or even been involved in a car accident, he was sentenced to fifteen years; eleven in the custody of the Department of Corrections and four years of monitored probation. If that surprises you, it might also surprise you to learn that the attorney hired to represent Ms. Miller's estate in a civil suit is an Executive Director on the Board of M.A.D.D. (Mothers Against Drunk Driving). Nonetheless, Jamie currently has a legal team working hard to make sure he receives a fair shot. His attorneys now have the EDR information that could possibly prove to be a "Brady Violation" from the first trial (when exculpatory evidence is withheld from a defendant in discovery), and perhaps even a "Gigalo" claim (when a prosecutor knowingly presents false evidence).

Prosecutor Ellen Roberts is now retired and Judge Kastrenakes is no longer a criminal judge. Should the case be referred back to the lower court, the new judge would then decide whether or not Jamie is entitled to a new trial, and the new prosecutor should ensure blind-justice for Jamie Clark, should the Palm Beach County State Attorney's office decide to prosecute his case again.

Editor's Note: The US-Observer fights for the rights of victims who have been falsely charged or convicted. We have taken Jamie's case and ask that you give your opinion based off of the facts you have read. We will be providing more evidence as our investigation continues and look forward to hearing from each and every one of you. If you have information regarding anyone mentioned in this article, please contact the author: ed@usobserver.com.

Visit Jamie Clark's facebook page at: www.facebook.com/jcla67. ***

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Continued from page 1 • Open Carry a Gun, Go to Jail!

himself. Within 10 minutes of protesting the van, West was ordered at gunpoint by Officer Erik Baines of Medford Police Department (MPD) to the ground, put in "double locked" handcuffs and arrested for disorderly conduct.

According to Officer Baines' police report, West decided to protest that day because, "He sees that van out on Garfield (street) two or three times a week and feels the police should be out looking for criminals, not code violators." West had made a sign to protest the radar van, set up his video camera across the street, and was peacefully protesting when the van operator - Michael Blair, a retired Detective with MPD made contact with him, which was confirmed by video obtained.



MPD Officer Erik Baines

As described by Blair's statement to Officer Baines, Blair asked, "If West had gotten a ticket from the van and West said he had not." Blair also asked, "If the sign was for him and West said it was." Blair then asked West if he would like a drink of water and West politely declined. Although the audio portion was not clear on video, you could see the conversation was brief, and David was clearly not creating a disturbance as reported by Blair on dispatch audio recordings. West stated that before Blair ended the conversation, he called West a "Whiny Boy" and said, "Have a good day Whiny Boy", to which West replied, "You have a good day too, fat ass."

A few minutes later, West headed to the rear of the van and stated, "He made sure there were no vehicles approaching", and is seen on video running across the street. This is important because according to Blair's report of the incident and arresting Officer Baines police report West was "Lodged after blocking traffic..." but West never blocked traffic.

Nearly six months after West was arrested, on January 9, 2013, Officer Baines testified that Blair had told him West blocked two vehicles on Garfield Street for 10-20 seconds - this was clearly a lie and disproved by video footage of the entire incident. If responding officers would have reviewed the video, which West requested at the time of his arrest, they would have easily seen that Blair was lying, but they either didn't review the video, or clearly disregarded the evidence on the video.

According to Officer Baines' report, one of two witnesses Myranda Capehart stated, "She did not see him in the street interfering with traffic." The other witness also made no claim that West obstructed or blocked traffic.

Multiple Officers who responded on scene testified at West's hearing on January 9, 2013. MPD Detective Justin Ivens stated he has been an MPD officer for "seventeen years" and testified to hearing "Stress" in Blair's voice while listening to Blair's call to dispatch. Lieutenant Whipple testified that he heard

"Stress" in Blair's voice. Arresting Officer Erik Baines testified to hearing "heightened anxiety" in Blair's voice. All officers who testified admitted to discussing the case prior to testimony and Officer Baines testified to talking to Medford's Senior Assistant City Attorney, Kevin McConnell, about Blair's tone of voice prior to the hearing. After listening to the call made to dispatch by Blair, I was puzzled that the officers would all say the same thing about Blair's "Stress", which was not even close to apparent while listening to his recorded conversation with dispatch. Blair even stated during his call, "Just be advised so far he hasn't menaced me..."

Detective Justin Ivens on a recording obtained from the date of West's arrest stated to West, "I just don't want, more than anything, we can't have this. I understand your frustration. This isn't the way to go about demonstrating it."

There is no law against protesting because it is protected by the First Amendment to the United States Constitution, which is the supreme law in the United States, so why was Ivens compelled to make that statement to West?

Officer Ivens also stated to West, "Believe it or not, the number one complaint in the City of Medford is speeding vehicles from citizens." This is another example of how an officer can create a fabrication to validate his abusive actions. According to the city of Medford's own website, reported offences for the entire year of 2012 were recently published and speeding vehicles was not even in the top 10 on the list.

Arresting Officer Baines stated to West, "You seem like you got some, a brain between your ears and it's just kind of a poor decision." What was Officer Baines referring to? What law had David West violated?

While transporting West to jail, Baines stated, "So here is the deal, you're being charged with disorderly conduct. I'm gonna have the jail hold you overnight and you should be arraigned by the municipal court judge tomorrow morning."

David West is astute because he stands up for his rights, and more importantly, he exercises his rights, whether protesting a radar van is your cup of tea or not, that is not reason enough to arrest someone. What happened is simply wrong, unlawful, and a clear and present danger to all citizens in Medford, Oregon. If

the police can conspire and create evidence against David West, what are their actions on a daily basis? I am an advocate for transparency and honesty, especially in government and this is not good for the rest of MPD, especially the officers who do their job the right way, every day.

"THE REAL REASON WHY DAVID WEST WAS ARRESTED"

David West often open carries a firearm; a handgun which is kept secure in a holster on his belt at all times. He has taken firearm safety courses and has valid Concealed Carry Permits from the states of Oregon and Utah. West had a .357 magnum revolver carried openly on his person that day while in public, which is legal in almost every city in Oregon, even without a concealed carry permit. West's sign read: "Tax Whore Pig", to describe his view of revenue generating practices for the city. While carrying a firearm and holding a sign like that is clearly not something often seen in public, that doesn't make it illegal. So, after responding to the scene and forcing West to the ground at gunpoint, placing him in handcuffs, stuffing him into the back of a patrol car and reading him his Miranda rights, what options did MPD have after finding out

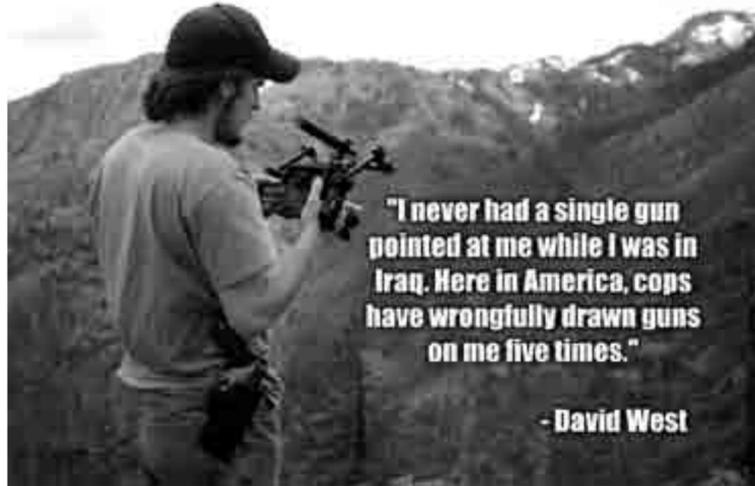
having both West's camera and memory card in their evidence locker for nearly 6 months.

After West had his pre-trial hearing and the officers had testified, Nathan Wente, West's attorney, shared the video with the prosecutor, McConnell. McConnell filed a "Motion to Dismiss" on January 11, 2013 and Mr. West's charges were formally dismissed less than one week later by Municipal Judge William P. Haberlach.

If this writer's bias or opinion is too strong in this article, please let the decision from the city prosecutor to dismiss the charges before trial be evidence enough that what has been reported is absolute fact. If you reside in Southern Oregon and are facing criminal charges, I would highly recommend Nathan Wente. He decided to withhold the video until after the officers testified. Smart move Mr. Wente.

Please note that although Michael Blair is not a "Police Officer" at MPD, he is a retired police officer, he operates a vehicle that takes photos of speeding cars (which results in citations), his paycheck is from the City of Medford, and he is a government employee. Had he not lied to dispatch that day, it is likely that West would have never been arrested.

Had West not decided to video his peaceful protest on July 25, 2012, one must assume he would have been convicted - another loon with a gun, another notch on the conviction belt for the prosecutor, and, most certainly, another lie resulting in arrest and conviction for MPD.



- David West

Editor's Note: The facts in this article are extremely alarming given the long track record of lies, deceptions and attempted false prosecutions resulting from the actions by the Medford Police Department.

For the past 12 years the US-Observer has provided the public with irrefutable proof that numerous MPD officers have involved

themselves in committing actual crimes against innocent citizens. All MPD officers need to be aware that these bad officers make them look bad.

The US-Observer is giving public notice to Medford Municipal Court Judge William P. Haberlach (the judge that presided over David West's preliminary hearing) that if he fails to take substantial actions against the officers who lied and conspired against David West that he is just as guilty of lying and conspiring as the officers. We also give notice to Medford Chief of Police Tim George that he is responsible for the actions of his officers - If George fails to stop this severe abuse, he is just as guilty as the officers who lie and conspire resulting in false charges against citizens of Medford, Oregon.

Can we expect any of these individuals to demand accountability as opposed to covering up corruption? Unfortunately, no we cannot... ★★★

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Advertisement for Freedom Calendar. Vital Info for Survival. the Children are going to pay and pay dearly... So are we... if we don't LEARN to use'em... We have NO CHOICE... KNOW YOUR RIGHTS or LOSE THEM! If you don't know'em -- You don't use'em! LEARN your RIGHTS the-easy-way with the FREEDOM CALENDAR - Call: 651-771-5234

THESE PEOPLE ARE NO LONGER VICTIMS...

CHRIS HOOVER

CHARGE: FELONY
SEX ABUSE

STATUS: DISMISSED



"I WAS SHOCKED, IN DISBELIEF. MY WHOLE WORLD FELL APART. MY ONLY SUPPORT CAME FROM THE US-OBSERVER."

AL PERELSTEIN

VICTIM: INVESTMENT
FRAUD

STATUS: COMPENSATED



"I CAN'T THANK YOU ENOUGH FOR GETTING OUR INVESTMENT MONEY BACK."

CRAIG MONPAS

VICTIM: FALSE
CRIMINAL CHARGES

STATUS: DISMISSED

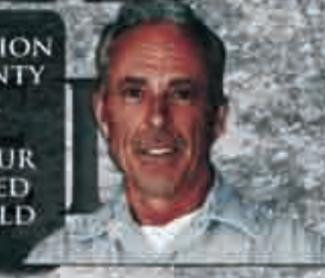


"IT'S A GOOD THING I LISTENED TO YOU. OR I WOULD HAVE BEEN FOUND GUILTY LIKE THE PERSON WHO DIDN'T HIRE YOU WAS."

BUD SONNENTAG

CHARGE: FELONY SEX
ABUSE

STATUS: DISMISSED



"YOUR INVESTIGATION FORCED NYE COUNTY TO STOP THEIR ATTEMPTS TO DESTROY ME." YOUR EXPOSURE WORKED JUST LIKE YOU TOLD ME IT WOULD."

DARLENE ALVAREZ - TAORMINO

VICTIM: ESTATE
DISPUTE

STATUS: COMPENSATED



"IT'S HARD TO EXPRESS HOW MUCH THE US-OBSERVER DID FOR ME, SOMETHING I CAN'T SAY ABOUT MY ATTORNEY."

MACK WILLIAMS

CHARGE: MULTIPLE
FELONIES

STATUS: DISMISSED
AND COMPENSATED



"I WILL NEVER FORGET WHAT YOU HAVE DONE FOR ME."

DON'T BE A VICTIM, GET YOUR
FALSE CHARGES DROPPED

WWW.USOBSERVER.COM

ARE YOU FACING FALSE CRIMINAL CHARGES? ARE YOU A VICTIM OF A FALSE PROSECUTION?

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

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: 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

WELCOME TO THE LARGEST RACKET IN HISTORY: THE AMERICAN JUSTICE SYSTEM

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,

servants.

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

The US~Observer investigates cases for news and therefore we don't print that which can't be resolved. We want to win, just as you want to prove your innocence.

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

"One false prosecution is one too many and any act of immunity is simply a government condoned crime."

-- Edward Snook, US~Observer

CONTACT US~OBSERVER AT: (541) 474-7885