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#### Heiress's **Inheritance Looted?**

By US~Observer Staff

Stacey Gano, heiress to a 3 million dollar estate left to her by her late mother Betty W. Gano, owner of Carpets By Betty in Atlanta, Georgia has reported that she has been a victim of a daylight robbery carried out by her attorney, Shelby Outlaw, and estate attorneys Howard Johnson and Senior Judge Jack McLoughlin.

Betty Gano died unexpectedly on March 18, 2004 in Atlanta Georgia. At the time of her death Betty Gano owned a carpet business known as Carpets By Betty worth 1 million dollars and other assets, including a paid for home worth approximately 1 million. At the time of her passing Brian Cavin, Treasurer of the Georgia Bar Association was the personal attorney for Betty

**Deer Creek Ranch – A Criminal Past** Crooked Enterprise FGT Gains Judges' Favor?

By Edward Snook **Investigative Reporter** 

Editor's note: This is the first in a series of articles involving multi million dollar scams perpetrated by numerous individuals. This is the story of just two of hundreds of victims.

This article pertains to allegations of conspiracy to commit fraud under the Rico statutes; fraud on or by the courts or by court officials, lawyers, trustees, etc.

Selma, OR - Back in 1998, a group of several conspiring individuals moved to Selma, Cave Junction, Merlin and Grants Pass, Oregon. They had a 1003 acre ranch associated by most Josephine County residents with actor John Wayne who often visited there.

Most of these co-conspirators came from either Utah or California. Besides robbing people of their life savings the other common thread between



Deer Creek Ranch - home to million dollar scams.

the conspirators was almost all of had developed a Ponzi (bait and wherein we will feature Sam's created by Leroy Fritts and Rick them belonged to the same switch and money laundering) case, along with all the names of Prescott.

purchased the Deer Creek Ranch, religious organization. They scheme, second to none. They bought the Deer Creek Ranch as a left close to 300 victims behind, high class venue (front) for one of which was prominent basing their crooked operations commercial real estate broker which mainly consisted of selling Sam Fung. Many of the concomplex Trusts followed by artists have been indicted and offers of offshore investments rightfully so, however the with an annual return rate of 48%. government also indicted Fung, a Educational Services (TES). Sound too good to be true? It was. proven victim of the scheme FGT was the main, but not only These fraudulent individuals (don't miss our next edition funding arm of this entire scam

the conspirators, including those within the legal system). In any criminal case an accused can't be both a victim and a perpetrator. Fung was not only fleeced out of thousands of dollars by polished con-artists Leroy Fritz and Rick Prescott, they also stole many hours of valuable time from this duped individual. Duped? Absolutely, just as hundreds of others were duped. The US Attorney's Office will be provided the proof regarding Mr. Fung's innocence and we expect them to do the right thing in dropping the false charges leveled against this successful businessman, husband and father of three young, beautiful triplets.

The main, but not only fraudulent investment vehicles were four Trusts called Fountainhead Global Trust (FGT). National Trust Services (NTS), Fiduciary Educational Society (FES) and Trust

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#### **Muncipal Court: Bastard Child** of the Judiciary Gold Hill Judge Leahan Exposed

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By Curt Chancler & Jeanne Wollman **Investigative Reporters** 

Municipal courts are created in the image of the incorporated towns and cities they serve. These courts are created to administer the laws, codes and ordinances of their particular locale. From all appearances Municipal Courts are the bastard child of the legal system. They are obviously important to the community but it seems that no one wants to take oversight responsibility. In fact, the general opinion of most is that they are run as nothing more than a "profit center" for the city they serve.

Originally they were

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#### Ryan Wonderly's False Prosecution? Entering a Plea Doesn't Always Mean Guilty -Oklahoma's due process mayhem

By Ron Lee **Investigative Reporter** 

tool for innocent victims of false that there is an estimated 8 - 12% dismissing charges, reversing prosecution. We are literally of factually or actually innocent convictions or reducing flooded with requests for inmates in state prisons, and from sentences in over 2,000 cases. In

Ryan Wonderly, pictured below

in prison, serving 35 years.

stages of prosecution and dozens Harmful Error, "Since 1970, from those already convicted. individual judges and appellate The Department of Justice's court panels cited prosecutorial The US~Observer works as a Bureau of Statistics has stated misconduct as a factor when assistance each month in many the research book entitled another 500 cases, appellate

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### "Show us the Law and we'll pay!"

False prosecution in New Hampshire?

By US~Observer Staff

and intent, so in the early 1990's collect these taxes. they started doing some research.

From statements of several proclaimed experts including ex-In a state whose motto is "Live IRS agents and by reading books Free or Die," Ed and Elaine by authors such as Lynne Brown fit right in. Their Meredith they were led to believe patriotism is unquestionable. that the income tax, as applied However, like many others in this to a private individual's country, they've wondered if the compensation for what is defined current state of the government is as labor, is illegal, and that the too far from the Founders' visions IRS lacked any authority to

They commenced, in 1994,

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#### **US** Congress, **Accessory to** Murder, Rape, and Theft?

By John Taft **Investigative Reporter** 

The US Congress has long been an agent of death for many American citizens by refusing to properly secure our borders and take lawful action directed against illegal aliens, many of whom are potential and actual criminals. Border control is essential to the security and integrity of any nation. To allow millions to illegally cross our borders is malfeasance of duty by those charged with this responsibility. Congress is the elected body hired to make our laws, levy federal taxes, and fund the enforcement of those laws. The US senate recently passed a bill of over 500 pages that would essentially grant amnesty to millions of illegal border crossers including murderers, rapists, thieves,

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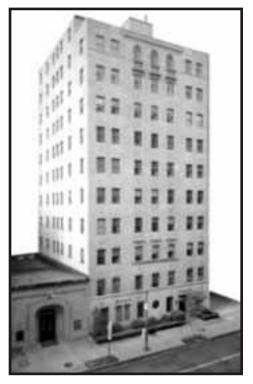
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#### The Grange Adopted Resolutions for a Stronger America

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



Grange Headquarters, Washington, D.C.

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

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

The 11-story landmark National Grange headquarters building in Washington, D.C. was dedicated by President Dwight D. Eisenhower on June 29, 1960, and is the only private edifice in a federal block across from the White House. It serves as a non-governmental headquarters for agricultural and rural families. A professional staff administers policies established annually by democratic Grange processes at local, county, and

state levels.

National Grange Headquarters Building • 1616 H St. NW • Washington, DC 20006. Built in 1957 - The original headquarters was located on Lafayette Park

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

## **Grange Resolutions**

The Deer Creek Grange #371 should be highly commended for the resolutions it has passed on such important issues as the following on marriage and all the others regarding important matters of state. Had our Congress adopted the same our nation would be in a much better condition

**Subject:** Marriage, Wedlock, Matrimony

Whereas: So God created man in his own image, in the image of God created he him; male and female he made them. And God blessed them, and God said unto them, be fruitful and multiply and replenish the earth and subdue it: and have dominion over the fish of the sea and over the fowl of the air and over every living thing that moveth upon the earth. (Genesis 1:27-28)

Whereas: And Jesus Christ said have you not read, that he which made them at the beginning made them male and female and said, "for this shall a man leave father and mother and cleave to his wife: and they twain shall be one flesh. Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder." (Matthew 19:4-6)

Whereas: For thousands of years marriage has been an accepted bond between a man and a woman joined together by God. Anything contrary to this would be a crime against nature and an abomination unto God.

Therefore be it resolved: That Deer Creek Grange #371 supports an amendment to the United States Constitution which states that marriage can only take place between a man and a woman. Anything beyond this will be deemed a perversion.

This resolution adopted by the Deer Creek Grange #371 at its regular meeting held on May 10, 2004.

Don't miss our next edition where we will publish the Deer Creek Grange's resolution on: To Withdraw the United States From the World Trade Organization (WTO) Agreement.

#### Continued from page 1 Deer Creek Ranch ...

In July 1999, the three Trustees of the bogus Trusts began infighting because two of the Trustees, Ivan Cermak and Rick Prescott, correctly perceived that the third Trustee, Leroy Erwin Fritts, was ripping them off. They fired Fritts and Fritts sued them along with many others in Josephine County Circuit Court Case No. 99-CV-0422. That case grew into a nightmare and was not resolved until June 17, 2002. The only reason that case was resolved then was because Fritts had disappeared from the scene in June, 2001. In other words he defaulted and eventually his lawyers withdrew from the case because of lack of contact with their client.

During the course of that case the Defendants incurred certain legal bills in the form of five large trade creditor liens and Referee and Receiver fees. These costs totaled approximately \$240,000.00. While the court was prepared to give judgment in favor of Defendants, it would not do so until those fees were paid.

Enter victim Ron Gibson, Gibson was in the market for some property in or near Selma and as luck would have it, the ranch, which was comprised of nine separate parcels, owned two parcels located at 195 and 199 Norman Road in Selma. Gibson examined those two properties and decided in January, 2002, he would make an offer to purchase them for the sum of \$225,000.00. Also in January Gibson made that offer in writing and subsequently received a written acceptance from the Trustees of FES. That same month FES could not come close to affording to pay its legal fees unless the sale of the Norman Road properties was consummated. However, when Gibson had the title company research the county records, it was discovered that there were over six million dollars in liens on the ranch. Most of them were bogus, but about a quarter of a million dollars worth were valid. These liens applied to the entire ranch including the two Norman Road properties. Because of this Gibson's agreement was frustrated and could not be completed.

Now FES Trustees panicked. Prescott sent his father in law, Gary Brummett, perhaps the worst of the incorrigibles, to meet with Glenn Kierstead in Vacaville, California. There is a 75 page FBI report on Brummett detailing two scams he ran, one dealing with a sunken ship off the Philippines coast supposedly containing a treasure of gold. If one invested at least \$100,000 you were promised a 100% return in 30 days! In that case Brummett's partner in crime was sent to prison but Brummett was not, probably because he ratted on his

partner in exchange for his freedom. The second scam involved what was supposedly an ancient Aztec statue that was for sale. At any rate Brummett was eventually allowed back into the Church and he worked for the Bishop in Cave Junction, Oregon. Brummett was soon fired from that position for allegedly stealing Church funds.

Although Kierstead was a member of the "religious organization," he had invested approximately \$250,000.00 in one of the investment scams and had lost his investment like 280 others, one of which was Whataburger, a Texas based restaurant chain that alone invested 5.4 million dollars. Nevertheless, when Brummett asked him for a loan on behalf of FES, Kierstead eventually agreed, if and only if FES would promise to give his \$250,000 back as part of the promissory note discussed below. The question is, why should he be the only investor to get his money back when the rest of the victims recovered nothing? The board of Trustees, especially Cermak (not a Mormon), was reluctant to do this, but eventually agreed to meet Kierstead's terms with two important conditions. First, Peter Thompson (not a Mormon) would be appointed as a third Trustee of FES and second, Gary Brummett would be evicted from the

On June 17, 2002, the Trustees executed a note and Trust Deed in favor of Kierstead. The amount of the note was \$533,000. The terms of the note were structured with the sale of the Norman Road properties to Gibson being foremost in Kierstead's mind since the repayment terms called for two balloon payments of \$125,000.00 due on September 1, 2002 and a similar payment on January 1, 2003.

On June, 18, 2002, Gibson met with Kierstead to discuss Gibson's purchase. Kierstead was totally positive and strongly encouraged the sale. Indeed, according to the terms of the promissory note, Kierstead was supposed to have given FES \$10,000 to prosecute a quiet title action but he never complied with his own note. Therefore, the sale to Gibson still could not be consummated, once again frustrating Gibson's contract

Soon after Thompson's appointment as Trustee a serious rift developed between the Trustees with Cermak and Thompson on one side and Prescott on the other. On August 3, 2002, Cermak and Thompson fired Kierstead's friend Prescott for malfeasance. After that Cermak and Thompson along with Gibson created a manner which would insure that Gibson could eventually purchase the Norman Road properties. This included payment of \$2,000

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#### **US~Observer Victim's Assistance Fund**

The US~Observer is constantly contacted by individuals and groups who have been wronged and/or falsely accused of crimes. In the majority of cases we are their last recourse for aid in their vindication of these malicious allegations.

Our operating expenses during an investigation are such that we can not help all of those who aren't able to afford our services.

These people need your assistance and through your generous donations we can provide a place of refuge where the innocent aren't prosecuted and the guilty are exposed. For more information call 541-474-7885 or simply send a check to:

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# ARE YOU A VICTIM OF FALSE PROSECUTION?

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

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

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

case and you should accept the benevolent plea bargain that the almighty district attorney has offered you. "Do you want to take the chance on spending 30-40 years in prison when you can plea bargain for 18 months," your attorney tells you. What happened to: "I think we can win this case, it's a good case." Remember? Isn't that pretty close to what your attorney told you as he/she was relieving you of your money?

You then accept a plea bargain and go to jail or you have a jury trial, you're found guilty (because your attorney hasn't produced enough evidence-if any and because the judge directs the jury to find you guilty) and then you go to jail. When you finally wake up you realize that on top of now being a criminal, you are flat broke and incarcerated. You find that the very person (your attorney) you frantically rushed to retain, became your worst enemy.

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

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

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

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

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

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

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

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### Nevada Wildlife Damage Control Works

By Cecil Fredi

Nevada - In the 2001 legislative session, Assembly Bill 291 became law. The bill was sponsored by HUNTER'S ALERT and Nevada Hunters Association. Not another so-called sportsmen's organization was there to support this bill. A.B. 291 enacted a \$3.00 fee on all tag applications. This money was to be dedicated exclusively for wildlife damage control (wdc) formerly called predator control. This money has amounted to over \$300,000 a year for wildlife damage control. Wdc is something that neither the Nevada Department of Wildlife (NDOW) nor any of the Wildlife Commissioners wanted. However, by law, they were in charge of how the money was to be spent.

Director Terry Crawforth took 24 percent of the money right from the beginning for "administrative costs." He stated that he needed an additional biologist and other equipment for wdc as justification for some of the 24 percent that he took. The wdc biologist couldn't stand Terry Crawforth so a couple years later he transferred to Elko. This position has been assigned to another biologist who now has multiple duties. So much for the money going where it was intended! In addition, the computers and other wdc equipment were turned over to the Conservation Education Department, again a blatant act of defiance by Terry Crawforth as he did not want any part of wdc. If it wasn't something for law enforcement, he didn't want it.

In addition to Terry Crawforth trashing the program, the Wildlife Commissioners also did their dirty deeds. A committee was formed to determine what projects the money should be spent on. This committee was a joke. The commissioners on the

committee were Clint Bentley, (you remember him, a falsely named sportsmen's representative) who on numerous occasions has refused to do something about our mountain lion problem. Conservation representative McNinch and two other falsely named sportsmen's representatives, Bill Bradley and Tommy Ford. Bill Bradley was a commissioner for ten years and did nothing for wdc. Bentley and Ford decided that spending money on sheep was more important than spending it on deer for which the money was intended.

Assemblyman Jerry Claborn has been a deer hunter in Nevada for over thirty years. He knows firsthand about the loss of our deer and for that reason, he was responsible for getting the wdc money. The intent of obtaining this money was that it was to be spent on wdc to bring back our deer. But Terry Crawforth and the Wildlfie Commissioners paid no attention to that. They acted like they were the lords and masters and no one was going to tell them what to do. Jerry Claborn told them that he had gotten the money for wdc for them and that he could take it away. Apparently, a lightning bolt must have penetrated the thickheaded commissioners on the committee and they decided to spend some money on wdc for deer.

A few areas were chosen to do wdc to determine if predators were having an effect on mule deer, particularly their fawns. Because NDOW didn't want any part of wdc, they farmed the job out to someone who knew what the hell they were doing, that being Wildlife Services. WS regularly responds to complaints from the public involving problems with wildlife throughout Nevada. WS does a monthly synopsis of their activities. Below are some excerpts from their bulletins:

• On March 28 and 29, West District

supervisor, Jack Spencer, Jr. spent time with WS Zack Bowers on the Lincoln County mule deer project. Recent mule deer fawn counts reported in the Nevada Department of Wildlife's program overview reported that the fawn to doe ratio in the protection area in 2005 is 87 fawns per 100 does. A Nevada mule deer herd typically needs 32 fawns per 100 does to maintain the herd. With 87 fawns per 100 does, it is expected that this mule deer population within the protection area is on an aggressive population increase. Mule deer survivorship in the protection area is apparently working with W.S. Bowers and the aerial crew actively protecting fawns from "excessive" predation. W.S. Bowers will continue to protect mule deer fawns in this area.

• During the week of March 27 through March 31, WS Ben Miller spent the week placing trail snares and leghold traps in White Pine County on the mule deer protection area. The Nevada Department of Wildlife has reported that this area is experiencing 60 fawns per 100 does, which indicates that fawns are surviving and have a much better chance at eluding predators. WS Miller will continue to protect mule deer fawns in this area.

• In April, Wildlife Specialist Gary Strader continued his good work on the Elko deer and elk enhancement project in hunts units 101, 105 and 107. The total coyotes removed, for the protection of wintering deer herds and fawns, to date is 380 coyotes. This time of year targeting males and removing dens of pups can potentially have the greatest impact on fawn survival. Not only do dominant males do the majority of killing, females with pups have a lot of mouths to feed and this time of hear contributes greatly to rates of predation. Five dens with pups have been removed

to date. By removing these elements from known fawning grounds, as has been shown for many other species including big game, survival rates ideally should increase thus adding to the general local population. Three mountain lions have also been targeted and removed from the hunt units in 2006 for the same purpose and for the protection of elk calves in unit 105.

• During the week of April 23 through April 29, WS Ben Miller spent the week protecting mule deer on the Schell Creek Range in Lincoln County. WS Miller removed a total of nine coyotes within the mule deer protection area during his ten day excursion. The Nevada Department of Wildlife's preliminary Predator Program Overview data indicates this unit's reproductive level is 60 fawns per 100 does and the overall mule deer population in this unit is increasing. WS Miller will continue to protect mule deer in this area.

Wildlife Services is proving that wdc works. It is too bad that Terry Crawforth and the Wildlife Damage Committee didn't do the right thing from the beginning. Years were lost on deer recovery because of them. They showed their ignorance and selfishness while selling out all Nevada deer hunters, typical of this bunch.

Cecil Fredi is president of HUNTER'S ALERT, a Nevada sportsmen's organization dedicated to keeping the sportsmen informed. He can be reached at:

HUNTER'S ALERT 1736 E. Charleston Bl.,#240 Las Vegas, NV 89104

Learn more about mountain lions, by going to www.huntersalert.org.

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#### Continued from page 2 Deer Creek Ranch ...

earnest money, execution of a promissory note in the amount of \$223,000.00 and a six year lease option on the Norman Road properties.

Then Kierstead's real plan to obtain the ranch, became obvious on August 15, when he filed a judicial foreclosure action against FES even though FES was not in default! The only one in default on the note was Kierstead himself because he failed to give FES \$74,000 due under the note and allocated for operating expenses, an action to quiet title, and payment of property taxes and insurance. The Josephine County Circuit Court Case No. assigned to this case was 02-CV-

Meanwhile it must be noted that the residence located at 199 Norman Road was in deplorable shape, because in 2000, Fritts gutted the place. The cost of necessary repairs was estimated to be about \$50,000 just to make the residence habitable. As of the date of this publication Gibson has spent over \$34,000.00 in making repairs, reportedly all with Kierstead's knowledge.

Then in November, 2002, Prescott filed suit against FES claiming the true owner of the ranch was FGT (an absolutely criminal enterprise) of which he was the sole remaining Trustee. That was in Josephine County Circuit Court Case No. 02-CV-0522. Now FES and Gibson had two separate lawsuits preventing them from completing the

sale to Gibson, once again frustrating Gibson's contract using the court system as a possible agent and / or coconspirator. In reality, FGT was merely the alter-ego of Rick and Karla Prescott who used FGT as a vehicle to deceive people into investing big bucks with their phony trust(s).

One of Prescott's finest examples of thievery and waste was the 10,000 square foot, million dollar log home he abandoned half way through construction at a complete loss of \$500,000 in investor funds. The house stands in ruins today as a monument to what has happened and continues to happen within the Deer Creek Ranch debacle. The house was meant to be Prescott's personal residence, not as housing for investors or other visitors to the ranch.

The court cases dragged on until January 14, 2004, when Judge Michael Newman wrote a letter opinion in case No. 02-CV-0522 awarding FGT all seven parcels making up the main ranch, but leaving the Norman Road Properties and the ranch equipment to be decided at trial. Newman accepted fraudulent documents from Prescott's and was either duped himself or totally incompetent. Why in the world would Newman award property worth approximately 3 million dollars to a criminal enterprise? Newman even gave Karla Prescott writs of assistance, obtained ex-parte with phony documents (proven to be in court), in the name of an entity, National Surety that was fraudulently inserted into the final



Prescott's million dollar half-way finished log home..

judgment in the Fritts/Prescott case by Prescott's attorney Russell Bevans. Wow, National Surety wasn't even a party to the case! These writs of Assistance, at Sheriff's gunpoint allowed Karla Prescott to seize personal property such as tractors, ATV's, etc., etc. Newman allowed Karla Prescott to testify under "power of attorney" instead of her husband, thereby making hearsay testimony real testimony. I guess Newman thought after staring at Karla Prescott long enough that he had the power to amend the law.

At this point the Trustees of FES felt that they had no choice but to file bankruptcy to have any chance of preserving the seven parcels. That is what they did on January 20, 2004, in Bankruptcy Court Case No. 04-60346-fra7. That filing turned out to be a huge mistake as will be explained below. At first they filed under a Chapter 11 repayment plan. However, upon the motion of the now active Trustee for FGT, Karla Prescott, wife of Rick Prescott and daughter of Gary Brummett, she moved to have the voluntary Chapter 11 converted to an involuntary Chapter 7 which the court granted even though Judge Frank R.

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### Judicial Corruption Arrogance – Part Four The Eugene Forte Story

By R.S. Errol

Monterey County, California -Every American is entitled to their day in court so we are told. In reality many people have been raped by a system that is inbred with attorneys that feel privileged, and protected by court procedures. The Constitution of the United States, as I have written about in the past few months, is based on Common Law. Common law is in turned derived from the Ten Commandments, thereby centering itself in the application of justice based on right and wrong. Everyone that has reached the age of reason knows the difference between right and wrong, and realizes there is a price to pay for wronging their fellow man. This basic premise seems to be missing from today's justice system. Patrick Buchanan once commented that the U.S. Justice Department as being the most corrupt organization in our government. There seems to be a pandemic at all levels of our justice system due to the fact that the perpetrators of injustice are unconcerned about the repercussions of doing wrong. How can this be true if honorable men are to sit in judgment of our citizenry?

For the past few segments of this report I have presented documented evidence of wrong doing against Gene Forte. In order to ensure the administration of justice is applied with an even hand wiser men, than I, created safeguards for our common protection. Laws were enacted to make it a crime not to report wrongdoing. A witness to a crime must report the crime to the proper authorities or suffer the consequences for the crime of omission. This tenet is systemic throughout the entire judiciary. In addition to this legal requirement an ethics code was established to ensure fairness in the judicial system.

This Code of Judicial Ethics was mandated to ensure corruption, prejudice, and racketeering did not exist and thrive in the halls of justice. Germane to this story is the California Code of Judicial Ethics and how this code has been totally disregarded in reference to Eugene Forte's quest for fair treatment under the law. The code stipulates in Canon 3 that: A judge shall perform the duties of judicial office impartially and diligently. Further it states in Canon 3B (5): A judge shall perform his judicial duties without bias or prejudice. Under section **3D** we find the following: **1.** Whenever a judge has reliable information that another judge has violated any provision of the Code of Judicial Ethics, the judge shall take or initiate appropriate corrective action, which includes reporting the violation to the appropriate authority. 2. Whenever a judge has personal knowledge that a lawyer has violated any provision of the Rules of **Professional Conduct, the judge shall** take appropriate corrective action. An Advisory Committee Comment associated with this section of the code states that appropriate corrective action could include direct communication with the judge or lawyer who has committed the violation, other direct action if available, or a report of the violation to the...appropriate authority...Judges should note that in addition to the action required by Canon 3D (2), California law imposes

additional reporting requirements regarding lawyers. If this Canon was truly ingrained into our judiciary could reasonable men agree we would be living in a better world?

Throughout Eugene Forte's legal journey he has tried to invoke the enforcement of the Code of Ethics in an attempt to find justice. Time and time again Forte notified local, state and federal officials of the corruption and arrogance that was pervasive in all of the departments of justice he became associated with. He wrote letters and called the FBI trying to bring attention to what he was experiencing. The same FBI that claimed they had no information concerning Arab men attending domestic flight schools prior to 9/11. He actually talked to an agent on the phone that declined to reveal his identify because of possible repercussions if he assisted Forte. Forte sent information to the local newspapers, The Monterey Herald and The Californian (Salinas, CA) but found no takers who would report the alleged corruption nor initiate an independent investigation. It appeared to Forte that everyone in a position to expose the corruption was either fearful of reprisals or comfortable with the status quo. Leon Panetta, a former Congressman, and President Clinton's one time White House Chief of Staff approached Forte and told him to stop wasting time and money, and to move on. In so doing Panetta neglected to tell Forte that one of his relatives worked for the Fenton & Keller legal firm that was defending Crabb. So what protections did he have from the judicial tyranny that was thwarting his search for justice, and enabling those in power to continue manipulating the system for their collective benefit? Perseverance, integrity and a devoted spouse come to mind as I research this story, which in this case may be more than enough to expose the "good ole boy club" in Monterey County.

Forte had no choice but to become self-educated regarding the procedures that cloud the justice system from the common man. With the help of some backroom legal minds Forte has held the entire Monterey judiciary at bay, from the local county commissioner all the way up to the office of the state Attorney General and beyond.

Former Arizona Supreme Court Chief Justice John F. Molloy waxes about the current day judicial system and how we are all victims of lawyer domination. In his book "The Fraternity", he states "When a lawyer puts on a robe and takes the bench, he or she is called a judge. But in reality, when judges look down from the bench they are lawyers looking upon fellow members of their fraternity. In any other area of the free-enterprise system, this would be seen as a conflict of interest." The Canon of Ethics was supposed to protect us from conflicts of interest but, apparently, its enforcement is non-existent in Monterey. This enforcement vacuum gives way to the judiciary corruption arrogance that Forte is fighting. His entire story evolves around a series of lawyers taking money on the premise of representing Gene then finding a way to dump the case without fear of repercussions form any agency. The local Bar Association is pretty much a joke as are most, if not all, Bar Associations. It is not unlike pimps

overseeing whores or foxes protecting the henhouse. Gene could file a lawsuit against an attorney only to find that he must first file a complaint with the local Bar and hope to win sanctions. Likewise, he could file a lawsuit against a local judge or public official only if he filed a claim with the state or county agency first and had it denied. Gatekeepers, standing ready, to guard, protect and defend corrupt court officials in the event that a lawsuit was filed exposing one of their own as a cheat and a fraud. Closing ranks is a common defense for all scoundrels, be they wearing uniforms or wigs as in the mother of all Bar Associations, the Lawyers Guild of London.

Last edition I reported as to Gene's contempt arrest and incarceration. If one applies the Canons of Ethics to the unconscionable behavior against Forte throughout his many appearances in Judge Robert O'Farrell's courtroom a reasonable person should be appalled and concerned that it is happening and not being investigated. Most importantly they would be suspicious that it is allowed to exist in our system of justice without, as much as, a mention by our news media and investigative bureaus. Ten years ago former Presidential candidate Robert Dole asked "Where is the outrage?" concerning the corruption in the 1996 campaign. The question went unanswered even in the face of the Thompson Senate hearings that whitewashed the corruption. Will this corruption be swept under the carpet as

Most important is the total disregard of personal responsibility in reporting unethical behavior by the legal community of Monterey County. If it is

a crime of omission to look the other way, and even more egregious for an attorney to ignore corruption, what is a person to do to expose this wanton behavior? The infamous Patriot Act was set up to protect Americans from our enemies. There was a movement afoot a few years back to encourage citizens to report suspicious behavior of their neighbors. Delivery persons were asked to report "spy" on their customers etc. In Monterey County there is massive evidence of suspicious behavior and no one with any influence seems to care that it is happening in their midst. Are Americans too busy to care or are they totally and purposely dumbed down to theirs rights and obligations under a Republican form of government?

In mid January 2006 there was outrage over a judges ruling in Vermont regarding a child rape case. One of the national news talk show hosts went ballistic over the apparent miscarriage of justice. Within a few weeks the judge reversed his first ruling to impose a more severe punishment on the perpetrator. That was good news, however, a former Massachusetts Bar Association president, Ed Ryan, stated on television, "A wholesale impeachment of judges would undermine the judicial system." Here we have a lawyer telling us to leave well enough alone. Is it better to have corrupt judges and courts or should the people expose, impeach and prosecute to the fullest these rogues?

Next time the story will focus on Forte's lawsuit against Judge O'Farrell and the repercussions this sort of action will bring to bear.

In the meantime visit Gene's website: www.attorneybusters.com for more detail of his struggles and accomplishments.



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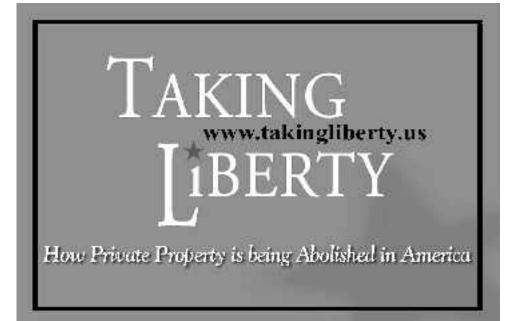


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## Oregon News Gas Companies Wield Their Power Use "Laws" to Their Advantage

#### OR History

Origin of Name: The first written record of the name "Oregon" comes to us from a 1765 proposal for a journey written by Major Robert Rogers, an English army officer. It reads, "The rout... is from the Great Lakes towards the Head of the Mississippi, and from thence to the River called by the Indians Ouragon...." His proposal rejected, Rogers reapplied in 1772, using the spelling "Ourigan." The first printed use of the current spelling appeared in Captain Jonathan Carver's 1778 book, "Travels Through the Interior Parts of North America 1766, 1767 and 1768." He listed the four great rivers of the continent, including "the River Oregon, or the River of the West, that falls into the Pacific Ocean at the Straits of Annian."

From the OR State Legislature Oregon Facts web site

By Edward Snook **Investigative Reporter** 

Shady Cove, Oregon - Williams Northwest Pipeline Company chose the small community of Shady Cove to introduce their Pacific Connector Gas Pipeline Project to southern Oregon. Their plan is to run a 30" line from Coos Bay into a connector line near Roseburg. This line then flows south to the Oregon/California border and into yet another pipeline which supplies the California energy market. Their first step was to set up a public meeting where the outcome was clearly a foregone conclusion.

The meeting was set up in such a way that very little could be heard much less discussed. The room in a local grange hall had small tables with written information on different aspects of the proposal set up on each side of the room. Those seeking information were crowded four and five deep around each small table hoping to talk to the company representative stationed there. Unfortunately little could be heard over the cacophony of voices.

Consensus seemed to be that Williams Northwest was moving through the area

like a steamroller with no regard for property rights or the wishes of the local landowners. Apparently this was simply another tic mark on their list of things to do before proceeding with their pipeline

The Federal Energy Regulatory Commission (FERC) is to hold another meeting regarding this proposal sometime in July.

In a related story the Sunday Oregonian reported on July 18, how Portland's Northwest Natural Gas Company is forcing a family to defend their Mist, Oregon gas rights against incredible odds. Using the Linn County Probate Court to their advantage, Northwest Natural Gas Company instigated and financed an attack on the mineral rights held by the Archie Adams family since the 1930s.

Northwest Natural Gas Company asserts that Jeanne Wollman, as Conservator and Executrix for both her father's 1988 and 1992 wills, had defrauded the estate and her stepmother by transferring the mineral rights to herself and her brothers. However, the 1988 will had no mention of the mineral rights. The 1992 will states that those

rights were a specific bequest to Mr. Adams' three children.

Linn County circuit Court Judge Carol R. Bispham bought into Northwest Natural's assertion. Before deciding which will prevailed, the court declared the mineral rights to be a part of the estate under probate. Ms Wollman was severely castigated for the transfer to her brothers and herself in spite of the court's later acceptance of the 1992 will which legitimized that transfer.

Ignoring the wishes of Mr. Adams the court permitted the mineral rights to become an estate asset that can be plundered by West Coast Trust and their Salem attorney firm. Judge Bispham and others of her ilk need to be both reprimanded and sanctioned when they overturn contracts, ie wills. The Oregon Judicial Fitness Commission has the responsibility to discipline rogue judges, however filing a complaint with this insider controlled group of rubber stampers is most always futile, a mirror image of the Disciplinary Board of the Oregon State Bar.

On June 26th, the Linn County Probate Court will hear arguments regarding these and related issues.

#### Oregon State Bar, Attorneys, Judges, Sheriff Captain Named in Racketeering / Civil Rights Suit

By US~Observer Staff

Roger Weidner, a former attorney, public prosecutor and 1998 Oregon Reform Party candidate for Governor, who has been battling the Oregon court system for 18 plus years, has filed a Federal Civil Rights and Racketeering Complaint against the Oregon State Bar and numerous judges and attorneys. Also named were Deschutes County Sheriff Captain Tim Edwards and Deschutes County Circuit Court Administrator Ernie Mazaro. The attorneys named are Claud Ingram, Linda Haase, Anthony Albertazzi. The judges named are Gary Thompson, Stephen Tictin, Jack Billings Lloyd O'Neal, Stephen Forte, Michael Sullivan and Richard Barber. Also named were the Oregon State Bar and Arbitrator George Burgott.

The US~Observer has for years now been covering the unprecedented abuse Weidner has suffered as he has fought a judicial system he believes is totally arrests, many violent, 300 days in jail, without challenge or objection, about

including 30 days in solitary confinement and 70 days in the maximum security unit of the Oregon Insane Asylum. While in the Insane Asylum Weidner was subjected to forced blood draws and other medical examinations while shackled hand and foot. At a hearing in front of Marion County Circuit Court Judge Paul Lipscomb, Weidner was ordered released. The judge stated there was no reason for Weidner to have been placed in the Asylum in the first place. Weidner has also been subjected to 9 prosecutions, 4 of those by the Oregon State Bar in an attempt to stop his ongoing effort to expose the corruption he perceives in the court system.

Most recently Weidner was prosecuted in Deschutes County, Oregon for Harassment for attempting to arrest attorney Claude Ingram. Weidner charged Ingram with bribery, subornation of perjury, conspiracy and theft, however no charges were filed against Ingram. Judge Barber, after corrupted. That abuse includes 21 hearing Weidner testify in detail,

his allegations of fraud and collusion against attorneys Ingram, Linda Haase, Anthony Albertazzi and Santiago Torres convicted Weidner of Harassment on the testimony of attorney Ingram and Deschutes County Sheriff Captain Tim Edwards.

Weidner claims, "In furtherance of their conspiracy to defraud Patricia Wishon, Ingram filed a lawsuit against property owners Patricia, her son Jason Wheeler and myself. Judge Barber, as part of the conspiracy, dismissed the Third Party Complaint Wishon, Wheeler and I filed against Ingram and the others in Deschutes County involved in attempting to cover-up the attempted theft of Wishon property. Judge Barber blocked Wishon and I from putting on our overwhelming evidence of fraud and corruption. He did so by repeatedly sustaining Ingram's constant objections to questions Patricia and I would ask witnesses about their first hand knowledge of the fraud and conspiracy of Ingram and the others involved in attempting to convert Wishon-Wheeler- only redress I have now is to file a

me from testifying about the fact that all witnesses called against me in my politically motivated disbarment hearing, referred to by Ingram, were completely impeached.

Nor would Judge Barber allow me to testify that my numerous prosecutions by the District Attorneys in Multnomah, Clackamas, Marion and Deschutes County were for contempt, for insisting on speaking in court, under oath, about the corruption involved in the innocent people I have been helping who have had their children, lands and property shamelessly stolen in sham, often star chamber type judicial proceedings where the victim always looses."

Weidner concluded by informing us that Judge Barber has entered an order blocking his ability to file any further lawsuits in these matters. Weidner states, "I have no other option than to file the federal lawsuit as government is damaging me and countless others and government has now ordered me to stop filing lawsuits – our only remedy. The Weidner property. Judge Barber blocked federal civil rights complaint."



#### Test of Time

For a moment in time you are loved o so much.

For a moment in time it was all so wonderful.

For a moment in time nothing was wrong.

For a moment in time you have it all at your finger tips. Just think, it's all for you, it is so wonderful. For life is so short that it is just a moment in time, the twinkling of an eye.

It's there for you. Love is so soft and fragile it needs a lot of care or it will slowly fade away and be no more. It would be so sad to see a beautiful love die. For love is a lot more than just a moment in time. For a true love can withstand the Test of Time.

--Rickey Patton

### Let's Look Inside ODFW

By Wil Clow

To understand a state agency and the way it operates lets look at our own Oregon Department of Fish and Wildlife (ODFW), or as I have come to name it: Oddballs and Deadbeats, Funding themselves Wildly. First, it has a commission appointed by the Governor to oversee its operations and to make rules up as they like. That is right, these commissioners are not elected nor approved by the Senate, they rule merely at the whim of the Governor in charge. The credentials most of the sitting commissioners have wouldn't qualify them for a garbage collector in most cities, but it is enough for the Governor. They seem to have done everything wrong they can to make sure that they do not perform their mission. You say they have a mission, yes, it is on their web page www.dfw.state.or.us/ and is as follows. "To Protect and Enhance Oregon's Fish and Wildlife and their Habitats for use and enjoyment by Present and Future generations." Talk about hypocrisy and incompetence, ODFW has by far done nothing to protect Oregon's Fish and Wildlife. Now, the tree-hugging, frog kissing people claiming to be environmentalists would have us believe that this is a good thing. And, that if we don't have animals to hunt in the woods, well, we just wouldn't need all those guns we have anymore. A real environmentalist wants balance and equal numbers of things, not just saving one animal at the expense of thousands. Our for-fathers knew that the Cougar was a predator and the most efficient killer there was. If they were going to provide food for the masses and themselves they had to balance the need

Measure 18 took away that balance and as sure as I am alive once we kill off four to five thousand Cougars and some 12,000 bears we are going to need to stop hunting deer and elk for a few years to build back the herds we once had. Now, ODFW has, after twelve years of sleeping at the wheel decided that maybe the cougar and bear have eaten about 70% of the wildlife in the woods and whoops, hunters are not buying as many tags as before because there is not much left to hunt. That of course means less money for them to waste each year on their meetings and studies and such (parties).

The ODFW has engaged in many forms of consumerism, one of my favorites is the ban of pelletized powder and use of any projectile with plastic in muzzle-loading hunting. The ODFW commissioned a survey of muzzleloaders (which cost over \$5,000) who overwhelmingly said, do not ban Sabots, a plastic sleeve used around .45 caliber slugs to hunt with, a very effective killer. Of course that is exactly what the ODFW Commission did. Instead, let's allow idiots to run through the woods shooting at elk with round balls, which, according to an ODFW official I talked to is the wrong projectile to use on Elk. This is an effective

measure of protecting and enhancing our wildlife, NOT! They did this for the few who like to run around in animal skins remembering the good old days when they could shoot injuns at 500 yards in the head with a round ball. Their argument that this is primitive hunting fades in the light of the RV's in circles, the pick-um-up trucks racing down the roads, and other modern things they use including televisions, c.b.'s, walkytalky's, cell phones, well hell you get the point, it is just too primitive to talk about anymore. Then there was the changing fishing regulations on the Rogue River giving privilege to Fly Fishermen, you know the ones in those fancy outfits, using certain guides.

Second, ODFW makes rules up not found in the state laws. For example ODFW sets the hunting hours, the seasons, the numbers to be killed, etc. This is arbitrarily based on their "sound science" called "best guessing" as they don't know facts from fiction. In short they just make things up as they go along with no real basis for doing so except that they say so and that is that. Talk about abuse of power.

You see the ODFW works this way, they pass a regulation in one of their meetings, wait thirty or more days to publish them and that way you don't have time to take the case to the Court of Appeals which you must do within

thirty days of the rule making process or it can never be challenged except within their Kangaroo system. The ODFW should be disbanded or at least sportsmen and women of common and knowledgeable fields should be picked to be on the commission. All past rulings should be opened for review by independent, regional groups. Those who have the knowledge and expertise to help formulate rules based on reality, not studies done by people who haven't spent a day living in the real world. Ever met a PHD that you liked or did not try to make you feel inferior to their great book learning? We now understand their disability; they have Personality Hysterical Disorder or at least exhibit those tendencies if you challenge their unreal view of things. The West Coast and perhaps the U.S. "expert" on Cougars studied and learned all about cougars in a major urban city in California. This expert will tell you everything wrong about Cougars and if you challenge him he runs to his degree in book learning and states you know nothing because you don't have Personality Hysterical Disorder. That is one of the biggest problems within most state agencies, but in particular ODFW. They rely on these unreal experts and their unrealistic reports to make decisions that affect us and our resources, just because they have PHD.



As funny as that may seem to most of you, it greatly saddens most of us, because we have to live in the real world with the real consequences of these "elevated individuals" actions, while they live in their academic unreal world. We love wildlife and we love to hunt wildlife. ODFW is slowly taking this love away.

I hope that I have given you some insight as to why government does not and will not work, as it doesn't operate or even think in real world terms. In short, Biologists and the "commissions" who rubber stamp their ideologies are more of a threat than the dangerous numbers of predatory cougars living closer to humans each day, with each implemented administrative rule...

#### **Oregon Researchers Cautious About Biofuels**

**LIBTUCKER** The Daily Journal of Commerce

PORTLAND, Ore. -- As biofuels gain momentum as viable alternatives to petroleum-based fuels in the Northwest, Oregon researchers are sounding a word of caution.

Biodiesel and ethanol are good shortterm solutions to curbing the nation's oil addiction, they say, but they are not sustainable over the long haul.

Biofuels could provide 37 percent of U.S. transport fuel within the next 25 years, according to a new report by the Worldwatch Institute, a Washington, D.C.-based environmental advocacy

But growing crops such as corn and soybeans -- traditional feedstocks -- for biofuels production is energy- and water-intensive.

And with limited farmlands available, feedstock production for fuel would have to supplant food production.

"There's never going to be enough cropland to replace all the petroleum we use" with biofuels, said Jan Auyong, an Oregon State University professor.

In response, Oregon researchers, business leaders and state officials submitted a proposal for the formation of the Oregon Clean Energy Center for

The proposed center would centralize efforts under way around the state to develop substitutes for fossil fuel-based materials used in building products and transportation.

"I'm worried that people are promoting biodiesel without really looking at the life-cycle costs," said Gail Achterman, a commissioner with the Oregon Transportation Commission and a key author of the proposal.

"I doubt that people will feel good about replacing foreign imported (petroleum) oil with imported palm oil."

Oregon researchers have already begun to develop a whole suite of biofuels that use biomass from agriculture and forest industry waste to supplement seed crop production.

Like seed crops, leftover stems and leaves and woody materials can be broken down into their component sugars and starches for biofuels production.

Using biomass to make biofuels "is already very economically feasible in the U.S. and especially in the Northwest," said Larry Benford, an engineering consultant with Parker, Messana & Associates.

"We have huge assets, a huge feedstock in terms of land mass" for creating a supply stream of woody undergrowth, Benford said.

Oregon produces almost 4.5 million tons of forest residue per year as part of forest-thinning efforts called for by the federal Healthy Forest Initiative, passed

in 2003, according to a recent study by engineering firm CH2M Hill. And about 62,000 tons of wood waste from sawmills go into landfills each year in Oregon, according to the study.

"A lot of the clean-energy focus in the proposal is realizing we need to transition to a society that is closing loops on production," said John Bolte, head of the bioresource engineering department at Oregon State University.

Most of the 1 million gallons of biodiesel currently produced in Oregon by SeQuential-Pacific Biodiesel are made in a sustainable manner with waste vegetable oil from the food industry. But restaurant grease is in limited supply.

The remainder of the state's biodiesel is shipped in by other suppliers from the Midwest where oil seed crops are grown and turned into oil for fuel production. Any additional demand for fuels will be met by further imports or by in-state production of seed crops.

The Clean Energy Center proposal is "taking advantage of these (forest) waste materials that have some very valuable molecules in them and figuring out economically productive ways to turn those into fuels," Bolte said.

The proposal is one of a handful of finalists submitted to the Oregon Innovation Council with the hope of being designated a new "signature research center" by the state Legislature.

In 2005, the State Legislature charged the Innovation Council with creating several new signature research centers by 2010 to translate research into commercial applications....

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# COMMENTARY Your Right to Speak Out

### P.E.R.S. - Oregon's Grand Delusion

By Fred Starkey NewsWithViews.com

Oregon's Public Employees Retirement System (PERS) is in a crisis that will, if extreme measures are not taken, destroy the faith and credit of Oregon's State Government.

Misinformation has been the way with PERS. No one knows the truth because of deliberate deceit and, for the most part, ignorance. This includes our Oregon Congressmen, City Councils, Commissioners, and 99% of the people involved in this Grand Delusion; but that is about to change with this article.

PERS is destroying your future and will drive the middle class into poverty unless it is shut down. Over 50 years ago, Hayek understood how Collectivism operated and logically stated:

"If all sources of current information are effectively under One Single Control, it is no longer a question of merely persuading the people of this or that. The skilful propagandist then has power to mold their minds in any direction he chooses, and even the most intelligent and independent people cannot entirely escape that influence if they are long isolated from all other sources of information."

"The moral consequences of Totalitarian Propaganda are even of a more profound kind. They are destructive of all morals because they undermine one of the foundations of all morals: the Sense and the Respect for Truth."[1]

What follows is a truthful, factual documentation regarding PERS and your future.

#### HISTORICAL PERSPECTIVE

Basis Historical Economics, PERS is under the category of "Fraud" and is properly classified as a Swindling Scheme.[2] It meets three necessary qualifications:

- 1. It is a violation of the Public Trust (due to deceit and chicanery)
- 2. It is a credit scheme based on leverage (Borrowing on credit, with the taxpayer as the guarantor, to make money)
- 3. It uses a standard of measurement that is contrived and fictional. In other words, its solvency, now and in the future, is a delusion.

Historically, Swindling Schemes are typically born from prosperity. But in this case, it was born from both prosperity and excessive credit creation by the Federal Reserve. Since 1980, U.S. household wealth, driven by easy money and credit, has risen from \$7 Trillion to \$49.8 Trillion in 2004. Our nation's debt now totals 325 percent of our gross domestic product; which is the greatest debt in our history.[3]

This easy credit led people to believe making lots of money was easy, of which PERS took advantage of to increase its retirement benefits from 61.8 percent in 1988 to 106 percent in 2000 by further leveraging their assets while neglecting the reserve requirements; the Classic Swindling Scheme.

History clearly demonstrates that Swindling Schemes based on credit creation have great uniformity and follow a very specific schematic:

1. Deceive the public through lies and misinformation

- 2. Leverage your assets to make more money in the short term
- 3. When it collapses, spread the blame onto other people and exogenous conditions. (Avoiding any Accountability or Responsibility)
- 4. Borrow money or issue bonds to extend the fraud.
- 5. Flee with the money to another state or country when the scheme finally implodes and collapses.

Recently Oregon has completed Step 4 and we are now awaiting Step 5.

#### **COMPARISON of other STATES**

Let's uncover the misinformation of PERS and look at some important facts, which have not been in the marketplace, to grasp the True Reality of the PERS system.

For instance: How does an Oregon PERS Pension compare with other States? Let's use one sample for comparison. Assume a K-12 teacher who works 30 years and retires with a final salary of \$50,000. What would be their single life annuity payout? What was their contribution rate? Do they also receive Social Security?

- Washington: \$30,000. Contribution rate: 6%. Social Security: Yes.
- Idaho: \$30,000. Contribution rate: 5.86%. Social Security: Yes.
- Nevada: \$37,500. Contribution rate: 9.75%. Social Security: No.
- California: \$33,000. Contribution rate: 8%. Social Security: No.
- Arizona: \$34,500. Contribution rate: 5.7%. Social Security: Yes.
- Oregon: \$53,000. Contribution rate: 0.00%. Social Security: Yes.[4]

Assuming \$18,000 for Social Security, Oregon is 215% more than California, 189% more than Nevada, 77% more than Washington and Idaho and 53.6% more than Arizona. In addition, the contribution rate for Oregon is ZERO, and CA and Nevada receive ZERO Social Security.

As a consequence of PERS, it costs a minimum of \$13 million to \$15 million more per year to run the Springfield School District as compared to the same size school district in other Western states.[5]

In addition, Employee Benefit Research Institute concluded that State and Local Governments wage and salary costs are 40% higher and its' benefits are 60% higher than the private sector.[6]

In spite of these facts, they continually tell the citizens in the private sector that they need more money. Deception and lying is a way of life with these people.

#### **CAPITAL REQUIREMENTS**

How much savings/capital is needed to fund a single life annuity for \$53,000 (106% of \$50,000) in the private sector, for a male, at the age of 58? The answer: \$873,000.00. How much does Oregon PERS say they need? The answer: \$563,368.00. This is a difference of over \$300,000. Do they have that money? Absolutely NOT: Not today and Not in the past; tax, borrow, tax, borrow, etc..[7]

Now you know why PERS almost folded during the stock market decline. Some say, that it is a fully funded Pension: WRONG. If it was fully funded, then they wouldn't have to increase the employer contribution rate or sell pension bonds. (For example: The contribution rate for PERS for the Springfield School district started at

12% and will soon be 28%; the Springfield Police contribution is 47.2%; can it go to 100%? The answer is yes on both entities.[8]

Since the taxpayers voted down raising taxes, the State back-doored the funding for PERS by more than DOUBLING Oregon's bond indebtedness, from \$674 per capita in 2003 to \$1,367 per capita for 2005.[9]

The PERS debt obligation for each citizen is now \$575 per year for 20 years. That amounts to a loss of capital of: \$21,151.92 for each citizen, \$84,607.80 for a family of four, and 76 BILLION, 677 MILLION, 933 THOUSAND, 945 DOLLARS for the entire population. This is being done to partially FUND A PERS PENSION.

Why didn't your Lane Commissioner, City Council, State Representative, School District, or any other Government official tell you this? I suggest you contact these people and ask them.

#### WHAT CAN BE GUARANTEED?

PERS will tell you that the 8% return per year is guaranteed. That is a half-truth at best. They not only guarantee an 8% return (The private market rate is at 4 – 6 %), but they also guarantee a 2% Cost of Living, exclusion from paying State Income Taxes, Medical Benefits, and no Administrative or Insurance costs.[10] This means, in reality, an annuity rate of 11% to 16% and sometimes higher.

Is the 8% return valid? Yes. Actuaries use a 50-year time horizon, and for that time period it is valid. But it is not valid for 80 years, 100 years, or 200 years. This is called curve fitting; more commonly, it is known as cheating. (Making the data fit the premise)[11]

As a general rule, people have short memories, and tend to let the recent past become the norm. For example, in 1966, the Dow was 1,000, and by 1982, the Dow was below 800. That is a decline of 20 percent in 16 years. Can Oregon continue to pay an 11% – 16% annuity, survive that market return, without raising taxes or passing new bond measures?

Let's also keep in mind that Long-Term Capital Management which began in 1994 by a group of Ph.D.'s and Noble Prize Economists, leveraged their account, betting on regression to the mean and then went bankrupt in 1998. They were bailed out by the Federal Government. The defined benefit pension in the private sector is another disaster sponsored by FALSE ASSUMPTIONS; so much for the experts and their theories.

#### COMPARISON TO THE PRIVATE SECTOR

How does PERS compare with the private sector? The Median (typical) Household in the USA has a net worth of less than \$15,000, excluding home equity. The top 20% of Americans have a median net worth, excluding home equity, of less than \$60,000. The median value of retirement accounts by workers from ages 55 – 64 was \$55,000 in 2001, and only 11% of all Americans have a retirement savings of \$250,000 or more.[12]

Millionaires represent 3.5% of the population, but only 2.8% are first generation. That means that a 30 year PERS employee with the highest salary of only \$50,000 will receive a pension

that requires a minimum of One Million to fund in the private sector; the top 2.8% of all the citizens in the USA.[13]

What is even more important to know is that when this leveraged investment account loses money, YOU, the citizen, are responsible to make up the difference. That is the reason the Police, Schools, County, and other Government Agencies are constantly asking for more money; to make up the losses from the investment account.

In the moral sense, PERS is an act of complete irresponsibility; shifting the risk and the debt burden for their retirement off to their friends, neighbors, our children, and grandchildren—this is so they can live a life of perpetual childhood.

#### YOUR FUTURE

So, what does the future hold for every Oregonian? According to the Oregon State Debt Policy Advisory Commission: "The State's Debt burden has increased significantly (103%) in the last few years and this trend is expected to continue during the current and next several biennia." [12]

In other words, PERS will need continued funding (The Reality) through bond indebtedness and new taxes; this cycle of perpetual debt will eventually grind the middle class into poverty.

In the larger picture, PERS is a harbinger for the USA; Oregon like the USA is living on credit. Historically speaking, no nation or empire in the history of the world has ever taken on this level of debt and not had a financial crisis. In fact, throughout history, all great empires, towards the end, suffer a sharply depreciating currency, rising interest rates and accelerating inflation; it is only a matter of time when all three will be in force. That is economic history and those market forces are on the horizon.

In conclusion, Oregon is a theatre of the absurd. The Oregon Supreme Court actually believes it can ignore all historical precedence and order the tides to recede — which it is free to do; the tides won't mind, but it won't stop the iron laws of economics.

Unless the Court and the citizens can understand that PERS is a Swindling Scheme and a Criminal Action, then your future is to live in poverty as an indentured servant to public employees.

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Fred M. Starkey is a resident of Springfield Oregon, private consultant to the Cotton, Grain, and Crude Oil Industries, among others.

# More COMMENTARY

Verbal Assassination:

# Spam Scam

I was just sitting down to finalize my new Verbal Assassination column when I checked my e-mail. In my inbox was a correspondence from someone claiming to be an American soldier wanting to find business associates in the U.S. to send pillaged plunder from Iraq for safe keeping. Now, this type of e-mail hoax resembles the one when you are contacted by people claiming that you are a surviving relative to a rich foreigner who has recently died. They ask for your personal information under the guise of confirming your identity and then comes a one time processing fee in order to get your inherited millions. Yeah, it's no wonder identity theft is so prevalent when greed drives normally good people to do foolish things like give-up all of their information! But, it was the nature of this new scam e-mail that made me so irrate that I couldn't help but respond to it. Needless to say, I threw out my column-in-progress and decided to share with you the e-mail I received followed by my response, which was also sent on to the FBI.

----- Original Message -----From: "Geraldine Marcus" To: <ron@usobserver.com> Sent: Friday, June 23, 2006 9:47 PM Subject: ANINSIGHT

Dear Friend,

My name is, Sgt. Geraldine Marcus representing a faction of American soldiers, serving in the military of the 1st Armored Division in Iraq, we came across your e-mail address(s) in the process of research and enquiry into an immense military global data base. I believe you are familiar with the war situation in Iraq? apart from killings and day to day unrest, a lot of activities happen such as sales of antiques, stocked foreign cash discovery and lots more. We are lucratively involved in these activities, myself and my colleagues want to send consignments out of iraq, which will be discussed upon your acceptance of this transaction and we require a worthy, upright and business minded individual for safe keeping outside the Iraqi state. You might have an insight through; http://news.bbc.co.uk/2/hi/middle east /2988455.stm and details will be sent upon signal of interest. Our contact email; geraldinemarcus@virgilio.it

Thanks for your co-operation GMS0160 Signed,

Sgt. Geraldine Marcus

#### **My Response**

Dear Sgt. Marcus,

If you ARE one of our troops, which I hope you are not, you should be ashamed of yourself, found and courtmartialed immediately. What you are doing is wrong. You are there, not only as our protectors, but as our ambassadors to a people who have been robbed of the most basic of liberties under the oppressive rule of Saddam Hussein. You are there to show the world that we, YOU, make a difference and that our talk of a free Iraq is true and honest, and that we can provide a safe haven for their start into this new world of democracy we have provided for them. You are there to protect them from what you have suggested you are involved in, the American pilfering of Iraq's public and possessions. If you ARE one of our soldiers, I am ashamed of you and anyone who is involved with

If you are not one of our brave soldiers putting their lives on the line for our protection and the protection of a free Iraq, as I would assume you ARE NOT, then I hope authorities find you and prosecute you to the fullest. And no doubt you will get caught! Any intelligent criminal wouldn't ask for "worthy, upright and business minded individual(s)" to take part in an obvious scam as they would know that what you are suggesting is illegal (not to mention immoral) and, like I have, report you immediately! Fool.

It would have been better if you asked for "blood sucking scum of the earth who would do anything for a buck," and you might just get people who fit the caliber of individual that would help you rape a country we are trying to protect and foster. They would be people who might even pay you for the opportunity to make a few bucks, which I'm sure is where this would head if I were to respond positively.

You are probably some deluded miscreant who gets his/her jollies off trying to think of "cool" ways to scam people on the internet, find new ways to stifle us with ridiculous amounts of spam in hopes of one sale in a million emails, and are generally just a sad little creature that sits behind a keyboard plucking away thinking you're cool.

Sorry, whoever-you-are, I'm smarter than you. I'm obviously more of an American than you - which I doubt you actually are American. I'm incredibly more moral than you. And guess what ...

Continued on page 17

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# **Special Interests Control** of **Our Legislature**

**By Charles Dry** 

Common Sense and the "common good" are of little importance in today's politics. The catering to special interests and voting "blocks" for monetary contributions and support for re-election is the priority. Of course, this is nothing new within the political scheme of things but it has reached epidemic proportions.

My first awareness of the scope of the problem was when two things occurred - the 1993 approval of NAFTA and the first President Bush's announcement of his support of a "new world order" (You will recall that both parties and President Clinton supported NAFTA with the only opposition being that of the labor unions and Ross Perot). The surfacing of these two concepts signaled the beginning in recent times, of an agenda which has no relation to national sovereignty, security or the "common good." Rather, other interests are served and the "people" pay the bill. We have since been subjected to CAFTA where the export of jobs (outsourcing) within manufacturing and the service industry has been further facilitated. The short time benefit of this cheap labor to corporate America is already being paid for by destruction of our home industries, unemployment and a dependency on foreign economies and world trade for many products, the production of which we once had a near monopoly. The long term cost for this debacle is even more troubling in that we are creating global competitors in nations such as China and India which will further dilute our economic base particularly in light of their low labor costs. This situation has been brought on clearly by our legislators "selling out" to corporate contributors for campaign financing!

Another example of the raping of the people in favor of corporate interests is the flagrant "gouging" of America by the oil industry. No matter how they sugar coat it, the posting of \$38 billion dollars in profits in the last quarter is a direct result of the enormous rise in the price of gas at the pumps. Just recently an announcement was made that the CEO of Exxon is retiring with a \$400 million dollar "severance package"! This, while prices continue to rise! How stupid do they think we are? Yet nothing is heard from our political leaders except an occasional lament as to "the way things are." What should occur is a congressional investigation (a real one) and recognition that petroleum is a necessity in our country. In the East, it is needed to heat homes in the winter and the West, to travel the long distances. A "utilities commission" type of oversight should be established with a requirement that increases in prices at the pump must be approved.

Of equal concern is the prospect of an invasion of 11 million illegal aliens (or undocumented workers if you want to subscribe to the politically correct myth). The sad reality is that our representatives in Washington are about to compromise this threat into a reality through a variety of "feel good" proposals and disguised provisions. Unfortunately, common sense is taking a beating in this issue! The Republicans want to liberalize immigration to accommodate corporate America's desire for cheap labor. The Democrats want to encourage immigration of poor and disadvantaged people because they

are likely to vote "democratic" in mass. The Catholic Church supports amnesty, ostensibly for humanitarian reasons but in reality to increase their numbers within the church. While there is a decline of white participation in the church, there is a disproportionate and marked increase in the number of Hispanic Catholics. With all of these special interests at work, there is little heard about the irrationality of the various schemes proposed to accommodate the illegal aliens. To begin, to grant amnesty or any advantage in obtaining citizenship is to insult our legal immigrants. But more importantly, it is to send a message to a world full of prospective immigrants to sneak into our country, hide out successfully and after a period of time, citizenship will be yours! Of course, while you're awaiting your reward, you can enroll your child in school, enjoy free medical care and avail yourself of all the other low income assistance offered in our communities. Since you're paid under the table, no income tax or social security will be withheld from a pay check. All of this while the sheer number of these new residents places a strain on the already overburdened police and fire departments, jail capacity, etc., and adding to traffic congestion, water shortages, air pollution, etc..

What needs to be done is to **reject** the concept of amnesty, abolish the "anchor baby" fiasco, requiring at least one parent to be a citizen in order that the child be a citizen, establish a well regulated work program with tight controls on the worker's return to his country after the work is completed, strong penalties for employing illegal aliens and extensive border control. All illegal aliens would be given a period of time to return to their countries or be prosecuted. Everyone seeking legal entry into our country would be expected to adhere to the same requirements and wait their turn under clearly established regulations.

We need to send a message to our socalled representative to pay less attention to their political longevity and more to what is good for our country (the latter will insure re-election ultimately). I strongly suggest that the manner in which our elected officials vote on the immigration issue should be the Litmus test. If they sell us out – vote them out!



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#### Continued from page 1 Ryan Wonderly's ...

judges offered opinions—either dissents or concurrences—in which they found the misconduct warranted a reversal. In thousands more, judges labeled prosecutorial behavior inappropriate, but upheld convictions using a doctrine called 'harmless error.'' The US~Observer, from hands-on experience finds the number of false prosecutions to be at least double those listed above.

In cases such as that of Ryan Wonderly from Bethany, Oklahoma, a suburb of Oklahoma City, who was recently sentenced to a minimum 35 year prison term by what appears to be an outright forced \*Alford Plea to 10 counts of Indecent or Lewd Acts with a Minor and 4 counts of Rape 1 by Instrumentation with a child, it is the perfect example of this "Harmful Error." Wonderly's case is rife with potential judicial misconduct, the complaining witnesses appear to "re-fabricate" their stories with each telling and one even recants her testimony to a friend. In the Wonderly case there appears to be a complete disregard for the rights of the accused that he is innocent until proven guilty, and the US~Observer has accepted Ryan's case and is moving forward.

The first step is the pre-investigation and board review. Beyond listening to the story of the convicted we amass the evidentiary documentation that led to their imprisonment. This generally comes in the form of all court related documentation such as pre-trial, trial

and sentencing transcripts, and any and all witness affidavits and interviews. Such documentation either backs the claim of an unjust incarceration or shows the convicted to be using any means necessary to get out of their rightful punishment. In cases that the US~Observer pre-investigation determines the individual to have been legitimately convicted, the case is immediately dropped during a board review. The US~Observer will not be used as a getaway vehicle for a guilty individual. This would not only tarnish the Observer's reputation of being a justice seeking publication, it would simply be immoral. Unlike other media organizations that operate from behind a political agenda, the US~Observer finds it more beneficial to side with the truth, no matter what it may bring.

If the pre-investigation finds that the documentation supports the claim of justice system malfeasance and/or the evidence and/or witness testimony can easily be refuted, as was found in the Wonderly case, then the board elects to move forward and begin the in-depth investigation.

Investigations call upon many methods of discovery. In some cases this could be under-cover operations that take months to conclude, while other cases can be as simple as making one phone call to the right person who wants to do the right thing. In many investigations it's digging through what seems to be endless hours of research at the local courthouse and fielding countless phone calls to the players

involved.

As one of the US~Observer investigative reporters I was assigned the Wonderly case. According to police reports and witness testimony Ryan Wonderly, who was a youth pastor for Bethany First Church of the Nazarene in Bethany, Oklahoma (during the time the crimes were purportedly perpetrated), allegedly committed 23 counts of lewd acts, including rape by instrumentation, with minor girls ranging in age from 8 to 12 who were part of his children's ministry or had been introduced to him by someone from the church.

As part of the investigation I went back over all of our pre-investigative materials and supplied evidence, much of which showed flawed processes and witnesses who seemed all too willing to change their stories as time went by and they were questioned more. But still, even with all of the evidence showing that Ryan Wonderly got railroaded through the system, I landed in Oklahoma City under the assumption that he was guilty. The case for this reporter, as a father of a beautiful daughter, was clear-cut. He had to have done it. But such is the nature of crimes of these types. They beg of our emotions to believe the most trivial of accusations without further discovery and I was there to do just that, get to the bottom of it all regardless my personal feelings, so I set about finding as much as I could.

First off I spoke with Wonderly's parents. They are a fine couple whose faith in their son is unwavering. They firmly believe their son was denied due

process - even pressured into entering a plea by Judge Twyla Mason Gray (who is currently up for re-election), as they witnessed her telling their son that she thought he was guilty. According to the Wonderlys, Judge Gray so vehemently pursued his conviction that she even suggested he'd receive better treatment should he enter a plea rather than going through with the already underway trial. According to witnesses Gray said that the jury thought he was guilty and she thought he was guilty, so if convicted she'd see fit to sentence him to the maximum amount of time possible. Judge Gray offered Ryan Wonderly and his counsel 10 minutes to decide if he wanted to change his innocent plea.

\*According to the State of Connecticut's Common Legal Word Look-Up Web Site an Alford Plea is: A plea in a criminal case in which the defendant does not admit guilt, but agrees that the state has enough evidence against him or her to get a conviction. Allows the defendant to enter into a plea bargain with the state. If the judge accepts the Alford Plea, a guilty finding is made on the record.

The Wonderly's said their son was confused and scared, and not wanting to face the maximum sentence the judge threw at him, not because he was guilty, but because he had just been told by the judge that the jury thought he was guilty. They said he felt that if he couldn't get a fair trial it might just be better to take the plea and hope for

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#### Continued from page 1 Heiresses Inheritance Looted?

Gano and also the attorney for Carpets By Betty. According to Stacey Gano, "Betty Gano's brother-in-law Larry Gostovich, under the control and direction of Brian Cavin, served as the initial administrator of the estate for a short period of time, then renounced his position after allegedly looting cash, furs and precious stones worth hundreds of thousands of dollars, from the estate shortly before his death. Jack Radford, a salesman for the Carpets By Betty, then also under the control of Brian Cavin, served for a brief period of time as executor of the estate until he tendered his resignation.

sold the paid-off million dollar family home for \$389,000.00 and had Senior Judge Bethel sign a warrant evicting me and all my possessions on December 14, 2005 from the home we have lived in for over 30 years." By so doing the attorneys and judge left Stacey homeless during the Christmas holiday. Howard Johnson, Shelby Outlaw and Brian Cavin have made claims and were paid on the orders of probate Judge Rosch. The attorney fees were in excess of \$240,000.00 leaving Stacey Gano with less than \$200,000.00, one tenth of the estates alleged initial value listed by attorney Bryan Cavan.

Stacey fought back by gaining the assistance of Roger Weidner, 1998



Stacey Gano being evicted.

At this juncture I contacted the Law Department of the University of Georgia and was referred to local attorney Shelby Outlaw as an attorney with extensive background in probating estates. Outlaw took the case on the express condition that attorney Howard Johnson be named successor executor of the estate. The handwritten will signed by my Mother, but not admitted to probate because of the collusion and fraud of Cavin, Outlaw and Johnson, provided that I, the only child of Betty Gano, was to receive all her assets other than a minority portion of the carpet business which was to go to Jack Radford, manager of Carpets By Betty, as an inducement to have him stay on to help me run the business." An allegedly forged will that was submitted to probate, provided that Stacey, currently 37, was to get everything once she reached the age of 50, otherwise the corpus of the estate was to remain in trust until she did reach age 50.

According to Stacey Gano, as soon as Johnson was appointed executor he became hostile and threatening toward her. Instead of insisting on having the handwritten will probated he continued to probate the allegedly forged will. Ron Rice and Curtis Bagget, both nationally recognized forensic handwriting experts had examined the probated will and both submitted affidavits stating the signature on the probated will was not signed by Betty Gano. Howard Johnson, with the assistance of Stacev's attorney Shelby Outlaw, obtained a court order barring Stacey from involving herself in the business in direct violation of provisions in Betty Gano's handwritten will which specifically stated that Stacey was to run the business. Johnson then allegedly started liquidating all of the business assets claiming nonexistent bills had to be paid. According to Ms. Gano he also looted carpet and other inventory and supplied it to another carpet business that he and others set up in direct competition with Carpets By Betty.

Stacey Gano stated, "Johnson then

Oregon Reform Party candidate for governor to help her expose how she was being "shamelessly defrauded, by the attorneys and the court system." Weidner traveled to Atlanta to help Stacey serve a Notice of Termination on the attorneys and Jack Radford and help her prepare for her up-coming court battles. Shelby A. Outlaw resigned as Stacey's attorney and Ms. Gano was left to represent herself against Howard Johnson.

During one of the court hearings Stacey had Johnson on the stand directly questioning him about his alleged fraud. He sat silent and red-faced not able to deny what she was saying about him. The Atlanta, Georgia law firm of Wilkenson & Wright subsequently came to the aid of Stacey and prepared and filed an Emergency Petition in the Probate Court of DeKalb County describing in detail the facts in the case supported by evidence of all of the executor's and attorney's misconduct by which Stacey was finally able to force Johnson out as executor of the estate.

Before Howard Johnson's discharge hearing, probate Judge Rosch had the attorneys meet in chambers where, even though he was reportedly supplied with conclusive proof of the attorneys fraud, Judge Rosch told Stacey's attorneys that all the fees the attorneys were requesting would be paid. According to Gano, "after the hearing Judge Rosch told attorney Shelby Outlaw from the bench, see Shelby I told you I would take care of you."

As if a swarm of locust had descended on the building where her business had operated, everything of value had been stripped out of the building. Only the phones on the floor and some miscellaneous office furniture was left of what had been a prosperous and thriving carpet business for over 35 years. Stacey is now back in control of the business and is working to reestablish the goodwill of the business her mother intended her to have.

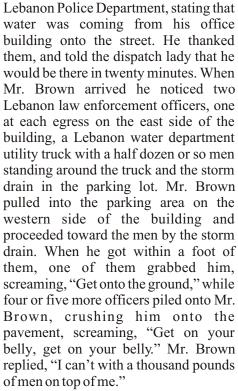
Stacey Gano can reached by e-mail: bettywgano@yahoo.com.

#### Continued from page 1 "Show us the Law ..."

writing the IRS, presenting their documentation, and asking the IRS to show them the law that subjected them, as private individuals, to file a 1040 and pay an income tax. After two years of no response from the IRS, and armed with what they thought to be credible evidence they decided to stop their large income tax payments to the IRS (which they had always done). The Browns continued with their requests to the IRS, asking them to show them the law requiring them to pay, and then they would pay. They received no answer. Not for just one or two years but for 11 years until finally on November 18, 2004, a 28 member multi-jurisdictional task force, aided by a sniper with three observers, three New Hampshire state

troopers, several Lebanon, New Hampshire law enforcement officers, swept in to download information from Dr. Elaine Brown's computer. If they had called the previous week, they could have retrieved this information peacefully at a more opportune time, not when patients were coming into the office.

On May 31, 2006, at 6:10 a.m., Mr. Brown received a phone call from the



Once they felt secure, they stood Mr. Brown up, handcuffed him, placed him in a Lebanon police department cruiser, where he was brought to the Lebanon police department, and placed into a holding cell. Two men came in after 5 minutes or so, and Mr. Brown asked them who they were. They said they were U.S. Marshals. Mr. Brown asked them why they had arrested him and their reply was, "You will be told in Concord (New Hampshire)."

They asked him to strip off all his clothing, which Mr. Brown thought was normal procedure; however, the added shock came when the U.S. Marshal asked him to face the wall, bend over and spread the cheeks of his buttocks. There were only men present in the room; however, there were surveillance cameras pointed directly at him, and who knows who was on the other side of those cameras. These agents could

easily see that Mr. Brown could not hide a toothpick in the crack of his buttocks, as he is a very small framed man.

Mr. Brown continued, wondering if this is either the way that law enforcement gets their thrills, or if this is merely a dehumanizing and intimidating procedure to express their power over any individual. At any rate, all police officers in the Browns' eyes are now in dishonor and they make the Browns feel dirty. Mr. Brown stated that it was like having your brother come into your house and rape your wife and children.

Approximately a half hour later Dr. Brown arrived at her office to begin her usual day of treating her patients. Upon exiting her vehicle in the parking lot, she was greeted by a "city water department employee" and was then immediately

grabbed by a female agent who proceeded to remove her handbag. She was handcuffed, with the handcuffs shackled to a waist chain and searched by the female agent. She was then placed in an unmarked van and driven to the federal building in Concord where she and Mr. Brown were later arraigned and released on their own recognizance. Neither was shown the indictment until they went into the



Mr. Ed Brown and Dr. Elaine Brown

court room seven or so hours later. The only way the court would release the Browns, was for the Browns to turn over all their guns and anything law enforcement considered to be a dangerous weapon.

The Browns felt they could do nothing inside the federal holding cells, so they agreed to release the property, provided they were placed in good hands of competent ability. They agreed, the Browns agreed, and they were released.

Mr. Brown, upon returning home, was mostly concerned about the dishonor of the police departments (Plainfield and Lebanon) and the state police. According to Mr. Brown, "here we have a classic example of multi-jurisdictional task force of different law enforcement agencies working together for the common good of our public servants. Remember, the people are the government and the administration is our public servant sworn to protect us." Mr. Brown went to the Department of Justice web-site and discovered that ALL law enforcement agencies, including state and local agencies, working in collusion, have signed a MEMORANDUM OF AGREEMENT that totally sells out the people whom they serve in their own respective

Mr. Brown, several months earlier, had provided the Lebanon and Plainfield, as well as the state police much information regarding the jurisdiction or rather the lack of jurisdiction of federal agencies in the states of the union, including decisions and opinions from the Supreme Court, Federal district courts, Circuit courts, states, and a complete eight page treatise written by a nationally known attorney. Regardless, these state and local agencies willingly assisted the feds.

#### Continued from page 10 Ryan Wonderly's ...

the best. Ten minutes deciding his future was over quickly and Judge Gray allowed him an additional 10 minutes when the time expired. At his council's urging he came back into court and changed his plea to that of the Alford plea.

One look at the evidence on both sides of the argument, which in Wonderly's case was strictly witness testimony as there was never any physical evidence of wrong-doing, suggests that Wonderly should have stuck out his trial, regardless of the judges personal feelings toward the case. (One has to wonder the reasons why Judge Gray's own court reporter says that they used to hear nothing but sex abuse cases. Perhaps there is validity to the claims made by several Oklahomans that Judge Gray had been abused by her Grandfather when she was a child and seeks payback against anyone accused of such a crime. And there is evidence in other cases of this nature where Gray was the presiding judge that she has used the same pressuring tactics to get the alleged criminal to change their plea.)

One thing is for sure; should anyone be faced with their own false prosecution, never, ever take a plea arrangement. This isn't advice; it's a statement of common sense. If you are innocent, maintain it always. Pleading to a crime makes it more difficult in further legal processes.

After talking with Wonderly's parents I set about contacting several key witnesses and officials. The conversations I had with supporters of Wonderly painted a picture of the alleged victim's as deceitful children and their parents as angst-filled who put pressure on other parents to make their children come forward with charges. These people had no reason to lie. They were people who knew and cared for all the families involved, knew their children and what they were capable of, and knew Wonderly, too, some extending their homes to Wonderly more so than any of the complainants. The investigating agencies and supporters of his conviction were less forthcoming and I was often met with disdain even broaching the subject.

Back at my hotel I siphoned through witness testimony. I kept being pulled back to several items the girls stated. They all said they hadn't talked to one another about the case, but according to testimony most had been referred to the same counselor, Vikki Reynolds. They mentioned that they had seen each other there in her waiting room, but had never made contact with each other. According to court transcripts it was stated that the girls had been sent to Vikki Reynolds by the Care Center, a victims center that's location is a highly guarded secret. But when talking with Vikki Reynolds she stated she knew nothing about the Care Center and then added that she doesn't get referrals from them. Asking, then, what I was calling in regard to I started to pronounce his name and was quickly cut-off and told that she had no comment.

Even one alleged victim's statement who suggested something happened in the living area at her own home while her mother was in the kitchen falls suspect as the kitchen adjoins the room and is not separated from it. The simple fact is, if anything happened her mother would have seen it, but the testimony made it appear that her mother was completely out of the room. Everyone who has been to that home knows the truth of the design layout.

There is also the fact that several of the accounts of what happened would have been physically impossible as some of Wonderly's supporters have tried to simulate the testimony without success.

All of a sudden Wonderly's intended defense during his trial started making sense. He had intended on showing that there was a conspiracy set in motion to charge him, and then convict him for something he never did. The fact is there are plenty of parents of children who attended Bethany First while Wonderly was a children's pastor who will tell you that when the first "victim" came forward, her parents went ballistic. They called other parents threatening them saying they'd contact the Oklahoma Department of Human Services (OKDHS) if they didn't turn Wonderly in for what he had done, that doing anything else would mean they didn't care for their children. Soon, maybe not even intentionally, there was a witchhunt in progress. As the allegations and pressure spread, more children stepped forward. But in looking into how most of the children came to be charging Wonderly for these crimes it's clear it all stems from a contact between many of the alleged victims and/or contact between the parents of the "victims."

Not to mention the one key fact that the second girl to leverage charges later told a friend Wonderly had never done anything to her. The friend of the alleged victim, who apparently spent more time alone with Wonderly than anyone else maintains that he never did anything inappropriate to her, nor anyone she saw him in contact with. So, believing the charges totally false and having witnessed the alleged victim's admission that nothing had ever happened, she stepped forward with what she knew, sacrificing her friendships with all of the "alleged victims." She was met with disdain by the prosecutors and was questioned by a social worker who was in direct contact with a prosecutor during her interview. She was asked repeatedly if anyone had asked her to say these things. The answer was simple. She just told the truth.

Of all of the documented evidence in regard to witness testimony, only girls who said Wonderly had never done anything to them were asked if someone had told them to say that. Never once was an accusing girl asked that. Not even after initial interviews where one "victim" states that it only happened one time, but in subsequent interviews it became an all-the-time occurrence; or even when it was stated under oath that they (the victims) had never talked to each other about the case, only to have them admit they did indeed talk. Still, no one asked them if they ever made-up or were told to say these things.

Subsequently, one of the accusers refused to testify, thereby negating the state's charges against Wonderly in that case. As earlier stated, the only evidence was testimonial.

One key piece of testimony regarded an incident in Wonderly's truck. The girl alleged that Wonderly touched her while she was sitting with him. Fortunately for Wonderly there was a witness who stated she was watching through a nearby window and never saw the girl get into the cab of the vehicle. Ultimately the jury never heard this testimony because the trial was cut short. There was speculation from Wonderly supporters that her closeness with some of the accusing families made her susceptible to their pressure as I was told that she might even recant her testimony. At the time of the investigation, she and her entire family

were in Mexico and not scheduled back until sometime in June. There has not been a return phone call.

During the investigation I spent days at the Oklahoma County Courthouse where I became such a fixture that at the airport on my way out of town a gentleman I hadn't remembered seeing pointed in my direction and said, "You're the guy at the courthouse."

"Yep ... that'd be me." I said with a smile and a wave.

I had arrived with my own personal feeling that Ryan Wonderly was guilty and having investigated the case I found enough evidence to conclude that it offered more than a reasonable doubt. While I can not say that Ryan Wonderly is truly innocent, I can say that he is a man who is loved by a great many people who trust him completely. That even the accusers wrote letters saying how they were going to miss him when he chose to quit the employment of the church, before any of these accusations came to be. I can say that the system let him down and Ryan Wonderly deserves his day in court and he doesn't deserve to be in prison.

This case has shown me that sex abuse cases often rely on the basic feeling the accusation creates in all of us - that whoever has been charged must be guilty. The logic behind this feeling is instinctual, especially for parents. Keeping your children free from harm is a daunting task, and when another person allegedly preys on a child in this fashion there is no care of proof. The person is just guilty and you keep your children from them, no matter the evidence either way. This is why sex abuse cases are one of the only felony criminal proceedings where a person can be tried and convicted without there ever being one shred of physical evidence. People pointing fingers is all it takes. Unfortunately innocents get caught in the middle.

Wonderly has currently submitted a motion for sentence modification. This is being reviewed by none other than the presiding judge in his case, Judge Twyla Mason Gray.

Wonderly's attorneys have asked for letters of support of Ryan to be sent to them:

"It will be very helpful to Ryan if many of his friends and family members write letters of support to the Judge.

The letters should be addressed to the Judge (Judge Twyla Mason Gray) but mailed to Coyle Law Firm to the

attention of Nita Wright ..."

Coyle Law Firm Attn: Nita Wright 119 N. Robinson Suite 320 Oklahoma City, OK 73102 or e-mail: jc@coylelaw.com

I for one will be submitting my letter (this article); I will also be showing my opposition to Gray being reelected through a massive media blitz should she not do the right thing.

It's time we got back to our fundamentals – a person is innocent, until PROVEN guilty – no matter our feelings. One thing that can be said about human feelings is that they are generally confused and often wrong.

As I returned to Oregon I realized this case was quickly beginning to resemble the infamous "Wenatchee Witch-hunts" conducted in Wenatchee, Washington in 1994-1995. During that prosecutorial frenzy 60 adults were arrested on 29,726 charges. Many who were convicted have since been freed by higher courts when it was found that the alleged victims were lying. The lives of many good people were ruined in the process of those false prosecutions, lives that will never be the same again...Could Ryan Wonderly's case be yet another "Witch-hunt?"

The US~Observer is continuing to investigate Ryan Wonderly's probable false charges as there is much more evidence to back his claim of innocence such as his psychological evaluation that he is not sexually stimulated by young girls and the gross misinterpretation of that review by the prosecution to the court.

We would ask anyone with information in regard to this case to contact Edward Snook or Ron Lee at 541-474-7885. One of the accusers has recanted her false charges, which leads us to believe others should do the same. Since the girls all attend Church and therefore should still possess a conscience, they should do the right thing and come forward with the truth. An agonizing young man is in prison, fearful for his safety, spending day after day realizing the days may never end. Each child who has made a false accusation should spend each and every day realizing they have contributed to the destruction of another human being. Another human being, whom the facts would lead us to believe, is likely innocent.

#### Continued from page 11 "Show us the Law ..."

The Brown's have been indicted on 17 counts of federal income tax related felony charges and to this day the IRS has refused to answer their question, which would have ended this whole situation years ago. According to the Brown's they still feel that the IRS should show them the law and have said repeatedly and openly that they'd pay all of their taxes should that occur. The newspapers in New Hampshire have routinely failed to print this important fact as they published their distorted and biased articles on the Browns and their major run-in with the IRS. If this writer didn't know better I would think that the IRS had written the articles themselves. On May 8, 2006 United States District Judge Joseph A. Diclerico, Jr. signed a restraining order against the Brown's regarding their properties (meaning they cannot sell, get rid of, or encumber them) which have an estimated value of 3+ million dollars. The government is seeking to claim the properties along with sending the couple to prison. It should be noted that the taxes the IRS claims the Browns owe is far less, even with penalties, than the value of their property. The Brown's stated in a recent interview that they would gladly pay any penalties along with the taxes if the IRS would only show them the law requiring such payments.

Editor's Note: The US~Observer will be monitoring and publishing on the Brown's plight. You will be able to get updates via our e-mail news alerts and on line at www.usobserver.com. Also, look for another article in the next print edition of the US~Observer.

Don't Be a Victim! Call 541-474-7885

# U.N. Insult To Constitution A Good Reason To Halt U.S. Funding, Says SAF

**Second Amendment Foundation** 

**BELLEVUE, WA** – In what can only be a carefully-timed, deliberate insult to the United States and its Constitution, the United Nations is hosting a conference on global gun control aimed directly at our Second Amendment, on dates that include our national holiday, July 4.

The U.N. Conference on Global Gun Control, scheduled June 24-July 7, poses a direct threat to our constitutionally-protected individual right to keep and bear arms, said Alan Gottlieb, founder of the Second Amendment Foundation (SAF). Gottlieb will attend the conference, but he suggests that this may be an opportune time for Congress and the White House to reconsider this nation's level of financial support for an international organization that now wants to write a treaty that specifically attacks a cornerstone of our federal constitution, and the lynchpin to our

"Had it not been for our tradition of

private firearms ownership," Gottlieb stated, "our citizens might still be subjects of the queen. Had it not been for America, all of Europe might be speaking German. Were America not the 'great arsenal of democracy' that President Franklin D. Roosevelt described in 1940, the world would be a far different place, and the sanctimonious bureaucrats at the U.N. might instead be working in labor camps.

"Not once, but twice in the past century, American citizens have risen to the challenge and quite literally saved the world," Gottlieb recalled. "From our heartland have come heroes like Alvin York, Audie Murphy, Joe Foss and others who grew up in a land of freedom and knew what it took to defend that birthright.

"Yet, as we celebrate our 230th anniversary, global anti-gunners, under the guise of reviewing a U.N. program of action on small arms and light weapons, want to create a binding international agreement that could supersede our laws and constitution,"

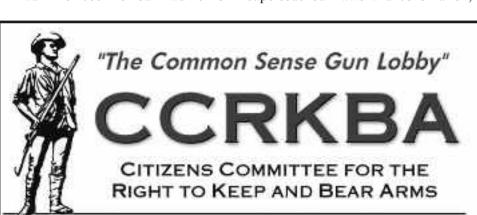
Gottlieb said. "We have done much for the U.N. and in return, the organization has hosted despots, tyrants and dictators whose record of human rights abuses, aggression and genocide speaks for itself. And now comes an attack on our constitution, on our national holiday.

"America has always answered the call to help our international friends and neighbors," Gottlieb observed, "but when our very way of life is attacked, maybe it is time to find more worthy endeavors for our material and financial support."

The Second Amendment Foundation (www.saf.org) is the nations oldest and largest tax-exempt education, research, publishing and legal action group

focusing on the Constitutional right and heritage to privately own and possess firearms. Founded in 1974, The Foundation has grown to more than 600,000 members and supporters and conducts many programs designed to better inform the public about the consequences of gun control. SAF has previously funded successful firearmsrelated suits against the cities of Los Angeles; New Haven, CT; and San Francisco on behalf of American gun owners, a lawsuit against the cities suing gun makers and an amicus brief and fund for the Emerson case holding the Second Amendment as an individual right.

...



# 425-454-7012 www.saf.org Second Amendment Foundation

# Karl Rove Gives Exclusive to NH Activist Network

**Manchester, NH (PRWEB)** -- Karl Rove Gives Exclusive Interview to New Hampshire Activist Network.

Leading up to his appearance at the New Hampshire Republican State Committee's annual dinner, Karl Rove granted an exclusive interview to Victory NH.com — New Hampshire's first citizen activist network — running the gamut from tax, energy, & immigration policy to earmark reform and New Hampshire's First in the Nation Primary.

Co-founded by Ambassador Joseph Petrone and Manchester activist, Harry Levine, Victory NH's mission is to use the power of New Hampshire's First in the Nation Primary to bring together political thinkers, policy makers to shape the 2008 presidential debate.

"In a time of increasing discord in Washington, we saw Mr. Rove's visit as the perfect opportunity to give the President's positions a fair, unfiltered hearing before the citizen activists who have long begun the process of driving the national debate," Levine said.

In a wide-ranging interview Rove detailed the positive impact of the President's tax cuts, outlined the Advanced Energy Initiative, and spoke favorably of Congressman Mike Pence's Border Integrity and Immigration Reform Act.

Additionally, Rove answered the attacks from the Left-wing blogosphere ... "the Internet for the Left of the Democratic Party has served as a way to mobilize hate and anger — hate and anger, first and foremost, at this President and Conservatives, but then also at people within their own party whom they consider to be less than completely loyal to this very narrow, very out-of-the-mainstream, very far Left-wing ideology that they tend to represent."

And he took on the "big spenders" of both parties, while arguing for the Line Item Veto ... "In reality, there are 3 parties in Congress: Republicans, Democrats, and Appropriators. And guess what? The Republicans and Democrats are in a minority. So you need to have this important and executive tool that allows a President to shine a bright light on some unnecessary spending and then to have Congress vote up or down as to whether or not to override his veto."

VictoryNH.com began as a grassroots Internet effort led by Ambassador Joseph Petrone. Since it's founding in 2004, it has grown into a network of activist groups across New Hampshire, working together to defend the principles and policies of lower taxes, smaller government, a strong national defense, and our free enterprise system; as well as protecting New Hampshire's First in the Nation Primary.

### 21st annual Gun Rights Policy Conference

Dear Fellow Gun Rights Activist,

I would like to personally invite you to our 21st annual Gun Rights Policy Conference (GRPC), which will be taking place **September 22, 23 and 24, 2006** at the Renaissance Charlotte Suites Hotel in Charlotte, North Carolina.

With the new battles over individual rights in the age of terrorism, attacks on our gun rights from the UN as well as a number of Second Amendment cases in the courts, the theme of Victory in Sight is most important as we set the pro-gun rights agenda for the year to come.

This year GRPC will be actionpacked. With over 50 speakers handpicked from the leadership of the Gun Rights Movement, the topics to be presented promise to have an impact that will help direct the path of our cause for years to come. Scheduled speakers this year include: myself, Joe Tartaro, Wayne LaPierre, Sandy Froman, John Lott, Massad Ayoob, David Kopel, John Snyder, Joe Waldron, as well as staff from the Second Amendment Foundation, Citizens Committee for the Right to Keep and Bear Arms, National Rifle Association, National Shooting Sports Foundation, KeepAndBearArms.com, and Gun Owners of America. A number of elected political leaders have been invited as well.

As in the past, the Second Amendment

Foundation will not only pick up the tab for lunch and snacks, but will also provide more than \$125 worth of vital pro-gun rights materials to each attendee.

In addition to the luncheon and free materials, you will have the opportunity to chat with the speakers at the two evening NSSF and NRA planned receptions.

This event is so important to our cause, that the SAF Board of Trustees has elected to help underwrite the entire cost of the event. Your cost to attend this event is absolutely free!

Because of the number of people who travel every year to attend this event, I have negotiated a special discount room rate for GRPC attendees. Reservations for the special discounted room (suite) rate of \$99 per night can be made by calling 1-800-HOTELS-1 (1-800-468-3571), and telling them you are planning on attending the Gun Rights Policy Conference.

If you have any questions, please call the SAF office at (425) 454-7012 to register. You can also register online at our GRPC Registration & Information Page, or send an e-mail to grpc2006@saf.org, or fax us at 425-451-3959.

Sincerely yours,
Alan M. Gottlieb
Founder
Second Amendment Foundation
www.saf.org

### John Kerry's Skimmer Scam

By Thomas Lipscomb

As the Kate Zernike front page Memorial Day weekend New York Times story indicates, a number of Kerry supporters were disappointed that Kerry had not vigorously defended himself against the charges of the Swift Boat Veterans for Truth during the 2004 Presidential campaign. According to Zernike some "are compiling a dossier that they say will expose every one of the Swift boat group's charges as a lie and put to rest any question about Mr. Kerry's valor in combat."

That might not only be a difficult task but it could backfire badly. As Vanity Fair's acerbic columnist Michael Wolff said in the 3-minute 2-second trailer to a Kerry-sponsored (and Kerry-censored) documentary campaign film by respected producer Steve Rosenbaum, Inside the Bubble, the real problem with the Swift Boat claims was they were "largely true." And as former Dean of the Stanford Law School Bayless Manning has cautioned enthusiastic advocates, "As an attorney, you needn't worry too much about the lies told by your opponents. Your real danger is the lies told by your client." Ask the ghost of Alger Hiss.

In the Times piece, Kerry makes a great deal of the "skimmer" operation. It is worth looking at closely. According to Kerry's accounts in both Michael Kranish's Boston Globe reporting, the Brinkley account of TOUR OF DUTY, and the Zernike Times piece, Kerry, an officer stationed at Coastal Division 14 at Cam Ranh Bay, still in training before being assigned a Swift boat, who had never been in combat before, "volunteered for a special mission on what the Navy called a skimmer but he knew as a Boston Whaler." Coastal Division 14 operations officer Bill Schachte, who says he was glad to have Kerry volunteer, agrees so far.

Kerry claims he was joined on the mission by two enlisted men, William Zaladonis and Patrick Runyon, and they confirm that. None of the three had ever been on a skimmer mission before. According to Grant Hibbard, the commander of Coastal Division 14 under whom all these men served, "These missions were originally designed and executed by my executive officer, Bill Schachte, who served as my operations officer."

The purpose of the missions is not in dispute. According to Schachte:

"I had gotten Hibbard's permission to conduct some skimmer missions out of our base when we appeared to have actionable intelligence. The bombing pause of North Vietnam was on and we expected more infiltration traffic of supplies down the coast, particularly at night.

We would generally tow a 'skimmer' (a Boston Whaler stripped down for a lower silhouette) behind a Swift boat

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into a likely area leaving the noisier Swift boat offshore and taking the skimmer in quietly to observe and fire on targets of opportunity. The areas we operated in were 'free fire zones.' All personnel in the specified area we investigated presumed to be enemy and having been selected by intel as worth taking a look at."

Schachte says he designed the missions for two officers and one enlisted man to run the boat. He commanded forward with an M-60 7.62 machine gun, the other officer would carry an M-16 with a starlight scope scanning the shoreline or an M-14 with an infrared scope if it was cloudy. He wanted two officers because as an intelligence-generated mission he wanted to make sure two men on the boat had been cued in at the 4PM operations meeting on what to look for in the area to be explored. Enlisted men did not attend that meeting.

Schachte's regular call sign on the radio was "Bacardi Charlie," but when he ran the occasional skimmer missions Schachte took on a distinctive new call sign "BATMAN" and the supporting Swift boat, whoever was in command, was "ROBIN."

Schachte says he personally led seven out of the eight skimmer missions he ran at Cam Ranh, and the one he didn't lead was not led by what Hibbard terms "a 'rookie' who knew nothing about the concept or tactics involved to command the skimmer." Schachte points out that if he had risked the lives of two enlisted men with a green officer on a difficult night mission like this he should have been reprimanded. Kerry, after all, was an "officer in training" at Coastal Division 14. Kerry had never had a command and had not yet been released to a first command of his own. His job was to go on missions with veterans and

In fact, the one mission Schachte didn't lead was led by veteran Swift boat skipper Tedd Peck, two nights after the Kerry mission, to the same place, with Peck as leader with two other officers, Stephen Hayes and Mark Janes. In advance of the mission, according to Peck, "Schachte made us go down and have a gunner's mate train us with the M-60 machine gun which was not part of the Swift boat arsenal at the time, but was the main armament of the skimmer. It took two hours and we finished it just before we left on the mission."

According to the Times account: "Bill Schachte was not on that skimmer," Mr. Kerry says firmly. "He was not on that skimmer. It is a lie to suggest that he was out there on that skimmer... .The three guys who in fact were in the boat all say he wasn't there and will tell you he wasn't there. We know he wasn't there, and we have all kinds of ways of proving it."

Let's take a look at the "all kinds of ways." One of the "ways" would be for Kerry to disclose how he was ordered on this mission and by whom, but he has never done so. According to Coastal Division 14 commander Hibbard, every mission was assigned by Schachte. Does Kerry expect us to believe Schachte assigned him, in the face of his and Hibbard's statements, and they are both lying about it?

In that case, who was in command of the Kerry mission and where is the after action report? Does Kerry claim that as a trainee he was placed in command over an experienced Swift boat commander with his own boat like Mike Voss? Kerry hasn't told us about that either. And what about Mike Voss's statement to Lisa Myers of NBC that "I'm pretty certain Schachte was there in the skimmer?"

Certainly, training on the M-60 seems to have been essential enough to operations officer Schachte to have three officers grubbing around in the dirt training with an M-60 the afternoon of their night mission. But Patrick Runyon, one of Kerry's claimed crew, honestly admits he "was never trained on one." Runyon said that on the mission with Kerry, he and Zaladonis traded off on running the boat and manning the M-60. William Zaladonis isn't sure he agrees with Runyon about the trade off, but claimed to me that he was trained on an M-60 at Swift Boat School in California by the Marines at Camp Pendleton. My survey of over a dozen attendees, both pro and anti-Kerry, finds none who trained at Pendleton.

What about the mission itself on December 2-3 1968? Schachte reports that after creeping around the shoreline of empty Nha Trang Bay in the dark and finding nothing, he thought he saw movement on shore around 3AM, popped a parachute flare, and fired his M-60 where he saw the movement until it jammed while Kerry fired his M-16. When Kerry's M-16 stopped, Schachte heard the distinctive "POW" of an M-79 grenade launcher. Now they had made such a spectacular son et lumiere announcement of their once secret mission, Schachte decided to get out of there, back to Voss's supporting Swift boat, and home. The mission was a bust. No enemy action, not even the sighting of enemy, with rookie Kerry claiming he had been wounded in the arm and demanding his purple heart.

Kerry and his men describe a magical mystery tour - that same night and that same time in a parallel universe - in a traffic-jammed Nha Trang Bay that apparently had scheduled a starlight sampan regatta that evening. According to Kerry's account to Brinkley, "Most of the night had been spent being scared shitless by fishermen whom we would suddenly creep up on out of the darkness..." In Brinkley's summary, "For the next four hours Kerry's Boston Whaler, using paddles, brought boatloads of fisherman they found in sampans... back to the Swift. It was tiring work."

"Tiring work?" If you ever tried to paddle an almost 15-foot long Boston Whaler with three in crew, loaded with arms, ammunition, and a bunch of jabbering Vietnamese fishermen crammed onboard, 2 ½ miles out to a Swift boat a number of times in monsoon seas you would enthusiastically agree and want to shoot the idiot who refused to use the engine.

But wait a minute... Didn't Kerry point to the phony "photograph of the skimmer being towed behind his Swift boat, insisting that it could barely fit three people, himself and two others"?

How many Vietnamese fishermen can you put on an armed skimmer with a three-man crew and still paddle miles out to a Swift boat without swamping it in a heavy monsoon chop? According to my interview with Bill Zaladonis, "three to four." Why do this? According to Zaladonis's interview with Lisa Myers, "I assume they were interrogating themturning them loose or whatever." "Whatever," indeed.

And there's more. After four hours of playing galley slave for the U.S. Navy, "Suddenly it was scary as hell," according to Kerry in Brinkley. A group "of five or six sampans" (according to Zaladonis in Myers) glide into Kerry's starlight scope, beach their craft, and



John Kerry being interviewed

once Kerry pops a flare Brinkley says "they sprang for cover like a herd of panicked gazelles Kerry had once seen on Wild Kingdom."

And the wild rumpus commenced. "The air was full of explosions," Kerry and crew ran like hell strafing the shore as they went, Kerry experiences his wounding, and heads back to the Swift boat and home. Neither of his claimed crew members confirmed any enemy fire, yet they both "assumed" Kerry had been wounded by it. Curiouser and curiouser.

Kerry's summary of the mission? Here is what he told Tim Russert on "Meet the Press":

"We were in combat. We were in a very, very--probably one of the most frightening--if you ask anybody who was with me, the two guys who were with me, was probably the most frightening night that they had that they were in Vietnam...."

Kerry in TOUR OF DUTY:

"It was a half-assed action that hardly qualified as combat, but it was my first...

. ... [A] minor skirmish, but since I

couldn't put my finger on what we really accomplished or on what had happened, it was difficult to feel satisfied."

Finally, Kerry in TOUR OF DUTY a la recherche... from his "journal" nine days after "whatever" happened in Na Trang Bay:

"A cocky feeling of invincibility accompanied us up the Long Tau shipping channel because we hadn't been shot at yet, and Americans at war who haven't been shot at are allowed to be cocky."

Take your pick.

Poor Schachte, who had had a boring evening ending in a blown mission somehow in the same time and place in that parallel universe to Kerry's "frightening" magical mystery tour - got debriefed by the Coastal Division 14 commander Hibbard, filed no after action report since there was no enemy action, told Hibbard Kerry wanted a Purple Heart, and hit the sack, mildly disgusted.

Kerry got back in the same time and same place, and filed no after action report. Neither did Mike Voss, despite an action as described by Kerry that certainly merited one and would have guaranteed him an automatic purple

Continued on page 15

#### Continued from page 14 John Kerry's Skimmer Scam

heart with no problems with either Hibbard or Schachte had he filed one. In fact, according to Hibbard, it would have been the only after action report filed on one of Schachte's skimmer missions which weren't as effective as he and Schachte had hoped. Schachte disagrees and is convinced there must have been "one or two."

Kerry reported to Navy doctor Louis Letson the next morning after duty hours began at 8 AM. Schachte had told him, "No enemy action, no purple heart." Kerry's appeal to Hibbard brought the rejoinder "I have seen rose thorn injuries worse than that. No enemy action, no purple heart." Surely a doctor would be more understanding, not that it mattered. Only Kerry's direct commanders could approve the award.

Kerry lay down on Letson's examination table and told Letson: "We were involved in a fire fight and we received fire from shore." One of the four or five men hanging around the dispensary out of Kerry's sight lowered his head and began to wag an emphatic "no" and stifle a laugh. Letson found ¼ inch fragment sticking out of Kerry's upper arm. It looked like wire about the diameter of a toothpick, he pulled it out

with his forceps and flipped it with a tiny "klink" into a steel basin held by his Hospitalman, Jesus Carreon, to the applause of the appreciative audience. Letson was so amused he took a photo of Carreon holding the basin with the ½ inch fragment barely visible in the bottom of it.

As usual, whether Letson prescribed APC pills, ointment for a burn, cut out an ingrown toenail or any other medical action, Carreon dutifully noted in the medical record form Letson's treatment: "3 DEC 1968 U.S. NAVAL SUPPORT FACILITY CAM RANH BAY RVN FPO Shrapnel in left arm above elbow. Shrapnel removed and apply Bacitracin dressing. Ret to duty."

Letson says he slapped a bandaid on the wound. When he looked back in a few minutes later, Carreon was winding layers of gauze over the bandaid achieving quite a dramatic effect. Why? According to Letson "Carreon said Kerry was afraid the bandaid would come off." Tedd Peck was dying to see "the purple heart wound" but Kerry wouldn't show it to him.

Months later, Kerry's commanders Hibbard and Schachte had been rotated elsewhere, as had Kerry. In transit, Kerry was now in possession of his medical records file jacket including the form Carreon had filed out. And he apparently found someone to pay what he obviously thought was proper attention to what most people at Cam Ranh had regarded as an unintentionally self-inflicted wound by an improperly fired M-79 grenade launcher, if not a bad joke about a delusional rookie officer. The timing of the first purple heart request tells all.

No reasonable explanation has yet been offered for the grant of Kerry's first purple heart. Tedd Peck dissolves into laughter recalling a dispirited Schachte heading into the officers' club for a drink



the day after the mission muttering that Kerry was threatening "to write his Congressman if he didn't get his purple heart," knowing the bales of quadruplicate paperwork that would ensue.

Twenty years later, in 1988, Rear Admiral William Schachte, then assistant JAG to the Department of the Navy was waiting with a friend for the Capitol subway train in the basement of Russell Senate Office Building. The friend he was with was eager to introduce him to another veteran of Swift boats who was waiting also. It was Senator John Forbes Kerry.

"Bill Schachte was not on that skimmer," Mr. Kerry firmly told The New York Times. "He was not on that skimmer. It is a lie to suggest that he was out there on that skimmer...."

On seeing Admiral Schachte, resplendent in his dress blues, gold braid and decorations, Kerry broke out in a broad grin and pointing his finger said: "BATMAN.".

How could he know?

Senator John Forbes Kerry, Skull and Bones 1966. Tale Class Book 1966, Yale University Library

#### Continued from page 1 Muncipal Court: ...

created to take the pressure and workload off the circuit courts who did not wish to administer local laws, city ordinances and traffic fines. Generally municipal Courts are not courts of record. However, Circuit Courts have appellate review over municipal Court decisions.

It is interesting to note that while they are created and funded by the town or city in which they are located the city government, due to constitutional separation of powers, cannot oversee the court if it oversteps legal or ethical issues.

These courts are created by constitutional provisions and state statutes. The judges of these courts in many municipalities are hired and not elected. Is it possible for a "hired" judge to be an impartial trier of facts when he can be fired by those that hired him?

This is the issue that faces two small towns in Oregon. Don Alvin Leahan was hired by the towns of Butte Falls and Gold Hill as their Municipal Judge. It is beginning to appear that Judge Leahan is not living up to his oath to "faithfully and impartially discharge the duties of a judge of this state." Or did he ever take an Oath of Office? Upon seeking to look at Leahan's personnel file the US~Observer was informed by city recorder Mary Goddard that she would first have to consult city attorney Steve

Rich. We were later informed that there wasn't anything in the file that we requested to look at that was public record. It should be noted that Leahan is currently an appointed judge, however the city does require judges to be elected and Leahan will have to run for his position at the next general election.

October, 2005 found Leahan actively and vocally participating, in concert with Medford Mail Tribune reporter Sanne Specht, in a scathing attack on Gold Hill's Police Chief Dean Muchow. It was charged that the Chief, the Gold Hill City Council and even the police officers and reserves were close to racketeering if it could be proven that they were citing speeders into court just to raise money for the community. However, upon inquiry it was found that it was citizens requesting patrols in residential and school areas that prompted more police presence and citations. In spite of that Judge Leahan said if more than 55 cases came through his courtroom in one month he would dismiss some of those cases. This is a clear violation of judicial ethics.

Does overstepping his legal duties in Gold Hill, dictating how many traffic tickets can be written by Gold Hill Police, and meddling in city internal affairs create ethical problems for Judge Leahan?

Through our investigation of Leahan we found that he is also the Municipal Judge for the city of Butte Falls, Oregon.

Recently at a Butte Falls café the Mayor of Butte Falls unwittingly told an off-duty police officer that Judge Leahan "was instrumental in convincing the Butte Falls City Council to hire the judge's girlfriend, Linda Longfellow, as Code Enforcement Officer." The Mayor also divulged that the judge drives around town looking for ordinance violations and then Code Enforcement Officer Longfellow, cites these violations and Judge Leahan adjudicates them. The question that arises from this discussion is, "Is that collusion by two or more city officials?"

In the course of this investigation it was found that four vehicles routinely located in the driveway of Longfellow's Butte Falls residence are registered to Leahan using Longfellow's address. It appears this is a clear violation of state law.

Judge Leahan's driver's license, other vehicles, and his business card advertising procurement and training of Law Enforcement Dogs, all show an Eagle Point address.

Does his association and involvement with the Butte Falls Code Enforcement officer and his use of two addresses—one of which is the home of the Code Enforcement Officer, again overstep the bounds of judicial ethics even at the municipal level.

When the Butte Falls City Recorder was contacted regarding these issues, she stated that the City Council had talked to their attorney and he reported there were no ethics violations related to Judge Leahan's activities. Requests for phone numbers of City Council members and the Mayor have not been forthcoming. A message was also left for the City Attorney but at press time he has not responded.

However, in the Oregon Code of Judicial Conduct, JR 1-101 it clearly states "that a judge shall observe high standards of conduct so that the integrity, impartiality and independence of the judiciary are preserved and shall act at all times in a manner that promotes public confidence in the judiciary and the judicial system."

It goes on to state that a judge "shall not engage in conduct that reflects

adversely on the judge's character, competence, temperament or fitness to serve as a judge." Also, "a judge shall not allow family, social or other relationships to influence judicial conduct or judgment." This is to mention only a few of the six pages of judicial conduct governing a judge's

It is reported that Judge Leahan received a DUI from the Oregon State Police. On the officer's report the judge admitted drinking five or six drinks before driving. Also the OSP officer said the judge in an effort "to play on his sympathies" stated, "I realize I am in trouble here but could you give me a break as I am a retired Los Angeles police officer, my son is visiting from Arizona and I am recently divorced." The report went on to say Leahan failed the field sobriety test and the breathalyzer recorded .13. Judge Leahan opted for the Diversion classes which he successfully completed.

It would appear that Judge Leahan has also had several speeding tickets and seat belt infractions in recent years. Surely these tickets coupled with his drunken driving charge prompted Leahan's underhanded and unfounded attack on Gold Hill police officers and the legitimate tickets they have written.

When Constitutional and statutory infractions are being overlooked by those who should be monitoring his judicial behavior would it be appropriate for a Grand Jury to look into these accusations? It should also be noted that complaints can be made to Oregon Department of Judicial Fitness and the Department of Government Standards and Practices.

Anyone with information on Judge Don Alvin Leahan or his girlfriend and code enforcement officer Linda Longfellow are urged to contact the US~Observer at 541-474-7885.

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### **Articles and Opinions**

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#### Continued from page 4 Deer Creek Ranch ...

Alley stated at the conclusion of that hearing that he "could not believe a word I heard today." Once the case became involuntary it could no longer be dismissed by the Trustees of FES and the trap was set. Again, why in the world would Judge Alley rule for the best interests of a fraudulent entity/enterprise?

A new Bankruptcy Trustee, Ronald Sticka, was appointed to the case in March, 2004. He did very little over the next two years until just two weeks prior to this publication in the Observer, except for filing a "substantive consolidation" motion in June, 2004. Judge Alley ruled in favor of the "bad guys." Alley might just as well have said, I know these guys are bad, but I'm doing nothing about it. Gibson wrote a letter to Sticka on May 25, 2004. That letter reminded Sticka of Gibson's commitment to purchasing the Norman Road properties and asked for a case status reply and a response. Sticka never

In Bankruptcy law it is one of the Trustees duties, if not his main duty, to protect and gather the assets of the debtor (FES) to the degree possible. He did little in that regard even when he had Gibson making a written offer of \$225,000.00. Instead, he worked hard to do nothing until two weeks ago on June 7, 2006. When he did do something it reportedly turned out to be a horrendous violation of Bankruptcy law. He went behind Thompson's and Gibson's back and made a deal with Prescott's and FGT wherein he accepted a measly \$17,000 from FGT to get out of this whole case. What about the \$225,000.00 Gibson offer, which was frustrated numerous times? In a recent phone interview with Ronald Sticka he stated that he actually tried to keep the assets of FES within their bankruptcy case but that Judge Alley wouldn't allow it. Why? Why? Why? The bankruptcy was that of FES and no one else...

Thompson and Gibson have informed the Observer staff that Sticka's problems are far from over as they are about to sue him and others on grounds of breach of fiduciary duty, fraud, Rico violations and probably more. Sticka claims his hands were tied by Judge Alley, so this case should make one heck of a read. It should be noted that Trustee Sticka, in a motion filed in U.S. Bankruptcy Court on June 7, 2006, states, "Upon payment of the \$17,000 Ronald R. Sticka, Trustee, will execute a Bill of Sale, without warrantees and "As Is" to Fountainhead Global Trust for all personal property assets of Fiduciary Educational Society and will release Fountainhead Global Trust and its agents of and from all claims." How in the world can a bankruptcy Trustee give anything to a criminal entity (FGT), one that isn't registered with any appropriate agencies and one that has been an intricate part of a criminal enterprise for years. Many millions raised by the scam artists in this article were funneled through FGT. Sounds like the U.S. Bankruptcy Court, District of Oregon had better get back to the chalkboard! Fountainhead Global Trust, which translates to: Rick and Karla Prescott, who have never been registered as a trust, business or any other type of entity in the State of Oregon. To do the type of business they were doing in Oregon requires registration with the Corporations Division of the Secretary of State's Office and nationally with the Securities and Exchange Commission.

What ramifications does this have? It means plainly and simply that the state and federal courts have been making decisions favorable to these crooks when, since they are technically non existent, the courts have not even had the power or jurisdiction to rule on anything regarding the phony FGT trust that is merely a money laundering vehicle. Once again the court system merely confirms the ever growing public opinion that justice is a word of the past. Jay Leno said it best on the Tonight Show when he was talking about Iraq's difficulties in forming a constitution. He said, "Why don't we just give them our constitution? Were not using it anyway." Funny, ironical, but very sad indeed.

Now to go back in time for the conclusion of this first article. On or about June, 2005, Kierstead made a Motion to Dismiss his judicial foreclosure action in order to avoid further judicial action and pursue a foreclosure by advertisement and sale. That type of sale is conducted without judicial supervision. On July 29, 2005, that motion was granted by the state court in Case No. 02-CV -0351. By Kierstead's attorney's own written admission Defendant FES was not notified of that motion until later on that fall.

Oregon law requires that anyone having any type of interest in real property be notified in writing at least 120 days before the date of sale. Gibson was never notified until four days before the sale and even then only Thompson notified him.

The second apparent illegality regarding that sale was the fact that FGT (Karla Prescott) had secretly sold the seven parcels comprising the main ranch to Western Rivers Conservancy on April 1, 2005. First, that was contrary to bankruptcy law because the stay was still in effect. Second, that action begs the question, why was it necessary to conduct the January 10, 2006 sale? The place had already sold. This is solid evidence that the second sale was seemingly fraudulent, a product of the larger, alleged conspiracy between Kierstead and Prescott.

Third, at the sale Western Rivers Conservancy opened the bidding for the seven parcels. The opening bid was in excess of two million dollars. Sold! Next, the Trustee, William W. Bromley and his cohort, Judson Carusone, from the law firm of Bromley-Newton in Eugene, announced that they would be selling parcels 8 and 9, the Gibson properties. What! First, it is Oregon law and common sense that when you sell a multi parcel piece of property you can only sell the number of parcels necessary to satisfy the liens and the Trustee fees. Second, these properties had already been legitimately sold to Gibson by FES via the valid lease option. In other words this sale was nothing less than the product of an apparently fraudulent conspiracy.

At the bogus sale Kierstead was the

successful bidder on the Norman Road properties for the sum of \$300,000. That led to Bromley recording a deed on those properties in favor of Kierstead on January 30, 2006. This led to Kierstead filing an eviction proceeding against Gibson and Thompson towards the end of March in case No. 06-0075C. However, every judge in Josephine County except Newman ended up recusing (disqualifying) themselves from hearing the case. At that point Judge Rebecca Orf from Jackson County was brought in to hear the case. Prior to that Gibson and Thompson had informed the court in writing that the hearing would require two full days, but in fact, because of the following the hearing lasted only 3 hours.

At the hearing the first obvious issue that Gibson and Thompson brought forward was the fact that since the sale was illegal then Kierstead was not the lawful owner and obviously only the lawful owner could evict someone from the property. After some haggling over that issue Orf held that issues of ownership could not be considered in an eviction proceeding. What! Does that mean that a person with no interest in property could evict a person from property rightfully owned by them? Next, Gibson and Thompson argued that there was never a landlord tenant relationship between them and Kierstead which was perfectly true. That argument also was not accepted by Orf. Next Gibson and Thompson brought up the fact that ownership of these two properties was still at issue between FES and FGT in case No. 02-CV -0522. After reviewing that file Orf appeared appalled that there was already a pending case regarding ownership. However, then she claimed she could not find the court order in that case, when in fact it was right where it belonged in the file. As if these rulings were not bad enough, Orf then did not allow Gibson and Thompson to take the stand and testify. Moreover, she would not allow them to cross examine Kierstead. What ever happened to due process and the constitutional right to confrontation of your accusers?

On the way out of the courthouse Orf told Gibson "You should get a good lawyer." Well, first of all Thompson has a Doctorate of Jurisprudence (law) Degree from Willamette University and has been involved in the legal profession either as a trial lawyer and / or paralegal for 23 years. What ever happened to the constitutional right to represent yourself Judge Orf?

Orf actually issued an order of eviction against Gibson and Thompson. Soon thereafter Gibson and Thompson appealed to the Court of Appeals in case No. CaNo.A131978 and filed a Supersedas Undertaking in the amount of \$3,000.00 in order to avoid the eviction order and remain in possession of the property. Why should someone have to pay \$3,000 to remain in possession of property that is already rightfully theirs?

There are hundreds of innocent victims in the larger scheme here. The Observer invites any contact from those victims and / or others having knowledge about these scams. By the way, two of these scoundrels, Fritts and

Continued on page 17



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Windows Doors Siding Skylights

### Norway to House Seeds in Doomsday Vault

By Doug Mellgren

OSLO, Norway (AP) - It sounds like something from a science fiction film a doomsday vault carved into a frozen mountainside on a secluded Arctic island ready to serve as a Noah's Ark for seeds in case of a global catastrophe.

But Norway's ambitious project is on its way to becoming reality Monday when construction begins on the Svalbard Global Seed Vault, designed to house as many as 3 million of the world's crop seeds.

Prime ministers of Norway, Sweden, Denmark, Finland and Iceland were to attend the cornerstone ceremony on Monday morning near the town of Longyearbyen in Norway's remote Svalbard Islands, roughly 620 miles from the North Pole.

Norway's Agriculture Minister Terje Riis-Johansen has called the vault a "Noah's Ark on Svalbard."

Its purpose is to ensure the survival of crop diversity in the event of plant epidemics, nuclear war, natural disasters or climate change, and to offer the world a chance to restart growth of food crops that may have been wiped out.

The seeds, packaged in foil, would be stored at such cold temperatures that they could last hundreds, even thousands, of years, according to the independent Global Crop Diversity

Trust. The trust, founded in 2004, has also worked on the project and will help run the vault, which is scheduled to open and start accepting seeds from around the world in September 2007.

Oil-rich Norway first proposed the idea a year ago, drawing wide international interest, Riis-Johansen

The Svalbard Archipelago, 300 miles north of the mainland, was selected because it is located far from many threats and has a consistently cold

Those factors will help protect the seeds and safeguard their genetic makeup, Norway's Foreign Ministry said. The vault will have thick concrete walls, and even if all cooling systems fail, the temperature in the frozen mountain will never rise above freezing due to permafrost, it said.

While the facility will be fenced in and guarded, Svalbard's free-roaming polar bears, known for their ferocity, could also act as natural guardians, according to the Global Diversity Trust.

The Nordic nation is footing the bill, amounting to about \$4.8 million for infrastructure costs.

"This facility will provide a practical means to re-establish crops obliterated by major disasters," Cary Fowler, the trust's executive secretary, said in a statement, adding that crop diversity is also threatened by "accidents, mismanagement and shortsighted budget cuts."

Already, some 1,400 seed banks around the world, most of them national, hold samples of their host country's

But these banks are vulnerable to shutdowns, natural disasters, war and lack of funds, said Riis-Johansen.

Storing duplicate seeds in the Svalbard vault is meant to offer a fail-safe system for the planet.

The idea of a global seed bank has

been around since the early 1980s, but unresolved issues, such as ownership rights to genetic material, stalled it until the U.N. Food and Agriculture Organization adopted the International Treaty on Plant Genetic Resources for Food and Agriculture in 2001.

While Norway will own the vault facility, countries contributing seeds will own the material they deposit much as with a bank safe deposit box. The Global Crop Diversity Trust will help developing countries pay the cost of preparing and sending seeds.

#### **Armed Citizen Who Came** to Aid of Tacoma Councilman **Deserves Credit**

For Immediate Release

**BELLEVUE**, WA – An incident that unfolded in Tacoma several weeks ago, in which a legally-armed citizen was instrumental in helping a Tacoma City Council member who was the victim of a vicious attack, clearly demonstrates how people with firearms contribute to public safety.

While the apparent "road rage" incident involving Councilman Rick Talbert has been reported by area newspapers and broadcast news agencies, the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA) noted that some of the reports seemed clearly reluctant to note the role that Dan Korba played in the drama. Initially, only the Tacoma News Tribune and KIRO Eyewitness News were interested in the fact that Korba came to Talbert's aid after grabbing a pistol he keeps at the dry cleaning shop where he works. Talbert was confronted by a motorist who struck him at least twice and then reportedly threatened to kill him while motioning as if he was reaching for a gun.

"Here's a case where an armed citizen stepped forward, potentially putting himself in harm's way, to legally intervene when it would have been impossible for police to get there in time," said CCRKBA Executive Director Joe Waldron. "It is quite possible that Korba's actions, and the presence of other witnesses, caused the suspect to stop his attack and flee. Washington statute clearly outlines the lawful use of a defensive firearm to protect the life of another person.

"As in most cases when an armed

comes to the aid of another person as the first responder, not a single shot was fired," Waldron observed. "We're all grateful that no further harm came to Councilman Talbert, and that Mr. Korba did not have to use his pistol. This incident clearly demonstrates that legally armed citizens are a benefit to the community. It's a textbook example of the importance of Article 1, Section 24 of the State Constitution, which affirms the right of the individual citizen to bear arms in defense of himself, or the state, which, in this case, translated to defense of another citizen.

"We're particularly pleased that the Tacoma News Tribune and KIRO reported this important detail from the outset. In the past, the press has rarely reported when armed citizens intervene to stop serious crimes, like the shooting at the Applachian Law School a few years ago," Waldron said. "Our hats are off to these two news agencies for their thoroughness in this case, and we consider Mr. Korba to be the kind of citizen we would want nearby in case of an emergency."

With more than 650,000 members and supporters nationwide, the Citizens Committee for the Right to Keep and Bear Arms is one of the nation's premier gun rights organizations. As a non-profit organization, the Citizens Committee is dedicated to preserving firearms freedoms through active lobbying of elected officials and facilitating grassroots organization of gun rights activists in local communities throughout the United States. The Citizens Committee can be reached by phone at (425) 454-4911, on the internet at www.ccrkba.org or by email to citizen defends himself or herself, or InformationRequest@ccrkba.org.

#### **Continued from page 16** Deer Creek Ranch ....

Prescott, were charged last fall on 23 counts of tax evasion. Their trial was to begin on July 11, at the Medford federal courthouse, however as we go to press we are informed that it has been set over to December.

The US~Observer has recently been informed that there are tens of millions of dollars hidden that Leroy Fritts and possibly others allegedly absconded with. Other information gathered during our investigation would suggest the money actually is well hidden and we

have a very good idea where the funds are. We will be scheduling a trip to this exotic Island in the near future to verify our information.

Editor's Note: We recommend that readers begin saving editions of the Observer as this sickening story further unfolds. Only in this manner can readers understand and see the full picture here. Our next article will focus on the victimization of Fung and Thompson amongst other things. Any other victims or those with information should come forward now! Contact Edward Snook at 541-474-7885.

#### Continued from page 9 Spam Scam

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#### PRIVACY

#### **Police Got Phone Data From Brokers**

By Ted Bridis and John Solomon Associated Press Writers

WASHINGTON - Numerous federal and local law enforcement agencies have bypassed subpoenas and warrants designed to protect civil liberties and gathered Americans' personal telephone records from private-sector data brokers.

These brokers, many of whom advertise aggressively on the Internet, have gotten into customer accounts online, tricked phone companies into revealing information and even acknowledged that their practices violate laws, according to documents gathered by congressional investigators and provided to The Associated Press.

The law enforcement agencies include offices in the Homeland Security Department and Justice Department — including the FBI and U.S. Marshal's Service — and municipal police departments in California, Colorado, Florida, Georgia and Utah. Experts believe hundreds of other departments frequently use such services.

"We are requesting any and all information you have regarding the above cell phone account and the account holder ... including account activity and the account holder's address," Ana Bueno, a police investigator in Redwood City, Calif., wrote in October to PDJ Investigations of Granbury, Texas.

An agent in Denver for U.S. I mmigration and Customs Enforcement, Anna Wells, sent a similar request on March 31 on Homeland Security stationery: "I am looking for all available subscriber information for the following phone number," Wells wrote to a corporate alias used by PDJ.

Congressional investigators estimated the U.S. government spent \$30 million last year buying personal data from private brokers. But that number likely understates the breadth of transactions, since brokers said they rarely charge law enforcement agencies any price.

PDJ said it always provided help to police for free. "Agencies from all across the country took advantage of it," said PDJ's lawyer, Larry Slade of Los Angeles.

A lawmaker who has investigated the industry said Monday he was concerned by the practices of data brokers.

"We know law enforcement has used this because it is easily obtained and you can gather a lot of information very quickly," said Rep. Ed Whitfield, R-Ky., head of the House Energy and Commerce investigations subcommittee. The panel expects to conduct hearings this week.

Whitfield said data companies will relentlessly pursue a target's personal information. "They will impersonate and use everything available that they have to convince the person who has the information to share it with them, and it's shocking how successful they are," Whitfield said. "They can basically obtain any information about anybody on any subject."

The congressman said laws on the subject are vague: "There's a good chance there are some laws being broken, but it's not really clear precisely which laws."

James Bearden, a Texas lawyer who represents four such data brokers, compared the companies' activities to the National Security Agency, which reportedly compiles the phone records of ordinary Americans.

"The government is doing exactly

what these people are accused of doing," Bearden said. "These people are being demonized. These are people who are partners with law enforcement on a regular basis."

The police agencies told AP they used the data brokers because it was quicker and easier than subpoenas, and their lawyers believe their actions were lawful. Some agencies, such as Immigrations and Customs Enforcement, instructed agents to stop the practice after congressional inquiries.

The U.S. Marshal's Service told AP it was examining its policies but compared services offered by data brokers to Web sites providing public telephone numbers nationally.

None of the police agencies interviewed by AP said they researched these data brokers to determine how they secretly gather sensitive information like names associated with unlisted numbers, records of phone calls, e-mail aliases — even tracing a person's location using their cellular phone signal.

"If it's on the Internet and it's been commended to us, we wouldn't do a full-scale investigation," Marshal's Service spokesman David Turner said. "We don't knowingly go into any source that would be illegal. We were not aware, I'm fairly certain, what technique was used by these subscriber services."

At Immigration and Customs Enforcement, spokesman Dean Boyd said agents did not pay for phone records and sought approval from U.S. prosecutors before making requests. Their goal was "to more quickly identify and filter out phone numbers that were unrelated to their investigations," Boyd said.

Targets of the police interest include alleged marijuana smugglers, car thieves, armed thugs and others. The data services also are enormously popular among banks and other lenders, private detectives and suspicious spouses. Customers included:

\_A U.S. Labor Department employee who used her government e-mail address and phone number to buy two months of personal cellular phone records of a woman in New Jersey.

\_A buyer who received credit card information about the father of murder victim Jon Benet Ramsey.

\_A buyer who obtained 20 printed pages of phone calls by pro basketball player Damon Jones of the Cleveland Cavaliers.

The athlete was "shocked to learn somebody had obtained this information," said Mark Termini, his lawyer and agent in Cleveland. "When a person or agency is able to obtain by fraudulent means a person's personal information, that is something that should be prohibited by law."

PDJ's lawyer said no one at the company violated laws, but he acknowledged, "I'm not sure that every law enforcement agency in the country would agree with that analysis."

Many of the executives summoned to testify before Congress this week were expected to invoke their Fifth Amendment rights against self-incrimination and to decline to answer questions.

Slade said no one at PDJ impersonated customers to steal personal information, a practice known within the industry as pretexting.

"This was farmed out to private investigators," Slade said. "They had

written agreements with their vendors, making sure the vendors were acquiring the information in legal ways."

Privacy advocates bristled over data brokers gathering records for police without subpoenas.

"This is pernicious, an end run around the Fourth Amendment," said Marc Rotenberg, head of the Washington-based Electronic Privacy Information Center, a leading privacy group that has sought tougher federal regulation of data brokers. "The government is encouraging unlawful conduct; it's not smart on the law enforcement side to be making use of information obtained improperly."

A federal agent who ordered phone records without subpoenas about a half-dozen times recently said he learned about the service from FBI investigators and was told this was a method to obtain phone subscriber information quicker than with a subpoena.

The agent, who spoke only on condition of anonymity because he is not authorized to speak with reporters, said he and colleagues use data brokers "when he have the need to act fairly quickly" because getting a subpoena can involve lengthy waits.

Waiting for a phone company's response to a subpoena can take several days or up to 45 days, said police supervisor Eric Stasiak of Redwood City, Calif. In some cases, a request to a data broker yields answers in just a few hours, Stasiak said.

Legal experts said law enforcement agencies would be permitted to use illegally obtained information from private parties without violating the Fourth Amendment's protection against unlawful search and seizure, as long as police did not encourage any crimes to be committed.

"If law enforcement is encouraging people in the private sector to commit a crime in getting these records that would be problematic," said Mark Levin, a former top Justice Department official under President Reagan. "If, on the other hand, they are asking data brokers if they have any public information on any

given phone numbers that should be fine."

Levin said he nonetheless would have advised federal agents to use the practice only when it was a matter of urgency or national security and otherwise to stick to a legally bulletproof method like subpoenas for everyday cases.

Congress subpoenaed thousands of documents from data brokers describing how they collected telephone records by impersonating customers.

"I was shot down four times," Michele Yontef complained in an e-mail in July 2005 to a colleague. "I keep getting northwestern call center and they just must have had an operator meeting about pretext as every operator is clued in."

Yontef, who relayed another request for phone call records as early as February, was among those ordered to appear at this week's hearing.

Another company years ago even acknowledged breaking the law.

"We must break various rules of law in acquiring all the information we achieve for you," Touch Tone Information Inc. of Denver wrote to a law firm in 1998 that was seeking records of calls made on a calling card.

The FBI's top lawyers told agents as early as 2001 they can gather private information about Americans from data brokers, even information gleaned from mortgage applications and credit reports, which normally would be offlimits to the government under the U.S. Fair Credit Reporting Act.

FBI lawyers rationalized that even though data brokers may have obtained financial information, agents could still use the information because brokers were not acting as a consumer-reporting agency but rather as a data warehouse.

The FBI said it relies only on well-respected data brokers and expects agents to abide by the law. "The FBI can only collect and retain data available from commercial databases in strict compliance with applicable federal law," spokesman Mike Kortan said Monday.





#### Can We Tape?

#### PRIVACY

#### By The Reporters Committee for Freedom of the Press

At first, the question of whether or not to tape record a phone call seems like a matter of personal preference. Some journalists see taping as an indispensable tool, while others don t like the formality it may impose during an interview. Some would not consider taping a call without the subject s consent, others do it routinely.

However, there are important questions of law that must be addressed first. Both federal and state statutes govern the use of electronic recording equipment. The unlawful use of such equipment can give rise not only to a civil suit by the "injured" party, but also criminal prosecution.

Accordingly, it is critical that journalists know the statutes that apply and what their rights and responsibilities are when recording and disclosing communications.

Although most of these statutes address wiretapping and eavesdropping — listening in on conversations of others without their knowledge — they usually apply to electronic recording of any conversations, including phone calls and in-person interviews.

Federal law allows recording of phone calls and other electronic communications with the consent of at

least one party to the call. A majority of the states and territories have adopted wiretapping statutes based on the federal law, although most also have extended the law to cover in-person conversations. Thirty-eight states and the District of Columbia permit individuals to record conversations to which they are a party without informing the other parties that they are doing so. These laws are referred to as "one-party consent" statutes, and as long as you are a party to the conversation, it is legal for you to record it. (Nevada also has a one-party consent statute, but the state Supreme Court has interpreted it as an all-party rule.)

Twelve states require, under most circumstances, the consent of all parties to a conversation. Those jurisdictions are California, Connecticut, Florida, Illinois, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, Pennsylvania and Washington. Be aware that you will sometimes hear these referred to inaccurately as "two-party consent" laws. If there are more than two people involved in the conversation, all must consent to the taping.

Regardless of the state, it is almost always illegal to record a conversation to which you are not a party, do not have consent to tape, and could not naturally overhear. Federal law and most state laws also make it illegal to disclose the contents of an illegally intercepted call or communication.

At least 24 states have laws outlawing certain uses of hidden cameras in private places, although many of the laws are specifically limited to attempts to record nudity. Also, many of the statutes concern unattended hidden cameras, not cameras hidden on a person engaged in a conversation. Journalists should be aware, however, that the audio portion of a videotape will be treated under the regular wiretapping laws in any state. And regardless of whether a state has a criminal law regarding cameras, undercover recording in a private place can prompt civil lawsuits for invasion of privacy.

This guide provides a quick reference to the specific provisions of each jurisdiction s wiretap law. It outlines whether one-party or all-party consent is required to permit recording of a conversation, and provides the legal citations for wiretap statutes. Some references to case law have been provided in instances where courts have provided further guidance on the law. Penalties for violations of the law are described, including criminal penalties (jail and fines) and civil damages (money that a court may order the violator to pay to the subject of the

taping). Instances where the law specifically includes cellular calls and the wireless portion of cordless phone calls also are noted, but many laws are purposely broad enough to encompass such calls without specifically mentioning them.

Sidebar articles throughout the guide address specific issues related to taping. Note that these are general discussions, and you will have to consult the state entries to see how these issues apply in particular states.

#### **Important notice:**

This guide is meant as a general introduction for journalists to the state of the law concerning electronic recording and its implications. It does not take the place of legal advice from a lawyer in your state when you are confronted with a legal problem. Journalists who have additional questions or who need to find a lawyer can contact the Reporters Committee at (800) 336-4243.

Because this guide was written with the needs of journalists in mind, it does not address all aspects of electronic recording laws, especially the issues of using a tape recording as evidence in a lawsuit or prosecution. Others who have questions about taping should contact a local attorney directly.

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# **Immigration**

By Michael Rubinkam Associated Press Writer

**HAZLETON, Pa.** - With tensions rising and its police department and municipal budget stretched thin, this small northeastern Pennsylvania city is about to begin what the mayor calls one of the toughest crackdowns on illegal immigrants in the United States.

"Illegal immigrants are destroying the city," said Mayor Lou Barletta, a Republican. "I don't want them here, period."

Last week Barletta introduced, and the City Council tentatively approved, a measure that would revoke the business licenses of companies that employ illegal immigrants; impose \$1,000 fines on landlords who rent to illegal immigrants; and make English the city's official language.

As Congress debates changes to the nation's immigration policy, some cities are taking matters into their own hands, saying they have no choice but to crack down on illegal immigrants themselves.

Barletta said he had to act after two illegal immigrants from the Dominican

### City to crackdown on illegal immigration

Republic were charged last month with shooting and killing a man. Other recent incidents involving illegal immigrants have rattled this former coal town 80 miles northwest of Philadelphia, including the arrest of a 14-year-old boy for firing a gun at a playground.

"This is crazy," said Barletta, who took office in 2000. "People are afraid to walk the streets. There's going to be law and order back in Hazleton and I'm going to use every tool I possibly can."

In San Bernardino, Calif., voters will decide whether to adopt a measure similar to the one in Hazleton. Elsewhere, an Idaho county filed a racketeering lawsuit against agricultural companies accused of hiring illegal immigrants. In New Hampshire, a pair of police chiefs began arresting illegal immigrants for trespassing.

"They're being forced to pick up the financial tab for all of this nonsense and they are doing whatever they can to find ways to combat it at the local level," said Susan Tully, national field director of the Federation for American Immigration Reform, which advocates limits on immigration.

But Flavia Jimenez, an immigrant policy analyst at the National Council of La Raza, said local authorities typically are not equipped to enforce immigration laws. She predicted the Hazleton crackdown would prompt a civil rights lawsuit.

When Barletta took office in 2000, only about 5 percent of the city's 23,000 residents were Hispanic. The population has since shot up to 31,000, with Hispanics now comprising 30 percent, lured to Hazleton by cheap housing, a lower cost of living, and jobs in nearby plants, factories and farms.

City officials don't know how many of the new arrivals are in the U.S. illegally, but say they are fueling the drug trade, joining gangs and committing other crimes.

Barletta's office has been flooded with hundreds of approving e-mails and phone calls — from as far as California and Florida — and he got an impromptu standing ovation when he walked into a Hazleton diner for lunch.

"It's about time," said Francis X. Tucci, 57, who was born and raised in Hazleton and owns a hair salon with tiny American flags in the window in the heart of the Hispanic business district. "We were a nice community. You find bad everywhere, I understand that, but we're talking about here and now."

Hispanics are divided. Some approve, saying they are fed up with crime and graffiti. "If I was mayor, I wouldn't let anyone in who had a criminal record," said Rafael Rovira, 69, a naturalized American citizen from the Dominican Republic.

Others view the proposal as punitive and unnecessary, saying that most illegal immigrants obey the law and only want to work. "It's going to scare a lot of people," said Christian Lechuga, 23, who emigrated from Mexico eight years ago.

# What do you think we should do about immigration? Send your comments to: editor@usobserver.com

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drug users, and potential terrorists who are in violation of US laws. The enemies of our nation, the Democratic Party, and some Republicans, including Senator John McCain, are working closely together to destroy the Constitutional principles our founding fathers put in place to keep and govern this republic. The facts are conclusive: Congress knows that some illegals aliens are slaughtering Americans on our highways, brutally raping American women, murdering citizens at will, committing theft, carrying exotic third world diseases, and stealing both social services from hospitals and other benefits from US taxpayers. This isn't a new phenomenon; it has been an ongoing national disaster prior to an amnesty granted in 1986. Murder, rape, theft, drugs, disease and death are unpleasant words, but these are the things Congress has unleashed on our nation and its citizens. Many of the victims of these crimes are no longer able to speak for themselves, because they died at the hands of an illegal alien. Congress' failure to see that border laws are fully enforced, its reluctance to deport illegal aliens, and its knowing that businesses have hired illegals with impunity shows its contempt for this republic and existing federal border control laws. Thus Congress has become an accessory to murder, rape, and other heinous crimes against American citizens as will be shown in this article. Congress acts as an enemy of the republic; it's at war with its own people; it is a body of elected officials full of socialists, communists, and self servers (liberals) all with an agenda of invalidating the Constitution and making the US a total welfare state and part of a one world government. It has become the enemy of the principle of freedom and those who wish to be freemen. There is a great gulf between Edward Kennedy, John McCain, Arlen Specter, and this nation's founders that include George Washington, Thomas Jefferson, and Patrick Henry.

Americans Die Because Congress Hasn't Done Its Job

By its willful negligence to secure the United States borders, Congress has become an accessory to the following crimes and many others against American citizens who had real names, families, and lives to live. The following case histories are factual, verifiable, and just a sample of the carnage that has been and is being released by our Congress upon this nation. An attractive young woman named Joyce Dargan of Myrtle Beach, South Carolina, was run down going to a mail box by a 14-year old illegal alien racing another vehicle. Scott Gardner, a school teacher, had his life cut short by an illegal drunken driver. Dallas, Texas, Police Officer Brian Jackson's death was a direct result of Congress' open border fiasco. Brian was shot and killed by an illegal alien from Mexico. Min Soon Chang was only 18, a University of North Carolina freshman; he was struck head on by a drunken illegal alien. The probability is that if the borders had been secured, Joyce, Scott, Brian, Min Soon, and so many others would still be alive today enjoying their right to life, liberty, and the pursuit of happiness as written in the US Constitution. These rights were stolen from these individuals by a corrupt United States Congress.

#### A Child Is Raped, Because Congress Didn't Lock The Door

Pedro Guzman Muñoz, a 21-year old illegal alien, is accused of raping a 10-year old child, and police want him. Many illegal aliens commit crimes against US citizens and then flee back into Mexico to avoid punishment. Pharr, Texas, police Lt. Guadalupe Salinas said, "We think he went back to Mexico because he's an undocumented immigrant, (illegal alien) but we don't know."

The child three months pregnant was taken to a Children's Advocacy Care Center. The public must ask who is going to be held accountable for the costs of this rape. The parents don't have money because they took their child to an advocacy care center. If caught and convicted of rape, Pedro will go to prison for perhaps 10 years or more. Pedro isn't going to pay for anything, as Pedro has nothing. The child and her baby will go on welfare for the

foreseeable future. Besides the human misery, this one incident can cost taxpayers in Texas and the US hundreds of thousands of dollars because an illegal alien has been able to cross the border at will. The illegals are bringing unprecedented crime into the United States as millions have and are sneaking across the border into the USA, the biggest free candy land the world has ever known. The USA is the home of the all day sucker where Congress makes laws to tax the industrious and gives to the poor after scooping its cut off the top. Citizens who fail to pay their taxes will be prosecuted to the full extent of the law, and illegal aliens are not subject to the same laws Congress mandates citizens to obey.

#### Congress Creates Identity Theft

Illegal Aliens use forged and stolen documents to obtain green cards and employment. They are a ready market for identity theft rapidly growing into a national disaster for tens of millions of Americans. The noteworthy case of Audra Schmierer recently made national news. She decided to get back into the work force and made an application for employment at a temp agency. She found out that someone was already using her social security number. In fact, at least 81 someones, (illegal aliens) in 17 states were using her number. Businesses that hired the illegal aliens didn't care. The Social Security Administration (SSA) didn't care. The SSA took her 14 years of payments off the books (stole) putting her at zero payments into social security and wouldn't issue her a new card. The IRS tried to bill her for back taxes run up by illegal aliens (cheating the system) though they eventually gave that up. Using a fraudulent social security number is a felony and no one in government wants to prosecute, in fact no one in government really cares. Audra may be fortunate that none of the illegal aliens who bought her social

security number didn't come back and murder her. After all, dead people don't file complaints and make trouble for identity thieves. Meanwhile members of Congress quietly accepted another salary boost of \$3,300 bringing their annual salary to \$168,500.

#### Will John McCain Cause You or a Family Member An Untimely Death?

The rape of a child is a particularly heinous offense. If an individual was proven to have acted as an accessory to any crime, he would be indicted, prosecuted, and convicted. The same law that applies to citizens applys to senators and representatives. No one is supposed to be above the law. Do Senators Kennedy, McCain, Specter and the infamous 55 senators who voted for the recent senate amnesty bill really care? Of course not, the millions of illegal aliens they would like to give amnesty to include many criminals who are and will continue to prey upon the American citizen. These illegals don't care about this republic; they want jobs not citizenship, and the Congressmen who support the amnesty bills want their votes. If it costs you, a neighbor, or a stranger their life, what's it to your Congressman? They don't care about the American victims of crime by illegal aliens, or they would have secured our borders long ago. The border door is still propped open for more illegals to devastate our society as pompous Congressmen strut and crow in front of news cameras and microphones filling the evening news with balderdash and gabble for the nightly feeding of the masses.

#### US Attorney General Speaks With Forked Tongue

The number one cop in Washington D.C. in charge of enforcing federal law is Hispanic *Attorney General Alberto Gonzales*. Gonzales claims to be

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#### Coming soon to U.S.: Mexican customs office

By Jerome R. Corsi WorldNetDaily.com

Kansas City is planning to allow the Mexican government to open a Mexican customs office in conjunction with the Kansas City SmartPort. This will be the first foreign customs facility

City leaders voted last month to give the facility an innocuous name to hide its true identity as an arm of the Mexican government, staffed by Mexican officials.

In fact, Kansas City is so enthusiastic about the opportunity, the cost of building the \$3 million dollar facility for Mexico will be paid for by Kansas City taxpayers, not by the Mexican government.

The current plan for the NAFTA Super Corridor calls for the construction of a 12-lane highway (six lanes in each direction) along Interstate 35. The Kansas City SmartPort is designed to be the central hub in the planned NAFTA north-south superhighway cutting through the heart of the United States.

Supercargo ships, carrying goods made by cheap labor in the Far East and China, will unload in the Mexican port at Lazaro Cardenas, eliminating the need to use costly union longshoremen workers in Los Angeles or Long Beach. Rather than transporting the containers by trucks from the West Coast, using Teamster drivers, or on rail, with the assistance of railroad labor in the United Transportation Union, the containers will be loaded onto Mexican non-union railroads at Lazaro Cardenas. At Monterrey, Mexico, the containers will then be loaded onto Mexican non-union semi-trailer trucks that will cross the border at Laredo, Texas, to begin their journey north along the Trans-Texas Corridor, the first leg of the planned continental NAFTASuper Corridor.

To speed the crossing at Laredo, Texas, the Security and Prosperity Partnership of North America working groups within the U.S. Department of Commerce will allow Mexican trucks to be equipped with electronic FAST technology so the trucks can cross the border in express lanes.

At the Kansas City SmartPort hub, the containers can be transferred to semi-trailers heading east or west, or simply stay on the Mexican trucks all the way into Canada.

According to the SmartPort website, in March 2005, Kansas City signed a cooperative pact with representatives from the Mexican state of Michoacan, where Lazaro Cardenas is located, to increase the cargo volume between Lazaro Cardenas and Kansas City. The whole point is to move cargo fast, using cheap, below union-wage scale Mexican workers to move the containers from Asia into the heart of the USA.

Shipments will be pre-screened in Southeast Asia, and the shipper will send advance notification to Mexican and American Customs with the corresponding "pre-clearance" information on the cargo. Upon arrival in Mexico, containers will pass through multiple X-ray and gamma ray screenings, allowing any containers with anomalies to quickly be removed for further inspection.

Container shipments will be tracked using intelligent transportation systems, or ITS, that could include global positioning systems or radio frequency identification systems, and monitored on their way to inland trade-processing centers in Kansas City and elsewhere in the United States.

As the Kansas City SmartPort website brags: "Kansas City offers the opportunity for sealed cargo containers to travel to Mexican port cities with virtually no border delays. It will streamline shipments from Asia and cut the time and labor costs associated with shipping through the congested ports on the West Coast."

Kansas City Southern, or KCS, has just completed putting together what is being called "The NAFTARailroad." On Jan. 1, 2005, KCS took control of The Texas Mexican Railway Company and the U.S. portion of the International Bridge in Laredo, Texas.

Then in April 2005, KCS purchased the controlling interests in

# **Immigration**

Transportacion Ferroviaria Mexicana, which KCS promptly renamed the Kansas City Southern de Mexico, or KCSM.

Again, the Kansas City SmartPort website notes that "Kansas City Southern is installing Spanish-language versions of its computer operating system (MCS) in an effort to increase train speeds, reduce waiting times at terminals and enable the free flow of locomotives and rail cars between the United States and Mexico via Kansas City Southern's railroad bridge at Laredo, Texas."

No stop is planned for customs inspection for KCSM trains until the Mexican customs facility located at Kansas City. The only security check planned at the U.S. border with Mexico is electronic, with the KCSM railroad moving along pre-approved KCS rail lines

CAUTION

Smuggling activity is common in this area because of the proximity to the international border.

Be aware of your surroundings at all times.

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interested in the security of the United States. Recently he gave his opinion that reporters can be held legally accountable for publishing information the government has classified. Gonzales said, "We have an obligation to enforce those laws. We have an obligation to ensure that our national security is protected." Yes, Mr. Gonzales, tell that to Dallas Texas Police Officer *Brian Jackson* whose untimely death was attributed to our open border policy.

#### **Congress And Common Law**

Congress can't escape being an accessory in the death of American citizens at the hands of illegal aliens and the rape of women and children. Anyone or group that makes a rape possible is an accessory to the crime of rape or any crime for that matter. The common law rule on accessory after the fact requires that a defendant have knowledge that a felony was committed and aided or assisted the felon in some way to avoid being caught by the authorities. Congress has knowledge of the crimes being committed by illegal aliens, does gives assistance by not enforcing existing border laws, and the senate is vigorously attempting to give amnesty to millions of illegals, thus meeting the criteria for an accessory after the fact.

With the borders still open, illegal aliens, criminal elements, terrorists, and drugs all have access into the United States. Drugs crossing the US border are a subject Congress doesn't say a lot about. An article by *Frosty Wooldridge* 

reports that the staggering figure of \$128 billion in illegal drugs enters this country annually from Mexico. That's a lot of money and a lot of payoffs to allow it to happen. Is your congressman being paid off? Is that why millions of illegals have been able to cross the borders into the United States?

#### **Congress Snorts At Federal Law**

There are many existing federal laws that are not being enforced by Congress and Attorney General Gonzales. The laws are explicit, and the penalties for violation of these laws are clearly stated in the US code. For example US Code § 1324 states: "(1) (A) (iv) Any person who encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law." Mexico encourages its poor to violate US law. Anyone who hires an illegal alien does so contrary to statute, and threatens this republic's sovereignty for the savings of a few dollars. Peter Nunez, a former U.S. attorney in San Diego, said, "It is an indictment of how badly Congress and presidents (Bush and others) have handled the immigration system (regarding the prosecution of illegal alien smugglers).

Congress has failed to secure the US borders and follow existing US law. Entering the country illegally can result in 6 months in prison and \$250,000 fine. Aiding in the crime of bringing an illegal alien has a similar fine and a 5 year prison sentence. Once ordered deported an illegal is charged \$500 a day until he is deported. The trouble with **this** is that

illegals have no money and 5 years in prison will cost American taxpayers \$150,000 or more. Instead each member of Congress should be jailed for 5 years and fined \$250,000. A good start would be with Edward Kennedy, John McCain, and Arlen Specter. Congressional members are no paragons of virtue.

#### Congress's Alliance With The Grim Reaper

This republic has many enemies including the home grown variety now being exposed in the US Congress. They support the disintegration of our republic by allowing millions of illegal aliens into this nation and are attempting to give them amnesty for their trouble. They in league with the grim reaper bring death to Americans. When the Hispanics marched by the millions in our large cities they correctly said, "Today we march; tomorrow we vote." Congressional liberals know quite well that if these millions of illegals are given amnesty for whom they will vote. The communists, liberals, and radical Hispanic groups are prepared to exploit this situation in their hopes of shaking this nation off its Constitution foundation. Former Mexican President Ernesto Zedillo, had this to say on borders. "I have proudly affirmed that the Mexican nation extends beyond the territory enclosed by its borders and that Mexican migrants (and illegal aliens) are an important - a very important - part of this." Already 10 percent of Mexico's poor, hungry, uneducated, and sick have left that country and are now in the United States. That percentage continues to grow every day due to

twenty plus years of inadequate border control. The fault is not that of the US Border Patrol which has been under funded, understaffed, and over regulated by a corrupt US Congress.

#### Betrayal At The Highest Levels

Theodore Roosevelt said, "Patriotism means to stand by the country. It does not mean to stand by the President or any other public official save exactly to the degree in which he himself stands by the country. It is patriotic to support him insofar as he efficiently serves the country. It is unpatriotic not to oppose him (or any other public official) to the exact extent that by inefficiency or otherwise he fails in his duty to stand by the country."

Congress has turned a deaf ear to the voice of the people, the Constitution, and the defense and preservation of the republic. Congress does not have the consent of the people to grant amnesty to millions of illegal aliens and give them the power of the vote, a free ride to the hospital, and the local welfare agency. It does not have the consent of the people to ignore the total security of our borders imperiling our, "Life, Liberty and Pursuit of Happiness." We have an out of control Congress that is akin to King George, (1776) that knows not the meaning of the word patriotism, has and is betraying our country, and is an accessory to murder, rape, and theft.

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View this story on the US~Observer website for hyper links to reference sources contained in the article.

#### **Vehicle Crossings More Common at Border**

By WILL WEISSERT Associated Press Writer

**TIJUANA, Mexico** - With windows tinted charcoal black and a hint of newcar smell lingering inside, the Chevy Suburban with California plates nearly made it through a border inspection booth. Then a customs officer spotted something behind the back seats.

Under the gray carpeting lay 14 undocumented Mexicans — eight women, five men and a little boy — packed together so tightly that some had to remove their shoes to fit.

They're part of a growing number of migrants sneaking across the border in cars and trucks. Some cram themselves into empty gas tanks, hollowed-out dashboards and even engines. Others hide inside cargo, from pinatas to washing machines.

Many try to ride across in plain sight of border agents, using falsified or borrowed documents. And while some smugglers use stolen cars or used vehicles that are hard to trace, others pay U.S. citizens to drive migrants across.

In fact, so many U.S. citizens try to drive carloads of undocumented migrants across that federal authorities have begun issuing \$5,000 fines for Americans caught doing it. Nearly 300 fines have been levied since the program

took effect Jan. 23, said Adele Fasano, Southern California director of field operations for Customs and Border Protection.

Now that National Guard troops are patrolling the border and Congress is discussing extending border fences, U.S. officials worry vehicle crossings could become even more common.

Most try to cross into California, where U.S. Customs and Border Protection officers captured 49,243 illegal migrants trying to drive into America last fiscal year—92 percent of all in-vehicle apprehensions nationwide. The rates this year were up slightly through April, even before troops began arriving at the border.

As illegal border crossings elsewhere become more risky, more migrants may try to drive across to San Diego, counting on Tijuana's sophisticated smuggling networks and a climate near the ocean that is relatively mild compared to the deserts further east.

"To put somebody in a compartment or a trunk out in Arizona or even Calixico (California) and the desert areas in Texas, the temperatures reach very high levels in the summer," Fasano said. "They could be looking at murder charges."

In the case of the Suburban, Mexican Alejandro Prieto tried to drive across

using someone else's valid border-crossing card. He told prosecutors he's not a smuggler — and that he only agreed to drive to avoid paying the \$2,500 fee smugglers would have charged to sneak him into the U.S., according to court documents.

Prosecutors are pursuing smuggling charges against Prieto because he was carrying a child and such a large number of undocumented migrants. But the vast majority of drivers apprehended face no criminal penalty.

"The thing that causes us difficultly is just volume," said James Hynes, director of the busy San Ysidro crossing between Tijuana and San Diego. "We'd like to prosecute them all, but the system can't handle it, so we take the best cases."

Tens of thousands of migrants get away with it. Others barely escape alive.

Jesus Guerrero, 38, said he agreed to pay a people smuggler \$2,600 to get him to Los Angeles, where a landscaping job was waiting.

Shortly after 7 a.m., he climbed into the trunk of a Toyota Camry with two women, fellow illegal migrants he had never met. A smuggler drove them into California through the Tecate border crossing, but failed to stop at a U.S. Border Patrol highway checkpoint.

As the car sped away, authorities

punched holes in two tires, causing it to flip onto its side and collide with a concrete barrier. Rolling around in the trunk, Guerrero thought for an instant he had been killed.

"It's common, but it's very dangerous. I recommend nobody do it," said Guerrero, interviewed at a Tijuana migrants' shelter. "It's horrible."

Guerrero, who bruised his arm in the crash, said crossing had become too dangerous, and he planned to return to his native Sinaloa state, even though his wife and 10-year-old son — an American—live in Los Angeles.

Brigido Vargas, a 50-year-old mechanic from the western city of Guadalajara, said he would try to drive across after getting caught trying to hike through the Arizona desert.

"I don't even speak Spanish that well," Vargas said, describing his plans in English.

Vargas said his wife, four children and 12 grandchildren are all American citizens, but he's got a criminal history that bars him from becoming a citizen, even though he's lived in Los Angeles since age 9. He plans to drive over the border using his brother's California driver's license.

"In a car, you can get through the border really easily," he said.

# Saudis get scholarships to study aviation in U.S.

#### WorldNetDaily.com

Less than five years after 15 Saudis hijacked airliners to hit American targets, citizens of the desert kingdom are being offered scholarships to study aviation in the U.S.

According to the Saudi publication Arab News, majors related to the airline transport industry are eligible, including communications, electrical and computer engineering, computer science, systems analysis, air traffic control and flight safety.

Some of the 9-11 hijackers are known to have been trained at aviation schools in the U.S.

The new program arose from an agreement in April by President Bush and then-Crown Prince Abdullah aimed at improving relations between the two nations.

Saudi Arabia's Ministry of Higher Education and the General Authority of Civil Aviation is offering the scholarships. Applicants can download forms on the ministry's website.

Arab News said applicants for the bachelor's program must have a minimum score of 85 percent in the science section and 90 percent in other sections, such as Quran memorizing.

Scholarships in other fields of study are available to students studying in

Japan, South Korea, Malaysia, Singapore, India, China, Australia and New Zealand.

In May, the Arizona Daily Star reported the University of Arizona in Tucson enrolled about 100 new Saudi Arabian students as part of the kingdom's new scholarship program, which will send about 6,000 students to American universities this year after just 1,442 Saudi students had visas to study in the United States in 2004.

As WND reported in February, while U.S. universities welcome the Saudis – especially because Riyadh is paying 100 percent of their tuition and enrollment costs – some critics see potential security problems associated with the tremendous influx of Muslim students from a closed society that virtually invented Wahhabism, the radical brand of Islamism that spawned al-Qaida.

Because of the agreement, as many as 25,000 Saudi students are expected to arrive over the next five years, with all their bills paid by the Saudi government.

In February, WND noted the scholarship program was unrolling quietly, without announcement from the Saudi Embassy or the White House. The White House Press Office declined to comment on the program and Saudi embassy officials did not return calls inquiring about it.

# Bin Laden's Deputy in Subway Gas Attack Plot

By Andrew Gumbel Belfast Telegraph

An al-Qa'ida cell in the United States came within 45 days of launching a cyanide attack on the New York subway system that could have killed as many people as the attacks of 11 September 2001, according to a new book given broad credence by American police and intelligence officials.

The attack was called off by Osama bin Laden's deputy, Ayman al-Zawahiri, for reasons that remain unclear, and the man masterminding the operation from Saudi Arabia – codename Swift Sword – was later killed in a shootout with Saudi security forces. The book, The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11, carries unusual authority since it was written by Ron Suskind, one of America's most respected and bestinformed investigative reporters. Chillingly, it suggests that al-Qa'ida has cracked the long-standing problem of how to deliver poison gases like cyanide for maximum destructive effect, and offers no reassurance that the cell that was ready to attack New York in 2003 has been disbanded or left the country.

In late 2002, a joint US-Saudi counterterrorism operation uncovered the existence of a device nicknamed the mubtakkar – Arabic for "invention". The mub-takkar contains two chambers keeping the ingredients for hydrogen cyanide both stable and separate until the attackers are ready to break the seal between the chambers and initiate the attack – possibly by remote control.

The mubtakkar is small enough to be transportable in a backpack or small bag. The detonation of several of them in different cars of the same subway train at rush hour could conceivably cause hundreds or even thousands of

casualties, according to Suskind's sources.

The book describes the rank fear inside the White House following the decision to pull the plug on the attack. "What does calling this off say about what else they're planning?" he quotes President George Bush as saying. "What could be the bigger operation Zawahiri didn't want to mess up?" Not everyone, however, agrees that such fear was necessarily justified. Yesterday's New York Times quoted intelligence experts casting doubt that the mub-takkar really worked as advertised. "They'd be lucky if they killed everybody on one car – you can do that with a 9-millimetre pistol," one official told the paper.

Suskind's book also paints a fascinating picture of the tense, unreliable nature of US-Saudi cooperation on counter-terrorism.

No episode illustrates this better than the hunt for Swift Sword, the group's chief operator on the Arabian peninsula whose real name is believed to be Yusef al-Ayeri. The Saudis had Ayeri in their custody in late 2002 but released him apparently without appreciating his significance.

US officials realized that Ayeri was the only person who could unravel details of the New York cyanide plot and made his capture a priority. In May 2003, though, Ayeri was one of a carful of young men who ran a roadblock near Mecca and tossed a grenade at the uniformed guards. A shoot- out ensued, in which everyone, including Ayeri, was killed. Ayeri was carrying a personal letter from bin Laden.

The Saudis took several days to tell the US about the shoot-out and failed to recover the mobile phone and address book he had on him. They also failed to follow up the shoot-out with raids on properties linked to the dead men.

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

# Health

#### New Theory Linking Alzheimer's Disease to Diabetes

By Lauran Neergaard

WASHINGTON (AP) - A provocative new theory suggests that one root cause of Alzheimer's disease is linked to diabetes -- a theory about to be tested in thousands of Alzheimer's patients given the diabetes drug Avandia in hopes of slowing brain decay.

It's a scary scenario: Alzheimer's already is expected to skyrocket as the population grays, rising from 4.5 million sufferers today to a staggering 14 million by 2050. If the new theory is right, the nation's current obesity-fueled epidemic of Type 2 diabetes could worsen that toll.

But proponents see potential good news: If diabeticlike changes in the way brain cells use sugar to generate energy truly trigger Alzheimer's in at least some patients, then maybe doctors could intervene early and slow down that degeneration.

A preliminary experiment involving 511 Alzheimer's patients found signals that Avandia might help -- albeit in people who lack a gene that spurs more aggressive Alzheimer's.

Those results, combined with other evidence that the diabetes pathway is important, have Avandia maker GlaxoSmithKline poised to open three Phase III clinical trials this summer to test whether the diabetes drug, also

called rosiglitazone, might protect certain patients' brains.

Diabetes has long been listed a risk factor for Alzheimer's later in life because it damages blood vessels that supply the brain.

The Avandia research suggests a more insidious connection: that Alzheimer's can be silently triggered when brain cells can't properly use their main fuel, sugar -- just as Type 2 diabetes is triggered when insulin gradually loses its ability to process sugar body-wide.

"When they're in an insulin-resistant state, it does not just affect the body, it affects the brain as well," explains Suzanne Craft of the Veterans Affairs Puget Sound Health Care System, who led the initial research.

There are 18 million Type 2 diabetics, considered to have two to five times a non-diabetic's risk of developing Alzheimer's -- if they live long enough, into the 60s and 70s when Alzheimer's typically strikes, Craft says.

Type 2 diabetes often leads to heart disease or other ailments that kill before then

Avandia, and the competing drug Actos, treat Type 2 diabetes by resensitizing the body to insulin.

Don't use Avandia for Alzheimer's until that question is settled, cautions Glaxo's Allen Roses, a highly regarded Alzheimer's researcher who, before

joining the pharmaceutical company, discovered the brain disease's main genetic link.

He published the diabetes hypothesis in a recent edition of the medical journal Alzheimer's & Dementia.

If it pans out, "one thing we can do is, possibly, slow down the onset of the disease showing up," Roses says. But for now, "it's a hopeful experiment that's in progress."

Yet it's generating intense interest.

"This is an exciting new approach," Yadong Huang of UC San Francisco wrote in an accompanying review of Roses' hypothesis, which is backed by genetics research from Huang's own lab.

"I don't think this is hype for rosiglitazone," adds Dr. Sam Gandy, director of the Farber Institute for Neurosciences at Philadelphia's Thomas Jefferson University and an Alzheimer's Association spokesman. "This does dovetail with some existing knowledge."

No one knows what causes Alzheimer's creeping brain degeneration. Today's drugs only temporarily help symptoms.

Now, researchers are hunting new ones that target the disease's hallmark, a sticky gunk called beta-amyloid that clogs up, and probably kills, neurons.

The new theory: The metabolism of neurons' internal power factors, called

mitochondria, go awry so that those cells don't use enough sugar.

That eventually leads to impaired brain cell function, including the buildup of that gunky beta-amyloid. It also means that neurons in youth and middle age don't sprout enough communication connections, providing less "cognitive reserve" once their neurons start dying off.

Among the evidence Roses cites:

- Decades before dementia symptoms begin, PET scans of people who carry an Alzheimer's-linked gene show their brain cells underuse sugar.
- Mice engineered to develop Alzheimer's-like disease experience the metabolism changes before betaamyloid plaques appear -- and insulinsensitizing drugs enhance their brains' sugar use.
- Researchers who tracked 140,000 diabetic veterans found those who received insulin-resensitizing drugs were less likely to be diagnosed with Alzheimer's years later.

Then there's that preliminary Avandia study. Alzheimer's patients showed modest improvement in cognitive function -- unless they carried the Alzheimer's-linked gene called ApoE4 that spurs more aggressive disease. The new studies will try to prove if that benefit was real.

#### Mixing Animal, Human Cells Gets Exotic

By Paul Elias AP Biotechnology Writer

**SAN FRANCISCO** - On the sunsplashed Caribbean island of St. Kitts, Yale University researchers are injecting millions of human brain cells into the heads of monkeys afflicted with Parkinson's disease.

In China, there are 29 goats running around on a farm with human cells coursing through their organs, a result of scientists dropping human blood cells into goat embryos.

The mixing of humans and animals in the name of medicine has been going on for decades. People are walking around with pig valves in their hearts and scientists have routinely injected human cells into lab mice to mimic diseases.

But the research is becoming increasingly exotic as scientists work with the brains of mice, monkeys and other mammals and begin fiddling with the hot-button issue of cloning. Harvard University researchers are attempting to clone human embryonic cells in rabbit

Such work has triggered protests from social conservatives and others who fear the blurring of species lines, invoking the image of the chimera of Greek mythology, a monstrous mix of lion, goat and serpent.

During his State of the Union speech in January, President Bush called for a ban on "human cloning in all its forms" and "human-animal hybrids," labeling it one of the "most egregious abuses of medical research."

He didn't elaborate, but scientists working in the field believe that by "hybrids," the president meant creating living animals with human traits — something they say they aren't doing.

Other critics are calling for stricter regulations of the research.

"The technology is advancing quicker than the regulations," said Osagie Obasogie of the Oakland-based Center for Genetics and Society, which opposes the mixing of human and animal cells.

But scientists say the ethically charged work will help them better understand disease and hopefully cure some illnesses. They argue their work will never result in the birth of any living being, but lets them experiment with human disease without using people.

"The president touched on a nerve that we all feel," said Doug Melton, the Harvard researcher trying to eliminate the need for women to donate their eggs for cloning research by creating human embryonic stem cells in rabbit eggs.

"The prospect of having animals that are chimeras is frightening. This is not that kind of research. These experiments don't make animals, they make cells."

Melton's work, if successful, would reduce the need for female donors, who have to take fertility drugs to increase their egg production and undergo invasive procedures to extract the eggs. But he has not yet succeeded in extracting human stem cells from the cloned rabbit eggs.

Meanwhile, United Kingdom researchers led by Dolly the Sheep creator Ian Wilmut are planning similar experiments, which aim to copy a Chinese research team's success with goats, reported in the journal Cell Research in 2003.

"The concerns about chimeras and mixing species may be justified in some circumstances," Yale researcher Gene Redmond said by e-mail from his St. Kitts laboratory, where he's studying Parkinson's disease by injecting human brain cells into monkeys. "But there are strong scientific reasons to do it in many cases and great benefits to be had for humanity."

Redmond's work is funded by the U.S. government, but he works in St. Kitts because it and the neighboring island of Nevis have a large population of feral African monkeys. The research aims to reverse the symptoms of Parkinson's by supplying dopamine, a chemical in the brain whose absence is thought to cause the disease.

"There seems to be little or no chance that the monkeys would be 'humanized," because of the relatively few and highly specialized human cells that are being implanted, Redmond said.

Still, it's research like Redmond's that upsets critics the most.

Stanford University bioethicist Christopher Scott said "the stuff that raises the most ethical concerns" are the experiments that implant human cells into animals' brains.

So far, Scott and others know of no researcher that has come close to putting enough human cells into animal brains to confer any signs of humanity, such as emotion.

In December, for instance, Parkinson's disease researchers at the Salk Institute in San Diego reported they had created mice with .01 percent human cells by injecting about 100,000 human embryonic stem cells per mouse, a trace amount that didn't remotely come close to "humanizing" the rodents.

Most scientists also argue that the "architecture" of animals' heads couldn't support a brain of mostly human cells. The animals are also wired differently and couldn't survive with a human brain.

Still, there's enough concern about human-animal mixing that the influential National Academy of Sciences addressed it last year when it issued guidelines for stem cell research.

The report endorsed research that comingles human and animal tissue as vital to ensuring that experimental drugs

and new tissue replacement therapies are safe for people. But the report warned that the "idea that human neuronal cells might participate in 'higher order' brain functions in a nonhuman animal, however unlikely that may be, raises concerns that need to be considered."

The report recommends that each institution involved in stem cell research create a formal, standing committee to specifically oversee the work, including experiments that mix human and animal cells.

Drawing ethical boundaries that no research appears to have crossed yet, the Academies recommend a prohibition on mixing human stem cells with embryos from monkeys and other primates. But even that policy recommendation isn't tough enough for some who advocate for formal regulations.

"You don't want a monkey with 95 percent of its brain cells being human," said Obasogie of the Center for Genetics and Society, "and to ensure that takes more than a recommendation."

# London hospital plans world's first full-face transplant

LONDON (AFP) - Just a few months after pioneering partial face transplants in China and France, a London hospital is set to give the go-ahead for a surgeon to conduct the world's first full face transplant.

Get more on this story on-line at www.usobserver.com.

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#### Gold Hill, Oregon

Local representative of City County Insurance Services (CCIS) Lisa Jacobson met with Gold Hill Mayor Sherry Young on Monday. Ms Jacobson stated CCIS was very concerned about what was going on in Gold Hill with its city council.

Jacobson went on to elaborate that Hobart "Gus" Wolf, a Gold Hill City Councilor, had sent a copy of a flyer he'd been passing out all over Gold Hill. Hobart "Gus" Wolf demanded CCIS "investigate" Chief Muchow on the statements made in the flyer.

**Note:** Hobart "Gus" Wolf along with Gold Hill resident Christine Alford sent out similar complaints against Chief Muchow to the Government Standards and Practices Commission, the Jackson County District Attorney and the Department of Public Safety Standards and Training (police academy).

CCIS knew better. The flyer made several libelous and untrue statements about Chief Dean Muchow. It is the mission of CCIS to keep the city from being sued.

According to Jacobson, not only did

The US Observer endorses English as

CCIS decline to investigate Chief Muchow regarding the bogus flyer, they're probably going to increase the insurance rates for the City of Gold Hill.

The increased rates are due to the perception CCIS has about some of Gold Hill's councilors "running amuck" and failing to act in accordance with the conduct, rules and regulations which most cities follow.

The actions of Councilor Jan Fish were bad enough when she falsely accused a Gold Hill Sgt. of criminal actions to the Oregon State Police and allegedly misappropriated city funds in consulting with the city attorney (she has apologized for her actions and said she'll pay the attorney bill). Apparently that was not enough of a "wake-up" call for the councilors who want to abolish the Gold Hill City Police Department. Now CCIS is going to make Gold Hill pay higher premiums for its insurance, all due to the wild antics of Jan Fish, Donna Silva and mainly Hobart "Gus" Wolf.

We're sure the people of Gold Hill will love them for it.

#### **Supreme Court?**

# Top Court Allows Evidence in Illegal Home Entry

**By James Vicini** 

**WASHINGTON** (**Reuters**) - A sharply divided U.S. Supreme Court ruled on Thursday that evidence could be used even when the police entered a suspect's home illegally by failing to knock on the door or announce their presence.

By a 5-4 vote, splitting along conservative-liberal lines, the high court ruled that a police violation of the so-called knock-and-announce rule does not require that the evidence seized during the search be thrown out.

The court's newest member, conservative Justice Samuel Alito, who was appointed by President George W. Bush, cast the tie-breaking vote in favor of the police in the latest decision by the conservative majority upholding police powers.

Liberal justices John Paul Stevens, David Souter, Ruth Bader Ginsburg and Stephen Breyer dissented.

"Today's opinion is thus doubly troubling. It represents a significant departure from the court's precedents. And it weakens, perhaps destroys, much of the practical value of the Constitution's knock-and-announce protection," Breyer wrote.

He said the ruling will destroy the strongest legal incentive for the police to comply with that constitutional requirement.

The libertarian Cato Institute also denounced the ruling. "Because of today's decision, we can expect to see an even more pronounced increase in the use of illegal, military-style no-knock raids," Cato policy analyst Radley Balko said.

#### 'JUSTICE IS SERVED'

A group backing the police welcomed the decision.

"Justice is best served when juries are allowed to consider all relevant evidence," said Kent Scheidegger of the Criminal Justice Legal Foundation in California.

The ruling stemmed from the 1998 search by seven Detroit police officers of Booker Hudson's home. They shouted, "police, search warrant," but did not knock on the door. After waiting only three to five seconds, they entered the house.

Hudson moved to suppress the drug evidence found in the house because the police had violated the knock-and-announce requirement established by the Supreme Court in a 1995 ruling.

Justice Antonin Scalia wrote for the court majority that the evidence should not be suppressed and cited the "grave adverse consequences" of excluding incriminating evidence.

He warned that it would have various social costs, generating a flood of lawsuits claiming violations, causing police officers to refrain from making a timely entry and resulting in the possible destruction of evidence.

Allowing evidence to be thrown out would amount in many cases "to a getout-of-jail-free card," Scalia said.

He said any police misconduct can be deterred by civil rights lawsuits. He also cited the increasing professionalism of police forces, including a new emphasis on internal police discipline.

Besides Alito, the court's other conservatives -- Chief Justice John Roberts, who also was appointed by Bush, and Justice Clarence Thomas -- joined the ruling, along with Justice Anthony Kennedy, a moderate-conservative.

Kennedy wrote a separate opinion emphasizing the decision should not be interpreted to suggest knock-andannounce violations are trivial or beyond the law's concern.

He also said the court was not casting doubt on past precedent that generally has barred prosecutors from using evidence that has been obtained from an illegal police search.

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### Observer Endorses – English Only Language

the official national language in every American county and city. People from foreign lands are coming to the United States, keeping their own language, and ignoring English as the native tongue. Unfortunately, many American businesses are accommodating them. In almost any community you can go to the supermarket or department stores and hear Spanish and other languages being spoken. Often when a business is called the message on the phone is press one for Spanish or two for English. In some areas of the United States English is nonexistent. It appears these immigrants have no interest in becoming Americans. What they are doing is recreating mini replicas of their original countries' culture within the borders of this country. These people seem to be here not to be Americans but to use the welfare system, schools, and health care system for a better life than their own country offers. They are not here to honor the Bill of Rights, the Constitution, and the dream of freedom our founding fathers expounded. Former President Theodore (Teddy) Roosevelt wasn't a politically correct wimp. He was a real man, a real American who respected the Constitution and the founding fathers of this Republic. Here is what he had to say about being an American and the English language. "In the first place we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man

because of creed, or birthplace, or origin. But this is predicated upon the man's becoming in very fact an American, and nothing but an American...There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag, the American flag, and this excludes the red flag, which symbolizes all wars against liberty and civilization, just as much as it excludes any foreign flag of a nation to which we are hostile...We have room for but one language here, and that is the English language...and we have room for but one sole loyalty and that is a loyalty to the American people."

Americans are beginning to realize that the American dream has been sold out by corrupt politicians and their supporters. Recently a majority of US Senators voted for a senate bill that would give illegal aliens amnesty. Each senator that voted for this bill is a traitor to the American dream and must be voted out of office and go down in the annals of infamy along with the Benedict Arnolds of the past. Americans are beginning to catch on to the fraud the congress has perpetrated upon them. Be sure to read the article on the Observer's front page "Congress, Accomplice to Murder, Rape, and Theft!" along with another article in this edition about a town in Hazleton, Pennsylvania, that's preparing to arrest illegal aliens. The mayor of Hazleton is fed up with the crimes illegals are perpetrating in his town. It's time real Americans all across this great land took action against this attack on the American culture.

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