

Bad Law Enforcement?

By Curt Chanler & Jeanne Wollman

JACKSON CO., OR - Bad law enforcement by nature is a disaster waiting to happen. In fact, there are no accurate statistics to count its victims or the dollar cost to the taxpayers. The average citizen has very little understanding of the complexities of law enforcement, much less those of bad law enforcement and its effect on their rights, freedoms, and safety. Common sense dictates that the people in law enforcement mirror our society. They bring to their job all of the ills of society. The obvious difference is the unfettered power and control they have over your life. The single most important authority that law enforcement has, to serve justice and the people, is the truth. A police officer

Fraud Upon A Jackson County Court Case: Dean Varni v. Katherine J. Varni and Roy E. Myers

By Ron Lee
Investigative Reporter

MEDFORD, OR - Filing an affidavit to the Jackson County court that was knowingly false, Katherine Varni awaits a "Summary Judgment" ruling by Judge Philip Arnold. The motion is based on statutes of limitations. Katherine's attorney Robert Dickey is attempting to get the court to believe that Dean Varni's case should be dismissed because it wasn't filed within the statute of limitations. Should Judge Arnold rule in her favor he will have been greatly deceived in accepting Katherine's obviously fraudulent and perjured document. If the judge accepts the fraud, Dean Varni, Katherine's ex-husband and the target of her fraud, is ready to submit a "Motion for Reconsideration" along with a copy of a tape recorded phone conversation between investigative reporter Edward Snook and Katherine Varni (taped on March 23, 2004) which

proves her fraud beyond any doubt. We should note that Judge Arnold correctly disallowed a response to Katherine's summary judgment motion due to the fact that Varni's attorney had filed his response well after the dead line. However, we believe the judge's judicial cannons and his own integrity will cause him to act upon the fraud and see that Dean Varni gets his day in court. Further, according to Observer legal counsel, the motion should be denied as there are facts in dispute between the motion for "Summary Judgment" and the complaint filed by Dean Varni which were not addressed in Katherine's motion.

Case History

In 1997 Dean Varni didn't have to think hard about quit-claiming his divorce decreed deed of property interest over to his ex-wife Katherine Varni. She had approached him about securing a loan for her business and, according to her, couldn't do it



Dean Varni reading a draft of this edition.

any other way than having his name off the property and home that they jointly owned. They were on good terms, so Mr. Varni thought, and besides according to paperwork he signed and sent back to her, he was supposed to be put back on the property within two weeks. He even continued to pay his share of the loan payments throughout the time (through February of 2002)

he was off the deed, in good faith that his name had been reinstated. After years of promises to buy him out and never delivering, Dean Varni became suspicious of Katherine, the woman whom he had entrusted with his worldly possessions as well as all of his financial records and his bookkeeping. Hiring an investigator in mid-2003, Dean Varni set out to find

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Deschutes Co. Sheriff Refuses Cert Mail

By Edward Snook
Investigative Reporter

Bend, Oregon - On August 15, 2005 at 3:00 p.m. Roger Weidner is once again appearing in Deschutes County Circuit Court on the Wishon v. Torres case (case history at usobserver.com). Claud Ingram, a totally corrupted attorney from Eugene, Oregon will also appear to put on another of his dog and pony shows with numerous Deschutes County Deputy Sheriffs along side to protect his towering 6'8" frame from former prosecutor Roger Weidner, who is almost half his size.

Weidner has been demanding to speak in numerous Oregon courts over the past 15 years when he has believed an innocent person was getting rail-

Acosta v. Century 21 Info Sign on I-5 Vandalized



Sign before being vandalized.

By Edward Snook
Investigative Reporter

Gold Hill, OR - Out of sheer frustration with Century 21 (Harris/Taylor Real Estate) not taking responsibility for damaging her, Linda Acosta recently placed the above pictured sign on her property off I-5 just south of Rogue River, Oregon. The sign was only up for a short time when calls came into

the Observer office from passers-by informing us that someone had vandalized the sign. Someone obviously loyal to Century 21 Real Estate had cut the name "Century 21" completely out during the night.irate over the vandalism, Linda went directly to her sign shop and had another sign made. This time she placed it on a trailer with lights to make it visible at night.

Observer sources have

informed us that Century 21 intends to file a libel suit against Acosta for the sign which clearly states that they lie. It is the professional opinion of the US~Observer that the truth is an absolute defense against any libel suit, and it is clear that Acosta's allegations against Century 21 are well founded. Harris/Taylor attorneys should look up the

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armed with the truth and the character of his convictions can truly protect and serve. On the other hand a bad police officer with a lack of character, can and will, lie to achieve what ever his or her goals may be. A single lie told by a bad officer can cost the recipient or a loved one their family, freedom, fortune, future, and in some cases even their life.

Seven years ago, long before we took on the role of reporters we both were involved, along with other citizens in forming a citizen study group. This study group took on the task of taking a hard look at law enforcement, the judiciary and local government in Jackson County, Oregon. Jackson County is home to several small towns, most of them having a police department. Medford is the largest. Shortly after the group was formed we began to hold public meetings to get public input on numerous issues.

During the first meeting held, we heard a host of complaints from citizens about Jackson County police departments. Most of the complaints were about the Medford Police Department (MPD). In the beginning we just assumed that was because M.P.D. had the largest concentration of businesses and people, therefore police contact with citizens would be higher, therefore complaint numbers would be higher.

After a year of public meetings one

thing became very clear from the citizens complaints. (1) These complaints were from people that lived all over Southern Oregon and Northern California, not just those living in and around Medford. (2) The complaints were of a much more serious nature in Medford. These complaints were not the usual, I was not speeding, the cop was a jerk, or the cop lied in his report. The complaints on M. P. D. included the normal ones mentioned above, but they also included excessive force, the taking of property, cash, lying under oath in court, lying on police reports, soliciting sex, and even the threat of retribution if a complaint was filed.

Most of the members of our study group found it very hard to listen to some of the complaints against M.P.D. because many of our members have friends and family who work for M.P.D. and we know that the Medford Police Department has some of the finest police officers in law enforcement in their employment. However as a study group we have continued to gather information on every law enforcement department in Jackson County and because M.P.D. still has the highest complaint numbers made to our study group, they have become the main object of our investigation. In our opinion M.P.D. has a host of problems, one of the most obvious is they have too many cowboys on the street, mainly on night shift, that think the rules don't apply to them. Maybe they need to be told that one third of the work force in

this county works either swing shift or graveyard and not everyone out late is a criminal. Maybe the bad officers need to look up probable cause and while they have the book open check out the

Constitution and the Bill of Rights. A glaring fact that has been brought to our attention is that there are a lot of fine men and women that wear that same

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exactly what was going on. He found that his name had never been put back on the property and in December of 2003 he discovered that Katherine Varni had put her alleged boyfriend, Roy Myers, on the deed to the property and home.

Still giving Katherine the benefit of the doubt, Mr. Varni sent her a letter asking her to pay 50% of the property value, as that was what was owed him. When the deadline passed, he sent her another letter via certified mail stipulating more time, stating that he would have to seek legal proceedings should she not respond.

Unfortunately, the correspondence was left unanswered, and Dean Varni filed suit to regain the interest in his property that Katherine had stolen.

According to Katherine Varni's court submitted affidavit, she feels that the property and home were meant for her. She further states that she made all of the payments on the loan and the insurance and claims that Dean Varni has no ownership interest at all.

Records of payments made by Dean show otherwise, as does his effort to reclaim what was taken from him.

Now embroiled in legal wranglings Katherine Varni's legal council has asked Jackson County Judge Arnold for summary judgment on the grounds that the fraud occurred after the 2-weeks had elapsed in 1997 and that it has passed the statute of limitations. In other words, Robert Dickey bases his motion on the grounds that Dean should have known after the two weeks that he had been defrauded. This is a frivolous argument at best given the special relationship of trust that Dean and Katherine shared from 1978 through March of 2003. According to Dean Varni's legal council, "The judge has to accept all the pleadings of record and he should base his ruling on this." But Dean Varni had missed a key court filing date in submitting some evidence that directly showed the fraud committed on the court and on him which had opened the debate over this summary judgment.

"Really, the ruling could go either way, but the case law says that our position is correct." Dean Varni's attorney explained after court. According to one of Dean's many supporters, "One thing is for sure, many eyes are on the court to do the right thing and not let the court become a haven for fraud." ■■■

Continued from page 1 Acosta v. Century 21 ...

word "Lie" in Webster's Dictionary before the filing of any suit. Two definitions of the word "Lie" are, "an untrue or inaccurate statement that may or may not be believed true by the speaker. Something that misleads or deceives." Without question, real estate agent Jeannie Moore's statements to the Acosta's are perfect examples of Webster's definitions of lying.

Instead of offering to settle the damage case Acosta filed suit against them, Harris/Taylor attorneys have scheduled to take depositions of Linda Acosta in this obviously open and shut case. Harris/Taylor surely knows that dragging Ms. Acosta through more litigation after all they have done to her will do nothing but damage Linda Acosta further.

Case Background

Bob and Linda Acosta purchased their final retirement property and home in Gold Hill, Oregon in January of 2002. Their agent who was also the seller's agent happened to be Jeanie Moore of Harris & Taylor Century 21 Real Estate. Moore assured the Acosta's their property backed up to BLM land which was a major consideration when the Acosta's decided to purchase. In August of 2002, Bob and Linda discovered that their land in fact didn't back up to BLM land. They contacted their real estate agent and her brokers, and the Acosta's were ignored repeatedly. Linda Acosta claims that she and her husband were talked to disrespectfully and in a vulgar manner on several occasions. They then filed a claim with the Oregon Real Estate Agency and in February of 2004, Jeanie Moore was found guilty of the Acosta's charges. Unfortunately, Bob Acosta who suffered from a severe illness passed away before seeing Moore held accountable. Witnesses, including this writer, attribute the stress

created by Century 21 Harris/Taylor as a contributing factor to Bob Acosta's death.

Harris/Taylor continued to lend a deaf ear to this severe case of abuse, thinking they could run over the now widowed Acosta and in June of 2004, Linda Acosta was forced to file suit.

Instead of being responsible for their alleged "fraud," Century 21 then filed a motion to dismiss Acosta's complaint or in the alternative send it to arbitration. Following a January 31, 2005 hearing in Medford Circuit Court where oral argument took place between Acosta's attorney Foster Glass and Century 21's attorney Mark Clarke of the Frohnmayer/Deatherage law firm, Circuit Court Judge Mark Schiveley ruled against Century 21. Subsequently, Century 21 filed a "Motion to Reconsider" claiming they had discovered a "missing page six" which would strengthen their position. Upon review of the "all too convenient" missing page Linda Acosta knew that she had never seen the highly questionable, produced document, so she went to her escrow company which was First American Title in Rogue River, Oregon to look at the file in an attempt to prove that.

Had Century 21 provided the court with a fraudulent document? Mysteriously the escrow file had disappeared and even after supposed advanced searches, First American reported they couldn't find it and that they wouldn't be able to help Ms. Acosta further. First America Title Company's attitude in and of itself begs for an investigation into possible fraud and collusion. Attorney Foster Glass claimed in his response to the Motion for Reconsideration, "The evidence we have suggests these documents may have been fabricated and altered after the defendants received the Judge's opinion following the hearing on January 31, 2005. Judge Schiveley denied Century 21's "Motion for Reconsideration" on March 14, 2005



stating, "There do appear to be disturbing differences between the exhibits attached to the "Motion for Reconsideration." The court is not prepared to say that any documents have been altered or in some other way prepared for the Motion to Reconsider because the court does not have to." Amazing! Now Ms. Acosta can have her day in court where Century 21 will definitely leave with much egg on their face and a well deserved, large judgment against them. Corporations like Century 21 will soon learn that they can't simply

take their clients money, cheat them and then basically tell them to go to hell...at least not when the US~Observer is involved.

Editors Note: If you have information on Century 21, this case, or on any relationship between Harris & Taylor Real Estate and First American Title Company, please contact Edward Snook at 541-474-7885. We sincerely thank those who have already contacted us regarding similar problems with Century 21 Harris/Taylor Real Estate. ■■■

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.

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Ruling helps protect salmon

Appeals court says government must spill more water over five Northwest dams

By DAVID KRAVETS
Associated Press

SAN FRANCISCO - A federal appeals court on Tuesday upheld a lower court order demanding that the government spill water through five Northwest hydroelectric dams to help young salmon migrating to the Pacific.

The U.S. Army Corps of Engineers was forced to allow substantial flows to bypass energy generating turbines following a June 20 order by U.S. District Judge James Redden of Portland. Redden ruled that the salmon were imperiled when swimming through those dams' turbines as they headed to the sea hundreds of miles away.

The Bush administration called the order an "untested experiment," and "micromanaging the Columbia river" while urging the 9th U.S. Circuit Court of Appeals to reverse Redden's order.

A three-judge panel of the appeals court ruled unanimously that the judge "did not abuse" his discretion in ordering the increased water flows, which are to last through August.

The Bonneville Power Administration, which sells the electricity generated by the dams, estimated spilling the water rather than running it through turbines will cost \$67 million in lost revenue, which could be saddled on utility customers in Idaho, Oregon, Montana and Washington.

At the request of salmon advocates, fishermen and Indian tribes, Redden ruled that "As currently operated, I find that the dams strongly contributed to the endangerment of the listed species and irreparable injury will result if changes are not made."

Environmentalists, who brought the case, said the government hasn't been meeting its obligations to protect the threatened salmon and eventually want to close four dams in southeastern Washington.

Redden's ruling targets Lower Granite, Little Goose, Lower Monumental and Ice Harbor dams on the Snake River in southeastern

Washington, and McNary Dam on the Columbia River straddling Oregon and Washington. While each dam only kills a small percentage of fish, more than half of the spring-summer chinook run from the Snake River end up being killed as they maneuver through all the dams' hydroelectric turbines.

The government argued that it has a salmon recovery plan in place that is jeopardized by Redden's ruling. For more than a decade, the government has been diverting fish captured in holding tanks at the dams, where they are then trucked or barged to the Columbia River in Oregon.

Since the water flows were increased, there have been 90 percent fewer fish transported downstream. Environmentalists argued that there was no evidence on whether the transported fish are able to migrate upstream, because they may not know the way.

Brian Gorman, a spokesman for the National Marine Fisheries Service, said the government was "obviously disappointed" with the decision. "We all have the same goal: to recover listed salmon stocks in the basin," he said.

Gorman said the agency would explore the court's recommendation that the government and the National Wildlife Federation, the case's lead plaintiff, hammer out an agreement that might alter "any problems with the district court's" decision.

Redden ordered that about two-thirds of the water that passes the dams to go through spillways instead of running through the dams' electricity generating turbines. That would drop gradually to about half as river levels lowered.

The Bonneville Power Administration estimated the extra spill will amount to an increase of 4 percent to 5 percent in the wholesale electricity rate of about \$32 per megawatt. That would typically amount to an increase of about 2 percent in the rates paid by residential customers, the BPA said.

The case is National Wildlife Federation v. National Marine Fisheries Service, 05-35569.

...

Endangered Species Act embroiled in court battles

The law is facing more challenges than ever before

By FELICITY BARRINGER
New York Times

WASHINGTON - More than three decades after the Endangered Species Act gave the federal government tools and a mandate to protect animals, insects and plants threatened with extinction, the landmark law is facing the most intense efforts ever by White House officials, members of Congress, landowners and industry to limit its reach.

More than any time in the law's 32-year history, the obligations it imposes on government — and, indirectly, on landowners — are being challenged in the courts, reworked in the agencies responsible for enforcing it and re-examined in Congress.

In some cases, the challenges are broad and sweeping, as when the Bush administration, in a legal battle about the best way to protect endangered salmon, declared western dams to be as much a part of the landscape as the rivers they control.

In others, the actions are deep in the realm of regulatory bureaucracy, as when a White House appointee at the Interior Department sought to influence scientific recommendations involving



Sage Grouse Hen

the sage grouse, a bird whose habitat includes areas of likely oil and gas deposits.

Some environmentalists concede the law has long overemphasized the stick and has provided fewer carrots for private interests than it might.

But some also fear the law's defects will be used as a justification for a wholesale evisceration.

The Endangered Species Act of 1973 set out a goal that, polls show, is still widely admired: ensuring that species facing extinction be saved and that populations be restored.

In the past 30 years, lawsuits from all sides have proliferated. And more private land, particularly in the West, has been designated critical habitat for species, potentially subjecting it to federal controls that could limit construction, logging, fishing and other activities.

A "critical habitat" designation gives the federal government no direct authority to regulate private land use, but it requires federal agencies to take

the issue into account when making regulatory decisions.

Economic analyses, which the law allows for in decisions on territory, are now the leading reason for reducing the size of species' critical habitat, according to a report by the National Wildlife Federation. ■■

← Chinook Salmon



US~Observer Crossword will appear in the next edition!

Oregon News

Aquaculture moves into unknown territory

Oregon demands voice in federal plan to expand ocean farming

By Kate Ramsayer
The Daily Astorian

First of two parts

Fish farms could meet the needs of a growing appetite, provide economic growth for coastal communities, lower the nation's trade deficit and provide a steady source of protein.

Or they could devastate the environment, destroy a traditional way of life, cordon off the ocean and weaken native runs of fish.

Or something in between.

The potential effects and impacts of setting up fish farms in the open ocean are worrying fishermen, conservationists and lawmakers along the Oregon Coast.

As the federal government considers establishing rules that will shape the future of the offshore aquaculture industry, many in Oregon are calling on Congress to slow down and incorporate into these rules the concerns and suggestions of states and coastal communities.

Oregon's House of Representatives unanimously approved a memorial to the U.S. Congress, asking its federal counterpart to set up a regulatory structure for aquaculture that includes additional ways to ensure the health of the marine ecosystem and gives states more say in the regulatory process.

Aquaculture – the farming of fish, shellfish and even plants in water – is a \$1 billion-a-year industry in the United States. Marine aquaculture only represents a small percentage of the harvest, said Michael Rubino, manager of the National Oceanographic and Atmospheric Association's aquaculture program.

However, he said, "The promise is great."

Eating more fish

As the U.S. population increases, NOAA officials predict that if eating habits remain the same, by 2025 the country will consume about 8 million metric tons of seafood, 2 million metric tons more than it does now. Although wild-caught fish will supply some of that, it can't meet all the demand, Rubino said. If farmed fish don't come from America, they will be imported from other countries.

"Wild-caught is great for some market niches; for other types they want the consistency and reliability that aquaculture offers," Rubino said.

But the idea of ramping up fish farms off the Oregon Coast is unsettling for many fishermen and environmentalists. Salmon farms, like those in British Columbia and Puget Sound, have a reputation for polluting the water and serving as an incubator for diseases that can spread to wild fish. Aquaculture's pens and cages aren't impenetrable, and many are concerned that escaped farm fish will interbreed with their wild counterparts and narrow the gene pool.

Then there are economic concerns – that an abundance of farmed fish could lower the price for wild-caught seafood, or that boats would be prohibited from catching fish in areas leased to aquaculture companies.

"We have this great thriving ecosystem out there, we've put into place tremendous conservation measures now. We have a fishing

industry that's gone through painful changes, it's finally found its footing now," said Onno Husing, director of the Oregon Coastal Zone Management Association.

"We've just had all these positive things, it looks like we're actually on our feet, going forward, and now this. Nothing's going to happen overnight, but this is the time to really influence the future."

Science isn't ready

Technology isn't advanced enough for companies to set up large-scale, offshore fish farms at the moment, said Michael Morrissey, director of Oregon State University's Seafood Laboratory. However, there will be an increased need for seafood production over the next few decades, and aquaculture will play an increasingly important role, he said.

"Because of limitations in regular ocean fisheries, it probably will happen over time," Morrissey said of offshore aquaculture. "It's important that coastal communities have a say" in the industry's development, he added.

At the moment, even if the technology would allow for offshore projects, companies couldn't move forward because there is no regulatory system in place that would let them do so, NOAA's Rubino said. So in response to the U.S. Commission on Ocean Policy's 2004 report that called for expanding open-ocean aquaculture, as well as interest from stakeholders over the past decade, NOAA officials drafted the National Offshore Aquaculture Act of 2005. The Bush administration sent the bill to Congress in early June, though no further action has been taken with it.

The legislation would allow NOAA to design a way for the U.S. Department of Commerce to give aquaculture operations permission to set up shop in federal waters between three and 200 miles offshore, known as the exclusive economic zone (EEZ). The operations would need two permits – one for a particular location in the EEZ, and another for the specific species the company will raise and the system it will use.

The Commerce Department would coordinate the permitting process, taking into account the regulations of other agencies, states, and tribes.

To get a permit, the aquaculture company would have to comply with existing environmental regulations from federal and state agencies, and show that farms would be compatible with other uses of the water, like navigation, fishing and recreation, the bill states. The Commerce Department could also set new environmental requirements for the farms.

"We want to have something that works for the aquaculture industry, otherwise they're just going to go elsewhere," Rubino said. "On the other hand, it's going to have environmental safeguards, and we also have to work with the socioeconomic dimension."

What role for states?

States will be consulted both during the process to design the rules for awarding permits, and during the permitting processes for individual operations, Rubino said. The final permitting process will probably end up

varying from region to region, he added.

But some in Oregon want to make sure that states are not only consulted, but have a say in the process, OCSMA's Husing said. The EEZ is federal property, so the amount of influence the states will have over activities in the area is a continuing concern, he said.

Knowing that Washington, D.C., was planning to take some sort of action on aquaculture, Peter Huhtala, senior policy director with the Astoria-based Pacific Marine Conservation Council, talked with state Rep. Debbie Boone about a possible state position on the issue in April.

"This aquaculture movement is of global concern, and it's an issue that has been coming increasingly to the forefront of the minds of many fishermen and conservationists alike," said Huhtala. He stressed the importance of the state having a voice in the issue, because of the importance of commercial and recreational fishing along Oregon's coast.

"Humans need protein, but if we're going to move aggressively towards offshore aquaculture we need to do it with our eyes wide open," he said.

In the state Legislature, Boone introduced a formal message to the U.S. Congress, called a joint memorial.

"We'd like to make a strong statement to Congress that they need to slow down a little bit and give us a chance to weigh in on what they're going to do," said Boone. "We're not saying we're against open ocean aquaculture per se, because we don't know what it is yet ... Just go slow."

The memorial passed unanimously in the House Wednesday, and will now be voted on by the Senate.

The memorial states that before any permits are issued, federal and regional fisheries managers should identify areas where aquaculture operations could be located to avoid harming fish stocks and marine ecosystems. These regional inventories should be completed, and independently reviewed, before any permits are issued.

Potential ecological harm should be balanced against economic benefits, with more weight placed on protecting the environment, according to the memorial. In addition, companies with permits should post bonds that could cover the costs of any necessary environmental clean-up projects, and

officials should face criminal penalties for knowing violations of the permit.

Finally, taking a cue from an amendment to the bill proposed by U.S. Sen. Ted Stevens of Alaska, the memorial says that a state should have the option to completely opt out of aquaculture in its neighboring waters.

The opt-out provision in particular is "a breathtaking proposition in terms of what it would do to enhance the leverage of a coastal state," said Husing, who wrote a draft of the memorial at Boone's request.

United in concerns

Recently, Oregon's Ocean Policy Advisory Council voted unanimously to support the state memorial and encourage the governor to do the same.

"I think this is an issue that both the environmental groups and the more conservative coastal people stand together on," said Jim Bergeron, Astoria resident and a representative to OPAC.

During a recent trip to Astoria, Gov. Ted Kulongoski said that while he was not opposed to aquaculture, it needs to have some regulatory structure and should be investigated further.

"I don't think you should walk away from this debate," Kulongoski said. He said that people need to investigate offshore aquaculture's risks and how they can be avoided, as well as examine what impact the industry would have on Oregon's smaller coastal communities.

"These all have to be factored in as part of the decision whether you would want to do anything like this," he said.

Even if the provisions in the memorial make it into the act passed by Congress, it won't end the debate, Husing said. Instead, it will simply push Oregon toward deciding if it really wants this industry in its backyard.

Oregon needs to ensure that the state doesn't have to bear all the costs of aquaculture without getting some of the financial rewards, said Gil Sylvia, a marine resource economist and the superintendent of OSU's Coastal Oregon Marine Experiment Station.

"We do need to step back and say, 'Could we help manage the development of offshore aquaculture so it could benefit Oregon?'" Sylvia said.

"We have to think about all these possibilities with dispassion before we take action." ■■■

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‘There’s barbed wire starting to go up’ Beleaguered fishermen worry about expansion of fish farms

By Kate Ramsayer
The Daily Astorian

Second of two parts

“Farmed salmon dyed for you.” “Wild salmon don’t do drugs.”

A survey of Astoria’s bumper stickers might give you a sense of the region’s thoughts on raising fish in captivity.

But offshore fish farming in the United States could take off in the coming decades, as Congress is considering legislation to set up a regulatory process for raising seafood in the open ocean.

The National Offshore Aquaculture Act of 2005, which the Bush administration introduced to Congress in June, would allow the National Oceanic and Atmospheric Administration to lay out the rules for how companies can get permits for a parcel of water, and also for the species the company would farm and the way it would raise them. The permits will be for federal waters three to 200 miles off the coast of the United States, referred to as the Exclusive Economic Zone.

The act states that fish-farming operations will not be issued permits if they interfere with existing uses of the ocean or don’t comply with established environmental regulations and new regulations that NOAA may set. However, many people are worried about the possible expansion of fish farming – also called aquaculture – and its effects on the environment and on fishing communities.

Finfish in the spotlight

Although aquaculture can include farming of finfish such as salmon or halibut, shellfish such as mussels and oysters, or plants such as kelp, most of the concerns revolve around finfish.

There are concerns related to the farms themselves – that fish waste will pollute the surrounding waters, or that large numbers of animals in close quarters will incubate diseases, which could infect the wild stock.

A study published earlier this year looked at sea lice around a British Columbia, Canada, salmon farm. The researchers found that juvenile wild salmon migrating past the farm were infected with the parasite at levels 73 times greater than before they reached the farm, resulting in high mortality rates.

“Any time you concentrate a great number of any animals, they breed disease,” said Onno Husing, director of the Oregon Coastal Zone Management Association. “They have to artificially jack up these fish with antibiotics.”

The fish can also spread disease by escaping from pens or cages. Even healthy escapees are a concern, because they could out-compete native fish or interbreed with wild stocks, which some fear could dilute the existing gene pool.

Husing said feeding carnivorous fish such as salmon requires using large quantities of other fish as food, so while the farms produce fish protein, they consume it as well.

There are also concerns related to how an increase in fish farms could affect the wild-caught fishing industry.

“They come in direct competition with the fishermen,” said Gary Soderstrom, president of the Columbia River Fishermen’s Protective Union, of salmon farms’ ability to churn out fish

year-round. “We’ve started to gain back some of our market share, because of the quality issues. But most of the fishermen had to get out of the industry because of that.”

Flood the market

Aquaculture operations can flood the market with cheap fish, he said, and although the wild salmon market is finding a niche, other fisheries could experience the same struggles.

Fish farms “have the ability of producing enough volume of product to make the other, naturally grown, product economically nonviable,” said Steve Fick, owner of Fishhawk Fisheries. Fick said that socio-economic studies need to be done to ensure that farms won’t take the place of the existing fish industry, which could in turn cause economic hardships in coastal communities.

Competition concerns extend beyond market share. If aquaculture companies are given leases for federally controlled areas of the ocean, those areas could be off-limits for fishermen.

“There’s barbed wire starting to go up,” said Brad Pettinger, administrator of the Oregon Trawl Commission. There are environment-based restrictions for where fishermen can fish, and talk of setting up wave farms that would restrict access to fishing grounds as well. It’s a process that some are starting to see as “zoning the ocean,” Pettinger said.

“Where does it stop? Because it certainly has started,” he said. “I think if you look at the coastal economies. If you took away fishing, what have you got?”

‘Risky venture’

In addition, the costs of operating a fish farm in the open ocean will likely make it prohibitive to smaller companies or individuals.

“It’s going to be a risky venture with lots and lots of upfront costs,” said Bruce Buckmaster, president and CEO of Bio-Oregon, a Warrenton company that primarily makes fish feed. “I don’t know who is going to do that – Bio-Oregon is not.”

The type of seafood grown “has to have a high enough value to justify the incredible cost it’s going to take to build facilities and man facilities in the open ocean,” he said.

At the moment, it is the small companies that have started experimenting with open-ocean aquaculture, said Michael Rubino, manager of NOAA’s aquaculture program. In Hawaii, one fish farm was started by a former commercial fisherman and salvage boat operator; in the Gulf of Mexico, one proposal is for a joint effort of fishermen and processors.

“All the ones so far tend to be regional companies, smaller companies, entrepreneurial companies; almost all are U.S.- owned,” Rubino said. “I suspect that if we ever have a regulatory process, there will be interest from larger companies (and international companies) ... but it’s hard to tell at the moment.”

It’s also uncertain whether companies would be interested in locating in the harsh environment off Oregon; most of the interest has been for the Gulf of Mexico, he said.

However, OCZMA’s Husing

predicted that when the industry gets off the ground, the companies interested in offshore aquaculture would probably be multinational firms able to raise a lot of money.

“The capital is going to be so immense, it’s not going to be Astoria (Pacific) Seafoods that’s going to go out and raise \$100 million,” he said.

Potential negative impacts

Large companies based in other states or countries setting up shop off Oregon is not what the state needs, said Michael Morrissey, director of Oregon State University’s Seafood Lab in Astoria.

“If it’s just outsiders coming in to place operations off the Oregon Coast, with very little income coming back to coastal communities, it could be negative in the long run,” he said.

Still, there could be benefits to local communities if they find ways to supply offshore fish farms, he said.

Oregon businesses would need to get creative to capitalize on an increase in aquaculture, said Bio-Oregon’s Buckmaster. But like in any industry these days, there will be competition from companies based here and abroad.

“I think there are ways for Oregon companies to partake of any benefit that comes from aquaculture, but that’s going to require Oregon entrepreneurs to look for those opportunities either independently or in conjunction with other companies,” he said. Together with a Chilean company, Bio-Oregon is in the beginning stages of developing a specialized feed for bluefin tuna ranches in Australia.

And fishermen can develop niches for their wild-caught product, or start educational campaigns reminding people that when they buy wild-caught Oregon fish, those fish are from some of the cleanest waters in the world, Pettinger said.

Salmon fishermen have worked for the last decade or so at differentiating their fish from farmed salmon, and last year were able to get better prices for their fish, said Morrissey. While customers saw all salmon as similar in the early 1990s, now “some of those markets want to hear a good story,” he added.

Studies under way

For the moment, though, aquaculture technology is not to the point where operating farms miles offshore is feasible.

“No one is in the EEZ, we still don’t have the technologies to be there,” said Daniel Benetti, an associate professor and director of aquaculture at the University of Miami in Florida. Benetti is also a scientific advisor to two open-ocean aquaculture pilot projects off the Bahamas and Puerto Rico; only a handful of such ventures are occurring in the United States, but all are within state waters less than three miles from shore.

There are basic logistical problems to being a dozen or more miles out to sea, Benetti said. How would operators anchor cages in 300-plus feet of water, how would the cages weather the elements, and how would employees maintain the cages twice a day?

“You’d have to have a fully automated, self-sustaining system offshore,” he said. While there are ideas for advanced systems in the works, nothing is ready

for large-scale production yet.

The farms he works with, operated by Snapperfarm Inc. in Puerto Rico and AquaSense in the Bahamas, are intended to test the economic, environmental and technical feasibility of aquaculture in the often-harsh conditions of the open ocean. The fish are raised in top-shaped cages 90 feet in diameter and 45 feet high, sunk in 110 to 145 feet of water.

It’s this deep water, and the 500 million gallons of water that flow through the cages daily, that alleviate some of the environmental concerns that are associated with fish farms closer to shore, Benetti said. The strong currents act as a natural flushing system for the fish waste. The researchers can’t detect any significant differences in water quality or pollution between the water around the cage and the water a mile away, he said.

Although a “no-impact” system is impossible, and contamination will probably appear as farms like this are scaled up, the researchers will keep monitoring the water around the cages and hope that the operation can reach a profitable stage before pollution becomes an issue, Benetti said.

“The industry lately is very conscious about environmental issues,” Benetti said. He added that if anything, the new legislation Congress is considering will make the environmental regulations for open-ocean aquaculture more stringent than they are now.

“We’ve learned a lot about how to do this better,” said NOAA’s Rubino. “Some of the earlier concerns about fish farming have been addressed,” like not using chemicals to clean cages and cutting down on antibiotic use.

In addition, fish farming is becoming more efficient, Benetti said. While aquaculture opponents point out that the food required to raise one pound of salmon comes from three pounds of other fish, he argues that the process is even less efficient in nature, where carnivores like salmon eat 10 pounds of smaller fish to add a pound. And fish growers are continuing to make progress in reducing the amount of fish needed for feed, he said.

Benetti added that fishermen could benefit from aquaculture by shifting the focus of their profession.

“I strongly believe that it is the fishermen, perhaps the next generation of fishermen, that are going to be the ones running and operating these systems,” he said. Instead of catching fish, though, they could be going out to the farms to feed the fish and maintain the cages and pens. “Nobody would do this better than them, anyway.”

It’s coming

Aquaculture is going to be a necessity in the years to come, Benetti says, and the increase in farmed fish will come either from America or from overseas; others studying the situation agree.

“If (Oregon) chooses not to do aquaculture, it will be done elsewhere,” said Gil Sylvia, a marine resource economist and the superintendent of OSU’s Coastal Oregon Marine Experiment Station. “Aquaculture is going to grow at a pretty strong rate, and commercial fishing, harvest landings are going to remain relatively flat.”

“Our wild industry will have to address aquaculture one way or another.”

■ ■ ■

COMMENTARY

Your Right to Speak Out

Jailing the innocent

By Paul Craig Roberts

Every day, many Americans commit crimes of which they are unaware. Many of the crimes with which Americans are charged are absurd.

One recent case brought to light by Ellen Podgor and Paul Rosenzweig is that of three Americans sentenced in federal court to eight years in prison for importing lobster tails from Honduras in plastic bags instead of cardboard boxes. Why this matters, no one knows. Moreover, the importers of the lobster tails have no responsibility for how the seafood was packed in Honduras.

Federal prosecutors decided that Honduran law was violated by the shipment because a few tails (3 percent of the shipment) were less than 5.5 inches in length.

The Honduran government objects to this interpretation of its law and filed a brief in behalf of the defendants, but federal judges nevertheless convicted their fellow citizens for violating the Lacey Act by importing "fish or wildlife taken, possessed, transported, or sold in violation of any foreign law."

To ensure a harsh sentence, the prosecutors loaded up charges against the defendants by bringing indictments for smuggling, money laundering and conspiracy. Smuggling is inferred from a few of the tails allegedly being undersized and illegal. Money laundering is charged because the lobster purchase and sale required money to be deposited in a bank. Conspiracy is charged on the basis that more than one person was involved.

In other words, these are totally trumped-up crimes.

The upshot is that three Americans have had their lives ruined by federal prosecutors and judges for violating a Honduran law that the Honduran president, attorney general and embassy say is not on their country's statute books.

For reasons no one knows, federal prosecutors spent six months trying to find reasons in Honduran law to indict the American importers of the lobster tails. If it took federal prosecutors six months to find something in foreign law that they could allege the importers to have violated, how could the importers possibly have known that they could be imprisoned for the ordinary everyday business of importing lobster tails for restaurants?

Legal scholars such as Rosenzweig at the Heritage Foundation and Erik Luna at the University of Utah Law School are calling attention to the overcriminalization that has made it impossible in America to conduct ordinary business activities without risk of indictment. It is tyrannical to burden Americans with the substantive obligation of knowing how federal prosecutors might interpret every foreign law. No sane person could regard the lobster importers' conduct as criminal. Liberty is extinguished where law is so broad and vague as to entrap even the most honest citizen.

Naive Americans tend to regard miscarriages of justice, such as the lobster import case, as rare examples of legal idiocy that somehow will be corrected by the legal system. However, such cases are routine and are seldom if ever corrected. In America today, law enforcement boils down to the exercise of power by unaccountable prosecutors. Justice is not served by ensnaring the innocent.

Married men who happen to own guns are being turned into felons by wives who ask for restraining orders when they file for divorce. Prosecutors interpret restraining orders as criminalizing prior gun ownership. A restraining order turns a law-abiding gun owner into a criminal. It is an example of unconstitutional ex post facto law at its worst.

Americans are uniformed about the tyrannical nature of their criminal justice system. Until they become personally ensnared in the system, Americans believe that police and prosecutors would never convict an innocent person. Once they experience the system, Americans are terrified by the system's indifference to whether a defendant has committed a crime.

Mary Sue Terry, former attorney general of the Commonwealth of Virginia, says the concern of the justice system "has turned from seeking truth to seeking convictions, and our post-conviction efforts are focused on denying any further review."

Ever widening arrest powers are bringing a reality check to more and more Americans. Just before Christmas, the U.S. Supreme Court ruled that a police officer who discovers contraband in a car can arrest every occupant if no one admits to ownership of the illicit item. Warn your teen-agers never to get into a car with acquaintances who might have alcohol, drugs or weapons. And be careful whose car you get into yourself.

In a recent Cato Policy Report, Erik Luna says that "the sheer number of idiosyncratic laws and the scope of discretionary enforcement" are making criminals out of many Americans who had no intent to break a law or any knowledge that they had.

A country that goes out of its way to imprison the innocent has no business preaching democracy to the world.

It's time to stop systematic violence against civil rights and recognize that even well-intentioned laws can be used as a bludgeon. Like the war on terrorism, the war on domestic violence can go too far.

The laudable goal of ending domestic violence cannot justify nullification of the fundamental rights of an entire gender. We should all be outraged at what is being done to innocent people in the name of helping victims.

■ ■ ■

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

Breaching The Public Trust, A Question of Honor

By Keith Allison, D.Dn.

I find it interesting that Oran's Dictionary of The Law holds no definition of "the public trust," but I'm not surprised, I'm really not certain there is such a thing where politics and the law are concerned. The closest I could come to a definition of public trust was in Webster's Dictionary where it was described as, "To believe in the honesty, integrity, justice, etc. of; have confidence in, to rely or depend on, to allow to do something without fear of the outcome." I believe that's what we're supposed to be able to expect from our public employees, but it's certainly not what they deliver. Breach is defined as, "Breaking a law or failing to perform a duty." Therefore, I assume that breaching the public trust amounts to breaking a law or failing to perform a duty with honesty and integrity, while the public believes that justice will be served because that's what our public servants are hired to do.

Having had prior experience with government entities, and being involved in the law for more than 30 years now, corruption and bald-faced violations of citizen's constitutional rights by public employees no longer surprises me. Experience has shown me that government workers care little about those they purportedly work for, and they will breach the public trust for no better reason than they can generally get away with it. Corrupt judges often protect them from prosecution by accepting their claim that whatever they did, they did in good faith. Or, politicians place provisions in a law that exempts all government employees from prosecution if they purportedly enacted and/or enforced a law in good faith. In reality though, their only goal is to win, to come out on top in any confrontation with an irate citizen.

Many times, I've watched in amazement as assistant district attorney's and assistant attorney's general stand in open court, openly lying to juries and judges alike, just so they can add someone's scalp to their belt. In short, they've turned the law into a contest to see who can win more often, all while watching as the truth is sucked from the court with the stale and rancid air expelled from their lungs. These public employees disobey or ignore the precept of the public trust, and throw honor and integrity to the four winds. Because of this moral lapse, they are, without doubt, some of the lowest, most disreputable and contemptible life forms known to man, because they've lost sight of the fact that for one to win without honor, is to have won nothing at all!

It matters not what or whom they're attempting to defeat, any such breach of the public trust on the part of judges, prosecutors, bureaucrats, or politicians is beneath contempt, and should never be tolerated by the public. There should be some mechanism to enable the public to instantly remove them from their positions of power and authority. The

public should not have to tolerate any further potential misfeasance/malfesance in office from such individuals. They should be removed from public service, and denied any "retirement benefits" they may have accumulated during their time in public service.

Recent news from Spokane, Washington tells how a federal lawsuit has been filed against the Spokane County Jail, because jail officials have been charging anyone booked into their facility a "booking fee" before they had even appeared before a judge, or been convicted of anything. Jailers were keeping up to \$89.00 from each suspect's wallet in order to "recoup rising jail costs." The lawsuit was filed on the basis that it's unconstitutional to take anyone's money without them first having had the benefit of a hearing to establish their innocence or guilt. There is no doubt in my mind that such an act is unconstitutional, as it well should be in anyone's mind, but it makes me wonder what else these government employees will do if they think they can get away with it.

For anyone who doesn't believe such activity on the part of government officials is illegal or unconstitutional, I want them to consider the case of *City of Memphis v. Winfield* (1848), when Justice Turley of the Tennessee Supreme Court struck down an ordinance making it "the duty of the watchmen (police) to arrest any free Negro or slave that he or they may find out after ten o'clock, and lodge them in the calaboose, there to remain till next morning, unless they have a special pass from their master or mistress, if they be slaves, at which time, he, she, or they, if they be slaves, shall receive ten lashes on their naked backs, and a fine of two dollars be imposed on the owner of such slave. If a free person of color, he, she, or they shall be fined the sum of ten dollars, for the use of the city." Justice Turley held, "This new curfew law is high handed and oppressive, and an attempt to impair the liberty of a free person unnecessarily, to restrain him from the exercise of his lawful pursuits, and to make an innocent act a crime, and to exact a penalty therefore both by fine and imprisonment

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More COMMENTARY

Verbal Assassination Dare to give us a dream

By Ron Lee
The Verbal Assassin

Every lasting culture has shared one commality, they each had goals. Generally, the goal was the conquest of their neighboring kingdoms or countries. In some cases it was the attainment of a higher purpose through a common singular religion. Whatever the case, they each rallied their citizenry behind a cause, and it wasn't until other cultures and religions emerged as dominant voices within their own ranks that these cultures of old passed into history.

Leaders throughout the history of the United States have recognized this. Each one in their own way practiced the teachings of history and found a common goal to excite the public to rally behind a cause, catapulting us toward becoming what we are today; the greatest country on the planet. Generally, these causes came in the form of some sort of opposing force to our ultimate goal of remaining a free republic. For a time this was good enough to rally the public. But, when discontent emerged, leaders came who saw we needed more vision than that of an external enemy. We were given the dream of racial equality and the promise of going to the moon. While turmoil initially erupted over both possibilities, the majority set out upon the path and created them as realities.

Sure equality might not fully exist, but I know many multi-ethnic couples who enjoy a happiness together which previously wouldn't have been afforded them.

But now we have outgrown these dreams as they have primarily passed into an attained reality and even the great enemy, Russia, is gone. Finding ourselves unfocused, undriven, by a unity of cause we have allowed other cultures a primary foothold of opposition within our ranks through primarily unguarded borders and we

have lost our common religious oaths of "In God We Trust" and "One nation under God."

Spiraling out of control we have been temporarily rallied through terrorism and war. But the flag waving (true patriots fly their flags all of the time) and the support waver in this new republican-free democracy has been borne by dissenters of the ultimate goal.

We need leadership and direction, not imposed laws and taxes that create disdain. We must find a clearly stated path that all of us can envision and accept. We need a singular language, and an acceptance that God breaks all barriers of doctrine. We need an urgent spirit of nationalism where our economic interests are guarded and cultivated not sold to the highest bidder or lost to the lowest waged work-force. This direction would include our borders being secure and our own ailing being cared for and the creation of real economic assistance programs for our less fortunate who are willing to work to get ahead. And, we again need a vision of adventure that rallies the spirit and challenges the unknown not cheapened by flat science.

We need to be our republic, and be proud of it. Anything less and we, too, will surely pass into the twilight of history.

Write me, tell me what goals you would like to see us achieve. It's not too late to recapture the spirit of America.

About the Author: Ron Lee has been a freelance and published writer since 1985. He attended Richmond University in London where he focused on theatre arts, and the University of Nevada Reno where he dual majored in criminal justice and psychology. He currently spends his time helping the US~Observer's clients with his no nonsense investigative reporting style. Ron may be reached at ron@usobserver.com. Favorite quote, "The truth shall make you free." -- John VIII. 32 ■■■

Continued from page 8
Breaching the Public ...

without trial before any tribunal." There's more to the justice's decision, but in the interest of brevity, I believe I've cited enough of his opinion. I see little difference between this case and what the City of Spokane was doing sans the appearance of a defendant before a tribunal.

Another invalid use of a state's authority, are the numerous times states have deprived individuals of their God given right to practice their chosen craft, profession or calling, when their activity represents little, if any, potential for harm to the public or government. In the 1855 case of *Wade v. Halligan*, the Illinois Supreme Court held, "there are lawful trades, which are, nevertheless, treated as nuisances in particular places and localities. There is a compatibility and harmony in certain occupations, and the contrary in certain others, and so it is of human actions and conduct. We must exercise common sense, prudence, and a sound and impartial judgment, in passing upon such transactions, and with an anxious view to protect all parties in their just rights, and the profitable and quiet pursuit of their interests. And as held in the *Charles River Bridge v. Warren Bridge* case, "the exercise of the corporate franchise being restrictive of individual rights cannot be extended beyond the letter and spirit of the act of incorporation." In other words, "long before the adoption of the Fourteenth Amendment, British and American courts protected many facets of the individual's right to pursue a gainful occupation against encroachment by the government."

By 1870, Circuit Justice Bradley wrote, "it is one of the privileges of every American citizen to adopt and follow such lawful industrial pursuit – not injurious to the community – as he may see fit, without unreasonable regulation or molestation, and without being restricted by any of those unjust, oppressive, and odious monopolies or exclusive privileges which have been

condemned by all free governments. It is also his privilege to have, with all other citizens, the equal protection of the laws. Indeed, the latter privileges are specified by the words of the Fourteenth Amendment. These privileges cannot be invaded without sapping the very foundations of republican government. A republican government is not merely a government of the people, but it is a free government. Without being free, it is republican only in name, and not republican in truth, and any government which deprives its citizens of the right to engage in any lawful pursuit, subject only to reasonable restrictions, or at least subject only to such restrictions as are reasonably within the power of government to impose – is tyrannical and un-republican. And if to enforce arbitrary restrictions made for the benefit of a favored few, it takes away and destroys the citizen's property without trial or condemnation, it is guilty of violating all the fundamental privileges to which I have referred, and one of the fundamental principles of free government."

As Thomas Jefferson stated, "Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure."

Ladies and gentlemen, these principles apply to each and every American citizen; our nation is, after all, a republic, not a democracy. It matters not whether a person is a farmer, rancher, manufacturer, doctor, lawyer or Indian chief; no non-government organization, tree hugger, government official, judge, politician, or business entity has the constitutional authority to deprive anyone of their right to earn a living if they are not harming others.

Knowledge is the key that unlocks the shackles of bondage.

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Message from Executive Director Kevin Starrett

OFF has one overriding principle, the belief that citizens of Oregon and the United States have the right to own and carry the firearm of their choice for any reason other than to commit a crime.

To that end we have worked to ensure that the rights of gun owners are not compromised by elected officials, anti-gun activists or those who masquerade as gun-rights supporters while they work behind the scenes to erode your liberties.

We oppose any attempt to chip away at your God-given, Constitutionally-guaranteed right to defend yourself and your family.

It is our sincere belief that **any** compromise on these rights will only lead to more attacks on liberty in the future. We believe in personal accountability and responsible gun ownership and we believe those goals are achieved by individuals, not by bureaucratic mandates.

Furthermore we believe that change is effected by grassroots activists and the pressure they can put on elected officials, not by back room deals cut by lobbyists who have no real interest in the issue, only their next paycheck.

As a result of our positions we have angered many politicians who would like people to believe that they support gun rights even when they vote against them, but we are far more concerned with votes than popularity.

As a result of the actions of OFF supporters we have demonstrated that grassroots activism works. "Willamette Week", Portland's "alternative" newspaper said "...the members of OFF are reputed to be particularly venomous and intimidating. When Starrett told his members that state Senator Veral Tarno was wavering on the original gun show bill, the senator received messages so vile and vicious that he blew up at Starrett during a committee hearing. Ultimately however Tarno voted AGAINST THE BILL....."

Vile? Vicious? I doubt it, but there is no question that OFF supporters are committed and passionate. It is that passion and commitment that we rely on to alter the course of legislation in this state.

If you would like to be a part of Oregon's only no compromise gun lobby, we welcome you.

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JURISDISPRUDENCE

Judge's former secretary to cut hair

By Nolan Clay
 The Oklahoman

The former secretary of a top state judge was sentenced Tuesday to cut hair after she pleaded guilty to a drug offense.

Continuing coverage of Judge Steve Lile, who is being investigated on allegations he allowed a secretary to be a "ghost" employee, that he bought her furniture using court funds and he intervened in her son's criminal cases.

Dawn M. Lukasik, 38, of Lawton also must spend five years on probation, take random drug tests and continue counseling.

Lukasik was at the center of a scandal that led Judge Steve Lile to resign Feb. 28 from the Oklahoma Court of Criminal Appeals. She was arrested May 4 in Edmond after police found methamphetamine in her purse during a traffic stop.

She pleaded guilty Tuesday to possessing 2.5 grams of methamphetamine with an intent to distribute. Oklahoma County District Judge Virgil C. Black chose her punishment.

Black ordered her to cut hair for 40 hours as community service. He added



Judge Steve Lile

the unusual condition after learning she used to have a cosmetology license. She was instructed to check in with the Comanche County sheriff and "give haircuts to people going to court."

Her probation is a deferred sentence, meaning she will not have a felony conviction if she violates no other laws. Black rejected a prosecution recommendation to send her to a prison boot-camp program.

She admitted to recent drug use, according to a report prepared by the Department of Corrections for her sentencing.

However, she still insisted she was doing her own undercover work in May to identify drug dealers so she could

report them. She said she was trying to understand why her own son had been caught up in methamphetamine use, according to the report.

Her son, Loran Michael Wilson, 20, is serving a four-year prison sentence for attempting to manufacture methamphetamine.

She plans to file for bankruptcy because she owes \$135,000 in credit card debt, according to the presentence report.

Lukasik worked for Lile last year.

Lile, 57, was a judge at the appeals court for six years. Attorney General Drew Edmondson dropped an investigation of Lile after he resigned.

Investigators checked into accusations Lile allowed Lukasik to be a "ghost employee," that he used court funds to pay for things for her and that he made personal trips at court expense.

Lile reimbursed the state \$1,523.64 for travel and \$1,560.43 for improper purchases.

Investigators also looked into whether Lile intervened in her son's criminal cases and intervened again after she was arrested Dec. 16 in Lawton during a drug check.

Lukasik was not charged after the Lawton arrest. ■■■



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Debating Life Tenure of Federal Judges

By Ron Branson
J.A.I.L. CIC

We know that our Founding Fathers had their posterity, to wit, us, as their best interest at heart when they wrote our Constitution, whether right or wrong. I could not tell you how many times I have day-dreamed about being able to go back in time and be among them as a spokesperson in designing this all-important document, and how my suggestions and contentions might have influenced what we now call our "Constitution for the United States."

Having the benefit of hind-sight, I realize that granting federal judges life-time tenure was the sealing of the future security of our country, but I also realize that they had no ill will in so doing, no matter how foolish I deem their wisdom on this issue. They had just inscribed in their Declaration of Independence against King George, III, "He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries." This was their "cure" to make sure this never happened again. Their theory was that if they protected the judges, the judges would feel free to issue righteous decrees without fear of being removed from the bench, or of losing a portion of their salaries. However, consistent with the nature of man, giving a man all protections to perform righteously, he will use that instrument of protection to "do evil with both hands earnestly." Micah 7:3. Such is our condition of today with the additional judicially-created doctrine of "judicial immunity," with the judges deciding ultimately for

themselves when it applies to one of their own.

But with the new arrival of the creation of the proposed Federal J.A.I.L. Bill, we now have an option before us to negate the disastrous effect of constitutional life tenure for federal judges. J.A.I.L. provides for a clear avenue for the citizens of this country to invoke impeachment proceedings against federal judges. In short, while J.A.I.L. does not mandate any Congressman to vote in favor of impeachment, it does mandate an impeachment vote be taken against a federal judge after three or more strikes. The idea is that through repeated impeachment votes, embarrassment will likely set in and take precedent. Most any Congressman or Senator will agree that 20 times is enough. And the good thing about this is that no constitutional amendment will be necessary to implement Federal J.A.I.L. It is either the implementation of J.A.I.L., or the end of America as we used to know it! I call the recent Kelo case as my first witness. Federal J.A.I.L. will permit the President to choose whom he will without facing hotly contested confirmation proceedings. Comparing the process to a bath tub, the President controls the "appointment" spigot, while the People control the "good behavior" drain, thus creating an equitable balance. With politics being washed down the drain with J.A.I.L. enforcing the same 36" yardstick to both sides, gone will be the Republican / Democrat confirmation strife. The answer is very simple.

■■■

Continued from page 2 Bad Law Enforcement?

uniform and they are sick and tired of being judged, because of the bad results from the bad practices that bad officers pull on the citizens of Medford. Another M.P.D. problem is that they have a "good old boy" group that has been there far to long and we have been told by people who work there now, and people that have worked for M.P.D. in the past, that it's very hard to make rank unless you belong to that group. One such member of the "good old boy" group is Lt. Tim George. George has been on the force for 28 years and recently announced he would run for Jackson County Sheriff in the next election. All citizens should look close and hard at the survey at the end of this article before giving him their vote. And, while looking long and hard they need to realize the survey was taken from a broad section of Medford residents.

On the positive side, citizens should not despair. Things are looking up as the word is some of the "good old boys" of M.P.D. are leaving. Now we need to keep them from coming back and double dipping off the taxpayers. Another of the "good old boys" is Chief Melgren, or as the working cops of M.P.D. refer to him, Old R.O.D. (retired on duty). The way we see it, if Chief

Melgren knows what has been going on for years and has done nothing about it he needs to go. If the chief has been there all of these years and did not know what was going on, he still needs to go.

As a study group, we have a booth every year at the Jackson County Fair and every year we do random polling on different issues. Most of the surveys ask the person's age, political affiliation, whether male or female and how the person feels about different political issues. This year we added a local law enforcement survey.

The survey read: In your opinion which of the following police agencies in our area have the reputation for being the most violent or corrupt. (1) Oregon State Police (2) Jackson County Sheriff (3) Medford Police Dept.

Keep in mind that this is not a scientific survey or an in-house statistic, but a random poll of adult fair goers. Out of the 106 people surveyed the Oregon State Police had zero votes, the Jackson County Sheriffs Department received five and the Medford Police Department one hundred and one.

Before sending this article to press we called Lt. Mike Moran, M.P.D.'s media officer for comment. As of press time he had not returned our call.

M.P.D. and the "good old boys" will be featured in our next edition. ■■■

Domestic Violence & Show Trials With Predetermined Outcomes

By Attorney Linda Scott
NewsWithViews.com

Picture this: Ordinary citizens arrested in the middle of the night, thrown in jail on false charges, never seeing the inside of their homes again. Show trials with predetermined outcomes. Dissidents forced into treatment for politically incorrect thoughts.

Does this describe Stalinist purges? Totalitarian repression? The USA Patriot Act in action?

No, this nightmarish scenario is our current domestic violence system. Introduced in the 1980's with good intentions, these laws have mutated into a system of repression, power and control, manipulated by the domestic violence industry and exploited by vengeful spouses seeking advantage in divorce and child custody.

The crowning achievement for the victim industry was the passage in 1994 of VAWA, the federal Violence Against Women Act. VAWA codifies gender-based myths that domestic violence (DV) is virtually always committed by men against women. VAWA is up for reauthorization in 2005.

VAWA was based on lies and distortions about the true extent of intimate partner violence, yet it continues to be funded at astounding levels. Feminist groups, led by the domestic violence "scream queens," tout hysterical claims such as "the leading cause of emergency room visits by women is domestic violence," and "95 per cent of victims of domestic violence are women."

The government's own statistics contradict these ubiquitous factoids, yet Congress can't help pandering to the women's vote with a billion-dollar gravy train. The Justice Department's 1998 "Intimate Partner Violence" report reveals that 1/3 of total domestic violence murder victims are male. Further, less than one per cent of females (and males) are victimized each year. Hardly an epidemic justifying a monstrous government system.

In today's domestic violence police state, it's expected the woman is the victim. All she has to do is call 911 and report her husband assaulted her. In many cases she conveniently fails to mention she slapped, punched, kicked or pummeled him to the point that he pushed her away. As a family law attorney for 17 years, I have experienced the DV system personally. Every example cited in this article has happened to one of my clients.

The stereotype that the man is always the abuser ensures he has no chance of being believed when he says he is the victim. The police take him to jail, and in many cases, he never goes home again.

The next scene in his nightmare is getting served with an order for protection. Originated to immediately protect victims of severe abuse, protection orders have become "weapons of mass destruction" in family courts.

Drive-by protection orders (obtained

ex parte, with the accused not present) almost always prohibit contact with his children and presence at the family home, virtually guaranteeing full custody to the accuser.

After 14 days living in a van down by the river, the accused gets a hearing, an "opportunity to be heard." In reality, it is a show trial with a predetermined outcome. Whenever a woman claims to be a victim, she is automatically believed. No proof of abuse is required.

Judges with "do-something disease," afraid of some real victim being denied relief, hand out protection orders like candy. In fact, the accused is sometimes treated more harshly for having the audacity to object. Meanwhile, real victims must share crowded courtrooms with DV fakers.

In many cases, the accused is sent to "domestic violence perpetrator treatment," following an "assessment" with the foregone conclusion that he needs treatment. If he admits any abuse, it will always be used against him. Denial of abuse is punished more severely than actual abuse. Those who profess their innocence are often forcibly "re-educated" for two or even three years.

The only escape is to unconditionally surrender to the authority of the oppressors (the court and treatment providers), bow down and capitulate to the accuser, then you might get some time with your children. You still don't get to go home.

Ten years of VAWA has resulted in the wholesale criminalization of being a man. VAWA didn't originate this nightmarish system, but it legitimizes and subsidizes it. To some, the solution is a gender-neutral law, such as "Violence Against Persons Act." Even without overt gender bias, federal intrusion into local domestic violence policies is corrupting. It nourishes a gargantuan beast and ensures a massive stream of taxpayer dollars creating endless constituent groups lining up to feed at the federal trough.

We must de-fund and de-fang VAWA. We must let police do their jobs without fear of making politically-incorrect decisions. In the old days they used their discretion on how to handle domestic conflict. The parties were often separated until things cooled down. Without evidence of serious assault or injury, that was the proper response.

VAWA turns every argument into a potential murder case, and what police officer wants to risk making a wrong decision? The easy way out is to arrest the man.

It's time to stop systematic violence against civil rights and recognize that even well-intentioned laws can be used as a bludgeon. Like the war on terrorism, the war on domestic violence can go too far.

The laudable goal of ending domestic violence cannot justify nullification of the fundamental rights of an entire gender. We should all be outraged at what is being done to innocent people in the name of helping victims. ■■■

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PRIVACY

"BIG BROTHER IN THE FORM OF AN INCREASINGLY POWERFUL GOVERNMENT AND IN AN INCREASINGLY POWERFUL PRIVATE SECTOR WILL FILE THE RECORDS HIGH WITH REASONS WHY PRIVACY SHOULD GIVE WAY TO NATIONAL SECURITY, TO LAW AND ORDER, TO EFFICIENCY OF OPERATION, TO SCIENTIFIC ADVANCEMENT AND THE LIKE." --WILLIAM O. DOUGLAS

Gonzales open to Patriot Act revisions But says none should weaken the anti-terrorism tool

WASHINGTON (CNN) -- Attorney General Alberto Gonzales said Sunday the door is open for "some amendments, some clarifications" in the Patriot Act, citing as an example the so-called "library provision."

But Gonzales reiterated on CNN's "Late Edition" that the Bush administration would "not accept changes that would in any way weaken the Patriot Act, that would make it more difficult to protect America against additional terrorist attacks."

Up for reauthorization in Congress are 16 provisions of the act set to expire at the end of the year.

On Thursday, the House passed its version of the reauthorization bill 257-171, just hours after reports of new terrorist attacks in Britain. The Senate is debating its own version.

The House bill makes permanent 14 of the 16 provisions and extends two others for 10 years. Those two involve roving wiretaps and the searches of library and medical records. (Full story)

The Patriot Act -- which was part of

Congress' response to the terrorist attacks of September 11, 2001 -- allowed expanded surveillance of terror suspects, increased use of material witness warrants to hold suspects incommunicado and permitted secret proceedings in immigration cases.

Gonzales praised the act, saying it has been instrumental in detecting and deterring terrorist acts and in allowing the law enforcement community and intelligence communities to share information.

Some of its provisions, however, have aroused civil liberties concerns among liberals and conservatives.

Gonzales said the Justice Department might be amenable to changes to the provision that allows authorities to seek business records, including those of public libraries.

"I'm as concerned about the privacy of American citizens as anyone, but we cannot allow libraries and use of libraries to become safe havens for terrorists," Gonzales said.

"To take it [the library provision] away as a tool for law enforcement, I think

would be counterproductive and would make America less safe," he said.

Gonzales said would be open to changes that would clarify the "relevant standard" in seeking a court order for library records in a terrorism investigation.

He also said he is open to changes that would allow business owners to consult with an attorney and challenge in court an order seeking their records.

"But we can't have a situation where we provide a blanket safe haven for terrorists, that they can go to a library computer and communicate with their colleagues.

"It's absolutely essential that we have the ability to go after records that are related to a terrorism investigation," he said.

"We have no interest in perusing the library records of average Americans," Gonzales said.

"We do, however, feel an obligation and a need to be able to go after information that may be related to ongoing terrorism activities."

■ ■ ■

Cell-phones go trackable

By Terry Maxon
Dallas Morning News

DALLAS, TX - For a growing number of cell phone users, it's not just a question of "Can you hear me now?" It's also "Can you find me now?"

Increasingly, cell phones are gaining technology that lets customers track a cell phone user's location, helping them figure out where they are and where they're going, or where their employees or loved ones are roaming.

"For individuals, it's 'I want to locate my child. I'd like to find where they are after 10 p.m. I want to ping them,'" ABI Research analyst Kenneth Hyers said.

"Same thing for employers. They want to know who's the closest technician to route to a location to help out. You have services like this that are really catching the imagination," he said.

Hyers predicted that a lot of location-based services will come out in the next few years.

"We've moved quickly from a walking pace to a run," Hyers said.

The movement is being led by businesses that benefit from knowing where everybody and everything are throughout the day.

When Randy Curnutt of Bedford, Texas, began driving for SuperShuttle in 1989, dispatchers had to call each driver to find out where the vans were. The dispatchers plotted the vans by using magnets stuck to a metal map.

Today, the drivers simply turn on their Nextel cell phones.

Using global positioning system technology in the phones, SuperShuttle can locate vans and direct them more efficiently to customers.

Looking at their cell phones' screens, drivers can see what trips are waiting and can pick the ones they want to take.

Drivers use the phone to process credit card payments, tell the dispatch office when they've started or ended work, when they're available to pick up another customer and where they are.

"The current system is a big improvement over the old system," Curnutt said.

Until recently, only Nextel Communications Inc. focused on cell phones that gave users the ability to track where the cell phones - and the people using them - were located.

But other cellular companies are jumping in, hoping to cash in on the desire of businesses and individuals to know the location of cell phone users.

So far, it's largely been business and government users, such as transportation companies, couriers, garbage haulers or service companies such as plumbers or air-conditioning repairers.

Nextel has led the way by offering a variety of products, Hyers said. But Sprint Corp. recently joined the game with its "411" service that lets cell phone users ask for directions, and he expects Verizon Wireless and Cingular Wireless to begin offering their own services by the end of the year. Among the top five, only T-Mobile USA has no location-based products in the works.

GPS and its system of geostationary satellites have prompted uses far beyond the original military purposes.

However, a federal mandate requiring cell phones to automatically tell 911 centers where the caller is located has

Toddler's Identity Stolen Twice

FORT WAYNE, Ind. (AP) - At 22 months old, Jabriona Terry is a little young to have her own phone. But her mother discovered her daughter's name listed in a phone book and soon realized an acquaintance had used the girl's Social Security number to set up the phone service.

It wasn't the first time the girl has been victimized by identity theft, her mother said.

Someone else using her name and Social Security number listed her on his tax return, claiming her as a dependent to get a larger tax refund, she said.

LaShonda Terry wants charges filed against the person who used her daughter's identity to get a phone. But police say it is difficult to do.

There is nothing unusual about what happened to LaShonda and Jabriona, police say.

"We get those by the thousands," said Karl Niblick, a deputy chief with the Fort Wayne Police Department.

Utility companies are a particularly popular way to use someone else's identity.

People get someone else's name, birth date and Social Security number and turn on telephones, electricity or gas service and then never pay the bills. When the power gets turned off, they get a new name and number and get new service, often in a new home, police said.

Social Security numbers have become a form of currency, sometimes every bit as good as a fistful of money to buy drugs, Niblick said. The drug dealer can sell the name and number or use it himself for anything from utility service to credit cards, he said.

Another reason Terry has not gotten a response is that technically she and her daughter are not victims of fraud because there was no financial loss, Niblick said.

The phone company has suffered financial losses, so unless it files charges, nothing will be done, he said. ■

Flight Database Violates Law

By ERIC LIPTON

WASHINGTON D.C. - The Transportation Security Administration violated the federal Privacy Act by creating a database of aviation passenger records that merged airline records with commercial data in an improper way, government auditors said Friday.

The violation did not result in the inappropriate release of personal data or wrongly prevent anyone from boarding a plane, the Government Accountability Office report said.

But it still violated the law, the report said, because the database included biographical information on 43,000 passengers from private companies, contrary to the agency's promise not to collect and store commercial data. The database was used to test a new screening system known as Secure Flight that is due to be introduced by early next year.

The agency issued a revised Privacy Act declaration to make public the way it uses the data in testing Secure Flight. Such disclosures are required by the 1974 privacy law.

Secure Flight, as planned, should enhance the government's ability to find terrorists while reducing the frequency that passengers are delayed simply because a name is similar to that of a terror suspect on the watch list.

Security agency officials did not dispute the findings, but some in Congress called them disappointing because they followed a similar privacy violation in which airlines turned over passenger data to government contractors.

"Careless missteps such as this jeopardize the public trust and D.H.S.' ability to deploy a much-needed, new system," Senator Susan Collins, Republican of Maine, wrote on Friday to Secretary Michael Chertoff of the Department of Homeland Security.

■ ■ ■

Driving Big Brother

By Kim Zetter
Wired News

The government plans to release new rules for controversial car black boxes this summer, according to a spokesman for the National Highway Traffic Safety Administration.

Contrary to expectations, the rules don't require automakers to install the boxes in every car, but they do require the boxes to record a minimum of 29 pieces of data, more than most black boxes currently record.

In a nod to privacy concerns, the rules require automakers to disclose in the owner's manual when a car has a black box and why it's there. But privacy advocates say they're disappointed that the rules don't limit the amount of data the boxes can record or address concerns about how recorded data can be collected or used.

In New York this year, a defense attorney challenged the admissibility of information gleaned after police removed data from a defendant's black box before obtaining a search warrant.

A judge ruled, however, that the seizure was legal and that the driver had no reasonable expectation of privacy since he'd been on a public highway and exposed his driving behavior to anyone watching.

"Essentially what (the NHTSA) has done is encourage more data collection without a corresponding increase or concern for privacy protection," said Chris Hoofnagle, director of the Electronic Privacy Information Center's West Coast office.

Car black boxes, also called electronic data recorders, or EDRs, have a computer chip that records data about a car and driver's actions before and during a crash. EDRs generally begin recording when the device detects an abrupt deceleration in the car, signaling that a crash may occur. Currently, the data captured varies among EDRs.

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PRIVACY

Google's Growth Prompts Privacy Concerns

By ANICK JESDANUN
Associated Press Internet Writer

NEW YORK - Google is at once a powerful search engine and a growing e-mail provider. It runs a blogging service, makes software to speed Web traffic and has ambitions to become a digital library. And it is developing a payments service.

Although many Internet users eagerly await each new technology from Google Inc., its rapid expansion is also prompting concerns that the company may know too much: what you read, where you surf and travel, whom you write.

"This is a lot of personal information in a single basket," said Chris Hoofnagle, senior counsel with the Electronic Privacy Information Center. "Google is becoming one of the largest privacy risks on the Internet."

Not that Hoofnagle is suggesting that Google has strayed from its mantra of making money "without doing evil."

Rather, some privacy advocates worry about the potential: The data's very existence — conveniently all under a single digital roof — makes Google a prime target for abuse by overzealous law enforcers and criminals alike.

Through hacking or with the assistance of rogue employees, they say, criminals could steal data for blackmail or identity theft. Recent high-profile privacy breaches elsewhere underscore the vulnerability of even those systems where thoughtful security measures are taken.

Law enforcement, meanwhile, could obtain information that later becomes public, in court filings or otherwise, about people who are not even targets of a particular investigation.

Though Google's privacy protection is generally comparable to — even better than — those at Microsoft Corp., Yahoo Inc. (Nasdaq:YHOO - news), Amazon.com Inc. and a host of other Internet giants, "I don't think any of the others have the scope of personal information that Google does," Hoofnagle said.

Plus, Google's practices may influence rivals given its dominance in search and the fierce competition.

"Google is perhaps the most noteworthy right now by the simple fact

that they are the 800-pound gorilla," said Lauren Weinstein, a veteran computer scientist and privacy advocate. "What they do tends to set a pattern and precedent."

The concerns reflect Google's growing heft. As startups get bigger and more powerful, scrutiny often follows.

Google says it takes privacy seriously. "In general, as a company, we look at privacy from design all the way (through) launch," said Nicole Wong, an associate general counsel at Google.

That means product managers, engineers and executives — not just lawyers — consider the privacy implications as new technologies are developed and new services offered, Wong said.

She also said that Google regularly seeks feedback from civil liberties groups such as the Center for Democracy and Technology and the Electronic Frontier Foundation, both of which credit Google for listening even if it doesn't always agree.

Google's privacy statements specify that only some of its employees have access to personal data — on a need-to-know basis — and such access is logged to deter abuse.

Google Chief Executive Eric Schmidt says a tradeoff exists between privacy and functionality, and the company believes in making fully optional — and seeking permission beforehand — any services that require personally identifiable information.

"There are always options to not use that set of technology and remain anonymous," Schmidt told reporters in May.

But what is meant by personally identifiable information is subject to debate.

Google automatically keeps records of what search terms people use and when, attaching the information to a user's numeric Internet address and a unique ID number stored in a Web browser "cookie" file that Google uploads to computers unless users reconfigure their browsers to reject them.

Like most Internet companies, Google says it doesn't consider the data personally identifiable. But Internet addresses can often be traced to a specific user.

Here's just some of the ways Google

can collect data on its users:

One of Gmail's selling points is its ability to retain e-mail messages "forever."

Google's program for scanning library books sometimes requires usernames to protect copyrights.

The company is testing software for making Web pages load more quickly; the application routes all Web requests through its servers.

Google also provides driving directions, photo sharing and instant messaging, and it is developing a payments service that critics say could add billing information to user profiles.

Because storage is cheap, data from these services can be retained practically forever, and Google won't specify how long it keeps such information.

Without elaborating, Google says it "may share" data across such services as e-mail and search. It also provides information to outside parties serving as Google's agents — though they must first agree to uphold Google's privacy policies.

Much of the concern, though, stems from a fear of the unknown.

"Everybody gets worried about what they (Google) could do but what they have done to date has not seemed to violate any privacy that anyone has documented," said Danny Sullivan, editor of the online newsletter Search Engine Watch.

Eric Goldman, a cyberlaw professor at Marquette University, believes the focus ought to be on the underlying problem: access by hackers and law enforcement.

"We still need to have good technology to inhibit the hackers. We still need laws that make hacking criminal. We still need restraints on government surveillance," Goldman said. "Google's database doesn't change any of that."

Anne Rubin, 20, a New York University junior who uses Google's search, Gmail and Blogger services, says quality overrides any privacy concerns, and she doesn't mind that profiles are built on her in order to make the ads she sees more relevant.

"I see it as a tradeoff. They give services for free," she said. "I have a vague assumption that things I do (online) aren't entirely private. It doesn't faze me."

Larry Ponemon, a privacy adviser, says research by his Ponemon Institute found Google consistently getting high marks for trust.

By contrast, Microsoft, whose software sometimes crashes and regularly gets violated by hackers, didn't fare as well despite what Ponemon and others acknowledge are improvements in its approach to privacy.

"People confuse customer service with obligations to maintain privacy," Ponemon said. "Google has a product that seems to work. It gets almost like a free ride on privacy."

That's changing. Google, a perennially secretive company, may share some of the blame. It goes out of its way to strip its privacy statements of legalese so they are easier to read. But the statements remain vague on how long the company keeps data.

In an interview, Wong said Google had no set time limits on data retention; such determinations are left to individual product teams. She said the information helps Google know how well it is doing — for instance, are users getting the results they want in the first five, 10 or 100 hits?

"We keep data that's collected from our services for as long as we think it's useful," she said.

Google says it releases data when required by law, but its privacy statements offer few details. Wong said Google doesn't surrender data without a subpoena, court order or warrant. But she would not offer any details on how many requests it gets, or how often, and federal law bars Google from disclosing requests related to national security.

For civil lawsuits, Wong said, Google warns users before it complies so they can file objections with a court — a fact the company doesn't publicize.

Mark Rasch, who was a Justice Department prosecutor in the 1980s and has since advised companies on getting data from Internet companies, says electronic records will only become more relevant for investigators searching for evidence of intent and knowledge.

"As Google becomes more involved in parts of your lives including chats and blog, then it's going to get lots more subpoenas," he said. "It's a lot more than just a search tool." ■■

Continued from page 12 Driving Big Brother

Some record only vehicle speed and data about air bag deployment. Others also log whether the driver braked before impact, used turn signals or was buckled in.

EDRs were designed to help automakers build safer vehicles. But manufacturers have used the data to defend against product liability claims. Police investigators have also increasingly been using the data to charge drivers with speeding violations and serious crimes. And insurance companies want the data to dispute unwarranted claims and tie policy rates to driving behavior.

Privacy advocates and consumer groups oppose allowing data collected for safety purposes to be used for other purposes, especially when most drivers are unaware that their cars have boxes that can be used as evidence against them. They also question whether the data is accurate, since few tests have

been conducted to establish its reliability.

EDRs use proprietary technology, so car owners can't see the software code to determine if the devices are doing more than manufacturers say they're doing. Automobile owners can't access the recorded data without a \$2,500 software kit.

Black boxes have been in cars since 1974, when General Motors installed them to help deploy air bags. In 1994, GM began installing more sophisticated EDRs to record data. Now 15 percent of light cars and trucks have EDRs, including 65 percent to 90 percent of 2004-model light vehicles, according to the NHTSA. But not all automakers disclose the presence of EDRs in their cars.

Researchers and automakers say EDRs are invaluable for improving the safety of cars, roadways, bridges and guardrails.

About 6 million crashes occur annually in the United States, according

Continued on page 14

Continued from page 12 Cell-phones go trackable

speeded adoption.

That can be accomplished through ground-based triangulation, in which the phone's location is determined by figuring its relative distance from various cell stations. But most large cellular companies appear to be embracing the GPS method.

Nextel has had GPS technology in every phone since November 2002. Sprint and Verizon phones also contain GPS technology, allowing them to provide locator services if they desire. For Sprint, the first toe in the water was Roadside Rescue, which includes the ability to call 411 to get directions or emergency help.

"It's on an option basis. But it's something that we think customers want," Sprint spokeswoman Genevieve Billy said.

While Verizon Wireless does not offer any location-based products as yet, "we're working on it, and it is coming in

the future," spokesman Jimmy Duvall said.

Cingular has an extensive list of customers who use its location-based technology, but the equipment is attached to the snowplow, garbage truck, 18-wheeler truck or other equipment rather than being cell phone-based.

A strong backer of the Nextel technology is Dallas-based Business Courier Service Inc. The system lets drivers make deliveries faster and more efficiently, vice president Barry Stephenson said.

In fact, the company now touts its GPS ability when it calls on prospective customers.

"It's very comforting to customers to know where our drivers are," he said.

Customers understand that weather and traffic problems can delay a delivery, "but it helps them if they just know what's going on, because their clients want to know what's going on," Stephenson said.

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Continued from page 13 Driving Big Brother

to the NHTSA. The leading cause of death in children and young adults, they cost the country an estimated \$230.6 billion a year.

"From a research point of view, there is absolutely no question in my mind that (the data) will lead to safer air bags and cars," said Clay Gabler, professor of mechanical engineering at Virginia Tech's Center for Injury Biomechanics, which began examining car black box data in 2001. Gabler said the data has already helped engineers rethink how highway guardrails are constructed to protect people who crash into them.

But Eric Skrum, spokesman for the National Motorists Association, questions the safety justifications for EDRs.

"If they really were doing this for safety research, they wouldn't have to have it in every vehicle or in vehicles where the owner isn't even aware it's in the car," Skrum said.

EDR proponents also say the devices help victims' families seek restitution against reckless drivers, especially when there are no witnesses to a crash.

When a 77-year-old woman in Texas drove her Cadillac through a post office's plate-glass window and killed an occupant inside, she claimed the car accelerated on its own. Her car's black box belied her story and helped the victim's family win a wrongful-death suit. Similarly, when two cars collided in Montreal in 2001, killing one driver, the surviving driver blamed the deceased driver for speeding. But data from the survivor's black box revealed that he'd been the one driving 80 mph in a 50-mph zone.

Despite the value of EDRs, few tests have been conducted to establish the accuracy of the data. In at least one case, an EDR seems to have recorded faulty information.

Maine Gov. John Baldacci was involved in an accident in his state-owned SUV when the car, driven by a state police detective, hit an ice patch while passing a slower car and caused both vehicles to spin off the highway.

Although the EDR indicated the SUV was traveling 71 mph before the air bag deployed, the detective driving the car claimed the speedometer showed 55 mph, a number that was closer to the 55-65 mph that police investigators estimated based on physical evidence at the scene.

The EDR also indicated that the

governor wasn't buckled in, although Baldacci and his driver disputed this. Medical personnel who treated the governor also said his injuries, which included a broken rib, were consistent with someone wearing a seat belt.

Limited tests of EDRs have indicated that if power to an EDR is lost during a crash the device may not record all data or could falsely record seat belt data. The vehicle's speed can also be recorded inaccurately if the car is airborne during an accident, rolls over or loses a wheel from the drive axle. And in at least one case, researchers discovered a programming bug that caused an EDR to falsely record brake information in a particular car model. EDR download reports now include a warning about the glitch for crash inspectors.

Robert Breitenbach -- director of the transportation safety training center at Virginia Commonwealth University, which conducted a study of EDRs -- said investigators should never rely solely on EDR data.

"You really need to do a thorough investigation of the physical evidence and just use it as another tool," Breitenbach said.

He added that people who argue against using EDR data for privacy reasons forget that a lot of information they record can already be gleaned from a car without the driver's permission.

"I can look at your headlights and taillights if you're involved in a crash," he said. "Those lights will tell me whether your lights were on or off in a crash. If they were off and it was dark, that could lead you to a conviction of reckless driving."

Regardless, last July, California became the first state to address questions about access to EDR data when it passed a law that prohibits anyone from accessing EDR data without a car owner's permission or a subpoena. The law contains a loophole, however. If an insurance company assumes ownership of a car wrecked in an accident, the company gets possession of the EDR data as well.

About a dozen other states have introduced similar legislation regulating how EDR data is used or requiring car makers to disclose the presence of EDRs.

Rae Tyson, spokesman for the NHTSA, said his agency recognized the privacy concerns over EDRs, but said the agency didn't have the authority to rule on them and that Congress or the courts would have to resolve them.

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Continued from page 13 Cell-phones go trackable

Before BCS began using the handsets, "one or two dispatchers would have to hold every driver's position, every driver's intention, every driver's future job and the job they just got finished in their heads," he said.

SuperShuttle began using Nextel-supplied cell phones in April 2003, replacing a proprietary system that required SuperShuttle to maintain its own network of antennae, transmitters and other equipment.

It worked well enough, operations director Rex Gomillion said, but it was up to SuperShuttle to keep the network going.

"Obviously, the transmitters cost thousands and thousands of dollars each," he said. "The transmitter site rentals cost hundreds and hundreds of dollars per month each, and there was the upkeep, maintenance and the calls to me at 3 o'clock in the morning saying, 'The transmitters are down - what do you want me to do?'"

Now, SuperShuttle doesn't have to worry about the network, leaving that to Nextel. And it can track its vans and cars anywhere in the Nextel network, while the old system was limited to the Dallas-Fort Worth area.

For some users, the GPS systems help protect them from consumer complaints. San Diego, which has equipped its garbage trucks with locator technology from Cingular, can check the validity of a customer claim that the garbage collectors skipped their house.

One initial concern for many employees is the idea of having the company always looking over their shoulders.

Mary Foltz, director of location solutions for Nextel, said she was "surprised and delighted" to hear of many cases where employees - initially concerned about having the system checking their location - found that the technology protected them.

The owner of a New Orleans limo company told her recently about a situation in which the driver delivered members of a wedding party very late to the church. The passengers claimed that the driver got lost; however, a review of the GPS records showed the bars and bathroom stops the group had demanded along the way.

"The father of the bride did have to pay the bill," Foltz said.

Nextel has expanded its offerings beyond businesses, now offering products that let consumers find their location and get turn-by-turn driving or walking directions, including a product that can help backpackers in wilderness areas.

"We were very surprised to see how popular these services have become with individual users," Foltz said.

Hyers of ABI Research said he expects location-based services to become much more popular in the coming years.

"I believe that LBS-enabled applications will be as ubiquitous in the mobile environment a decade from now as the Internet is for many of us today," he said.

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**Continued from page 1
Deschutes Co. Sheriff ...**

roaded. Weidner has never once been violent and has won numerous times in court for people. In some Bend, Oregon cases he has successfully kept honest business owners from losing their entire estates.

Recently, Weidner sent a certified letter to Deschutes County Sheriff Les Stiles and the Sheriff refused to accept the letter. The letter to Stiles and one to Oregon's Attorney General Hardy Myers will follow this article.

In reading the letters I find that the statements made by Weidner are ones that he honestly believes and the statements about attorney Claud Ingram are totally believed by this writer. Ingram is well accustomed to filing false and frivolous lawsuits, which the Observer has been the target of on four such occasions. It is a fact that Weidner has made many accusations and it's also a fact that neither Sheriff Stiles nor any other law enforcement officer has lifted a finger to investigate these cases.

The US~Observer is proud to publish the following letters to the Editor. We have an absolute qualified right to publish public record and there is no question that the letters and the lawsuits we have covered concerning Weidner are more than public. It is also a fact that Ingram can't stand the public knowing what is going on with his lawsuits, and that is why he has sued the Observer on four separate instances.

The Observer hopes that Sheriff Stiles would step back a moment to see what's really going on with these cases. Also, I would like to know when the Oregon legislature took away the right a person has to make a "citizens arrest." Roger Weidner attempted to make a citizen's arrest against Ingram and instead of law enforcement acting on that arrest they have chosen to attack Weidner.

Possibly it's time for the Observer to open an office in Bend, Oregon. All interested in doing so should contact us at 541-474-7885.

Weidner Letters

**Sheriff Stiles
Deschutes County Sheriff's Office
Bend, Oregon**

OPEN LETTER

Sheriff Stiles,

On June 7, 2004 I hand delivered to your office a letter; a copy of which is attached hereto as Exhibit 2; describing the unprecedented criminal abuse I have been subjected to, by members of the Oregon judiciary, for exposing in court, on the record, the wide-spread corruption in the Oregon judicial system.

In that letter I indicated I had upcoming court appearances in the courtrooms of Judges Forte, Tiktin and Billings. I told you in that letter, "I am expecting to be able to make a full record of the criminal conduct of those involved in attempting to steal Patricia

Wishon's property at those hearings. Your attendance at those hearings would be appreciated."

Instead of your presence as requested I found Captain Edwards and Sergeant McCallister from your Department giving the treacherous thieving attorney Claud Ingram escort service into the courtroom. When I asked McCallister his name, he in a professional manner told me his name. When I asked Edwards his name he, in a rude, sarcastic, animated way said, as he sneeringly shook his head slowly, "I'm not going to tell you anything". In the information I am enclosing with your June 7, 2005 letter is the story appearing in the US OREGON OBSERVER, Exhibit 4, describing my arrest of Claud Ingram for bribery, subornation of perjury, conspiracy and theft in the Deschutes County Courthouse on March 9, 2004.

After my hostile confrontation with Edwards, Patricia Wishon contacted your office and requested a meeting with you. Instead of you attending the meeting as requested you had Edwards and several deputies conduct the meeting. When I walked in the meeting room and before I could say a word Edwards' face turned beet-red and he angrily ordered me from the room. When I told him I was a former prosecutor and he needed to hear what I had to say about the corruption in the Deschutes County Court system he angrily ordered the two deputies to forcibly remove me from the meeting. As the deputies, one tightly clutching each arm, marched me down the hall they said I was going to have to wait in the waiting room. Then when we reached the waiting room they asked where my car was then marched me out of the building, each still tightly holding my arm, and told me to go sit in my car. Edwards and the deputies' behavior made a mockery of the signs in your lobby describing the high standard and ideals your office stands for.

At a subsequent hearing when I was again threatened by the judge for attempting to speak truthfully in court about the corruption, we returned to your office and again asked to speak to you because we had an afternoon hearing that same day and wanted you or someone from your office to attend. We were told that neither you nor Under Sheriff Blanton were available. We were told that all Sheriff personnel were out on an emergency. When we returned to court the courtroom was filled with deputies. I pointed out Ingram, sitting at the counsel table, to my supporters present and again condemned him for his treacherous, shameless thievery. A plain-clothed individual, sitting in the audience, who later identified himself as Under Sheriff Blanton said: "Oh, sit down Weedner and stop your yapping".

On February 7, 2005 I again appeared in the Deschutes County Courthouse for a hearing. I had repeatedly requested, several days before the hearing that I be allowed to video the proceedings. Since I did not know who was going to hear the case I went into presiding Judge Sullivan's office to see if my request to

video had been granted. Edwards was sitting in Judge Sullivan's chambers when I entered the office. Before I could say a word Edwards, again snarling and surly, grabbed me by the arm and forcibly removed me from Judge Sullivan's office saying, "you get out of here right now".

Before the hearing on February 7, 2005 I had my twenty supporters stand with me while I confronted seven deputies from your office outside the courtroom. I told the deputies I was a former public prosecutor, who for the past 17 years had been fighting the corruption in the Oregon court system. I told those deputies, under the supervision of Sargeant Espinoza, that for attempting to speak in court about the corruption I was being arrested by the deputies on the orders of the corrupt judges protecting the thieving attorneys. What happened after I entered the court on February 7, 2005 and March 7, 2005 is set forth in Exhibit 3.

Another hearing on the Wishon case is set for 3:30 PM on August 15, 2005 in Judge Brady's courtroom in the Deschutes County Courthouse. I am again requesting a meeting with you before the hearing to insure that I will not be again violently assaulted or arrested by your deputies when I attempt to speak in court about the corruption in the Deschutes County Court system on August 15, 2005.

I want to remind you, Sheriff Stiles and your deputies; as well as all the other public officials who are receiving a copy of this letter; that the oath of office that each of you take, as public officials, is not to protect corrupt thieving bureaucrats, attorneys, and judges from stealing innocent people's children, land and other property in "sham" often "star chamber" proceedings. The oath that all of you public officials take is to uphold and defend the constitutional rights of We The People, your employers, to receive "due process" and "equal protection" of the law in the courts in this state. If you, or the other public officials receiving this letter, are not able to uphold your oath of office you should resign. If you will not uphold your oath and refuse to resign then we in the patriot community will continue to expose your corrupt behavior to the public until you are shamed from office. Please have Mary in your office contact me at your earliest convenience to arrange a meeting before the August 15, 2005 hearing. The other numbered exhibits I am enclosing for your review are:

1. The Harrassment complaint filed against me
5. Special Grand Jury hearing 2-24-04
6. My 8-27-04 letter to Judge Tiktin
7. My incarceration in mental hospital
8. THE SPOTLIGHT story of my persecution
9. My 9-18-01 letter to Atty. Gen. Ashcroft
10. My meeting with Sen. Trent Lott
11. My Motion to Reconsider
12. Leg.Hearing exposing corruption
13. US OBSERVER "HALL OF SHAME"

Sincerely,

Roger Weidner

_____. . . _____
Attorney General Hardy Myers
Justice Building
Salem, Oregon

HAND DELIVERED

Hardy,

For years I have been keeping you posted concerning the outrageous abuse I have been subjected to for exposing the wide-spread corruption in the Oregon court system. About a year ago I along with Wilbur and Pamela Gaston, and others, confronted you at the conclusion of an Oregon Law Commission meeting being held in one of the hearing rooms at the Oregon State Capitol. I told you that We The People of the State of Oregon would not tolerate the unbridled corruption in the Oregon court system that was resulting in innocent people having their children, lands and other property shamelessly stolen by corrupt thieving, bureacrats and attorneys, some of whom are judges, in "sham" often "star chamber" type proceedings where the outcome was a foregone conclusion. Namely where the corrupt always win and the innocent always loose.

I have been keeping not only you, but also Governor Kulongoski and all of the Oregon Supreme Court and Court of Appeal judges as well as all legislators up to date on the on-going battle I have been having with a group of corrupt attorneys, some judges, in Deschutes County Oregon. This group is trying to steal hundreds of thousands of dollars in property belonging to Lapine property owner Patricia Wishon. In the first instance, gigelo, wife-beater, and con man, Santiago Torres romanced Wishon and got her to marry him on the spur of the moment. He over night turned into a vicious wife beater who ultimately ended up doing 6 months in jail for an assault on her.

Wishon hired attorney Albertazzi to obtain a divorce with Torres getting nothing because of his treacherous cruelty. Instead, Albertazzi got attorney Linda Hasse to represent Torres and openly colluded with them to defraud Wishon. When Wishon found out about Albertazzi's treachery she fired him. Though fired Albertazzi prepared and submitted to Arbitrator Burgott a judgment giving Torres, Wishon's property worth 3 to 400 thousand dollars. Before Burgott signed the judgment Wishon notified Burgott by mail and phone not to sign the fraudulent judgment. Though notified, Burgott signed the judgment and judges Gary Thompson, Stephen Tiktin, Donald Forte, Jack Billings, Donald Sullivan and Lloyd O'Neal have been openly colluding with attorneys Claud Ingram, Anthony Albertazzi and Linda Hasse to execute the fraudulently obtained judgment.

For assisting Wishon in exposing this shameless racketeering activity by a group of very corrupt attorneys, some judges, I have been recently violently assaulted and arrested and jailed in Deschutes County by Deschutes County Sheriff Deputies on the orders of the corrupt judges involved. Attached is the letter with exhibits I recently sent to Deschutes County Sheriff Les Stiles detailing the abuse I have been subjected to by deputies under his command. Instead of responding to the certified letter, Sheriff Stiles, a paid public employee, who has taken an oath of office to uphold the constitutional rights of the citizens, refused to accept the mail. I am attaching as Exhibit A the "refused" certified mail. Because of the depth of the corruption in Deschutes County I am again subpoenaing you and all those listed below to the next hearing on this case scheduled in Bend, Oregon on August 15, 2005 at 3:30pm.

Sincerely,

Roger Weidner

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

Citizens who have founded and support it believe in the Bill of Rights and Article 1, Section 1, of the Oregon Constitution which states:

“We declare that all men, when they form a social compact are equal in right; that all power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, and happiness and they have at all times a right to alter, reform, or abolish the government in such a manner they think proper. This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.”

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Letters to the Editor

I HAVE BEEN ROBBED!

To the Editor,

I had a Dissolution of Marriage case held against me in Missouri where the judge later found there was no marriage to be dissolved.

He then created a default Judgment that is extremely vague and oppressive. It creates a pseudo Judicial officer in the words: "Father shall have only rights of visitation as determined by Mother." One who determines the rights of another has the power of a judge.

I tried to vacate the void judgment in Joseph Philips' court by showing him that there was no Marriage to Dissolve. He had it clearly shown to him that there was no Marriage. So he modified the judgment. It now shows that he, Philips, determined that I was both MARRIED and not MARRIED on the face of the judgment.

In order for the law to be respected it must be respectable-this ain't even close.

I have had blackmail, extortion and psychological abuse administered because of the corruption of the Court/State tyranny.

The case continues because I take a stand like Ghandi. I refuse to be forced to act on the ridiculous demands of the state. I was giving child support to Julie until the State of Missouri told me to stop. I was to send the payments to the Department of Child Support of Missouri. I refuse to work with the state if it is going to create such garbage and oppression.

So, I moved to Utah. Now I have the state of Utah trying to enforce a judgment of the court of Missouri. I spent 40 minutes on November 29, 2004 trying to explain to Garth Rand Beacham, a judge in St. George, Utah, that the judgment was void. He refused to understand.

Instead, he added his judgment with the Missouri Judge's adding more garbage to the existing garbage. I notified him that he had an obligation under 18 USC 4 to put an end to the felonies where I am being robbed out of my paycheck without a void judgment.

In the course of the case I found the assistant Attorney General Paul F. Graf in falsification of record where he back dated a document and filed it into court as filed 9 days earlier than it was.

Darrek Trump, a case worker for Office of Recovery Services, perjured himself where he says under oath that he has never signed an affidavit - yet he has one filed in the case with his signature.

The State of Utah and Office of Recovery Services and Attorney General and Darrek Trump are all employees of the state of Utah. The Plaintiff is State of Utah/Office of Recovery Services. Is there any question which way the states employee, Beacham, has ruled?

I have been Robbed by the State of Utah. I have been Robbed by Beacham.

I have been Robbed by Office of Recovery Services. I have been defrauded by Beacham. I have been Blackmailed by Julie Zitting. I have had my children held hostage for documents (Extortion). I have had my children held hostage for money (Extortion). I have been literally made to beg and repeat begging until I "get it right" - but it's okay since the court said she could.

I have been working with the courts for nearly 4 years to clean up the mess that these felons in black dresses (judges) have made. But they can make up rules on the fly and hold me to much stricter rules than they do attorneys. As long as the state can steal a little money - who cares?

Steven Bradshaw
St. George, UT

Dear Editor,

I read the article by Ron Lee on The Master's Miracle and I just can't believe it! I think someone is lying and doing anything they can to cause trouble for The Master's Miracle. I have used it for the last 4 years and I have bought it for my friends and family and there has never been a complaint about anything. In fact, I have heard several tell me how the fortified Mineral neutralizer has given them more energy than they had before.

My 10 year old grandson had an aneurism in his right artery that was 4ml in size, and the doctor said if it got to a size 8 they would have to do surgery. The next month when he went for his checkup it had grown to a size 5. His mother put him on using the neutralizer every morning and when they went back to the doctor for his check up, it was completely gone!

I'm sorry, but I just don't believe your article. Reporters seem to be all the same. They only report the bad and not the good. You get a good christian company with a good product and just because maybe a little batch does get bacteria in it, which can happen to any product and any company, and they go off and report it like it was meant to be that way and to make it sound like the company is lying to you and cheating you. Well, what makes your reporter any better? Who is to say that he is not lying and cheating just to get a sensational story.

So the 79 year old Adie Wickers of Seattle started going down after the formula change. That doesn't mean it was the formula, it could be something going on with her body. It was just last week that my aunt came up and told me that since she started on that neutrizer she has more energy, so I am sorry, but I don't believe all this story is the truth. I believe that the ex distributor Dave Greer is angry at them and doing anything he can to make things look bad for them. I also read articles on Clayton

Tedeton and according to the article I read, his neutralizer also contains bacteria and is not allowed by Canada, so maybe you need to investigate that also. Just do a google search on Clayton Tedeton like I did and you will find all kinds of articles that are negative.

In the meantime, tell your reporters to report everything even the good, not just the bad.

Marilyn Hampton

Editors Note: It has, in fact, been established that Clayton Tedeton's product Miracle II neutralizer has been blocked by the Canadian government from importation due to Ecoli being found in the product just as Master's Miracle has for the bacteria Pseudomonas aeruginosa, Pseudomonas fluorescens/putida and Enterobacter cloacae. The focus of the article referenced above was to inform the public that a company admitted the existence of a bacteria in their product which had potential health risks.

One, however, has to wonder why a person would back a company who tells their people to destroy marketing materials referencing eye use, that according to Master's Miracle were not company assertions but that of a few rogue distributors. They lied in their health alert statement to protect their own interest, which was established by the evidence uncovered in the "Blindness and Death with Impunity?" article. Why wouldn't they lie to their own people to do the same? A good "Christian" company wouldn't do that.

Dear Editor,

I want to personally thank you for your help in our property dispute with Los Angeles public officials. Words can't describe the relief we feel when we realize our 3-year fight is over.

We paid our attorneys' over \$20,000 to accomplish nothing for two years other than to create more litigation. We paid you far less to get the job done within 3-months.

Edward Snook, you are something else! Your intervention and success on our behalf has totally changed our minds about being able to reason with government and get them to do the right thing.

We have pondered what you told us of how people you have helped in the past would disappear once they were out from under the gun. Be assured that we will continue to support the efforts of the US Observer and other innocent victims.

Sincerely,

Brad and Linda Ford
Los Angeles, California

•••

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Oregon County: Testing Grounds for Police State Power

By John Taft
Investigative reporter

The heavy boot of unbridled police power was felt by a select group of law abiding residents of Josephine County (JoCo) on June 3, 4, and 5 of 2005. These were indeed black days in the book of freedom. Totalitarian police power in the name of public safety was used to intimidate and harass local residents whose choice was to ride their motorcycles during these three days. The following article's intent is to show the reader that some named and unnamed officials in government had ulterior motives and used subterfuge to make something appear other than what it in fact was. The consumer of media information never really knows what's happening. Those in government usually call this type of exposure of government actions, ludicrous, paranoid, etc. to hide their own complicity and or ignorance. But, the following information will show that a select group of citizens were targeted by the use of improper police power in a well orchestrated attack on civil liberties. A month later both county and state officials remain mute on this issue.

Keeping it safe

We are told this massive use of police force was assembled and used to insure residents' safety because a motorcycle club called the Vagos and known as an outlaw club by police had come to town and was camping at a park along the Rogue River. The newly appointed Grants Pass Police Chief Joel Henner in explaining the use of massive police power said, "That weekend was about keeping it safe." [1] If keeping it safe is really the reason, then why is the selling and use of illegal drugs such a problem in Josephine County? The sheriff's office has ignored reports of illegal drugs. Why does theft of private property in the thousands of dollars rate at the bottom of the investigation scale? Try to get a deputy sheriff to your home to take a stolen property report. Police have done nothing in regards to major crime compared to the show of force they endorsed and used when the Vagos were in town. This force was used indiscriminately against the Vagos and our neighbors who rode during that weekend. When dealing with ordinary crime, the usual comment from police is we don't have the resources, no personnel are available, and we are under funded. But they certainly had the resources and funding to figuratively quarantine and harass a selected group of law abiding citizens in Josephine County along with the Vagos. This type of police power is unacceptable in Josephine County and Sheriff Dave Daniel was instrumental in the alleged violation of civil liberties during this public relations disaster. It was reported that Daniel was out of town during the time the Vagos motorcycle club was in Grants Pass. The Vagos have filed a lawsuit for the alleged harassment against them. Local courts are not apt to rule in their favor.

Did feds inform sheriff?

Was the Vagos appearance the real reason several federal agencies including the FBI, Department of Justice, (DOJ) Bureau of Alcohol Tobacco and Firearms, (BTAF) and DEA, along with police from the

southern Oregon counties of Josephine, Klamath, Douglas, and Jackson, and the city of Grants Pass were unconstitutionally flaunting their police powers? Oregon State Police were also reported to have a heavy presence locally. There was even a helicopter available to be used during this weekend. Most people accept the newspaper reports on the reason for this large police response being the Vagos. This view doesn't hold up under careful analysis. On June 3, the Daily Courier carried a front page article with Sheriff Daniel saying he learned about this weekend's gathering (Vagos) about three weeks ago. [2] The logistics of this assembly of police power from out of the area took time, and to put it all together would take more than three weeks. Do the listed southern Oregon counties have such a surplus of deputies and private funds that they can send them to Josephine County on short notice because Daniel asked them to, with 21 days or less to do this? What about the Feds who are notoriously slow in taking action? If this was all done in three weeks, it would be an amazing feat. This operation had to be in the pot longer than three weeks to smell like it does. Only the expenses add up, the logic doesn't.

Neanderthal man

If the FBI and DEA had something on the Vagos, why did they let them cross state borders and come to Grants Pass? What did the FBI and area police think the Vagos were going to do when they got to Grants Pass? They certainly didn't tell the public anything specific such as blowing up the Caveman Statue in the north end of town. The caveman is a hunched over Neanderthal man perhaps 15 feet tall with a club, an icon denoting Grants Pass. Perhaps, at this time the Neanderthal man with the big club did represent the police mentality in the area. Some of the Vagos group did arrive in Grants Pass in motor homes with children. People traveling with families aren't out looking for trouble or want to be where it appears. Interestingly, there were no arrests of any of the Vagos during the time they were in Josephine County. The Vagos were plastered with citations along with local residents. The police say they were keeping the county safe. Of course we need to ask, safe from what? So far, a month later, no one has told us.

Why were innocent citizens who are taxpaying county residents targeted as though they were law breakers? I talked to a fellow next to his motorcycle in the Wal-Mart parking lot recently, and he told me he was a retired telephone company accountant, and he was harassed by police because he rode a motorcycle. The police talked to him, having no reason to do so in the first place, and then left when there was nothing to arrest him for. Without probable cause police harassed numerous individuals during the three days the Vagos were here. This was a chilling incursion into Constitutional rights. These were neighbors, honest taxpaying members of the community, and they won't forget what the police did to them in the so-called name of safety. Amendment IV to the Constitution states, "The right of the people to be secure in their persons, houses, papers and effects ..." To be secure in your person means cops don't follow you into a restaurant, as was

done, and stand by your table as a means of intimidation and then walk away. These are bad cops that are willing to do this and smirk at the United States Constitution. Local motorcycle riders are hopping mad judging by the letters to the editor and talking to individuals. This is why a couple of hundred riders and sympathizers are expected to show up at a Sunday rally on the courthouse steps to address this issue, and they did.

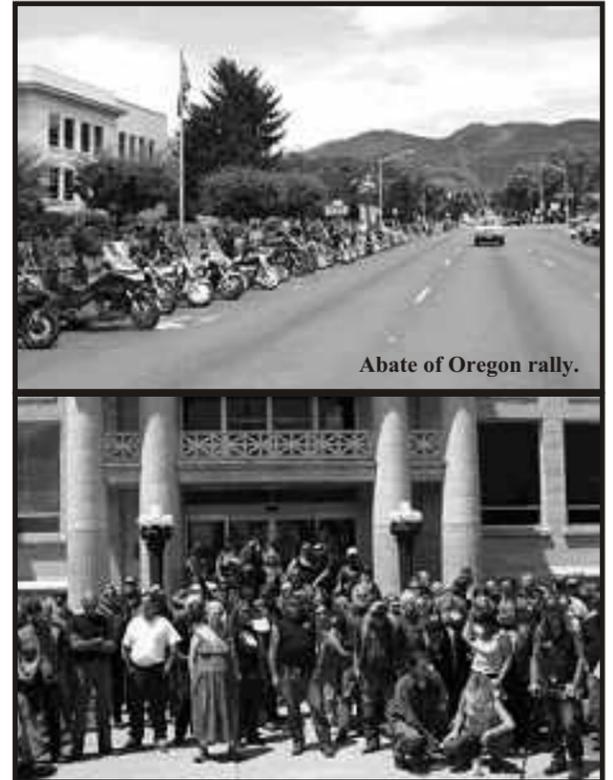
The Grants Pass Daily Courier reports that local police put in 700 hours of overtime, costing an estimated \$36.00 an hour or about \$25,000. [3] This doesn't include the other police agencies, FBI and etc. which supplied their own funds or most likely had their expenses covered by a federal grant. An unreasonable amount of local money was spent for no arrests; however, lots of tickets were issued by police agencies.

The FBI and local police

This operation took coordination, timing, money, resources, and a reason to happen. I believe that it can be shown that the Vagos were not that reason. Since the FBI was involved in this assault on individual liberties, and they seem to have their fingerprints all over it, one can reasonably conclude this was a long term plan to use local, state and federal agencies to carry out this show of force. This was a test, and the Vagos were a distraction. The feds wanted to assemble a large police presence in a conservative semi-rural community to test the ability of the local and outside the area police to work together, and they wanted to obtain the reaction of local citizens to harassment and an unreasonable police presence. I would certainly be disappointed if taxpayer dollars aren't now hard at work creating charts, graphs, and reports that are accumulating at a prodigious rate and are being carefully analyzed by so-called experts to determine the success of this operation and any modifications that need to be made to improve their techniques. After all, if unbridled police power works on anyone that rides a motorcycle, it will work with any group. This time it was the motorcyclist, next time it could be the police at your home. Never mind knocking at your door - a SWAT team just smashes your door and yells, "Everybody on the floor; we're here to collect your guns." Police become emboldened by flaunting their power. Unfortunately, there are those in a community that don't understand what is actually taking place and support this kind of police action. For example, about 30 members of the Grants Pass Kiwanis applauded both Sheriff Dave Daniel and City Police Chief Henner according to their president Toni Pyatt. [4]

You can't trust police to uphold the Constitution

Police reportedly apologized to some individuals about the excessive use of



power. These individuals had a conscience, but not large enough to say no, I won't participate in this type of police harassment of citizens. After all, these men and women have a career, a salary, benefits, and retirement. Many by saying no would probably be fired and lose years towards their retirement pensions. This is why police will do what they are told by those who control their jobs. They have sworn to uphold the Constitution, but they won't do it. It's much safer for them to up hold their boss's orders. In the Nuremberg [5] war crimes the Nazis used the excuse that they were only following orders. And this is why Sheriff Dave Daniel is so dangerous to our community; he allowed the use of this excessive police power for intimidation and harassment of a select group of citizens in Josephine County.

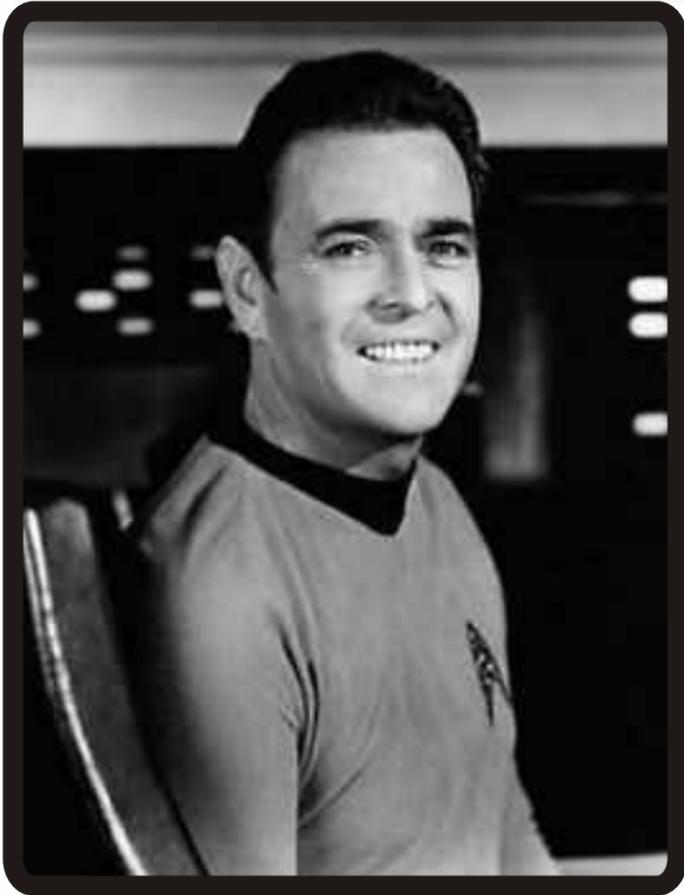
Recall bad sheriff

How can you stop this type of police state action carried out by men and women in uniforms with guns and badges in you local community? While some local Kiwanis members will applaud these actions there are those who still believe in the US Constitution. The only effective remedy for the violation of the county citizens' civil rights is to make a dramatic statement and recall the county sheriff Dave Daniel. Mr. Daniel is the head police officer in Josephine County; the FBI needs his cooperation to operate in JoCo as do the police from outside counties. Daniel put out the invitation to the FBI and others; Ya all come and have a good time and flex your muscles. Without Daniel this police state spectacular would not have taken place. Daniel has a long record showing he is not a competent sheriff, and for this reason he must be recalled. A drastic statement must be made to the feds and other police agencies that abuse of police power will not be tolerated by we the people (not we the sheeple.) Benjamin Franklin said, "They that give up liberty for security deserve neither."

1. Grants Pass Daily Courier July 8, 2005, Bikers to rally against sheriff Sunday
2. Grants Pass Daily Courier, June 3, 2005, Cops bracing for biker rally this weekend
3. Grants Pass Daily Courier, July 8, 2005 Bikers to rally against sheriff Sunday
4. Daily Courier, July 8, 2005. Bikers to rally against sheriff Sunday
5. A city in southeastern Germany; site of Allied trials of Nazi war criminals (1945-46)

1920.03 TO 2005.07

James Doohan



"SHE CAN'T TAKE MUCH MORE O' THIS, CAPTAIN!"

--Montgomery Scott (James Doohan)

By Ron Lee

First there was the passing of Gene Roddenberry, then DeForest Kelley, and now James Doohan finds his home among the stars.

Over the decades, Doohan was known as the miracle working engineer "Scotty" in the famed Star Trek whose over estimates of retooling time always brought a smile to a fans face.

Doohan always gave us his best made-up Scottish accent and top-tier performance. It was through his "Scotty" portrayal and that of the rest of the Star Trek ensemble that we glimpsed a methodology that is, perhaps, beyond our present attainment.

Doohan helped bring us a universe where monetary gain was left to shady aliens; where the pursuit of knowledge was achieved for the mere sake of knowing; where expansionism wasn't conquest and all beliefs

were held in the highest regard.

Star Trek truly captured the minds and hearts of a multi-generational audience and James Doohan played a key role in its mass appeal.

As a fan, I speak for the many. James Doohan impacted our lives by showing us a better way through his representation of a solid character who was never afraid "to boldly go" above and beyond the call of duty.

His presence will be missed.

James Doohan is survived by his wife Wende and seven children.



Movies as you like them

By Claudia Puig
USA TODAY

America's love affair with the movies remains passionate.

But as with any long-term relationship, there are problems that need to be addressed.

In a summer when moviegoing fell from last year, USA TODAY asked readers whether they still loved going out to the movies or preferred watching DVDs at home.

Nearly 200 people responded, most of them expressing strong feelings about their lifelong love for the movies as well as their frustration with what the theatrical experience has become. But more than half of the people who wrote and e-mailed say that for reasons including ticket and gas prices, costly concessions, commercials, disappointing films and rude fellow

moviegoers, many times, they are choosing to stay home and watch DVDs instead.

"The movie industry has created this monster of people not going to theaters," says Christopher Luke, 29, assistant video coordinator for the football program at Texas A&M. He still goes to the movies, but not as often. Now he has a home theater system and cites Hollywood's reliance on remakes and sequels as well as ticket prices and rude patrons as his reasons for staying home. "Plus, I only pay 4 bucks for a (bad) movie like XXX: State of the Union rather than shelling out 20 bucks for it when it came out."

And some, like Thomas Damron, 70, of Plano, Texas, have given up on theaters entirely.

"It's just not a pleasant thing to do anymore," says Damron, a retired financial planner. "cell phones ring and people answer them, people go back and forth to concession stands and come back with cups the size of swimming pools, prices are beyond belief for lousy entertainment, and there are no real stars to follow. I got Netflix so I can get three movies at a time, and it's a whole lot less expensive."

But for others, moviegoing will never lose its allure. It's a dark fantasyland perfect for hand-holding, ripe for romance. It's a place where families can create indelible memories. It's an escape from everyday concerns and a place to watch the best and worst of humanity.

For these people, going to the movies is a throwback to sitting around the fire

spinning tales of heroism and adventure. And it speaks to the universal desire to see great stories play out as well as to connect with our fellow humans.

Philosophical musings aside, going to movies is fun.

"I still love the mythos of the darkened theater," says Marcus Leab, 26, a high school English teacher from Robbinsdale, Minn. "When the audience collectively gasps at a thrilling moment or when they all laugh at a funny moment, everyone is connected by that moment, and it makes the experience worthwhile."

Some just yearn to connect with a loved one.

For Lina Broydo, 57, a hotel public relations official from Los Altos, Calif., the movies offer a chance to get reacquainted with her husband.

"It is a weekly outing we both treasure for the duration of these few hours we spend together away from the hectic world of stress, rush, cell phones and traffic gridlock. He puts his arm around my shoulder, squeezes my hand, and these two hours are spent in the tranquility and the fantasy of the world on the big screen, as well as our little time for affection. How can you compare it with a snoring husband in front of the DVD, lounging in his PJs with a bag of potato chips all over the couch?"

Others developed an early affection for the cinema nurtured by their film-aficionado parents.

"My father was a huge movie buff and turned me into one, too," says Alfred



Medeiros, 45, a comedian living in Boca Raton, Fla. "The best night I remember at the movies was the night we went to see Blazing Saddles. It was just my dad, my brother Danny and me.

"Thank you, Mel Brooks, from the bottom of my heart. I never saw my dad laugh so hard in his life, and even though he passed away in 1980, I can still close my eyes and see him sitting in that dark movie theater next to me, clutching his stomach, gasping from laughing, tears streaming down his cheeks. It still brings a smile to my face."

Parents and grandparents regard their local multiplex as an ideal place to create lasting memories.

"DVDs are OK, but there's nothing better than the big screen," says Jack Jernigan, 43, a consultant from Old Hickory, Tenn. "When my children were a few years younger, my wife and I took them to see Beauty and the Beast on IMAX. They were totally enthralled by the experience: the larger-than-life characters, the details, the magic of it all.

Continued on page 19



**Continued from page 18
Movies as you like them**

"Home theater is just not the same. TV is never large enough, and there's something about the aroma of freshly popped popcorn and the taste of a Diet Coke with plenty of ice in a paper cup with a lid and a straw."

Pat Merkner, 66, a retired teacher from Buford, Ga., has transformed her weekly Friday date night with her husband of 46 years into a special "Friday Fun Night" with their 8-year-old granddaughter. Most recently, they took in Charlie and the Chocolate Factory.

"We've seen every family film that was out this summer," Merkner says. "My grandparents used to take me to the movies in Chicago, and I became a movie lover. Now our granddaughter is an avid moviegoer, too. This is our big night out. We do not enjoy renting movies. We make sure we go to a new movie once a week."

But for many people, the price of

popcorn is one of the main irritants about theaters. People complain that:

- Concessions cost too much. "Unfortunately, moviegoing has been all but ruined by the metroplex with its plethora of noisy video games, ridiculous-sized candies and foods like nachos, dill pickles and ice cream bars, all at outrageous prices," says Mary Denny, 62, an associate public relations director at Trinity University in San Antonio. "Nevertheless, they seem to attract an inordinate number of pierced and tattooed teens with movies that seem to have traded plot and good dialogue for gratuitous violence and increasingly outlandish special effects."

- For some, the theater is too loud. Others say technology for the hearing impaired doesn't always work. Larry Kavanaugh, 55, of Davenport, Fla., a presenter of new technology at Epcot Center, says: "Those of us with severe hearing loss cannot understand the

dialogue and are forced to make up a story to go with the images. Theaters are required to have Assistive Listening Systems, which usually do not work. We spend half the movie running to the lobby to get it fixed, or we suffer quietly and waste our \$8 admission fee. My home theater with HDTV and surround sound will have to suffice."

- Fellow moviegoers are irritating. "Without fail, there will be one or two people near me who must keep a running commentary," says Mary Helfrick, 34, an accounting clerk from Sacramento. "People! This is not your living room."

Some say they avoid noisy filmgoers and ease the financial burden by piling into the car and heading for a drive-in - but there are only about 400 drive-ins left.

"The drive-in theater offers a wonderful social atmosphere where you can choose to either sit outside in a folding chair and watch movies under

the stars or enjoy the confines of your car," says Mark Bialek, 44, of Baltimore, president of the Drive-In Theater fan club. "The cost of admission (usually \$7 or \$8 for adults and children under 12 free) makes attending them much more appealing; plus, you get to watch two to three movies for that same price."

And despite complaints, people continue to enjoy motion pictures as a collective experience.

"Every second Friday of the month, about 15 of my friends and I meet for our Lunch and Movie Group," says Madonna Allread, 56, a former teacher from Centerville, Ohio. "We bring the Friday paper and select a movie during lunch. We love talking about the reviews and deciding on what (to) see. We all love movies, and this way we all get to go as a group. We cry, laugh and applaud out loud. It's the best."

■ ■ ■

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Immigration

Homeland Security Backs Off Minutemen Idea

By JEREMIAH MARQUEZ
Associated Press

LOS ANGELES, CA - The Department of Homeland Security says it has no plans to enlist citizen volunteers in patrolling U.S. borders, rebuffing a proposal by its top border enforcement official.

Customs and Border Protection Commissioner Robert C. Bonner told The Associated Press his agency was considering the training of volunteers to create "something akin to a Border Patrol auxiliary."

But Homeland Security spokesman Brian J. Roehrkasse said Thursday that Bonner, whose agency is part of Homeland Security, had not provided "any specific details" of his proposal to agency officials.

"There are currently no plans by the Department of Homeland Security to use civilian volunteers to patrol the border," Roehrkasse said. "That job should continue to be done by the highly trained, professional law enforcement officials."

Before a high-profile civilian campaign to fight illegal immigration along the Arizona-Mexico border was launched in April, Bonner had urged citizens not to interfere with his agents' work, saying "ordinary Americans"



Customs and Border Protection
Commissioner Robert C. Bonner

were not qualified for what can be a dangerous task.

But the so-called "Minuteman

Project" apparently had an effect on his thinking. He said this week his agency decided to look into involving citizens after seeing how eager volunteers were to stop illegal immigration.

"It is actually as a result of seeing that there is the possibility in local border communities, and maybe even beyond, of having citizens that would be willing to volunteer to help the Border Patrol," Bonner said in an interview Wednesday while visiting the Los Angeles-Long Beach port complex.

Bonner said the idea was still conceptual and that details such as whether citizens would be deputized to enforce federal immigration law hadn't been worked out. A spokeswoman said a range of proposals were being considered, including having volunteers do clerical work so more agents could work in the field.

Chris Simcox, a co-organizer of the Minuteman Project, said he wasn't surprised that Bonner's proposal was rebuffed, nor was he disappointed.

His organization "does not need the federal government to put its rubber

stamp on us," Simcox said.

"Why would we want a federal government who can't manage the borders as it is to co-opt our movement?"

A representative with the Border Patrol agents' union critical of the concept agreed with Homeland Security officials.

"The whole idea that (CBP officials) were going to create a volunteer force was a diversion to mollify the organizers and the participants in the effort," said T.J. Bonner, president of the National Border Patrol Council, which represents agents.

T.J. Bonner is no relation to Robert Bonner.

Robert Bonner had said his agency was examining as potential models the volunteer auxiliaries of the Los Angeles County Sheriff's Department and U.S. Coast Guard. The Coast Guard Auxiliary helps with non-law enforcement programs such as public education, vessel safety checks, safety patrols, search and rescue, and maritime security.

Homeland Security said there already are programs for civilian volunteers such as Citizen Corps, which helps coordinate preparedness activities nationwide.

■ ■ ■

Immigrant Births Put Pressure on Hospitals

By CARA ANNA
Associated Press Writer

UTICA, N.Y. - Almost one in four American births is now to a foreign-born mother, according to a recent report by the Center for Immigration Studies. The result, medical experts and advocates say, is a growing pressure on American health care centers to not only deliver babies, but deliver them in more languages than one.

The Civil Rights Act of 1964 says hospitals that get federal money must provide interpreter services. It just doesn't say how. Most hospitals reach out with phone-based interpretation services. But critics say the phone has limitations, especially during childbirth.

"What, are they going to pass the receiver back and forth while the doctor is catching the baby?" asked Dr. Francesca Gany, director of the Center for Immigrant Health at the New York University School of Medicine. "Health care facilities are definitely feeling the heat."

The Joint Commission on Accreditation of Healthcare Organizations is studying the link between medical error and interpretation issues, Gany said. And the National Health Law Program is looking at how small health care providers can offer language services. A report by the Washington-based Institute of Medicine said 56 percent of such providers surveyed had received no language training.

Though studies are under way, there

are no national numbers for access to, or use of, interpreter services in health care. But there are some telling samples.

One hospital in Madison, Wis., said requests for interpreters more than doubled, to more than 4,000 requests a year, between 2000 and 2003. In Columbus, Ohio, Children's Hospital in 2002 had almost 8,000 requests for interpreters.

A survey of New Jersey's hospitals shows that in a largely urban state where 11 percent of residents have limited English, just 3 percent of hospitals have a full-time interpreter. Eighty percent of hospitals offer no staff training on working with interpreters, and 31 percent have no multilingual signs.

Cost is a barrier and most hospitals told the New Jersey survey that reimbursement for translation services is needed. A 2002 study by the National Association of Children's Hospitals found interpreting costs at 22 hospitals ranged from \$1,800 to \$847,000 per year.

The alternatives to a trained translator can be, and have been, a Spanish-speaking janitor pulled into the delivery room, said Dr. Portia Jones, an assistant professor at Albany Medical Center in New York.

Jones oversees a pilot interpreting program for the center's medical students. In a city of just under 100,000, the program includes about 30 volunteers who speak Russian, Spanish, Arabic, Farsi, Japanese, Polish and other languages.

"This seems like such a no-brainer," Jones said. But change comes slowly.



Nancy Kohn, field coordinator for the Boston-based The Access Project, said some people have told her that if they don't speak English at hospitals, they don't get seen. The project focuses on improving health care for underserved populations.

When all else fails, children themselves have stepped in. One interpreter group does a presentation titled, "Can my 7-year-old interpret for me in the delivery room?"

Utica's number of refugees per capita, 10,000 in a city of 60,000, is one of the highest in the country. The Multicultural Association of Medical Interpreters in Utica contracts with about 40 interpreters in 14 languages and arranges about 600 interpreting sessions a month, triple the number in 2002.

Even with such numbers, the lack of interpreters at Utica-area hospitals brought complaints less than two years ago, but in unusually polite terms.

Translated from Russian, one woman's letter reads, "I appeal to the employees

of the maternity ward, please be so kind in the future as to provide all non-English-speaking women giving birth with a trained interpreter, especially during their hour of their greatest need and trial. Again, thank you very much for all your care and concern."

The woman had consented to an operation on her fetus, but without quite understanding why.

In another case, a man from Bosnia tried to understand as a doctor attempted to explain that the man's wife needed a Caesarean section. Horrified, the man translated incorrectly and told his wife the baby was dead, and it would have to be cut out of her. The woman went into shock. Though the baby was healthy, she couldn't take care of it for a week. ■ ■ ■

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WHERE REALITY SHATTERS ILLUSION

Illegal entry by non-Mexicans rises

By Kris Axtman
Staff writer -
The Christian Science Monitor

HOUSTON, TX – After decades of attempting to dam the flow of Mexican immigrants crossing into the United States illegally, federal agents say a new crisis is emerging along the southern border and they are helpless to stop it.

Non-Mexicans are spilling over the border in record numbers - some from countries with terrorist ties - and most are set free soon after being captured.

Already this year, the number of non-Mexican apprehensions has far outpaced last year's total in just eight months. And while they are still a relatively small percentage compared with the number of illegal Mexicans, critics say the federal government's policy in dealing with them is far more dangerous.

Because OTMs, or "Other Than Mexicans" as the Border Patrol classifies them, must be returned to their country of origin, they cannot be simply sent back across the southern border, as most Mexicans are. Under US law, they must be detained (in the US) pending a deportation hearing. The problem is, immigration detention centers are packed, so most OTMs are given a court summons and told to return in three months. A full 85 percent don't.

According to the Border Patrol, some 465,000 OTMs have taken advantage of this "catch and release" policy to settle here in the US. "It's an insane policy which encourages OTMs to come into the country illegally, and we shouldn't be shocked that they are coming in record numbers," says T.J. Bonner, president of the National Border Patrol Council, which represents more than 9,000 agents.

In fact, he says, after crossing the border, many OTMs flag down agents or walk up to them and surrender, knowing they will be released. "The word is out," says Mr. Bonner. "They know that as soon as they are caught, they will be free to roam at will."

In a hearing in the House Appropriations Subcommittee on

Homeland Security earlier this month, Border Patrol Chief David Aguilar said his agency has apprehended 919,000 illegal immigrants so far this year - 119,000 of whom were OTMs.

That puts the agency on pace to hit 150,000 such apprehensions by the end of the fiscal year, almost triple last year's high-water mark of 65,000 OTM apprehensions. In fiscal 2003, the numbers were around 40,000, and in 2002 and 2001, around 30,000 each.

"We should be greatly concerned because OTMs do not register, their travel documents are suspect, and they have no biometric records that can be checked to verify identity," remarked the appropriations subcommittee's chairman, Harold Rogers (R) of Kentucky.

Most are from Brazil and Central America, but Mr. Aguilar reported that last year 644 came from "countries of concern."

What's most disturbing, say immigration experts, is that the increase in OTM apprehensions comes on the heels of the US war on terror.

"We are not protecting Americans against the next terrorist attack," says Michael Cutler, a former special agent with the Immigration and Naturalization Service and a fellow at the Center for Immigration Studies in Washington. "There are so many holes in the system."

He points to the OTM loophole as one example. Another is the Visa Waiver Program, which allows residents from 28 countries, including Canada, to enter the US without getting a visa in their home country.

Mr. Cutler believes everyone entering the US, no matter what their country, should have to obtain a visa that documents personal information, the purpose of the visit, and contact information once they arrive. Shoe bomber Richard Reid, for instance, was born and raised in London and boarded a plane for the US with only a passport.

"We are all fixated on his shoes, and now passengers are required to take off their shoes, yet nobody wants to deal with the issue of how he was able to

enter the country in the first place," says Cutler.

Other critics say the guest-worker proposal, which is being touted as a way to know who is here, ultimately leaves the door open for document fraud and illegal entry. In the end, says Cutler, "the number of OTMs coming in is a barometer of how effective we are at deterring illegal immigration."

To help combat the increase in non-Mexican crossings, two US cities have been participating in a pilot initiative, known as the "expedited removal" program.

Border Patrol agents in Laredo, Texas, and Tucson, Ariz., are able to make decisions without the help of immigration judges in deciding whether a person has a valid case to fight deportation. And agents in the Rio Grande Valley sector, where the majority of OTMs cross, are being trained in the program.

Still, even under the expedited process, agents are finding a familiar problem: There is nowhere to house the immigrants while they wait to be deported.

Border-state politicians have been clamoring for years for more funding for detention centers, and some worry that if apprehended Mexicans began requesting immigration hearings instead of taking "voluntary departures," the problem would become even more dire.

Already, says former INS agent Bonner, the recent surge in OTM apprehensions is tying up precious time and manpower along the border. In some areas, like the Rio Grande Valley, some 75 percent of the sector's resources are devoted to dealing with the problem.

Border Patrol agents, he says, know that most OTMs have no intention of returning for the court hearing - and that is incredibly frustrating for them. "It's more than a little demoralizing," he says. "They feel like social workers. They are not enforcing the law; they are simply enabling people to break it - and that goes against the grain of any law enforcement officer."

■ ■ ■

\$41 Billion Cost Projected To Remove Illegal Entrants

By Darryl Fears
Washington Post Staff Writer

A new study by a liberal Washington think tank puts the cost of forcibly removing most of the nation's estimated 10 million illegal immigrants at \$41 billion a year, a sum that exceeds the annual budget of the Department of Homeland Security.

The study, "Deporting the Undocumented: A Cost Assessment," scheduled for release today by the Center for American Progress, is billed by its authors as the first-ever estimate of costs associated with arresting, detaining, prosecuting and removing immigrants who have entered the United States illegally or overstayed their visas. The total cost would be \$206 billion to \$230 billion over five years, depending on how many of the immigrants leave voluntarily, according to the study.

"There are some people who suggest that mass deportation is an option," said Rajeev K. Goyle, senior domestic policy analyst for the center and a co-author of

the study. "To understand deportation policy response, we had to have a number."

Advocates for tougher enforcement of immigration laws did not dispute the study's figures but disputed its assumptions about how enforcement would work.

The study assumed that tougher enforcement would induce 10 percent to 20 percent of undocumented residents in the United States to leave voluntarily. But Mark Krikorian, executive director of the Center for Immigration Studies, which advocates stronger enforcement of immigration laws, argued that as many as half would leave voluntarily if the government were to aggressively seek them out and crack down on businesses that hire them illegally.

"We do need to know what enforcement would cost," he said, "but [the study] is a cartoon version of how enforcement would work."

The study estimates that it would cost about \$28 billion per year to apprehend illegal immigrants, \$6 billion a year to detain them, \$500 million for extra beds,

\$4 billion to secure borders, \$2 million to legally process them and \$1.6 billion to bus or fly them home.

Goyle said that he conducted the study, in part, to respond to conservative officials who have advocated mass deportations, in some cases immediately. Earlier this year, former House speaker Newt Gingrich advocated sealing U.S. borders and deporting all illegal immigrants within 72 hours of arrest.

Will Adams, a spokesman for Rep. Tom Tancredo (R-Colo.), an outspoken advocate of stronger immigration laws, called the study an "an interesting intellectual exercise" by liberals that is "useless . . . because no one's talking about" employing mass deportation as a tactic.

"No one's talking about buying planes, trains and automobiles to get them out of the country," Adams said. "The vast number of illegal immigrants are coming for jobs. Congressman Tancredo wants to go after the employers."

■ ■ ■

Immigration

Who are the Minutemen?

By Ron Lee
US~Observer

Jim Gilchrist, an ex-Marine from California, formed the Minuteman Project to enforce the laws of immigration in our border states. According to the Minuteman HQ web site, "The Minuteman Project is made up of more than 1,000 patriotic Americans of diverse racial and ethnic backgrounds. We are, variously, of European, Jewish, American Indian, Hispanic, African and other backgrounds; consequently, we are multi-racial and multi-ethnic. Eight of our participants are married to immigrants, and 16 are themselves immigrants."

The topic of illegal immigration is not about race, it is about breaking the law. When a foreign national crosses our borders or overstays a visa, it is against the law, and the lawbreaker is in fact an illegal alien. It does not matter whether the illegal alien is green, blue, or purple; the issue is one of law enforcement, not race."

They go on to explain that the Minuteman Project is "not a call to arms, but a call to voices seeking a peaceful and respectable resolve to the chaotic neglect by members of our local, state and federal governments charged with applying U.S. immigration law. It is a call to bring national awareness to the decades-long careless disregard of effective U.S. immigration law enforcement. It is a reminder to Americans that our nation was founded as a nation governed by the 'rule of law', not by the whims of mobs of ILLEGAL aliens who endlessly stream across U.S. borders."

Even government officials acknowledge that the project has made an impact and the Minuteman organization plans to continue with its operations along the border states. The Minuteman Project has even been praised for thwarting an attempt by Al-Jazeera, the muslim news agency that has ties to Osama bin Laden, to report on the unprotected conditions of the U.S. southern border.

In a statement made by Chris Simcox, founder of the Minuteman Civil Defense Corps, regarding Al-Jazeera he said, "if Al-Jazeera wants to know about the Minuteman Civil Defense Corps or the condition of our porous borders they can do a Google search. I will not assist them in their recon efforts in any manner whatsoever ... Personally, I'll have no part in aiding and abetting the enemy, and will continue to work to protect our country from terrorists who are clearly looking at our unsecured borders as the pathway to destroy America."

Even though they have the popular support of many Americans, the Minuteman Project could use many more volunteers. In a recent letter from Gilchrist to the American public, "Reinforcements are needed in Campo, Ca. immediately to support Jim Chase's California Minutemen, who have deployed for border observation and reporting activities from July 16 through at least August 7 (and beyond)."

To volunteer or donate, go to: www.minutemanhq.com/hq.

■ ■ ■

Health

Many Still Buy Into Common Cancer Myths

By The American Cancer Association

More than 85% of Americans consider themselves at least somewhat knowledgeable about cancer, yet a substantial number of people still believe common myths about the disease and its treatment. That's the finding from a new American Cancer Society study published online Monday in the journal *Cancer*.

The finding is disappointing, said lead researcher Ted Gansler, MD, MBA, because it suggests many people may be basing their health care decisions on wrong information.

Gansler and his colleagues analyzed responses from a telephone survey of 957 US adults who said they'd never had cancer. Participants were asked how informed they thought they were about cancer, and about personal characteristics like age, race/ethnicity (white, African-American, Hispanic, other), gender, income, education, and where they lived. Then they were asked whether they agreed with 5 common cancer myths:

"Pain medications are not effective in reducing the amount of pain people have from cancer." "All you need to beat cancer is a positive attitude, not treatment." "Treating cancer with surgery can cause it to spread throughout the body." "There is currently a cure for cancer but the medical industry won't tell the public about it because they make too much money treating cancer patients." "Cancer is something that cannot be effectively treated."

Conspiracy Theories and Fear of Surgery

About 75% of the people who took the

survey either believed or were uncertain about at least one of these incorrect statements.

"Many people don't spend a lot of time learning about specific health problems until those conditions affect them or someone close to them," said Gansler, who is director of medical content at ACS. "Consequently, people recently diagnosed with cancer who want to actively participate in their healthcare decisions often face the challenge of learning a lot of new information very quickly."

The most commonly-believed myth was that surgery could make cancer spread. Nearly 41% of participants said this was true, and another 13% said they weren't sure whether it was true or not. Men and people who said they weren't very informed about cancer were most likely to believe this misstatement. People with at least some college education were least likely to believe this claim.

In reality, though, surgery is a very effective treatment for cancer, Gansler said, and often the first treatment a patient will get.

This myth may stem from earlier decades, when cancer detection and treatment were less refined than they are now. In those days, cancer often wasn't found until it was very advanced, when surgery would have been less likely to help. People may have assumed the surgery caused the problem, giving rise to this rumor.

"Before modern cancer screening tests, CT scans, and MRIs, exploratory surgery was used much more often and, unfortunately, often found cancer that was too advanced to be removed by surgery," Gansler explained. "Without modern chemotherapy and radiation therapy, the outlook for such patients

was generally bleak. However, it is incorrect to assume that the initial surgery was responsible for poor prognosis."

The second most-commonly held misconception was that the medical industry is withholding a cure for cancer. More than 27% of participants agreed with that statement, and another 14% weren't sure. People with lower education levels were most likely to believe this conspiracy theory.

Those figures point to a certain level of distrust toward the medical community that could be problematic, Gansler noted. If patients don't trust their doctors, they're less likely to follow advice about cancer prevention, screening, and treatment -- and may even put their health in danger.

But that finding may not be as dire as it seems, Gansler said.

"Although many people indicated they do not trust the 'medical industry,' previous studies show that they have more confidence in their own doctors. So, the number of people completely rejecting appropriate medical advice is probably much lower than 27%."

Cancer -- and Pain Can Be Treated

Two of the myths in the survey were recognized as false by nearly everyone who participated. More than 87% of people knew that cancer can be treated effectively, and 89% knew a positive attitude isn't enough to beat the disease.

However, 19% of people thought pain medications weren't effective for cancer pain, and just over 13% weren't sure. Older people and poorer people were especially likely to believe this statement, and college graduates were least likely.

One reason for that gap may be that poorer people simply don't have as much access to effective pain medication, either because they can't afford it or because pharmacies in their area don't carry the strongest medicines, fearing break-ins by criminals and drug addicts.

"It's particularly troubling that many people may be suffering needlessly, when studies show that cancer pain can be relieved in most cases," Gansler said.

Get the Word Out

Ideally, Gansler said, the people should be more informed about health issues. The most important cancer information for the general public is about prevention and early detection, since this knowledge influences decisions they make quite often. And once someone is diagnosed with cancer, they need access to accurate and easy-to-understand information about the disease, he added.

"It's important for clinicians to assess how well their patients understand the key issues about their disease and to address any misconceptions themselves or by referring the patient to organizations that can help, such as ACS," Gansler said. "Although the need is especially great in areas that serve low-income populations with less education, almost everyone needs at least some help."

Citation: "Sociodemographic Determinants of Cancer Treatment Health Literacy." Published online June 27 in Cancer (August 1, 2005 print edition). First author: Ted Gansler, MD, MBA, of the American Cancer Society.

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Good news for dark chocolate-lovers?



By Reuters Staff Writer

Dark chocolate can not only soothe your soul but can lower blood pressure too, researchers reported recently.

The study, published by the American Heart Association, joins a growing body of research that show compounds found in chocolate called flavonoids can help the blood vessels work more smoothly, perhaps reducing the risk of heart disease.

"Previous studies suggest flavonoid-rich foods, including fruits, vegetables, tea, red wine and chocolate, might offer cardiovascular benefits, but this is one of the first clinical trials to look specifically at dark chocolate's effect on lowering blood pressure among people with hypertension," said Jeffrey Blumberg of Tufts University in Boston, who led the study.

"This study is not about eating more

chocolate," Blumberg added. "It suggests that cocoa flavonoids appear to have benefits on vascular function and glucose sensitivity."

Scientists are far from being able to make specific recommendations for patients based on their research on chocolate, and nutritionists have urged people to be cautious because chocolate is high in fat, sugar and calories.

Blumberg and colleagues at the University of L'Aquila in Italy studied 10 men and 10 women with high blood pressure.

For 15 days, half ate a daily 3.5 ounce (100 gram) bar of specially formulated, flavonoid-rich dark chocolate, while the other half ate the same amount of white chocolate.

Then each group "crossed over" and ate the other chocolate.

"White chocolate, which has no flavonoids, was the perfect control food because it contains all the other ingredients and calories found in dark chocolate," Blumberg said.

"It's important to note that the dark chocolate we used had a high level of flavonoids, giving it a slightly bittersweet taste. Most Americans eat milk chocolate, which has a low amount of these compounds."

Writing in the journal *Hypertension*, Blumberg's team said when the volunteers ate the special dark chocolate, they had a 12 mm Hg decrease in systolic blood pressure (the top number in a blood pressure reading)

and a 9 mm Hg decrease in diastolic blood pressure (the bottom number) on average.

Blood pressure did not change when the volunteers ate white chocolate.

"This is not only a statistically significant effect, but it's also a clinically meaningful decline," Blumberg said. "This is the kind of reduction in blood pressure often found with other healthful dietary interventions."

Eating dark chocolate also seemed to improve how the body used insulin, and reduced low density lipoprotein (LDL) or "bad" cholesterol by about 10 percent on average.

"The findings do not suggest that people with high blood pressure should eat lots of dark chocolate in lieu of other important blood pressure-reduction



methods, such as medication and exercise," Blumberg said. "Rather, we are identifying specific flavonoids that can have a benefit on blood pressure and insulin sensitivity."

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Health

High-protein diets curb appetite

By Alison McCook

NEW YORK (Reuters Health) - The ever-popular low-carbohydrate diets appear to work because they force people to eat more protein, which consequently suppresses the appetite, not because of a lower carbohydrate intake, according to new study findings published in the American Journal of Clinical Nutrition.

These results suggest that it's not necessary for people to cut back carbohydrates to lose weight, according to Dr. Arne Astrup of the Royal Veterinary and Agricultural University in Copenhagen, who wrote an accompanying editorial.

Protein appears to encourage people to eat fewer calories overall, Astrup noted, so if people simply increase their intake of protein, that should help them lose weight. "You can just eat a little more lean meat and low-fat dairy products," Astrup recommended.

Lead study author Dr. David S. Weigle of the University of Washington School of Medicine in Seattle and his colleagues note that low-calorie diets rarely work. This has encouraged researchers to consider that changing the ingredients of the diet, but not its calories, makes a difference in people's waistlines.

Previous research shows that low-carbohydrate diets, typically high in fat and protein - are effective, the authors report, but so are low-fat diets.

Weigle and his team speculated that low-carb diets may work because they encourage people to eat more protein, which decreases people's appetites and causes them to consume fewer calories.

To investigate, the researchers followed 19 people placed on different diets. As part of the first diet, which was designed to maintain body weight and lasted 2 weeks, people received 15 percent of calories from protein, 35 percent from fat, and 50 percent from carbohydrates.

In the next diet, people followed a calorie-controlled diet for 2 weeks, in which they got 30 percent of calories from protein, 20 percent from fat, and 50 percent from carbohydrates. People then spent another 12 weeks consuming the same percentage of calories from each type of food, but were told they could eat as many calories as they wanted.

People reported feeling less hungry on the calorie-controlled, high-protein diet. When they continued the diet but could eat consume as many calories as they wanted, they took in nearly 450 fewer calories per day and lost almost 5 kilograms (11 pounds).

Astrup explained that protein helps people lose weight because, "calorie for calorie," protein makes people feel fuller than carbohydrates or fat. The researcher noted that it's unclear why protein works better at curbing appetite.

SOURCE: American Journal of Clinical Nutrition, July 2005. ■■

Students Flock to Campus Organic Farms

By JULIA SILVERMAN
AP Education Writer

Corvallis, OR (AP) -- Plenty of college kids still subsist on a steady diet of ramen noodles, cold cereal and beer to wash it all down.

Not Nate France. The crop and soil sciences major at Oregon State University here wouldn't dream of following the well-beaten path to the local Carl Jr.'s for cheap, mammoth burgers.

Instead, every Thursday afternoon until the sun sets, France helps till and tend to a pocket-sized, student-run organic farm on a couple of soil-rich acres just outside this western Oregon college town.

"I sowed some corn while it was raining, and then I tamped down the soil too much — it caked up, hard as a brick, and the corn plants couldn't come up," said France, 27, who dreams out loud about farming his own land someday. "This next time, I know to mix manure in. This is like a trial by fire, a way to make mistakes before it matters too much."

In the last decade or so, student-run farms have cropped up across the country, at almost 60 schools in 27 states. Foodies call it the latest sign of the seasonal, regional food movement's influence, even on a collegiate landscape that's virtually paved with Hot Pockets, Pop Tarts and leftover pizza.

Over the past few years, about 200 schools have signed up with farm-to-college programs, which match up local farmers with area universities,

according to the Venice, Calif.-based Community Food Security Coalition. The University of Montana in Missoula, for example, allocates about \$425,000 to local meat, dairy and wheat products, about 17 percent of the school's overall food budget.

At Brown University, in Providence, R.I., dining hall purchasers started swapping Granny Smiths and Red Delicious for locally grown Macouns and Pippins. Apple consumption tripled, and the experiment extended to locally grown tomatoes and peaches, milk from Rhode Island dairies and, eventually, a farmers' market that set up shop outside the dining hall.

"I was carrying a flat of local peaches into the dining hall once, it was like having bread at the beach and having seagulls following me," said Louella Hill, a recent Brown graduate who helped organized the on-campus farmers' market. "People were grabbing peaches and eating them before I could get to the fruit bowl."

But student farms, which range from half an acre to 200, turn students themselves into growers.

Some student farmers, like those at Dartmouth College in New Hampshire, sell the fruits of their labor at on-campus farmstands, while the bounty from the University of Idaho at Moscow gets parceled out each week to community members who have prepaid for baskets of whatever's fresh.

Some student farms supply their dining halls with fresh produce, while others sell directly to restaurants. At Colorado State University's student farm, what doesn't get sold on campus or

Lose weight gain wealth

By Amy Norton

NEW YORK (Reuters Health) - Overweight people who trim down substantially may improve both their health and their wealth, if new research is correct. The study, based on 15 years' worth of data from a large U.S. survey, found that both weight and weight changes were related to people's net worth -- their assets minus their debts.

In general, people with a normal body mass index (BMI) had the highest net worth, and heavy people who lost a significant amount of weight tended to see their wealth increase. Minor weight changes, on the other hand, showed little financial effect.

The pattern was not neat, however. In particular, obese black men had a greater net worth than slimmer black men, and overall, there was no clear association between BMI and wealth among African-American males.

In contrast, being thin helped white women's bottom lines the most, according to findings published online by the journal Economics and Human Biology. A white woman's net worth peaked when her BMI was just above the threshold for "normal," while that of white men and black women was greatest when their BMI was at the higher end of normal.

White women also lost the most in terms of absolute dollars as BMI increased.

Similarly, women and white men tended to gain wealth after losing a large amount of weight. For example, a typical white male who trimmed 10 points from his BMI -- equivalent to a 6-foot-tall male going from 250 to 175 pounds -- had a wealth increase of \$12,720. But again, black men differed

in that their net worth dipped slightly with such a drastic weight change.

The reasons for the racial and gender discrepancy are not clear -- nor is there an easy explanation for the relationship between weight and wealth, according to study author Jay Zagorsky, a researcher at Ohio State University's Center for Human Resource Research in Columbus.

A person's body size does not seem to affect measures of wealth like capital gains made from stocks, he told Reuters Health, and so it would appear that weight affects income specifically.

Other researchers, according to Zagorsky, have speculated that heavy people may face discrimination in the workplace, which could lower their incomes. Obesity might also raise a person's spending, on food or treatments for obesity-related health conditions, for example.

The study drew on data from the National Longitudinal Survey of Youth, a large nationally representative survey of Americans born between 1957 and 1964. Zagorsky based his findings on data collected between 1985, when respondents were at least 20 years old, and 2000.

The results indicate only an association between weight and wealth, and not a definite cause-and-effect relationship. However, Zagorsky pointed to some evidence that it's weight that affects wealth, rather than the other way around.

A subanalysis of survey respondents whose wealth was suddenly boosted with an inheritance found that these individuals had no significant changes in BMI in the following years.

SOURCE: Economics and Human Biology, online July 2005. ■■

eaten by volunteers is donated to local food pantries.

"I, like students, like the social aspects of working in the garden, and being able to connect with other similar-minded people," said Debra Guenther, a Colorado State horticulture research associate who helps run the student farm.

In Corvallis, the fat green fava beans, pearly garlic, broccoli and lettuce harvested on a recent Thursday are for sale the next morning at an on-campus, unstaffed booth; payment is on the honor system and helps support the farm.

This time of year rows of tomatoes and eggplants nod in the sun, waiting for their moment in late August, and a tiny patch of strawberries grows nearly wild — just enough for eating, not for selling. After four hours or so of weeding, harvesting and planting, students have a communal meal.

"It's nice during school to be able to go out and get my hands dirty," said Kevin McAlpin, 22, an Oregon State junior majoring in natural resources who was on his hands and knees weeding a lettuce bed. "It's stress relief."

Some student farms stretch back decades, but the Oregon State one was begun in 2001. Previous attempts to start



a farm had failed when students found that gardening was a year-round job, said James Cassidy, an instructor in the soil physics lab, who has become the group's leader.

Now, Cassidy, a former bass player for the '80s dance group "Information Society" who nourished an interest in soil even as group churned out hits like "Pure Energy," is an undisputed garden fanatic.

"It's like working in a kitchen," he said. "Gardening is not a democracy."

Cassidy dreams of planting canola seeds one day to extract oil to make the biodiesel necessary to power a tractor and of expanding the farm by eight more acres.

"Creative people are coming to this," he said. "It gives students an opportunity to put a seed in the ground and see what happens." ■■

US~Observer *Demanding Accountability*

Mexican mercenaries expand base into U.S.

By Jerry Seper
THE WASHINGTON TIMES

A renegade band of Mexican military deserters, offering \$50,000 bounties for the assassination of U.S. law-enforcement officers, has expanded its base of operations into the United States to protect loads of cocaine and marijuana being brought into America by Mexican smugglers, authorities said.

The deserters, known as the "Zetas," trained in the United States as an elite force of anti-drug commandos, but have since signed on as mercenaries for Mexican narcotics traffickers and have recruited an army of followers, many of whom are believed to be operating in Texas, Arizona, California and Florida.

Working mainly for the Gulf Cartel, one of Mexico's most dangerous drug-trafficking organizations, as many as 200 Zeta members are thought to be involved, including former Mexican federal, state and local police. They are suspected in more than 90 deaths of rival gang members and others, including police officers, in the past two years in a violent drug war to control U.S. smuggling routes.

The organization's hub, law-enforcement authorities said, is Nuevo

Laredo, a border city of 300,000 across from Laredo, Texas. It is the most active port-of-entry along the U.S.-Mexico border, with more than 6,000 trucks crossing daily into Texas, carrying about 40 percent of Mexico's total exports.

Authorities said the Zetas control the city despite efforts by Mexican President Vicente Fox to restore order. He sent hundreds of Mexican troops and federal agents to the city in March to set up highway checkpoints and conduct raids on suspected Zeta locations.

Despite the presence of law enforcement, more than 100 killings have occurred in the city since Jan. 1, including that of former Police Chief Alejandro Dominguez, 52, gunned down June 8, just seven hours after he was sworn in. The city's new chief, Omar Pimentel, 37, escaped death during a drive-by shooting, although one of his bodyguards was killed.

Authorities said the Zetas operate over a wide area of the U.S.-Mexico border and are suspected in at least three drug-related slayings in the Dallas area. They said as many as 10 Zeta members are operating inside Texas as Gulf Cartel assassins, seeking to protect nearly \$10 million in daily drug transactions.

In March, the Justice Department said

the Zetas were involved "in multiple assaults and are believed to have hired criminal gangs" in the Dallas area for contract killings. The department said the organization was spreading from Texas to California and Florida and was establishing drug-trafficking routes it was willing to protect "at any cost."

Just last month, the department issued a new warning to law-enforcement authorities in Arizona and California, urging them to be on the lookout for Zeta members. An intelligence bulletin said a search for new drug-smuggling routes in the two states by the organization could bring new violence to the areas.

The number of assaults on U.S. Border Patrol agents along the 260 miles of U.S.-Mexico border in Arizona known as the Tucson sector has increased dramatically this year, including a May 30 shooting near Nogales, Ariz., in which two agents were seriously wounded during an ambush a mile north of the border.

Their assailants were dressed in black commando-type clothing, used high-powered weapons and hand-held radios to point out the agents' location, and withdrew from the area using military-style cover and concealment tactics to escape back into Mexico.

Santa Cruz County Sheriff Tony Estrada in Nogales said his investigators found commando clothing, food, water and other "sophisticated equipment" at the ambush site.

Since Oct. 1, the start of the fiscal year, there have been 196 assaults on Border Patrol agents in the Tucson sector, including 24 shootings. During the same period last year, 92 assaults were reported, with five shootings. The sector is the busiest alien- and drug-trafficking corridor in the country.

U.S. intelligence officials have described the Zetas as an expanding gang of mercenaries with intimate knowledge of Mexican drug-trafficking methods and routes. Strategic Forecasting Inc., a security consulting firm that often works with the State and Defense departments, said in a recent report the Zetas had maintained "connections to the Mexican law-enforcement establishment" to gain unfettered access throughout the southern border.

Many of the Zeta leaders belonged to an elite anti-drug paratroop and intelligence battalion known as the Special Air Mobile Force Group, who deserted in 1991 and aligned themselves with drug traffickers. ■■

Thousands of illegal alien child predators captured

By Jim Kouri, CPP
NewsWithViews.com

Top officials at the Department of Homeland Security recently announced that arrests during the first two years of Operation Predator have exceeded 6,000.

Operation Predator is Immigration and Customs Enforcement's comprehensive initiative to safeguard children from foreign national pedophiles, international sex tourists, Internet child pornographers and human traffickers. Operation Predator evolved out of ICE's mission to find and deport illegal aliens, particularly those with criminal records. The majority of the arrests under Operation Predator - roughly 85% - have involved foreign nationals in this country whose child sex crimes make them removable from the United States. By matching immigration databases

with state Megan's law directories, ICE agents have arrested more than 1,800 registered sex offenders.

Since Operation Predator began on July 9, 2003, the initiative has resulted in 6,085 child predator arrests throughout the country - an average of roughly 250 arrests per month and eight arrests per day. While arrests have been made in every state, the most have occurred in these states: Arizona (207), California (1,578), Florida (255), Illinois (282), Michigan (153), Minnesota (190), New Jersey (423), New York (367), Oregon (148) and Texas (545).

Operation Predator also has an important international component, as leads developed by domestic ICE offices are shared with ICE Attaché offices overseas and foreign law enforcement for action. To date, leads shared by ICE with foreign authorities

have resulted in the arrest of roughly 1,000 individuals overseas.

"With an average of nearly 250 child sex predator arrests per month, ICE's Operation Predator has emerged as one of most successful efforts ever launched to protect America's children. In enforcing the nation's immigration laws, ICE is systematically targeting those who pose the greatest threats, including criminal aliens who prey on our children.

Some recent ICE arrests involving criminal aliens who committed child sex crimes include Julio Cesar Rabago-Magana, a Mexican man who raped a four-year-old child in the basement of Mercado Central in Minneapolis, Minn. Rabago-Magana pleaded guilty Oct. 23, 2002 to first-degree criminal sexual conduct. After serving his criminal sentence, he was arrested by ICE agents at his St. Paul home on March 3, 2005,

and deported six days later.

To date, more than 2,100 of these foreign-born predators have been removed from the United States to their home nations. As part of this process, ICE advises the host nation governments about the criminal histories of each sex predator it is deporting to their nations. ICE also issues Green Notices through Interpol in appropriate cases. The Green Notice provides information on career criminals who have committed, or are likely to commit, offenses in several countries.

Sources: US Department of Homeland Security, Immigration and Customs Enforcement, National Security Institute

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