Promoting Excellence in Investigative Journalism

US OBSERVER
Vindicating the Innocent

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CORRUPTION SPOTLIGHT

Bankruptcy Fraud in Washington State?

By Lorne Dey
Investigative Reporter

Pacific County, WA - When the creek that provided water to James O'Hagan's cranberry farm was reportedly illegally diverted by county officials in 1994, O'Hagan could not have known that the act would eventually lead to an alleged bankruptcy fraud scheme that would involve several state and federal judges, at least two federal trustees, and a number of private attorneys.

James O'Hagan and son

Although there are currently no statistics on the prevalence of bankruptcy fraud, the crime generally takes four basic forms:

1. A debtor will conceal or attempt to conceal assets to avoid losing them.

2. A debtor will intentionally provide false or incomplete information concerning their assets.

3. A debtor will file multiple times using either false or real

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US~OBSERVER VICTORY SPOTLIGHT

Sticking it to Corrupt Government

By Joseph Snook
Investigative Reporter

It's not very often that someone can say, "I fought the law, and I won." Today, 66 year old **James Roberts** ***(pictured left)*** can rightfully say those words. Roberts was found not guilty of three misdemeanor charges on May 9, 2013. Roberts was charged with one count of reckless driving, and two counts of recklessly endangering another person. The charges were for allegedly endangering United States Forest Service (USFS) employee's Sean Thomas and Donald Ross. Each charge carried a maximum penalty of one year in jail.

THE DECISION

Facing a three year sentence if convicted, Roberts was offered eighteen months bench probation, no jail time, a three

D.A. Stephen Campbell

month license suspension and some fines and fees if he entered a guilty plea and sold out to Josephine County District Attorney Stephen Campbell.

Claiming the USFS employees lied, Roberts hired a defense attorney and started preparing

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DA Vitolins Continues Rinehart Abuse
Blatant Crook County Corruption

By Edward Snook
Investigative Reporter

Crook County, OR – No, "Crook" County is not a play on words. It is actually a county in central Oregon where a corrupt district attorney ignores evidence and jails innocent people. Crook County District Attorney (DA) Daina Vitolins believes she is above the law and in fact, she is. She furthers her blatant, corrupt conspiracies using certain Crook County Sheriff's Deputies, her assistants and public defenders in forcing unjust, immoral, unethical plea-bargains upon innocent people and in jailing some of them, often for long periods of time. She is protected legally by unconstitutional and unlawful immunity statutes created

Corrupt District Attorney (DA) Daina Vitolins

by attorneys and legislatures of her ilk; however, Vitolins has absolutely no immunity in the Court of Public Opinion where I practice and she will soon find this out…

INNOCENT RINEHART JAILED SINCE OCTOBER 10, 2012 - FACTUAL CASE HISTORY

Matthew Rinehart was arrested on completely manufactured, false charges nearly 8 months ago. The US~Observer agreed to investigate Matt's case and subsequent to our initial investigation I contacted DA Vitolins by letter, informing her that Rinehart is innocent and how she could easily establish the facts proving innocence. She responded to my letter on January 4, 2013 by letter stating, "Dear Mr. Snook – As you may or may not be aware, we don't discuss pending

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Oregon DA Eric Nisley's Obstruction of Justice

By Kelly Stone
Investigative Reporter

Wasco County, OR - On July 19, 2012, then 17 year-old Armando Flores Garcia was indicted on sex-abuse related felony and misdemeanor crimes.

Garcia was engaged in a 7 month long consensual sexual relationship with 15 year-old Kelsey Floyd, the daughter of a Wasco County Sheriff's Deputy.

The relationship included many electronic communications

DA Eric Nisley

between the two teenagers and the police were called when Kelsey's mother reportedly discovered graphic Facebook messages to another teenage boy and to Garcia on her daughter's Facebook.

Because Kelsey's father is employed by the Wasco County Sheriff's Office, the Oregon State Police (OSP) were brought in to "investigate".

Floyd originally told the police that although she came to enjoy sex with Armando, she felt he had forced her to perform oral sex on

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US~OBSERVER EXPOSÉ

Today, An Accusation Gets You Life (in Prison)

Judge Jan Shackelford presiding

By Joseph Snook
Investigative Reporter

Escambia County, FL - Most professionals would agree that children lie. Young children often have a creative and vivid imagination. Learning the implications of a lie can be difficult without proper guidance. When a child lies, adults often laugh hysterically because it is so blatantly obvious. As a parent, I can relate to a child's fib and the humorous aspect of such. Despite the humor of lies told by children, the implications of certain un-truths can have serious effects. How can someone believe a child who clearly displays deceitful traits? How does a parent or an adult make the determination whether a lie is acceptable or not, regardless of its nature? How can you tell the difference between a lie and truth when a child who has admittedly lied to authorities, makes a statement that indicates a crime has been committed to that same authority?

"An even more sophisticated level of lying emerges between the ages of 6 and 8... At this stage, it's not just the content of the lie, but the motive or attitude..." ~Scholastic.com

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US~OBSERVER EXCLUSIVE

IRS, Media and Common Sense

By Lawyer Michael Minns

At times like this when Congress, the Administration, and everyone in between, are all complaining about something the IRS did, which was really bad - maybe even criminal - perhaps for a second or two we could pause and try to do something useful, or at very least think about something useful.

IRS employees were giving Tea Party and other conservative groups an illegal, hard time about whether or not they qualified for free status as non-profit organizations. It's a big deal; because you can deduct money you give a non-profit organization from your income taxes. If the Tea Party groups aren't legal non-profits, the money you give from your income can't be deducted.

It's all a little sad and a little funny.

The IRS is about taking your money when you get paid for your work in order to redistribute it to places to which you might or might not agree. The Tea Party is a political group that doesn't like the IRS and also doesn't like other government programs, mainly because the IRS has been bending the rules ever since it was started.

Ever since one commissioner decided not to pay income taxes at all; ever since Richard Nixon

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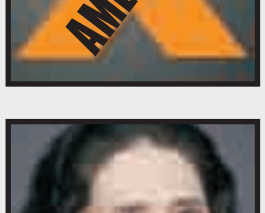

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- **Obama's attack on the media**

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for trial. After his first attorney "Did absolutely nothing", he fired her and contacted the US~Observer. Roberts later described contacting the US~Observer as, “Pivotal in my defense, I was going down if I hadn’t contacted Edward Snook.” Roberts ended up retaining attorney Nathan Wente before he finally had his day in court.

THE INCIDENT & TRIAL

On January 28, 2012, USFS employees Sean Thomas and Donald Ross were traveling south on Highway 199 by Rogue River Community College, just outside of Grants Pass, Oregon. Around mile post marker 4, they claimed that James Roberts started tail-gating them. USFS Employee Sean Thomas stated that Roberts was following so close he had to flash his rear lights to get Roberts to "back off".

Describing his first encounter at mile post 4 to the jury, Thomas said he considered Roberts to be a, "Serious, serious threat to public safety". Thomas continued to testify how Roberts would swerve into his lane, cut his vehicle off, slam on his brakes and attempt to run Thomas' vehicle off the road. Thomas, having conducted "Thousands of stops" during his nineteen and a half years in law enforcement said, "This was the most significant stop" he had ever made. After explaining these serious allegations to the jury, Thomas informed the court that he didn't pull Roberts over until "30 yards before mile post 18". Nearly fourteen miles would pass after Thomas considered Roberts to be a "Serious, serious threat to public safety", before Thomas would finally pull Roberts over. Attempting to validate his actions, Thomas said his commander instructed him to contact other law enforcement before making traffic stops.

Thomas was then asked a question that wasn't as easily answered - Why did you wait until 60 seconds prior to stopping Roberts to activate your dashboard camera? Again, after making "thousands" of traffic stops in over nineteen years in law enforcement, Thomas could only offer an explanation that went something like, "I only pull over a couple cars per year" (he was a sheriff's deputy for eight years in Marion County, which was probably when the other 1,982 estimated stops occurred). Forgetting to activate the dashboard camera was just a simple error - "It just slipped my mind". Officer Thomas, with his partner, Donald Ross sitting by his side, allegedly had a car slam its brakes in front of his, cut him off, swerve into his lane, and attempt to run him off the road for nearly 14 miles and somehow he and his partner forgot to turn on their video camera - the only way to gather factual evidence.

USFS Employee Donald Ross gave testimony that contradicted his partner's. Oregon State Police Trooper Heather West also testified. Trooper West actually issued the citation, even though she was never a witness to any of the alleged crimes. During trial, Roberts’ attorney Wente was very direct and did a good job of exposing the inaccuracies in the states case. Judging by the verdict - the jury was able to pick up enough of what Wente brought to their attention. From his opening statement, "The devil is in the details", to his "Dynamite closing", attorney Wente orchestrated an exceptional defense. "That man is absolutely incredible", Roberts later stated.

EXCLUDED FROM JURORS

I will now elaborate on why this article is titled, "Sticking it to Corrupt Government." Clearly, the USFS either lied, or greatly embellished their story. What needs to be known, is what District Attorney Stephen Campbell and Judge Lindi Baker did, which was not witnessed by the jury.

The only witness besides Roberts for the defense, was retired Undersheriff Don Fasching. While serving Josephine County as an Undersheriff, Fasching had at least "6 different encounters" with USFS employee Sean Thomas. Fasching stated he had validated many complaints against Thomas during his employment as a Sheriff's Deputy. He also stated that he had to contact Thomas' supervisor about his actions. Fasching continued , Thomas was ordered by his supervisor to record "All" interactions with the public on camera while in uniform. This was important for the jurors to know because Thomas stated "No", while under oath when asked if his supervisor had instructed him to record his interactions with the public. Did Thomas commit perjury, or was Fasching lying? During a phone conversation with the elected Chief Law Enforcement Officer of Josephine County, Sheriff Gil Gilbertson verified Fasching's statement regarding Thomas' requirement to record his interactions with the public. According to Fasching, Thomas was a big problem. When asked if he would trust Thomas, Fasching stated, "No", which clearly referenced the character of Thomas.

Upon exiting the courtroom during trial, I saw Fasching waiting to testify in the hallway. D.A. Campbell was standing right in front of Fasching, and appeared to be talking to him. I almost bumped into the two men as I exited the door into the narrow hall. As I walked away, I heard Fasching say, "Sorry Stephen, but I have to do what I have to do". Was D.A. Campbell tampering with a defense witness? Was Campbell obstructing justice? What would the prosecution have claimed if Roberts had multiple attorneys representing him and one of them was talking to a states witness off the record prior to testifying during a trial?

Judge Lindi Baker

It apparently didn't matter because Fasching was never allowed to testify. Prosecutor Esther Smith objected, stating that Fasching's testimony would be irrelevant because what he had to say didn't matter - he wasn't there when the alleged crime occurred. Judge Baker then asked Wente to respond. Wente replied, his purpose for testifying is to give character evidence about Thomas' truthfulness.

At this point, while the jurors were excluded from court proceedings, District Attorney Stephen Campbell was present in court, thumbing through what appeared to be his law book and conversing with prosecutor Smith directly in front of Judge Baker. The Judge could see D.A. Campbell didn't want Fasching to testify. Although Smith had only been a prosecuting attorney for five months, D.A. Campbell should have had enough respect for the court to communicate with her out of the presence of Judge Baker. Regardless of what had just occurred, I thought Baker would allow Fasching to testify. Judge Baker did not. She honored the prosecutions objection. She prohibited Fasching from testifying. This was, if I am correct, a violation of ORS 40.350.

ORS 40.350 STATES:

“Evidence of character and conduct of witness - (1) The credibility of a witness may be attacked or supported by evidence in the form of opinion or reputation, but:

(a) The evidence may refer only to character for truthfulness or untruthfulness...”

http://www.oregonlaws.org/ors/40.350

THE CONCLUSION

This entire case revolved around honesty and dishonesty. All in all, on May 9, 2013 - Roberts was found not guilty by an impartial jury, and stuck it to corrupt government, of course with his attorney's help. The conduct of USFS employees Thomas and Ross, as well as District Attorney Stephen Campbell and Judge Lindi Baker absolutely verified the opening statement for the defense - “The devil is in the details.”

★★★

LIBERTARIAN • li-bər-'ter-ē-ən
1 : an advocate of the doctrine of free will
2 a : a person who upholds the principles of individual liberty especially of thought and action
~Merriam-Webster

Your Personal Liberty

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

Lieberman: Terror! Terror! Hurry, Throw Money At It!

By Sam Rolley

Former Senator Joe Lieberman (I-Conn.) did his part to further the cause of making the United States more of a police state on Thursday; he told House lawmakers that because the Nation is at "war" with homegrown terrorists, local police agencies need more funding.

"We're in a war and, as I said, it's against an ideology that is not receding; it's spreading," he told lawmakers. "Particularly with homegrown terrorists, state and local law enforcers are in the best position to create the relationships within the communities that will allow them — and have allowed them in numerous cases — to stop terrorist attacks before they occur. And they're simply not going to do it without funding."

The formers Senator's remarks were made during the first Congressional hearing addressing the Federal government's failure to recognize a series of red flags that would likely have thwarted the Boston Marathon bombers' terror attack.

The FBI was notified that Tamerlan Tsarnaev had ties to Islamic extremists by Russian intelligence officials and subsequently interviewed the terror suspect in 2011. According to Federal investigators, however, Tsarnaev was not tracked following the interview.

During his testimony, Lieberman told House lawmakers that it was remarkable that the Russian warning was not given more attention, because tensions stemming from the Cold War have traditionally chilled intelligence sharing between the two Nations except in the face of clear and present danger.

"This really should have raised it to a very high profile internally because of where it came from," he said.

Also testifying on Thursday, Boston Police Commissioner Ed Davis expressed concern that, despite the warning from Russia, Boston law enforcement agencies didn't receive information about Tsarnaev's possible ties to terrorism until three days after the bombing.

Davis contended that it was "hard to tell" whether better information sharing would have kept the bombings from happening.

What's remarkable about Lieberman's suggestion that Congress should simply throw money at local law enforcement agencies in order to combat small time terrorists like the Tsarnaevs is that in the Boston event, intelligence sharing — which is cheap or free — was nonexistent, but militarized vehicles and expensive paramilitary equipment — much of which likely acquired with Federal grant money — was visibly plentiful in the days following the attack.

And it isn't as if the United States isn't already dropping serious cash in the name of protecting the homeland from terrorists. In the years since the 2001 attack on the World Trade Centers, "homeland security" has cost American taxpayers an unbelievable $791 billion.

Some of the expenditures contributing to that figure include:


Joe Lieberman

• Some $20 billion in, often duplicative, Federal grants to agencies for terror fighting tools and training between 2002 and 2011.

• $461 million in homeland security funding for the Bureau of Alcohol, Tobacco, Firearms and Explosives last year alone.

• A $11.7 billion budget for Customs and Border Protection and $2.2 billion in State Department funding in fiscal 2012 to provide border protection and screen people entering the country.

Sam Rolley began a career in journalism working for a small town newspaper while seeking a B.A. in English. After learning about many of the biases present in most modern newsrooms, Rolley became determined to find a position in journalism that would allow him to combat the unsavory image that the news industry has gained. He is dedicated to seeking the truth and exposing the lies disseminated by the mainstream media at the behest of their corporate masters, special interest groups and information gatekeepers. He is a staff writer for Personalliberty.com.

★★★

Florida Sets Up Hotline To Report Government Haters; *What Could Possibly Go Wrong?*

By Bob Livingston

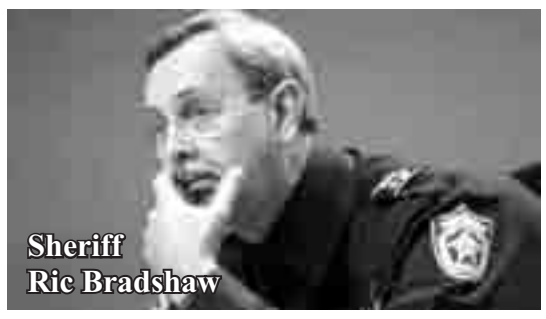
There is no end to the lunacy that can come from a government functionary when he has newfound money and a desire to keep the folks "safe." Take Palm Beach Sheriff Ric Bradshaw who now has $1 million burning a hole in his pocket, thanks to the Florida Legislature.

The money will be used for a new violence prevention unit ostensibly to prevent shootings like the ones in Newtown, Conn., and Aurora, Colo.

Bradshaw said plans are to use specially trained deputies, mental health professionals and caseworkers to respond to calls made to a 24-hour citizen hotline with a knock on the door and a referral to services, if needed. The goal won't be to arrest troubled people but to get them help before there's violence, Bradshaw said. As a side benefit, law enforcement will have needed information to keep a close eye on things.

"We want people to call us if the guy down the street says he hates the government, hates the mayor and he's gonna shoot him," Bradshaw said. "What does it hurt to have somebody knock on a door and ask, 'Hey, is everything OK?'"

What does it hurt? You might ask that question of Kenneth Chamberlain Sr., were he still alive. Chamberlain, a former Marine who suffered from heart problems and wheezed when walked more than 40 feet, according to a report in The New York Times, set off his medical alert system pendant. When he didn't respond to the system operator's questions about his health, an ambulance was


Sheriff Ric Bradshaw

dispatched. Police cars fell in behind.

Chamberlain told officers and medics he was fine and didn't want to come outside, so police knocked the locks off his door, fired a taser at him and then beanbags from a shotgun. Police say he then reached for a knife, so they shot him dead.

Or maybe you could ask Lisa Messina, who called police because her son was suicidal and who watched as a sniper shot and killed him while his back was turned. Or you could talk to Daniel Jensen. Police used a Taser on him rather than help him try to save his house, which was about to catch fire from the house fire next door.

My guess is Bradshaw's unit is going to be quite busy. There are a lot of people who hate what governments — from local to State to Federal — are doing, and they're expressing their displeasure on website blogs like Personalliberty.com and on social media and in public. Add to these the calls from neighbors with an ax to grind and jilted lovers looking for some sort of revenge, and Bradshaw's unit is going to run through that $1 million pretty quickly. After all, police like to respond to emergencies with overwhelming force. Ask the people in Watertown, Mass. ★

Obama Trying Gun Control End Run

By Bob Livingston

President Barack Obama's end run around Congress to establish onerous laws to infringe on the 2nd Amendment rights of Americans goes through the Department of Health and Human Services and its director, Kathleen Sebelius.

She is writing regulations to amend privacy regulations in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) that would waive Federal privacy laws and encourage your doctor to report you to the FBI.

First, some background. The Veterans Disarmament Act of 2007 contains Bill Clinton-era Bureau of Alcohol, Tobacco, Firearms and Explosives language that encourages physicians to report their patients if they suspect the patients are a "slight" danger to themselves or others or are deemed unable to manage their financial affairs. This has already cost 165,000 military veterans their gun rights.

But as recent efforts in New York have shown, it's moving into the private sector as well. Bureaucrats are combing through firearms registration and purchase records and supposedly private medical records and then confiscating the guns of individuals based on mental health information.

As Gun Owners of America points out:

According to gun rights reporter, Dan Roberts, firearms are now being confiscated from gun owners because of their mental health information. For example:

"[John Doe] received a letter from the Pistol Permit Department informing him that his license was immediately revoked upon information that he was seeing a therapist for anxiety and had been prescribed an anxiety drug. He was never suicidal, never violent, and has no criminal history."

So now taking anxiety pills can result in one's forfeiting their Second Amendment rights in New York!

If these regulations become law, you can bet that the filthy, greedy lawyers will be lining up to sue physicians and psychiatrists who fail to report any patients if those patients later go out and use a gun in a criminal act. The result will be that any person who sees a psychiatrist or admits to his physician that there are guns in the house will be ratted out by the doctors who don't want to risk being sued. Many lawful gun owners will lose their gun rights this way.

This rulemaking is still in the early stages. You can read the proposed rules by reading this article on-line. In the rules are ways to submit comments on the changes. And don't neglect to keep the pressure on the elected class, which has to be reminded that while their largess comes from K Street, their constituents live on Main Street. ★

Bob Livingston is an ultra-conservative American who has been writing a newsletter since 1969. Bob has devoted much of his life to research and the quest for truth on a variety of subjects. Bob specializes in health issues such as nutritional supplements and alternatives to drugs, as well as issues of privacy (both personal and financial), asset protection and the preservation of freedom. He is editor of Personal Liberty Digest™, www.Personalliberty.com - voted the number one Libertarian website, according to compete.com.

In The News

Chicago police officer convicted in tow truck payoffs

Staff Report
Chicago Tribune

A federal jury today convicted a veteran Chicago police officer of extorting payoffs from a tow truck driver in return for steering business to him at accident scenes.

The jury deliberated a little more than two hours before finding Deavalin Page, an officer since 1995, guilty of two counts of attempted extortion.

Page becomes the eighth Chicago police officer to be convicted in connection with the undercover FBI Operation Tow Scam probe. Four others, including three tow truck drivers, also have been convicted. Two additional police officers await trial. ★★★

Man awarded $5.5M from NY for wrongful conviction


Daniel Gristwood

SYRACUSE, NY - A central New York man who spent nine years in prison after being wrongfully convicted of trying to kill his wife has won $5.5 million in damages from the state.

Syracuse-area media outlets report a state Court of Claims judge ordered the payment to 46-year-old Daniel Gristwood of Pennellville. The judge ruled in 2011 that state police coerced him into falsely confessing in 1996.

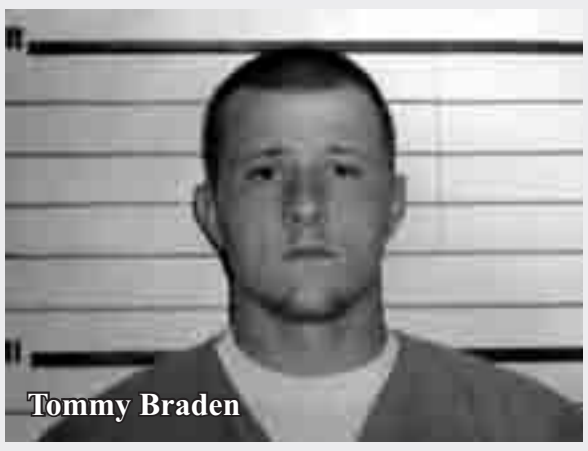
Gristwood was released from prison in 2005 after another man admitted attacking the sleeping Christina Gristwood with a hammer.

He sued the state for $7.5 million, saying the imprisonment disrupted his relationship with his children and left him depressed and suffering from post-traumatic stress disorder.

On May 1st, a spokeswoman for the state Attorney General's Office said no decision had been made on whether to appeal the award. ★★★

Innocent Man Tommy Braden Jailed For Rape, Police Refused DNA Testing

By Michael Allen
OpposingViews.com


Tommy Braden

Tommy Braden was imprisoned for 84 days after being wrongly accused of raping a child because Creek County, Oklahoma authorities refused to do a DNA test.

According to TulsaWorld.com, Braden is planning a lawsuit against the Creek County Sheriff's Office for wrongful arrest and detention.

Braden was arrested on April 6, 2012 after reporting an attack on the four-year-old daughter of his then-girlfriend.

Braden and his girlfriend were sleeping at one end of their mobile home, while the four-year-old girl was sleeping at the other end.

Patrick E. Misner

Braden found the girl in bed naked and bleeding, so he called 911. He noticed the little girl's bedroom window was broken and found blood on the front porch, but police thought it was just a set up by Braden.

He denied the charges, but the young victim identified him as the attacker after being grilled by police for an hour, reports the Daily Mail.

Braden was released on July 3, 2012 after a court-ordered DNA test matched Patrick Edward Misner, a convicted felon who lived in the same mobile home park as Braden.

Braden stopped eating in jail and dropped from 190 pounds to 130.

"From day one he's begging them to do a DNA test. They said they weren't going to do that because it was a waste of taxpayers' dollars," Braden's lawyer, Don Smolen, told TulsaWorld.com. "Why wouldn't you do a DNA test? Even if it was him, why not do a test and confirm it? Why take three months?'

The state Department of Human Services (DHS) filed a case against the mother for failing to protect her daughter while Braden was in jail. The DHS has not dropped their case against the mom, who is now married to Braden. ★★★

Cell phone users 'have no legitimate expectation of privacy' – judge

(RT.com) - A federal judge recently ruled that if someone has their cell phone turned on, their location data does not deserve protection under the Fourth Amendment, meaning law enforcement can track individuals without a search warrant.

New York magistrate judge Gary Brown decided in favor of Drug Enforcement Administration (DEA) agents who were seeking his approval over a warrant on a doctor who they suspected was being paid for issuing thousands of prescriptions. The warrant would have compelled the physician's phone company to provide real-time tracking data from his cell.

Brown, certainly to the delight of police, issued a 30-page brief outlining his opinion that, by carrying a cell phone, someone is essentially waiving their Fourth Amendment right to due process.

"Given the ubiquity and celebrity of geolocation technologies, an individual has no legitimate expectation of privacy in the prospective of a cellular telephone where that individual has failed to protect his privacy by taking the simple expedient of powering it off," Brown wrote.

"As to control by the user, all of the known tracking technologies may be defeated by merely turning off the phone. Indeed – excluding apathy or inattention – the only reason that users leave cell phones turned on is so that the device can be located to receive calls. Conversely, individuals who do not want to be disturbed by unwanted telephone calls at a particular time or place simply turn their phones off, knowing that they cannot be located." ...

★★★

Feds block Utah law over police power on public lands

By Robert Gehrke
The Salt Lake Tribune


Judge David Nuffer

A federal judge signed an order ... blocking implementation of a Utah law prohibiting some Bureau of Land Management and Forest Service employees from enforcing state laws anywhere in Utah after the U.S. Department of Justice argued the law was unconstitutional.

HB155, sponsored by Rep. Mike Noel, R-Kanab, makes it a class B misdemeanor, punishable by a $1,000 fine and six months in jail, for federal employees who are not certified law enforcement officers to enforce any state law within Utah.

In a filing Monday, the Justice Department said that Congress has the authority to make laws governing federal lands and that the Utah Legislature does not have the power to overturn or supersede those laws and rules.

The federal regulations governing the officers and land have been written to incorporate state laws and local ordinances.

After a conference call with attorneys for the state and federal governments, Judge David Nuffer signed a temporary restraining order blocking the law from taking effect until a June hearing on a longer-term injunction. The law had been scheduled to kick in Tuesday.

Ultimately, the Justice Department is asking the judge to strike down the law as unconstitutional.

"BLM and Forest Service employees who operate in the State of Utah will subject themselves to potential criminal penalties under state law by continuing to perform the duties required of them under federal law," the federal government wrote in the brief.

During the legislative hearing on the bill, Noel said he worked with staff attorneys to try to ensure the bill was not given a constitutional note by legislative attorneys — meaning there is a high likelihood the bill would be found unconstitutional by a judge.

Noel said federal officers in rural Utah have been stopping and detaining residents on county roads. He argued that the county sheriffs who are elected and more responsive to residents should be the ones enforcing the law.

Utah Attorney General John Swallow said that his office will "vigorously defend" the new state law.

★★★

US approves new pesticides linked to mass bee deaths as EU enacts ban

(RT.com) - In the wake of a massive US Department of Agriculture report highlighting the continuing large-scale death of honeybees, environmental groups are left wondering why the Environmental Protection Agency has decided to approve a "highly toxic" new pesticide.

The continuing mass death of honeybees, known scientifically as Colony Collapse Disorder (CCD) and a "pollinator crisis," could well strain production of over 100 crops in the US including apples, zucchinis, avocados and plums. The agriculture value of these products is estimated at over $200 billion globally per year.

As RT recently reported, a new USDA report has taken a broad look at the decline of bee colonies in the country, highlighting a dire situation as the number of colonies has plummeted from 3 million in 1990 to 2.5 million this year. Demonstrating that the decline is a long-term issue, that same report points to the existence of 6 million honey bee colonies in 1947.

Though dire, the report does not offer any immediate solutions, as scientists continue to examine the potential causes for the mass colony collapses, during which adult bees abandon their hives, along with the queen, brood and food supplies.

The USDA cites "multiple factors… including parasites and disease, genetics, poor nutrition and pesticide exposure," while also citing last summer's drought as a contributing factor.

Many environmental groups seem convinced that pesticides are a main factor in the continuing colony collapse situation. One group, Beyond Pesticides, has called the EPA's recent green light for use of a new insecticide known as sulfoxaflor irresponsible in light of its "highly toxic" classification for honey bees.

In late April, the European Union voted to enact a two-year moratorium on the use of neonicotinoid pesticides (sulfoxaflor is considered by many to be a "fourth-generation neonicotinoid") in light of scientific studies that indicate their harm to bees.

As in the US, a number of European countries have also been monitoring declining health and colony collapses in their bee populations, including France, the Netherlands, Greece, Italy, Portugal and Spain.

Groups such as the Pesticide Action Network (PAN) have praised the continent-wide ban.

"The EU vote comes after significant findings by the European Food Safety Agency that these pesticides pose an unacceptable risk to bees and their use should be restricted. Along with habitat loss and pathogens, a growing body of science points to neonicotinoid pesticides as a key factor in drastically declining bee populations," said a statement by PAN.

Meanwhile, major pesticide manufacturers scoff at the two-year European ban.

"As a science-based company, Bayer CropScience is disappointed that clear scientific evidence has taken a backseat in the decisionmaking process. This disproportionate decision is a missed opportunity to reach a solution that takes into consideration all of the existing product-stewardship measures and broad stakeholder concerns."

Unlike the straight-cut decision taken by the EU, the same USDA report highlighting plummeting bee colony numbers in the US seems to undermine the possibility of even a temporary ban on potentially harmful pesticides.

According to one veteran environmental reporter, Bryan Walsh of Time Magazine, the USDA report in introducing several "potential" factors in CCD skirts the issue of pesticides altogether.

"The USDA report mostly withholds judgment on neonicotinoids, citing the need for more research, and the Environmental Protection Agency is conducting a very slow review of the evidence," says Walsh.

The review cited by the agency is slated to take an additional five years. Meanwhile, the domesticated bee population in the US has reached a 50-year low.

According to Walsh, in a normal year the commercial bee industry would expect to lose 10 to 15 per cent of its colonies, but over the past five years mortality rates have increased dramatically, ranging from 28 to 33 per cent.

Unlike in the EU, where at least in terms of policy lawmakers were not willing to take a chance on pesticides, the USDA's report points to various possible causes for the massive colony collapse, including: A parasitic mite called Varroa destructor; a bacterial disease called European foulbrood; and the use of pesticides, including neonicotinoids, a neuroactive chemical.

Yet, almost paradoxically, the USDA seems to lend further study a time frame which seems glacial compared to its own dire estimates of mass bee die offs.

"Currently, the survivorship of honeybee colonies is too low for us to be confident in our ability to meet the pollination demands of US agricultural crops," the USDA report said.

★★★

Child abducted by CPS after parents seek a second medical opinion

Adan Salazar
Infowars.com


Anna Nikolayev and her husband Alex

A mother and father are incredibly grief-stricken following the abduction of their five-month-old son by police officers after merely requesting the child receive a second medical opinion.

Anna Nikolayev and her husband Alex took their son Sammy to the Sutter Memorial hospital in Sacramento to have his flu symptoms examined, but Anna became concerned with the care Sammy was receiving after a nurse failed to properly address why he was being given antibiotics.

"I asked her, for what is that? And she's like, 'I don't know.' I'm like, 'you're working as a nurse, and you don't even know what to give to my baby for what,'" Anna told ABC affiliate News10. Anna later confirmed with a doctor that Sammy should not have been given antibiotics.

Since Sammy was born, he's suffered from a heart murmur for which he had seen a specialist at the same hospital. Once Sammy underwent treatment for his flu symptoms, he was kept in the hospital's pediatric ICU for monitoring, and after a few days doctors began recommending the couple allow them to perform heart surgery, which the couple refused.

"If we got the one mistake after another, I don't want to have my baby have surgery in the hospital where I don't feel safe," Anna said.

Anna told doctors she would seek a second opinion and took her baby from the hospital without filing the proper discharge notice. "We went from one hospital to another. We just wanted to be safe, that he is in good hands," Anna said, demonstrating an obvious effort to procure adequate medical attention.

Police showed up not once, but twice demanding they surrender their child. "They told us that Sutter was telling them so much bad stuff that they thought that this baby is dying on our arms," Anna said.

During the first police encounter, Anna showed them Sammy was indeed healthy, and also volunteered a doctor's note clearly stating there was no "concern for the safety of the child at home with his parents."

That day police thanked her and left, only to return the following day.

Alex recalled to reporters the dramatic quarrel as police bullied their way inside his house, stating, "I was pushed against the building, smacked down. I said, 'am I being placed under arrest?' He smacked me down onto the ground, yelled out, 'I think I got the keys to the house.'"

Anticipating a showdown, Anna had set a camera up in her home. In a live taping of the incident, one officer can be heard warning the family not to refuse, saying, "I'm going to grab your baby and don't resist and don't fight me, okay?"

According to News 10, Sutter Memorial Hospital has refused to comment on the incident, instead referring reporters to Child Protective Services and law enforcement. When reached for comment, CPS stated they "conduct a risk assessment of the child's safety and rely heavily on the direction of health care providers."

This is only one of the most recent and public embodiments of CPS working underhandedly in concert with so-called authorities and health practitioners to literally kidnap children from their parents.

The story goes a long way in depicting the collectivist mindset being promulgated and embraced by the left, the most recent example of which had MSNBC host Melissa Harris-Perry declaring all children belong to the "community," in other words, to the state. "We have to break through our private idea that kids belong to their parents or kids belong to their families," Harris-Perry recently stated in an awkward 30-second indoctrination piece aired during breaks on MSNBC.

The right to choose what's best for your own child is a speck fading gradually in the rear view mirror, and as Sarah at the Healthy Home Economist correctly surmised, the day has come where walking through hospital doors means immediately surrendering your right to dictate what's best medically for your child. ★

CORRUPTION SPOTLIGHT

Insurers predict 100%-400% Obamacare rate explosion

By Paul Bedard
The Washington Examiner

Internal cost estimates from 17 of the nation's largest insurance companies indicate that health insurance premiums will grow an average of 100 percent under Obamacare, and that some will soar more than 400 percent, crushing the administration's goal of affordability.

New regulations, policies, taxes, fees and mandates are the reason for the unexpected "rate shock," according to the House Energy and Commerce Committee, which released a report Monday based on internal documents provided by the insurance companies. The 17 companies include Aetna, Blue Cross Blue Shield and Kaiser Foundation.

The report found that individuals will face "premium increases of nearly 100 percent on average, with potential highs eclipsing 400 percent. Meanwhile, small businesses can expect average premium increases in the small group market of up to 50 percent, with potential highs over 100 percent."

One company said that new participants in the individual market could see a premium increase of 413 percent when new requirements on age rating and required benefits are taken into account, said the report. "The average yearly cost for a new customer in the individual market grows from $1,896 to $3,708 -- a $1,812 cost increase," it added.

The key reasons for the surge in premiums include providing wider services than people are now paying for and adding less healthy people to the roles of insured, said the report.

It concluded: "Despite promises that the law will lower costs, [Obamacare] will in fact cause the premiums of many Americans to spike substantially. The broken promises are numerous, and the empirical data reveal that many Americans, from recent college graduates to older adults, will not be able to afford the law's higher costs." ★★★

EU Moves To Control All Plants

By Bob Livingston
Personalliberty.com

The European Union is considering a law that regulates all plants by placing immediate restrictions on vegetables and woodland trees and laying the groundwork to restrict all other plant species in the future.

The psychopathic elites at the EU understand that if they control the food supply, they control the population. The Plant Reproductive Material Law makes it illegal to grow, reproduce or trade any vegetable seed or tree that has not been tested by the newly created EU Plant Variety Agency, which will be tasked with making a listing of "approved plants."

Following an upheaval by hundreds of thousands of people protesting the possibility of such an Orwellian control agency deciding what foods are approved and making criminals out of farmers who want to use their own seed, the law was amended to:

- *"Permit" home gardeners to swap "unapproved seed" without breaking the law.*
- *Allow individuals and small organizations (with fewer than 10 employees) to grow and sell "unapproved seeds."*
- *Establish seedbanks that can grow "unapproved seeds" without breaking the law.*

Even with these minor changes it's still an egregious assault on liberty. Under a similar law, rather than being considered one of the United States' greatest scientists, George Washington Carver would have been a common criminal and enemy of the state.

The law is designed to give Big Farm organizations like Monsanto, DuPont and Archer Daniels Midland absolute authority over seeds, limiting the availability of sustainable heirloom seeds and forcing consumers to use genetically modified seeds.

Understand that if this becomes law in the EU, it's only a matter of time before the collectivists in the United States begin a similar move here. ★★★

This article first appeared on Personal Liberty Digest™

CORRUPTION SPOTLIGHT

Monsanto wins landmark patent case in Supreme Court

(RT.com) - The United States Supreme Court ruled on May 13th in favor of biotech giant Monsanto, closing the door on a patent case that has pitted a smalltime farmer from Indiana against a titan of the agriculture industry.

The high court said early Monday that 75-year-old farmer Vernon Bowman of Indiana violated Monsanto's patent rights when he purchased a mix of seeds from a grain elevator that he later planted on his Midwest farm. That mix included patented Roundup Ready soybean seeds manufactured by Monsanto that are sold under license because they can hold up against their namesake, a nasty pesticide regularly used on farms.

Bowman argued that he could do whatever he wanted with the Roundup Ready seeds since he obtained them rightfully from a grain elevator and the terms of Monsanto's licensing agreement under the patent did not apply to him. Under Monsanto's terms, Roundup Ready seeds can only be harvested once and must not be saved or reused.

"If they don't want me to go to the elevator and buy that grain, then Congress should pass a law saying you can't do it," Bowman told RT in February.

"If they then claim that I can't use that, they're forcing their patent on me," Bowman said to Huffington Post earlier this year. "No law was ever passed that said farmers can't go to the elevator and buy grain and use it, so to me they either forced their patent on me or they abandoned their patent by allowing it to be dumped with non-Roundup grain."

On Monday, the Supreme Court decided unanimously that Bowman indeed violated the licensing terms.

"By planting and harvesting Monsanto's patented seeds, Bowman made additional copies of Monsanto's patented invention, and his conduct thus falls outside the protections of patent exhaustion," the court ruled. "Were this otherwise, Monsanto's patent would provide scant benefit. After Monsanto sold its first seed, other seed companies could produce the patented seed to compete with Monsanto, and farmers would need to buy seed only once."

"Under the doctrine of patent exhaustion, the authorized sale of a patented article gives the purchaser, or any subsequent owner, a right to use or resell that article. Such a sale, however, does not allow the purchaser to make new copies of the patented invention," Justice Elena Kagan wrote for the court. "The question in this case is whether a farmer who buys patented seeds may reproduce them through planting and harvesting without the patent holder's permission. We hold that he may not."

Monsanto's practices both in the courtroom and on the farm have made the company increasingly the target of criticism in recent months, and a series of affairs in Washington has done little to weaken the opposition. Campaigns against the company have been renewed as of late following the passing of a congressional agriculture spending bill that included a provision — dubbed the "Monsanto Protection Act" by its critics — that provides legal immunity to biotech entities that experiment with genetically modified and genetically engineered foods. Additionally, the relationship between Monsanto and the country's high court has been called into question since one of the justices, Clarence Thomas, formerly served as a lawyer for the St. Louis-based company.

On May 25, an international series of rallies to protest Monsanto is scheduled to occur with demonstrations planned on six continents.

★★★

US~OBSERVER NOTE ON FALSE CHARGES:

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

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

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

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JUSTICE SPOTLIGHT

Gov. Perry signs Michael Morton Act into law

By Claire Cardona
ABC News


Gov. Rick Perry signing the Michael Morton Act

Gov. Rick Perry on Thursday (May 16) signed the Michael Morton Act into law with Morton and the senators and representatives who made it possible at his side.

Morton didn't speak to the press, just smiled while Perry put ink to paper and kissed the pen after Perry was finished.

Authored by Sen. Rodney Ellis, D-Houston, and Sen. Robert Duncan, R-Lubbock, the act creates a uniform open-file policy that requires prosecutors to hand over all exculpatory evidence such at witness testimony or offense reports.

"Texas is a law-and-order state, and with that tradition comes a responsibility to make our judicial process as transparent and open as possible," Perry said. "The bill helps serve that cause, making our system more fair and helping prevent wrongful convictions and any penalties harsher than what is warranted by the facts."

Morton was exonerated in 2011 on DNA evidence after almost 25 years behind bars for the 1986 murder of then-wife Christine Morton. Among evidence withheld was a record of Morton's son saying his father wasn't the "monster" who murdered his mother. Prosecutors never made the interview available and Morton's exoneration sparked investigation of Ken Anderson, the Williamson County prosecutor involved in the case.

"The road to justice … is not a jet plane ride, it's a journey, and this bill is an important step on that journey," Ellis said.

It is fitting, Perry said, that the signing come almost 50 years to the day of the Brady vs. Maryland decision that defines what evidence prosecutors must share in a criminal case.

Rep. Senfronia Thompson presented Morton with the gavel that banged his bill out of the House and to the governor's desk. Even in the crowd behind him was Sen. Joan Huffman who on Tuesday said there was no need for a panel to study wrongful convictions.

"It would be so easy to waste the rest of your life being bitter over the part of your life that's lost," said Rep. Tryon D. Lewis, chair of the Judiciary and Civil Jurisprudence committee that sent the Senate bill to the House floor for a final vote. "It's been quite the opposite." ★★★

Man's Reversed Conviction Still Haunts Him

By Christine Pitawanich,
KOBI - NBC NEWS

Josh Brewer has struggled to pay bills and support his family. "It's been tough to find a job, can't find a job with drug convictions. They don't hire felons," said Brewer.

He's unable to find a job because the arrest record associated with drug convictions that still appear on his background checks.

Josh Brewer was convicted on medical marijuana related drug charges back in 2009. They were reversed three years later in 2012. But the charges still show up on his record.

Add to that, according to Oregon law, even if a conviction is overturned, it doesn't mean the record of the offenses are automatically wiped away.

"You have to have your fingerprints taken and you submit them to the district attorney, you have to file a motion with the court," listed off Richard Thierolf, an attorney in Medford.

A truly clean slate takes time and money "The filing fee for the court is $240 and the fingerprint fee is $80. The attorney fee can range anywhere from several hundred dollars to several thousand dollars," said Thierolf.

There is nothing automatic about expungement even if you're one of the few who makes it to appellate court and is found to be not guilty, like Josh Brewer

"Perhaps the statute or the legislature that drafted the statute wasn't really thinking about a situation where a conviction was overturned on appeal," said Judge Tim Gerking at the Jackson County Circuit Court.

As for Brewer, all he knows is he's still jobless and has his wrongful conviction hanging over his record.


Josh Brewer

"What's right is right, what's wrong is wrong," Brewer said.

Now, he's fed up. He filed suit against the City of Medford, Medford Police Department, the mayor and a slew of police officers, alleging they conspired, acted intentionally or with reckless disregard when it came to his rights, and went on false information to convict him, which also resulted in his inability to find a job.

"They're going to keep doing what they're doing until somebody stands up and says enough is enough."

Brewer said he just wants what he once had: a clean record, a good job and compensation for his wrongful conviction.

Right now up in Washington state there's a push to compensate people who were wrongfully convicted by giving them $50,000 for every year they were in jail. It's expected Washington's governor will sign it into law joining 27 other states with similar laws. ★★★

Continued from page 1 • Oregon DA Eric Nisley's Obstruction of Justice

him the one time she did and that he had forced her to have intercourse the first time they engaged in the act. Any prudent person could easily determine that Kelsey was embarrassed over the discovery of her sexual activities and that she wanted to somewhat alleviate her parents obvious anger over the situation. Isn't this what authorities and her dad wanted to hear?

Based on her story, and Armando's statement to the investigating office that he had done wrong, Armando was charged with Sodomy 1, Rape 1, Sexual Abuse II and Assault 4 and held without bail. Garcia's family got rid of Armando's public defender who was "leading him straight into a plea-bargain" and they hired Portland Attorney James Leuenberger, who quickly brought the Facebook evidence before the court. After the judge learned what Kelsey Floyd had said in her Facebook messages to Armando, bail was set at $100,000.00. Armando's family posted the required $10,000.00 and he was released from jail.

After Kelsey had attended counseling sessions and reportedly changed (escalated) her story, DA Nisely found it necessary to add a 5th charge to the indictment against Armando. I consider both indictments to contain false and "stacked charges" - it is obvious that the sexual relationship between Armando Garcia and Kelsey Floyd was consensual and therefore legal…

Immediately before the April 2013 scheduled trial, the trial court ruled that the jury would get to read the graphic Facebook messages between Kelsey and Armando, but the jury would not get to see the photographs the two teenagers had sent each other while sending messages back and forth.

The state immediately announced it would appeal the court's decision and based on this statement coming from Wasco County District Attorney (DA) Eric Nisley, the April trial was postponed.


Attorney James Leuenberger

DA Nisley then complained about trial court Judge Janet L. Stauffer to Seventh Judicial District Presiding Judge Paul Crowley. The complaint was done in a private – ex parte conversation, rather than in an open formal legal proceeding.

As required by judicial ethical requirements, Judge Crowley notified defense counsel Leuenberger about the private conversation he'd had with DA Nisley. Leuenberger responded by filing an Oregon State Bar complaint against DA Nisley for having mislead the court by threatening to file a motion to change the trial court judge when DA Nisley knew he could not lawfully file such a motion. An arrogant and unaccountable DA Nisley then went ahead and filed his motion to have Judge Stauffer removed from the case.

Leuenberger has filed an opposition to DA Nisley's motion explaining why the DA's motion is untimely and must be denied – the motion is pending.

PROSECUTORIAL MISCONDUCT

I have been waiting for DA Nisley to file his appeal on Stauffer's ruling on the Facebook messaging, due to the fact that the Garcia trial was postponed because Nisley represented to the court that he was going to file an appeal. I wanted to see his reasoning because I knew that he couldn't provide any legitimate grounds for his appeal. On May 17, 2013, I learned that DA Nisley had missed the deadline for filing an appeal (his deadline was May 16, 2013) – this is Prosecutorial Misconduct and Armando Garcia's case should be immediately dismissed, strictly on this issue alone. DA Nisley obviously lied to the court when he said that he was going to appeal and in my opinion he was committing Obstruction of Justice when he lied to get the Garcia trial postponed…

This story of two teenagers having sex is the perfect example of how abusive prosecutors work to destroy people who just don't deserve to be ruined. This case shows how DA Nisley attempts to wield his power "behind the scenes" in Wasco County, Oregon and that he will even attack a decent judge when she goes against his demands.

Why would DA Nisley want evidence withheld from the jury in a case where a young man's future life and liberty is at risk and why would he lie about filing an appeal? The truth is, this prosecutor doesn't know what true justice is, he has a history of abusing people and he will continue his unjust actions only as long as the citizens of Wasco County, Oregon allow him to – or until his horrible reputation begins to rub off onto other attorneys in Oregon and they make the decision to get rid of him.


Judge Janet L. Stauffer

The people who organized the recall effort against Nisely in the past need to re-group – And, they need the assistance of the US~Observer to make a future recall successful…

In my search for reasons as to why DA Nisley would be so adamant about not wanting the jury to be able to see the Facebook messages between Kelsey and Armando I discovered that the messages themselves contain conclusive proof that the charges against Armando are completely false and that DA Nisley is aware of this proof.

CAN NISLEY SALVAGE HIS CAREER?

At this point, DA Nisley could avoid a career altering mistake by simply dropping the false charges against Garcia. If DA Nisely chooses to continue his arrogant, "above the law" attitude, I will force this issue to be addressed before I stop pushing... I will then turn Garcia's criminal case into another "Duke Lacrosse false rape prosecution case." - DA Eric Nisely will be playing the part of disgraced and disbarred Durham County, North Carolina Prosecutor Mike Nifong. One concerned person emailed me stating, "The man (Nisley) should be tarred and feathered and ran out of town." – I couldn't agree more!

In all honesty, if justice were to be served in this case, DA Nisley would be sentenced to a lengthy prison term for his actions in this case and others. Armando and Kelsey should be given some good sound counseling regarding the ramifications of their actions – their enjoyment of engaging in underage sexual activities…

Editor's Note: Call 541-474-7885 if you have personal knowledge regarding this case or other cases wherein Nisley has violated justice or intimidated and abused the innocent.

★★★

Fort Collins man reunites with father wrongfully imprisoned for 27 years

By Patrick Malone
The Coloradoan

The walls between fathers and sons take many forms — generational communication barriers, distance, even hair length.

The boundaries that for most of his life separated Nick O'Connell of Fort Collins from his dad, Frank O'Connell, were fortified with armed guards and topped with razor wire. But even they couldn't snap the bond between Nick and the man he calls "Pops."

When Nick was 4 years old, his father was arrested for murder. By the time Nick was 5, Frank had been convicted of the crime. He spent the next 27 years in prison in California, punished for a crime he did not commit.

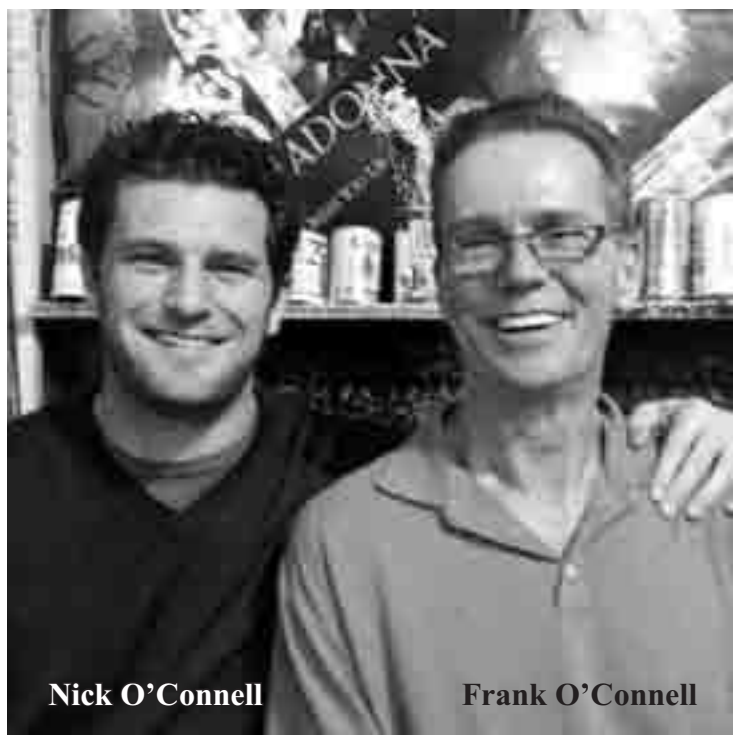
Nick's earliest memories of his dad were forged on the handlebars of a speeding beach cruiser pedaled by Frank and on his father's shoulders as they forded a trickle of a creek that through a child's eyes seemed like a raging river. Those carefree days gave way to institutional interactions — only about twice a year.

"You sit across from each other in hard plastic chairs with these really low coffee tables and guards kind of meandering through, eyeballing you, looking over your shoulder," Nick, 32, recalled. "You're in a room with a couple hundred inmates and their visitors."

Father and son knew each other only through those visits and the phone calls Frank was allowed about every two weeks. But Frank vowed to his child and himself that it wouldn't always be that way.

"I promised (Nick) and told everybody I ever talked to every single day of my life sentence, 'I don't care where you are, what's going on — I will be where you're at,' " Frank, now 55, said.

Last July, he made good on that promise and moved in with Nick in Fort Collins, where Nick has lived since age 13 when his mother and stepfather moved here.


Nick O'Connell Frank O'Connell

WRONGFULLY CONVICTED

Frank's road to prison and back began Jan. 5, 1984, when 27-year-old Jay French was gunned down in the parking garage of a Pasadena, Calif., apartment complex. French's neighbor caught glimpses of the shooter, who stepped out of a yellow Ford Pinto driven by a woman. French's wife, Gina French, told detectives her husband used his dying breath to tell her his killer looked like someone who associated with his ex-wife, Jeanne Lyon.

Lyon and French were embroiled in a bitter custody dispute over their 6-year-old son at the time of the murder. When detectives interviewed Lyon, she mentioned Frank O'Connell as someone investigators should focus on.

Frank and Lyon — at the time married to her third husband — had a month-long tryst almost 6 months before the shooting.

Based on his past relationship with Lyon, the eyewitness picking him out of a photo lineup and two other witnesses who said they had previously seen him in a yellow Pinto, prosecutors charged Frank with murder.

Three alibi witnesses testified Frank was with them 30 miles away from Pasadena at the time of the crime. Nonetheless, a judge returned a guilty verdict in less than an hour, giving weight to French's dying declaration and citing Frank's "ongoing relationship" with Lyon as credible motive, according to court records.

In April 1985, Frank was sentenced to 25 years to life in prison, but remained steadfast in his claims of innocence.

"In the very beginning I was very frustrated, because when you seek help and want people to listen, it turned to a deaf ear," Frank said. "They don't listen. They don't understand. I really am innocent."

He said a man he met recently who had been exonerated and freed from prison put it best.

"It was like I was in a soundproof room," Frank said. "I was screaming and hollering and nobody could hear me."

Even Frank's mother and sisters doubted his claims of innocence. They told him so.

"The day that I asked my mom if she believed me," Frank said, choking back tears, "that's one of the things I have a tough time with."

He terminated contact with the doubters in his family for years. But Nick was not among them. He believed in his father's innocence from the start. That never changed.

"It kept me going every day that he believed in me, never wavered," Frank said.

A SON'S QUEST

In his mid-teens, Nick began researching his father's case. He scoured every police report, every court document. He viewed it in the most negative light possible to understand how his father could be convicted of the crime.

"I honestly could not come up with a thread," Nick said.

None of the witness' physical descriptions of the suspect matched Frank, and the motive rang hollow to Nick.

"The motive is that for a girl he was friends with benefits with for just six weeks six months before this happened, he's going to go out of his way to murder her ex-husband so she can prevail in a custody case?" Nick said. "It's ludicrous."

He wondered, too, why Lyon was never charged if authorities believed Frank committed the crime at her behest.

After inspecting the files, Nick fixated on proving Frank innocent, something Frank already had undertaken. In 1989 Frank had written to Centurion Ministries, a small organization devoted to proving the innocence the wrongfully convicted.

Nine years of correspondence followed before Frank got word that Centurion Ministries had agreed to investigate his case.

"They said, 'We're committed to your case. We believe you,' " Frank said. "From that day forward, it was like, 'All right! Somebody finally heard me. Somebody finally believes in me.'"


One of the first things they did - play ball.

The same year, Nick turned 18. No longer burdened by the requirement of a guardian accompanying him to visit his father, he found a place to stay in California the summer after his freshman year in college, and made the four-hour round-trip drive to San Quentin State Prison four days a week to visit Frank.

"For the first time, we weren't limited to just one or two days of visiting a year," Nick said. "Now it was, 'I'll see you tomorrow.' Sure it was depressing in those visiting rooms and, yeah, I would have rather been out playing sports with him. But there is something to be said for the amount of undivided attention that you have for one another."

Confident that Centurion Ministries' work would someday free his father, Nick put his life on hold. He postponed finishing college and was reluctant to consider marriage or having children until he could share those joys with his father.

"His release, in my opinion, was imminent and just around the corner," Nick said. "So I lived in that space between about 2002 and 2010."

CRACKS IN THE CASE

The key breakthrough in Centurion Ministries' investigation came in 2008, more than two years after its investigators first spoke with French's neighbor who had picked Frank out of the lineup. He said he'd made a mistake, that detectives had badgered him until he told them what they wanted to hear. He recanted his testimony in a sworn statement.

That opened the door for a court order giving Centurion Ministries' investigative team access to the original evidence against Frank. They unearthed three books of detectives' notes that had not been shared with Frank's lawyer before his trial.

Those notes told a very different story than those detectives originally presented in reports and testimony that led to Frank's conviction. According to the notes, witnesses were far less certain that Frank was the man they'd seen in a Pinto than detectives had portrayed, and the original investigators hid that they were aware Lyon and another man had previously tried to kill French by running him off the road in traffic.

Subsequent interviews by Centurion Ministries and Los Angeles County Sheriff's Department detectives continued to help Frank's cause. One of Lyon's former husbands told detectives during a videotaped interview that she told him she had hired a hitman to kill French, and that Frank was "sent to prison for a crime he didn't commit."

Lyon, now living in the Pacific Northwest and going by the last name Lahodny, told detectives last year that she believed Frank was innocent. Attempts to reach her for comment were unsuccessful.

Mounting proof that authorities failed to share favorable evidence with Frank and the lack of attention paid to other possible suspects in the original investigation was presented to a judge in March 2012.

Frank's conviction was overturned. One month later, he was freed.

"I dropped into Nick's arms when I first got out of that jailhouse," Frank said. "Those were my first steps."

THE NEXT STEPS

Los Angeles County detectives stand by the original investigation, although they persist to investigate the crime. Prosecutors dismissed the case against Frank, but reserved the right to file charges against him if new evidence implicating him is found.

"Bring it on," Frank said. "Take me to court, and they're going to find me not guilty. I haven't been proven innocent. You can only do that in a court of law. Better yet, go find the real killer."

Frank forfeited $1 million in compensation from the state of California for wrongful incarceration, opting instead to file a civil rights lawsuit against the detectives in his case that could yield a greater payout. He said more than the money, the motive for the suit is to hold investigators accountable so they will be careful not to repeat the mistake.

Frank has pledged to give more than half of any monetary award from the lawsuit to organizations that fight for people who are wrongfully convicted.

Today, Frank and Nick harbor no worries that the charges will be resurrected. They pass their days taking drives up Poudre Canyon, biking around Fort Collins and playing on a competitive basketball team together. Nick rented a house large enough to give his father a floor to himself and near enough to the hustle and bustle of Old Town to enable Frank easy access to entertainment.

Frank says Fort Collins' vibe reminds him of the atmosphere in Southern California, where he spent his youth.

"I love the laid-back atmosphere," he said. "This is a beach community without the ocean. It's young, vibrant, artistic."

As much as they feel at home, another calling beckons. In the weeks ahead, Nick and Frank will leave Fort Collins to begin work raising awareness about wrongful conviction throughout the nation. Annually, organizations such as Centurion Ministries receive thousands of requests like Frank's, and a relative handful are accepted, Nick pointed out.

"Right now, there are just more than 1,100 registered exonerations nationwide (since 1989), and it's growing rapidly," Nick said. "They're cherry-picking, and even then they're taking 14 years and half a million dollars to rectify the damage done by one haphazard investigation. It's the tip of a huge iceberg. We're just beginning to get a glimpse over the walls of what's going on right now."

US~Observer Note: We recently met with Frank O'Connell and he stated that his civil lawsuit against Los Angeles County is still ongoing. His son Nick is in the process of accepting employment with an agency that helps exonerate innocent prisioners. Frank and his son are currently moving to New Jersey. Frank stated that he plans on assisting exonerees in the near future by helping them get back on their feet after released from prison.Providing housing, medical, jobs and transportation during their transition is something he feels is very crucial and will be his primary focus. ★★★

COMMENTARY Your Right to Speak Out

Why we should mistrust the government

By Andrew P. Napolitano

It should come as no surprise that President Obama told Ohio State students at graduation ceremonies recently that they should not question authority and they should reject the calls of those who do.

He argued that "our brave, creative, unique experiment in self-rule" has been so successful that trusting the government is the same as trusting ourselves; hence, challenging the government is the same as challenging ourselves. And he blasted those who incessantly warn of government tyranny.

Yet, mistrust of government is as old as America itself. America was born out of mistrust of government. The revolution that was fought in the 1770s and 1780s was actually won in the minds of colonists in the mid-1760s when the British imposed the Stamp Act and used writs of assistance to enforce it.

Government is essentially the negation of liberty.

The Stamp Act required all persons in the colonies to have government-sold stamps on all documents in their possession, and writs of assistance permitted search warrants written by British troops in which they authorized themselves to enter private homes ostensibly to look for the stamps.

These two pieces of legislation were so unpopular here that Parliament actually rescinded the Stamp Act, and the king's ministers reduced the use of soldier-written search warrants. But the searches for the stamps turned the tide of colonial opinion irreversibly against the king.

The same king also prosecuted his political adversaries in Great Britain and here for what he called "seditious libel" -- basically, criticizing the government. Often that criticism spread and led to civil disobedience, so the British sought to punish it at its source.

The prosecutions were so unpopular here, and so contrary to the spirit of what would become the Declaration of Independence, that when the British went home and the Framers wrote the Constitution and the Bill of Rights was added, the First Amendment assured that the new government could not punish speech.

Yet barely 10 years into "our brave, creative, unique experiment in self-rule," in the infamous Alien and Sedition Acts, Congress at the instigation of President John Adams criminalized free speech that was critical of the new government.

How did it come about that members of the same generation -- in some cases the very same human beings -- that declared in the First Amendment that "Congress shall make no law … abridging the freedom of speech" in fact enacted laws that did just that?

As morally wrong, as violative of the natural law, as unconstitutional as these laws were, they were not historical incongruities. Thomas Jefferson -- who opposed and condemned the acts (he was Adams' vice president at the time) -- warned that it is the nature of government over time to increase and of liberty to decrease. And that's why we should not trust government. In the same era, James Madison himself agreed when he wrote, "All men having power should be distrusted to a certain degree."

"...you've grown up hearing voices that incessantly warn of government as nothing more than some separate, sinister entity that's at the root of all our problems. Some of these same voices also do their best to gum up the works. They'll warn that tyranny is always lurking just around the corner. You should reject these voices. Because what they suggest is that our brave, and creative, and unique experiment in self-rule is somehow just a sham with which we can't be trusted. ..." ~Obama

The Alien and Sedition Acts were but the beginning of a long train of government abuses visited upon people in America as a consequence of the "experiment in self-rule."

I am not quoting Obama's Ohio State speech to nitpick, but rather to establish a base line for my argument that he rejects core principles and historical lessons and, most troubling, the natural law itself when he opines that government should be trusted because it has gained power via self-rule.

Self-rule alone is hardly a basis for governmental legitimacy, unless it is accompanied by fidelity to the natural law and to the rule of law. The rule of law here means fidelity to the Constitution, that all laws are just and apply to everyone, so no one is excused from obeying the laws and no one is excluded from their protections.

Yet, self-rule here has been unjust and has brought us the tyranny of the majority. And that tyranny has brought us slavery, unjust wars, Jim Crow laws, domestic concentration camps in wartime, slaughter of babies in the womb, domestic spying without search warrants, torture and death by drones -- just to name a few.

The reason Obama likes government and the reason it is "a dangerous fire," as George Washington warned, and the reason I have been warning against government tyranny in my public work is all the same: ***The government rejects the natural law because it is an obstacle to its control over us.***

The natural law is divinely embedded in our souls. It is manifested by the universal yearning for freedom and justice.

It consists of areas of human behavior -- thought, expression, religion, self-defense, travel, acquisition and use of property, privacy, for example -- in which our behavior is subject only to the exercise of our free will and not the permission of our neighbors or regulation by the government. The natural law, properly understood, is a restraint on the government.

Yet, government in America -- whether it consists of Congress protecting the slave trade, or John Adams or Abraham Lincoln or Woodrow Wilson prosecuting political speech, or FDR incarcerating Japanese-Americans, or George W. Bush promising immunity for torturers and domestic warrantless spies, or Obama killing whomever he chooses with drones -- has never hesitated to reject the natural law.

All of these violations of the natural law were approved by the majority when undertaken. The government's persistent and systematic rejection of the natural law is alone sufficient to mistrust government and reject Obama's Ohio State advice.

The government that has come about by self-rule derives its powers from the consent of the governed. Because the tyranny of the majority can be as dangerous to freedom as the tyranny of a madman, all use of governmental power should be challenged and questioned.

Government is essentially the negation of liberty.

If we fail to challenge government at every turn, there will be no liberty remaining for us to defend when the government tries to negate it.

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

★★★

College Educations in America are Giant Money Making Scams

By Michael Snyder
The American Dream

College education in the United States has become a cruel joke. We endlessly push our high school kids to invest tens of thousands of dollars and at least four years of their lives to get a college education because they won't have any sort of a "future" without it. So they sign up for decades of debt slavery and spend years listening to pompous windbags fill their heads with utter nonsense. The sad truth is that most college courses are a total joke and they do very little to actually prepare those students for the real world. I know – I attended public universities in the United States for eight years. Most college courses are so easy that the family dog could pass them. When they finally graduate, our young people discover that they were lied to all along. The promised "good jobs" are not there for most of them, but the huge debts that they committed themselves to will follow them around permanently. When you are just starting out and you are not making a lot of money, having to make payments on tens of thousands of dollars of student loan debt can be absolutely crippling. This is why I say that college education in America is a giant money making scam. Our young people are seduced by the idea of college being a five year party that will provide an automatic ticket into the middle class, but the reality is that the only guarantee is that it is a ticket to serfdom unless you have wealthy parents that are willing to foot the bill for you. And bankruptcy laws have been changed to make it incredibly difficult to get rid of student loan debt, so once you have signed up for student loan debt slavery you are basically faced with two choices: either you are going to pay it or you are going to die with it.

Yes, college graduates do make more money and they do have a lower unemployment rate. But most of them are also burdened by absolutely suffocating levels of student loan debt that will haunt them for decades.

So who is really better off?

If you can get someone to pay for your college education that is great. Because otherwise you are probably getting a rotten deal. The following are 29 shocking facts that prove that college education in America is a giant money making scam…

#1 In 1993, the average student loan debt burden at graduation was $9,320. Today it is $28,720.

#2 In 1989, only 9 percent of all U.S. households were paying off student loan debt. Today, 19 percent of all U.S. households are.

#3 Young households are being hit particularly hard by student loan debt. In America today, 40 percent of all households that are led by someone under the age of 35 are paying off student loan debt. Back in 1989, that figure was below 20 percent.

#4 According to the Consumer Finance Protection Bureau, Americans owe more than a trillion dollars on their student loans.

#5 According to the Federal Reserve, the total amount of student loan debt has increased by a whopping 275 percent since 2003.

#6 Approximately 65 percent of all student loan debt is owed by those under the age of 40.

#7 The delinquency rate on student loans is currently 14 percent and it is steadily rising.

#8 The delinquency rate on student loans for students that attended a "for profit" college is an astounding 23 percent.

#9 Today, 34.9 percent of all student loan borrowers under the age of 30 are at least 90 days behind on their student loan payments.

#10 Since 1986, the cost of college tuition has risen by 498 percent.

#11 The cost of college textbooks has tripled over the past decade.

#12 The average cost of a four-year college education is projected to soar to $120,000 by the year 2015.

#13 Back in 1952, a full year of tuition at Harvard was only $600. Today, it is over $35,000.

#14 According to the Federal Reserve Bank of New York, approximately 167,000 Americans currently have more than $200,000 of student loan debt.

#15 At most U.S. colleges and universities, the quality of the education that you will receive is very poor. Just check out some numbers about the quality of college education in the United States from an article that appeared in USA Today….

- After two years in college, 45% of students showed no significant gains in learning; after four years, 36% showed little change.

- Students also spent 50% less time studying compared with students a few decades ago.

- 35% of students report spending five or fewer hours per week studying alone.

- 50% said they never took a class in a typical semester where they wrote more than 20 pages.

- 32% never took a course in a typical semester where they read more than 40 pages per week.

#16 One survey found that U.S. college students spend 24% of their time sleeping, 51% of their time socializing and 7% of their time studying.

#17 Federal statistics reveal that only 36 percent of the full-time students who began college in 2001 received a bachelor's degree within four years.

#18 27 percent of those with student loan debt said that they moved back in with their parents after college.

#19 14 percent of those with student loan debt said that they delayed marriage because of their student loans.

#20 Real earnings for young college graduates have fallen by 15 percent since the year 2000.

#21 If you think that you will be able to "beat the odds" and land the job of your dreams once you graduate from college, perhaps you should consider these numbers….

-In the United States today, approximately 365,000 cashiers have college degrees.

-In the United States today, 317,000 waiters and waitresses have college degrees.

-In the United States today, there are more than 100,000 janitors that have college degrees.

#22 The federal government has begun docking the Social Security payments of elderly Americans that are behind on their student loan payments…

According to government data, compiled by the Treasury Department at the request of SmartMoney.com, the federal government is withholding money from a rapidly growing number of Social Security recipients who have fallen behind on federal student loans. From January through August 6, the government reduced the size of roughly 115,000 retirees' Social Security checks on those grounds. That's nearly double the pace of the department's enforcement in 2011; it's up from around 60,000 cases in all of 2007 and just 6 cases in 2000.

#23 According to a survey of 4,900 recent college graduates, more than half of them regretted choosing their major or their school.

#24 One poll found that 70% of all college graduates wish that they had spent more time preparing for the "real world" while they were still in school.

#25 48 percent of all recent college graduates have not been able to find a job in their chosen field.

#26 During 2011, 53 percent of all Americans with a bachelor's degree under the age of 25 were either unemployed or underemployed.

#27 According to the ABA, only 56 percent of all law school graduates in 2012 were able to find a full-time job that requires a law degree.

#28 The median student loan burden for medical school students that graduated in 2012 was $170,000.

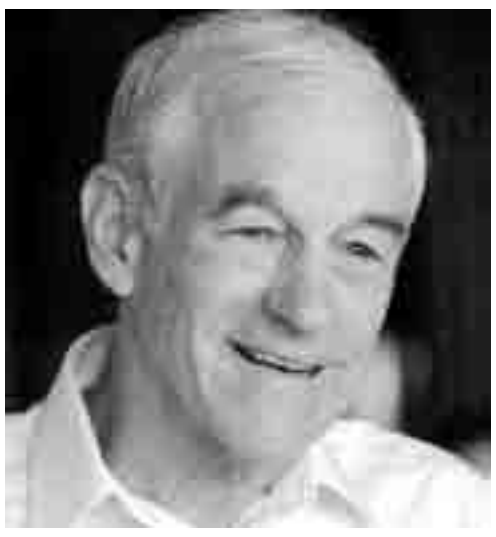
#29 Close to half of all recent college graduates are working in jobs that do not even require a college degree.

When you are overwhelmed by nightmarish student loan debt that you can never get away from, it can literally take over your life. A recent Businessweek article shared some real life examples of this…

If student loans are good debt, how do you account for the reaction of Christina Mills, 30, of Minneapolis, when she found out her payment on college and law school loans would be $1,400 a month? "I just went into the car and started sobbing," says Mills, who works for a nonprofit. "It was more than my paycheck at the time." Medical student Thomas Smith, 25, of Hamilton, N.J., is $310,000 in debt and is struggling to make ends meet even before beginning to repay his loans. "I don't even know what I eat," he says. "I just go to the supermarket and buy the cheapest thing I can and buy as much of it as I can." Then there's Michael DiPietro, 25, of Brooklyn, who accumulated about $100,000 in debt while getting a bachelor's degree in fashion, sculpture, and performance, and spent the next two years waiting tables. He has since landed a fundraising job in the arts but still has no idea how he will pay back all that money. "I've come to the conclusion that it's an obsolete idea that a college education is like your golden ticket," DiPietro says. ★★★

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

COMMENTARY



What No One Wants to Hear About Benghazi

By Ron Paul

Congressional hearings, White House damage control, endless op-eds, accusations, and defensive denials. Controversy over the events in Benghazi last September took center stage in Washington and elsewhere last week. However, the whole discussion is again more of a sideshow. Each side seeks to score political points instead of asking the real questions about the attack on the US facility, which resulted in the death of US Ambassador Chris Stevens and three other Americans.

Republicans smell a political opportunity over evidence that the Administration heavily edited initial intelligence community talking points about the attack to remove or soften anything that might reflect badly on the president or the State Department.

Are we are supposed to be shocked by such behavior? Are we supposed to forget that this kind of whitewashing of facts is standard operating procedure when it comes to the US government?

Democrats in Congress have offered the even less convincing explanation for Benghazi, that somehow the attack occurred due to Republican sponsored cuts in the security budget at facilities overseas. With a one trillion dollar military budget, it is hard to take this seriously.

It appears that the Administration scrubbed initial intelligence reports of references to extremist Islamist involvement in the attacks, preferring to craft a lie that the demonstrations were a spontaneous response to an anti-Islamic video that developed into a full-out attack on the US outpost.

Who can blame he administration for wanting to shift the focus? The Islamic radicals who attacked Benghazi were the same people let loose by the US-led attack on Libya. They were the rebels on whose behalf the US overthrew the Libyan government. Ambassador Stevens was slain by the same Islamic radicals he personally assisted just over one year earlier.

But the Republicans in Congress also want to shift the blame. They supported the Obama Administration's policy of bombing Libya and overthrowing its government. They also repeated the same manufactured claims that Gaddafi was "killing his own people" and was about to commit mass genocide if he were not stopped. Republicans want to draw attention to the President's editing talking points in hopes no one will notice that if the attack on Libya they supported had not taken place, Ambassador Stevens would be alive today.

The perfect picture of Jay Carney... Look at what is circled.

Neither side wants to talk about the real lesson of Benghazi: interventionism always carries with it unintended consequences. The US attack on Libya led to the unleashing of Islamist radicals in Libya. These radicals have destroyed the country, murdered thousands, and killed the US ambassador. Some of these then turned their attention to Mali which required another intervention by the US and France.

Previously secure weapons in Libya flooded the region after the US attack, with many of them going to Islamist radicals who make up the majority of those fighting to overthrow the government in Syria. The US government has intervened in the Syrian conflict on behalf of the same rebels it assisted in the Libya conflict, likely helping with the weapons transfers. With word out that these rebels are mostly affiliated with al Qaeda, the US is now intervening to persuade some factions of the Syrian rebels to kill other factions before completing the task of ousting the Syrian government. It is the dizzying cycle of interventionism.

The real lesson of Benghazi will not be learned because neither Republicans nor Democrats want to hear it. But it is our interventionist foreign policy and its unintended consequences that have created these problems, including the attack and murder of Ambassador Stevens. The disputed talking points and White House whitewashing are just a sideshow. ★★★

Poll Shows Americans Embracing Nullification

(10th Amendment Center) - Recent polling data indicates nullification has entered the mainstream.

A Rasmussen poll released Monday indicates more than one-third of Americans favor their state blocking federal gun control laws if it considers them unconstitutional. Less than half (45 percent) oppose blocking these unconstitutional violations of the Second Amendment.

Even more revealing; more people than not approve of nullification in general terms.

"On the general question of 'nullification,' 44 percent believe states should have the right to block any federal laws they disagree with on legal grounds. Thirty-six percent disagree and 20 are undecided," pollsters said.

Digging into the numbers, we find even broader support for nullification where it really counts - on Main Street.

A majority of everyday politically engaged Americans support the general principle of nullification. According to the Rasmussen poll, 52 percent of mainstream voters think states should have the right to block any federal laws they disagree with on legal grounds. Where does the opposition come from? Seventy-four percent of those polled identifying with the "political class" oppose nullification.

"People are finally starting to understand and accept the concept of decentralization. Our message is mainstream now, and we have hard data to prove it," Tennessee Tenth Amendment Center state chapter coordinator Lesley Swann said.

Tenth Amendment Center national communications director Mike Maharrey called the poll results "pretty amazing."

"Think about it. Even with constant demonization of nullification in the media, a majority of everyday Americans believe the states should step in and block unconstitutional acts. And the pollsters used the word 'block,'" he said. "It's the politicians and pundits - the so-called political class - who opposes it. Hardly shocking, since the whole idea of decentralization threatens their grip on power."

The poll does reveal some partisan division. A majority of Republicans support state efforts to block infringements on the right to keep and bear arms, and believe state and local government should take the lead in regulating firearms. Democrats generally oppose the idea and want the feds to control guns. But Maharrey points out Democrats support decentralization and nullification efforts when it comes to other issues.

"We've enjoyed strong support from the left when it comes to blocking indefinite detention under the NDAA. And a Pew Research poll shows 59 percent of Democrats think the feds should back off enforcing federal drug laws in states with legalized marijuana. That's nullification at work," he said. "Americans across the political spectrum intuitively embrace decentralization. They distrust monopolies. Nullification breaks up government power monopolies, and Americans are realizing that's a pretty darn good idea."

6 steps to nullify now:

1. Forget that the 202 area code exists. If you've spent days calling DC to support or oppose this or that, you've wasted your time. To advance liberty, forget DC – that pit of criminals. You will never accomplish your goals there. Don't call anyone there. Don't send letters to reps or senators. Don't support campaigns, or donate money to them. Ever.

2. Support all nullification bills. Any piece of state or local legislation pushing back on federal power, whether refusing compliance with so-called federal "laws," or frustrating or preventing enforcement, is a good thing. As Thornton wrote on Mises.org, "This is important, because, if thanks to nullification, governments have to obtain acceptance, or at least acquiescence from subsidiary governments, rather than just imposing their dictates on them, they are more likely to act in a less threatening and harmful manner."

3. Get on a jury. As Don Doig and Stewart Rhodes wrote, "Serving on a jury should be viewed as a form of liberty guerrilla warfare in the current 'soft' or cold war between the forces of liberty and the forces of tyranny." Vote to acquit!

4. Vote with your Money. Market demand can overpower even the strongest government. Hundreds of marijuana shops flat-out defying federal power in one city alone proves it. The feds may rough people up from time to time, but they're fighting a losing battle. As much as you can, support businesses, organizations and individuals willing to defy government power. Every dollar you spend helps grow the market and makes it stronger.

5. Just say YES! If they ask you to turn in your firearm, will you? When it comes time to comply with mandated insurance coverage, will you be obedient? Will DEA bans prevent you from planting hemp? Will you continue to comply with legal tender laws on gold and silver? Will you fight that next war because "it's your duty?"

A "No!" to tyrants is a "Yes" to liberty.

ONE FINAL STEP - **6.** Be patient.

Criminal politicians have proven over decades that taking one small step at a time is extremely effective. Liberty will not win in one year, one legislative session, or with one action. It will take time and relentless action.

Our long-run victory will come one step at a time. The path is before us. Nullify, nullify, and nullify! ★★★

Reversal of Fortune: A Prosecutor on Trial

By Raymond Bonner
ProPublica

For 30 years, Ken Anderson was the face of law enforcement in Williamson County, Texas, first as a bearded district attorney asking the court for tough sentences, and for the last 10 years handing those kinds of sentences out as a judge.

Earlier this month, his beard gone, his hair white, Anderson, noted for his talks to school children about the criminal justice system and the dangers of drugs, walked into the courthouse again, this time as a defendant. He had come to turn himself in, be fingerprinted, photographed and post $2,500 bail. A few hours earlier a judge had ordered his arrest.

Not for drunk driving or speeding, or any other of the pedestrian crimes that sometimes fell public officials. Instead, Anderson was the rarest of defendants, a prosecutor criminally charged for his role in having helped send an innocent man to prison.

In one of Anderson's most notorious murder cases — the conviction of Michael Morton for killing his wife — he withheld critical evidence that would have been essential to Morton's defense.

Morton spent 25 years in prison before gaining his release. Anderson, once named the Texas Prosecutor of the Year, now faces 10 years in prison for his part in Morton's wrongful conviction.

The judge who oversaw a Court of Inquiry investigation of Anderson's conduct did not spare the former prosecutor.

"The court cannot think of a more intentionally harmful act than a prosecutor's choice to hide mitigating evidence so as to create an uneven playing field for a defendant facing a murder charge and a life sentence," said Judge Louis Sturns.

Anderson's lawyer has filed an appeal, arguing that the statute of limitations bars any action.

In Williamson County, the charges have shaken Anderson's friends and colleagues.

But Judge Sturns's action is even more remarkable when set against the long and often ugly history of prosecutorial misconduct. Even when prosecutors engage in strikingly unethical behavior, they are rarely sanctioned for it, much less criminally charged.

George Kendall, a veteran defense lawyer who has specialized in death penalty prosecutions, called the Anderson case "unprecedented."

Prosecutors and defense lawyers disagree on whether prosecutorial misconduct is widespread, or instead limited to isolated transgressions by inexperienced or overzealous prosecutors.

However, one thing is abundantly clear: While revelations of misconduct might result in people being freed from prison or granted new trials, action is almost never taken against the offending prosecutors.

An investigation by ProPublica found 30 cases in New York in recent years where convictions had been overturned because of prosecutorial misconduct. Yet in only one instance was a prosecutor punished in any meaningful way.

In fact, many of the New York prosecutors found to have withheld evidence and accepted false testimony were promoted, or received raises, even after courts overturned convictions because of their misconduct.

In one case, a Queens man was sent to prison for raping his 4-year-old daughter even though the prosecutor had evidence showing the child hadn't been sexually abused. After spending nearly two years in prison, the man's conviction was overturned. A judge later ruled that what the prosecutor had done was "tantamount to fraud." But after the conviction was overturned, the prosecutor received a raise and became head of a department where she oversaw and guided young assistant district attorneys.

Ken Anderson

In California, "prosecutors continue to engage in misconduct, sometimes multiple times, almost always without consequence," according to a study by the Northern California Innocence Project and Santa Clara University School of Law. In some 600 cases in which courts found there had been prosecutorial misconduct, the study found, only six times did the State Bar discipline the prosecutor

In Virginia, four murder convictions have been overturned within the last year because of prosecutorial misconduct, according to The Open File, a website launched last year "to monitor prosecutorial misconduct and accountability." None of the prosecutors have been sanctioned.

Twenty-six years ago in Texas, Michael Morton was charged with bludgeoning his wife to death with a club while she lay on the couple's waterbed.

During Morton's trial, Anderson put on an emotional case, shedding tears in court and graphically depicting Morton's alleged crimes. His theory of the case was that Morton had become enraged after his wife had denied him sex the previous night, which had been his birthday. For good measure, Anderson told the jury that Morton had masturbated on his dead wife before he headed off to work as a manager at the nearby supermarket.

The jury deliberated less than two hours before finding Morton guilty; he was sentenced to life in prison.

It is now charged that Anderson won his conviction corruptly, failing to comply with the law as laid down by the United States Supreme Court: Anderson had withheld from Morton's lawyers documents that indicated their client was innocent.

Anderson failed to turn over the transcript of an interview in which Morton's young son told his grandmother that a "monster" had killed his mother and that his father had not been at home, and a police report that a green van had been seen near the home and that a strange man had walked into the woods behind the house around the time of the murder.

Morton had been in jail 15 years when one of his trial lawyers contacted Barry Scheck, who had used his fame and money from the O.J. Simpson trial to expand the work and visibility of the Innocence Project. Scheck assigned the case to Nina Morrison, a bright, tenacious young lawyer then new to the office, but who has in the last decade secured the release of more than a dozen men from prison based on DNA testing.

The Innocence Project works with local lawyers, and Morton was fortunate that John Raley, a highly regarded civil litigator in Houston, agreed to represent him pro bono.

Morton's new lawyers quickly moved to request DNA testing on a bloody bandana that had been found at a construction site 100 yards from Morton's house. The state resisted, and a court denied the request; but Morrison persisted, and eventually a court ordered DNA testing.

The bandana was found to contain the blood of Morton's wife and the DNA of an unknown individual. That individual was later identified as Mark Alan Norwood, whose DNA was found in a national database; he was convicted of the murder and sentenced to life in prison last month.

DNA testing was not as advanced at the time of Morton's trial, and there was no serious criticism of Anderson for not having considered the bandana more carefully. But that was not the end of the case

Using the state's public records act, Morrison had sought documents from the district attorney's office. After years of litigation, what she obtained was explosive.

Foremost among the documents was an eight-page transcript of an interview of the victim's mother by a police officer, an account that suggested Morton could not have been the killer. There was also a sheriff's report about the strange man seen in the neighborhood around the time of the killing.

Anderson had kept all of this from the defense. With Morton out of prison, and fully exonerated, his lawyers might have stopped there. But they pushed on.

An obscure 1876 Texas law provides for a Court of Inquiry when there is probable cause to believe that "an offense has been committed against the laws of this State." Such courts have been used to investigate cases of wrongful convictions, but never allegations of prosecutorial misconduct.

Morton's lawyers persuaded a judge that this was a proper case for a Court of Inquiry. Their legal arguments were buttressed no doubt by the extraordinary public attention paid to the Morton case: Pamela Colloff had authored a two-part series, "The Innocent Man," which appeared in The Texas Monthly; there had been an editorial in The New York Times; 60 Minutes and National Public Radio had also weighed in.

Appointed as the special prosecutor for the Court of Inquiry was Rusty Hardin, who had been a legendary Houston district attorney — "one of the most feared death penalty prosecutors in Texas," says George Kendall.

During the hearing before Judge Sturns in February, Anderson, 60, was grilled for several hours by Hardin. Anderson defiantly defended his actions, "discounted the importance of the inquiry itself, struck a sarcastic tone, and cast himself as the victim of a 'media frenzy,'" Colloff reported.

He also suffered memory lapses. He routinely turned over all evidence to the defense that he was required to, he testified. But he had "no independent memory" of having given the defense the interview in which Morton's young son told his grandmother that a monster had killed his mother.

How could Anderson not remember a statement by a child seeing his mother killed? Hardin demanded to know.

"I have no recollection of it," Anderson repeated. Besides, he said, he'd put no credence in what a little boy said.

It is hard to overstate the uniqueness of the inquiry into the prosecutor's actions in the Morton case, and the subsequent legal action against Anderson.

One way to appreciate its novelty is to recall the South Carolina case of Edward Lee Elmore. A semi-literate African-American, Elmore was convicted and sentenced to death for the sexual assault and murder of a 75-year-old white woman.

In Elmore's case, the prosecution didn't just withhold critical information from the defense. There is reason to believe that the police and investigators concocted evidence, and that they committed perjury.

For instance, at Elmore's trial, officers testified that more than 40 of Elmore's pubic hairs had been found on the bed where he was alleged to have sexually assaulted the victim.

But the claims, as well as others involving what was once presented as scientific evidence of Elmore's guilt, ultimately crumbled upon re-examination. And some potentially exculpatory evidence was withheld from Elmore's lawyer.

Elmore was approaching 30 years in prison more than half his life — when the Fourth Circuit Court of Appeals issued an opinion. It is striking for its length — 194 pages — but even more so for the majority's scathing criticism of the state's handling of the case. There was "persuasive evidence," the court held, that investigators "were outright dishonest," and that they "lied about" some of their investigative findings at the time of Elmore's trial.

That judgment was rendered more than 18 months ago, and Elmore was released shortly afterward. But there is no indication of any investigation into the police or prosecutors involved in the case.

Raymond Bonner, a lawyer and former New York Times reporter, is the author of "Anatomy of Injustice: A Murder Case Gone Wrong."

★★★

Continued from page 1 • DA Vitolins Continues Rinehart Abuse

cases with the media or anyone else not a party to the case. I am happy to discuss this case with you once it is resolved. Very Truly Yours, - Daina Vitolins District Attorney."

I continued my investigation, uncovering much more evidence proving Rinehart's innocence and since Vitolins informed me in her letter that she wanted our communication to be one-sided, I published a factual article titled, "Innocent Matt Rinehart Jailed on Unbelievable Rape Charges" (on-line at www.usobserver.com) and distributed it too many Crook County residents in late March of 2013.

Pike's provocative picture

On April 1, 2013, Diane Pike, the woman who initiated the false and destructive charges against Rinehart, appeared at the Crook County Sheriff's Office where Crook County Deputy Sheriff Theresa Plinski was eager to write another one of her fairy-tale reports in this case. Plinski states in her report, "Pike had indicated to me that there was an article in the US Observer in regards to her case that had made her upset and wanted to clarify a few things that were printed in the article." Deputy Plinski asked Pike to describe the photos that were published in the US~Observer - In referring to our front page photo that portrayed Pike as sexual and extremely enticing, Pike stated that she did take the picture of herself, she sent it to Rinehart and that "she did not realize that her shirt was so low cut." This is pure, unbelievable BS and about as absurd as the charges against Rinehart… Officer Plinski conveniently failed to address the extremely provocative look on Pike's face in the photo.

Deputy Plinski ends her report by stating, "A copy of the article from the US Observer titled, 'Innocent Matt Rinehart Jailed on Unbelievable Rape Charges' has been placed in the case packet – Forward to D.A.'s Office."

I would strongly suggest that instead of continuing to promote the conspired false charges against a factually innocent Matt Rinehart, that deputy Plinski and DA Vitolins read the US~Observer article they have in front of them and then investigate the facts contained in it.

I would prompt DA Vitolins and her conspirators to investigate the accusation that just prior to Diane Pike falsely accusing Matt Rinehart of Rape, that she reportedly accused Jay Williams of Prineville, Oregon of raping her to a friend. The friend stated, "When Diane told me that Jay had raped her I told Diane that Jay is underage, that he is a minor, and Pike responded, I will just wait until he is eighteen then." The witness told me point blank that Pike is deceptive and that she was never raped by either Williams or Rinehart. Vitolins and Plinski should also go question the neighbor of Matt's grandparents, who, according to a note (in part) obtained by the grandparents, stated that he didn't want Diane Pike at his property anymore. He said Pike's attire was too provocative and her sexual advances towards Matt Rinehart were so lewd that he didn't want his children to witness her actions or the sexual way she was dressed (or not so dressed - dependent on interpretation) while "hanging all over Matt."

Matt Rinehart and Diane Pike

A good number of witnesses have stated that Diane Pike was constantly "all over Matt" in a sexual manner whenever they were together – that she was continually enticing him… I presume that Vitolins will make every attempt to exclude facts like this from court, using Oregon's corrupted Rape-Shield statutes, rather than seeking justice, as this has been her MO in the past.

I have much more to publish on this travesty of justice and I will at the appropriate time. At some point I will get into the history between Crook County Circuit Court Judge Gary Lee Williams, Crook County Public Defender William J. Condron and Matt Rinehart, who was a young 11 year-old boy when he first encountered them and when Gary Williams was the District Attorney in Crook County. I am also putting together a ball-buster on Daina Vitolins history – stay tuned…

Matt Rinehart is factually innocent and he is sitting in a jail cell day after day after day after day… Matt deserves our help, just as Daina Vitolins deserves to be ridiculed publicly for her unjust torture of Matthew Rinehart and others.

I ask that anyone with information on this case or the history of any of the players involved, contact me at 541-474-7885 or by email to ed@usobserver. Be responsible, pick up your phone and call me. ★★★

City Sues Good Samaritans Who Feed Strangers' Parking Meters

By Ben Bullard
Personal Liberty


'Free Keene' member feeding meters

A group of six self-described "Robin Hooders," who estimate they've saved about 4,000 New Hampshire motorists from parking tickets by feeding their expired meters, now faces a lawsuit in the small city where they've been active since December.

The small band of residents, local members of a larger New Hampshire libertarian movement called the Free State Project, play a cat-and-mouse game with meter maids in Keene, N.H., looking for parked cars in front of meters that have expired. Staying about 20 feet ahead of the city's small squad of ticket-writing meter maids, they re-up expired meters and leave behind calling cards that show an image of Robin Hood on one side and a quote — "We saved you from the king's tariff! — Robin Hood and his Merry Men. Please consider paying it forward." — on the other.

In the suit, the city's three meter maids complain the Robin Hooders have "regularly, repeatedly, and intentionally taunted, interfered with, harassed, and intimidated" them by "following, surrounding, touching or nearly touching, and otherwise taunting and harassing." The suit asks the court to order the group to keep a 50-foot distance from the meter maids — at least one of whom has complained of getting heart palpitations from the stress — at all times.

The group's members have told various media outlets the city is having to stretch the truth in order to make claims like that, noting that none of them has been charged with harassment.

"The Robin Hooders have always been courteous in my experience," defendant Ian Freeman told NBC News. "The city is upset because they are losing revenue and are coming up with anything they can to try to stop it."

"I don't follow them home or try to find them off duty," defendant James Cleaveland, who knows the meter maids by name, told Reuters. "They always use the excuse 'I'm just doing my job.' I always say 'I'm just doing my activity too.'

"It's my philosophy. I could go talk to the city council at every meeting but to me, actions speak louder than words."

Those actions are a lot more popular with residents in the "Live Free or Die" State than with the city. The group's "Free Keene" Facebook page has nearly 5,000 friends, and drivers quoted in local and national reports favor what the Robin Hooders are doing — and the spirit in which they're going about it.

Bailing people out of $5 parking tickets isn't the toughest fight the Free State Project's Keene chapter has waged. The group has also supported relaxing drug laws by publicly smoking marijuana in a downtown protest. In 2009, the group protested attacks on the 2nd Amendment by having a half-naked woman walk through the city armed with a holstered handgun.

★★★

(This article first appeared on Personal Liberty Digest™ at Personalliberty.com)

Continued from page 1 • Today, An Accusation Gets You Life (in Prison)

ALLEGATIONS OF A GIRL HAVE PLACED ZANE CROWDER IN PRISON FOR LIFE, PLUS 25 YEARS

The accuser was playing outside her babysitter's house with another young girl. As the two children continued to talk and play, the accuser told the older child that she had been touched by someone in her private area.

The babysitter, Terrie Webb was then informed by the older child. The parents of the accuseer, Abe and Danielle Levi, along with the authorities were subsequently contacted. Later, while describing the alleged sexual assault to authorities, the accuser claimed to have been told by a friend of hers that the same thing had also happened to her. According to video evidence, there were no questions from authorities to determine the validity of the statement by the accuser's friend or the probability of this comment by another young child possibly contributing to the accuser's similar accusation.

Based on the accuser's statement alone, 22 year old Zane Crowder was arrested on June 6, 2010. Zane was ordered to be under electronic monitoring by the police and was charged with sexual battery and lewd or lascivious molestation upon a child under 12 years of age.

The accuser had claimed that Zane penetrated her private area with his finger. Zane was a close friend of accuser's step-father Abe Levi at the time of her accusation. Although he denied the allegations, he was labeled a child molester by many in his community, including many friends, neighbors and the local mainstream media.

THE EVIDENCE *OR THE LACK THEREOF*

The accuser was interviewed by Linda Kahl at the Gulf Coast Kid's House on March 17, 2010. During the interview the accuser stated that she had already talked about the allegation with five other people. This is important because children can be easily manipulated to give a desired answer when asked the same or similar questions repeatedly. While answering Linda's questions, the accuser stated that as a second grader, she was very good at Geometry. The accuser acknowledged with a head nod when Linda stated that she "must get good grades," and said "I only got three F's in my whole entire life." The accuser explained that she had a verbal and physical conflict at school with another student which was the reason for one of her failing grades.

The accuser admitted during the interview that she had lied to an associate of Linda's about her mother smoking cigarettes. The accuser continued, "I didn't mean to lie, I just," - Linda cut her off by stating, "didn't know her too well, and that's okay (referring to the person the accuser had lied to)." The accuser followed up by giving a statement without being asked, "my parents don't do drugs," but accuser's mother, Danielle Levi admitted to Teresa Greenquist, the nurse who examined accuser that she "had used marijuana..." While talking about the alleged molestation, the accuser couldn't remember the first time it had occurred, nor could she remember the most recent time it occurred. She could remember that it had happened about "15 times," one of which the accuser stated was "when she was sleeping." The accuser then stated without being asked, "…I was [gonna] ask you if you were [gonna] ask me if it was on the inside or the outside"(referring to the touching of her private area). She continued by saying all of the occurrences happened when her parents were either gone or sleeping. According to witness statements, Danielle only left the accuser alone with Zane on one occasion. When asked if Zane said anything to her during the touching, the accuser stated, he said he would "torture her" if she opened her eyes. The accuser said she knew what he meant by "torturing her" - he would cause bruises and she continued by saying he wouldn't be alive today if he did that. Interesting statement coming from a seven year old – Maybe an expert should have analyzed this statement and many others?

No DNA evidence was used to support the allegations against Zane. No sexual assault kit was used for the examination of the accuser. According to nurse Greenquist, who examined the girl, she had conducted 1,152 sexual assault exams as of August of 2010. Greenquist confirmed there was "no physical evidence of any damage to the vaginal area." There was "no vaginal discharge or infections." There was no physical evidence that the girl had been sexually assaulted. There were no witnesses to the alleged crime. There was no past history of sexual abuse involving Zane Crowder. There was no admission by Zane to any of the allegations, only adamant opposition. The only piece of evidence against Zane was the accuser's statement. It would be next to impossible to explain to the jury how children lie without the testimony of an expert witness. Zane Crowder's defense did not present any expert witness testimony…


Zane Crowder and son

A ONE DAY TRIAL AND OFF TO LIFE IN PRISON – *PURE INSANITY*

On January 21, 2011 a jury was chosen to hear the State of Florida's case against Zane Crowder. Out of six jurors, four were black and two were caucasian. This case took place in the deep south. Even though racial tension is not often a reported issue, one should still consider whether or not color played a role. There was an African American female alleged victim and a Caucasian male defendant. Zane's uncle, Byron Hubbard stated, "some of the jurors were sleeping during trial, and another was more concerned with her nails and looking around the court than listening to the case." He continued, "You wouldn't believe anything like this was actually possible unless you were in court that day." Zane's mother, Lisa Stewart stated that Zane's attorney Patrece Cashwell had told her that she did not get along with Judge Jan Shackelford, the presiding judge. Lisa continued, "that was obvious during trial." Lisa also stated that "Shackelford was seen rolling her eyes several times while Zane's attorney spoke, which was witnessed by many of the jurors." Another witness Susan Vignolo stated, "During the trial one juror kept staring at the ceiling."

After a ONE day trial, the jury found Zane Crowder guilty of all charges. Judge Shackelford sentenced Zane to life in prison, plus 25 years. Again, pure insanity…

Zane, now 24 years of age, has served over two years of his life sentence. His appeal, which was handled by attorney Ross Keene was denied without opinion by the Florida Supreme Court. Zane's family is continuing their fight to vindicate him. Miami Law Innocence Clinic at the University of Miami has taken Zane's case in an effort to help Zane put together a post-conviction relief case. Zane's Uncle and Mother have also been in contact with the Florida Innocence Project. The US~Observer has taken on Zane's case and firmly believes that he is entitled to a new trial. No one will ever know for certain what actually happened except for Zane and the accuser, however, one fact remains - Zane was arrested, charged and sentenced to life plus 25 years with only an accusation.

This writer attempted to communicate with the accuser's parents (Abe and Danielle Levi) several times prior to the publication of this article with no response.

If you have any information about anyone named in this article, please contact Joseph Snook at 541-226-8235 or email him at joe@usobserver.com. Do you know Abe or Danielle Levi? Do you know Zane Crowder? Has the accuser or her parents made a statement to you about this case? If you have information, be responsible and call.

★★★

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

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FBI Data Shows Criminals Won't Be Caught in Gun Grab Dragnet

By Ben Bullard

How many bad guys do you think try to buy guns from licensed dealers, the retailers whom Congress wants to slap with further restrictions on instant verifications for gun sales? How many criminals are getting access to their guns via "traditional," on-the-grid avenues, initiating transactions that route them through background checks designed to ensure those very creeps aren't the ones who can get their hands on firearms?

One-fourth? Ten percent? Five?

Try less than 1 percent. In fact, it's less than half of 1 percent. Since 1998, there have been 590,070 attempts by convicts — guilty of both felonies and misdemeanors — to buy firearms from gun dealers who must check their criminal past on the FBI's National Instant Criminal Background Check (NICS) system. That's out a total of 167,488,942 background checks done on all gun sales for the same period.

Both sets of figures come straight from the FBI. Hat tip to CNS News for doing a little arithmetic: Those 590,070 convicts who tried to buy a gun through legitimate means represent a mere .35 percent of all gun-buy attempts over the past 14 years.

Senate Democrats recently busied themselves trying to scrounge up enough votes to move ahead with an amendment to the laughably-titled Public Safety and Second Amendment Rights Protection Act, one that would close the so-called "gun show loophole" by mandating background checks on firearms transactions between private individuals.

They lost, with the amendment failing to pass in a 54-46 vote. Without the amendment's approval, the whole Act's chances of making it through the early days of the Democrat-controlled 113th Congress likely will be sunk.

Complicating matters more for supporters of the Gun Grab Act was the introduction of an "alternative" gun control bill by Senators Chuck Grassley (R-Iowa) and Ted Cruz (R-Texas). That bill may have its critics, once pundits from the right and left have a chance to pore through its language; but a rundown of the bill's highlights indicates, at least in spirit, a piece of legislation written with the understanding that criminals, by definition, can't be touched by draconian gun laws that serve only to restrict the rights of law-abiding citizens.

Highlights of the Grassley-Cruz bill included:

- *No expansion of the existing NICS background check system.*
- *Creating a task force to prosecute those who fail criminal background checks when attempting to buy guns.*
- *Requiring the U.S. Department of Justice to report to Congress periodically on its prosecution of those who attempt to buy guns illegally.*
- *Making third-party "straw purchase" trafficking illegal.*

For the most part, the bill looked to target government and law enforcement agencies already tasked with enforcing existing laws instead of going after individual citizens with expanded Federal restrictions. Cruz said as much during a morning press conference:

Rather than restricting the rights of law-abiding Americans, we should be focusing on keeping guns out of the hands of violent criminals, which this legislation accomplishes. While the Obama Administration continues to politicize a terrible tragedy to push its anti-gun agenda, I am proud to stand beside my fellow senators to present common-sense measures that will increase criminal prosecutions of felons who try to buy guns, criminalize straw purchasing and gun trafficking, and address mental health issues.

Sounds fair. But these bills have a way of coming out of committee — if they get off the ground at all — looking far different than they did going in, and Cruz may yet be criticized for introducing any "alternative" that even smells like gun control — regardless of its publicity value — when simple opposition to the Public Safety and Second Amendment Rights Protection Act would have served the original 2nd Amendment very well.

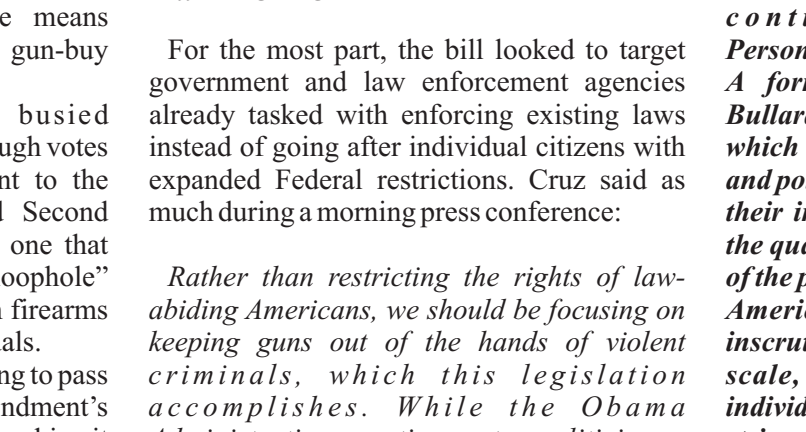
The gun grabbers have vowed to be back. But nothing so far submitted by any member of Congress will address the issue of keeping guns out of the hands of criminals. They have to know that, and if they do, that brings their motives into question.

(This article first appeared on Personal Liberty Digest™ at Personalliberty.com)

Reconciling the concept of individual sovereignty with conscientious participation in the modern American political process is a continuing preoccupation for Personalliberty.com staff writer Ben Bullard. A former community newspaper writer, Bullard has closely observed the manner in which well-meaning small-town politicians and policy makers often accept, unthinkingly, their increasingly marginal role in shaping the quality of their own lives, as well as those of the people whom they serve. He argues that American public policy is plagued by inscrutable and corrupt motives on a national scale, a fundamental problem which individuals, families and communities must strive to solve. This, he argues, can be achieved only as Americans rediscover the principal role each citizen plays in enriching the welfare of our Republic. ★★★

54 Colorado sheriffs suing to block two new state gun control laws

By Alan Gathright
ABC 7 News



(ABC) Denver, CO - A group of 54 Colorado sheriffs say recently passed state gun control laws are unconstitutional and they plan to file a federal lawsuit to block them.

At a news conference on May 17th in Denver, sheriffs, disabled individuals and a woman's group said two new laws requiring universal background checks for gun buyers and restricting the size of high-capacity magazines violate the Second Amendment right to bear arms and the Fourteenth Amendment's prohibition against states denying individuals due process and equal protection under the law.

The laws were passed earlier this year in response to mass shootings at an Aurora movie theater and at a school in Connecticut.

The right-leaning Independence Institute says 54 of the Colorado's 62 sheriffs are joining the lawsuit, along with other gun-rights activists who oppose the laws.

"This lawsuit is for your rights and for your safety," Weld County Sheriff John Cooke said. "These bills do absolutely nothing to make Colorado a safer place to live, to work, to play or to raise a family. Instead these misguided, unconstitutional bills will have the opposite effect because they greatly restrict the right of decent, law-abiding citizens to defend themselves, their families and their homes."

"This isn't good public policy. These are really awful bills. They are unenforceable and encourage disrespect for the law," Cooke added.

However, Colorado Association of Chiefs of Police, issued this statement backing the gun control laws:

"The Colorado Association of Chiefs of Police supported the gun safety legislation which was passed by the Colorado General Assembly and signed into law by the Governor. We believe the bills were common-sense approaches to protecting our citizens and our law enforcement officers from those seeking to cause harm with guns, while not taking guns from law abiding citizens in any way. Now that the constitutionality of these statutes is being questioned in a lawsuit, we will await and will respect the guidance of the courts."

At the new conference, Katherine Whitney, of the group Women for Concealed Carry, said the new laws violate a woman's constitutional right to self-defense. She cited statistics showing an increasing number of "forcible rapes" in Colorado, including 2,236 rapes reported to authorities in 2012.

Whitney said the law prohibiting the sale of ammunition magazines that hold more than 15 rounds also bans magazines with removable baseplates or end caps that could be expanded. She said it effectively bans a majority of gun magazines that have the expandable feature.

"Banning the ordinary magazines women use every day for lawful self-defense makes our handguns useless and it makes us more vulnerable to violent crime," Whitney said. "For the sake of our lives and the lives of our young children, we ask the court to issue injunctions against the enforcement of these dangerous bills."

Dylan Harrell, a disabled gun enthusiast, said one law's restrictions on transferring high-capacity magazines to other people "makes it against the law for me to even seek assistance with handling of my firearms when I need to transfer into or out of my wheelchair."

Some concerns about the law prohibiting the sale, transfer and possessing of large-capacity ammunition magazines might be eased by a legal opinion released Friday by Colorado

Continued on page 13

Articles and Opinions

To the Editor letters for publication are encouraged – they must be typed, a maximum of 400 words or less in length. Please submit photographs or artwork. Contact Editor for permission to submit in-depth articles up to 1,750 words, plus graphics. Opposition opinions are welcome.

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Get involved & send YOUR comments or concerns to the Editor
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Anti-gun Liberals Don't Understand, Lifelong Gun Owners Are Safe Gun Owners

By Sam Rolley

A Pennsylvania-based family business is under assault from the left following a tragedy that never should have been allowed to happen.

A 5-year-old Kentucky boy was playing with a rifle he had been given last year in his home as his mother cleaned the kitchen. When she stepped outside to dump grease from a frying pan, the firearm the boy was playing with went off, fatally striking his 2-year-old sister in the chest.

According to a report from The Associated Press, the small rifle — which is manufactured by Keystone Sporting Arms, LLC specifically for smaller-statured and beginner marksmen — was kept in the corner of the family's rural mobile home. They were allegedly unaware that the rifle was still loaded.

An investigation is underway about the events that led up to the rifle being left lying around, loaded within the reach of two small children — and duly so. Unfortunately, the national media reaction to the tragic event hasn't covered the investigation, which could reveal the possibility of negligence or mistake or stupidity that might have contributed to the sad result. Instead, pundits have rushed to indict Keystone as a company that profits from child murder, because it produces small, single shot .22 caliber rifles.

This author is a literal lifelong gun owner and, incidentally, I was given a .22 caliber Chipmunk rifle — a product similar to the .22 Crickett rifle central to tragic Kentucky happenings — by my grandfather in the days after my birth. Chipmunk Rifles has since been bought by Bill (father) and Steve (son) McNeal, the founders of Keystone Sporting Arms, and the guns are sold alongside a growing line of small-stature .22s.

I remember long, fun-filled afternoons shooting that rifle with my dad and younger brother (who was later also the proud owner of a Chipmunk) from a young age, always adhering to strict safety rules. My brother and I learned to respect the rifle for what it is, a deadly machine capable of taking life but also a tool that could be used to protect life, sustain life if need be or add a little joy to life on a Saturday afternoon shooting old cans and bottles for sport or hunting squirrels.

We learned the process of properly loading, handling, firing and checking the rifle, which sports a manually cocking single-shot bolt action. And when Dad felt comfortable that my brother and I had reached the age where we understood what an extreme responsibility that firearm was (around the age of 8 or so), he would leave us to practice all afternoon on the small range fashioned near the house. It was not unusual for my brother and me to plink through a 500 round box of .22 cartridges on a nice weekend afternoon, one carefully aimed shot after the next.

There was never an accident, never a bolt closed when someone was down range or when we headed back to the house to clean the rifles. And even with those bolts open, the Chipmunks were never pointed in the direction of anything that wasn't intended to be shot.

I carry that same respect today for every firearm that I come into contact with.

In the wake of the story of the tragedy that recently occurred in Kentucky, mainstream media has had a great deal to say about Keystone Firearms and the products they sell.

MSNBC pundit Lawrence O'Donnell lashed out at the McNeals during a segment on "Last Word" late last week, claiming that the Keystone Sporting Arms owners were bad people for marketing and selling firearms that are perfectly suited for children getting into shooting.

"The McNeals hit their marketing target when a family living in a mobile home on Lawson's Bottom Road in Cumberland County, Kentucky, bought a Crickett for their five-year-old boy," O'Donnell said.

The bloviating talk show host went on to describe pictures of children with small rifles on the Keystone website, saying, "because the toddler obviously isn't strong enough to lift it up. That picture is legal child pornography."

"Because we think fastball pitching is too dangerous for 5-year-olds," he said. "If you are concerned with child safety, you don't give children guns, you don't give 5-year-olds the keys to the car."

He concluded, "You live in a country where Bill and Steve McNeal legally sell guns for 5-year-olds. Tonight, you live in a country where they make and sell guns for little kids. Because they can."

O'Donnell's bit was joined by a flurry of editorial- and opinion-page condemnation of the youth firearms by print and online media throughout the Nation.

As the left vehemently exploits the tragedy, Keystone Firearms has opted to remain silent until a proper investigation of the Kentucky tragedy is complete. Even so, the hateful comments by the likes of O'Donnell and his ilk has caused the company to be inundated with hate-filled emails and phone calls, some even including death threats against employees.

In an interview with Personalliberty.com, Keystone representative Attorney John Renzulli said: "We're not going to comment on this tragic event at this time. That family is going through a really tough time; and out of respect for them, we have no comment regarding the incident until the investigation has been completed."

Asked about allegations that the company was marketing a dangerous product directly to children, Renzulli pointed out the obvious: "The whole idea of saying something like that is to excite the anti-gun base. It's a ridiculous thing to suggest that these rifles are being marketed directly to children. Can a child walk into a gun store anywhere in the Nation and buy a firearm?"

The only one who should really be called out for doing something dangerous, it seems, are the likes of O'Donnell and his army of anti-gun exaggerators; they've taken a tragic event, exaggerated and encouraged violent threats by toying with the emotions of their — obviously ill-informed — fans.

The left is unwilling to admit that a combination of gun education, responsibility and respect is the only real answer to lessening firearm accidents; and the people at Keystone Firearms are doing their part to foster new generations of gun owners who are more likely to grow up with those traits.

(This article first appeared on Personal Liberty Digest™ at Personalliberty.com)

Sam Rolley began a career in journalism working for a small town newspaper while seeking a B.A. in English. After learning about many of the biases present in most modern newsrooms, Rolley became determined to find a position in journalism that would allow him to combat the unsavory image that the news industry has gained. He is dedicated to seeking the truth and exposing the lies disseminated by the mainstream media. He is a staff writer for Personalliberty.com. ★★★

Continued from page 12 • 54 Colorado sheriffs ...

Attorney General John Suthers and Department of Public Safety Executive Director James Davis. Gov. John Hickenlooper instructed the officials to provide the technical guidance on how law enforcement agencies should interpret and enforce the law.

Just because a magazine has a "removable baseplate" does not mean it falls under the law's definition of a large-capacity magazine "designed to be readily converted to accept more than 15 rounds of ammunition," the guidance says.

"On many magazines, that [removable baseplate] design feature is included to specifically to permit cleaning and maintenance," the opinion says. "Of course, a magazine whose baseplate is replaced with one that does, in fact, allow the magazine to accept more than 15 rounds would be a 'large-capacity magazine' under House Bill 1224."

So, just having a magazine with the potential to be expanded to hold more than 15 rounds isn't deemed a violation of the law.

The law also has a "grandfather" clause that allows someone who owns a magazine that holds more than 15 rounds before the law takes effect on July 1 to legally keep it, as long as the owner "maintains continuous possession" of it.

The attorney general's guidance says that people don't have to worry if another person briefly takes physical custody of their grandfathered high-capacity magazine -- say "a gunsmith, hunting partner or acquaintance at a shooting range" -- as along as the other person "remains in the owner's physical presence."

But victims of gun violence said they didn't understand why law enforcement officials were opposing efforts to prevent violent crime.

"As a parent who lost my son Alex at the Aurora theater shooting, I ask these people to put themselves in my place," said Tom Sullivan, who son was killed in the Aurora theater shooting. "Imagine going around to hospitals trying to find your son, only to hear that he's been shot dead and is lying on the floor of the theater. And then having to tell that to his mom and his sister, that he went to a movie and never came home.

"I do not understand why these politicians are picking guns over people, and why they want to make easier for criminals to get guns and for other families to go through what we did," Sullivan added.

Dave Hoover, a Lakewood police officer whose nephew, AJ Boik, was gunned down in the theater shooting, said the sheriffs are ignoring the will of the people.

"As someone whose family has been affected by gun violence and someone who has worked in law enforcement for many years, it is disappointing to see the majority of Sheriffs in this state turn gun safety and the safety of families and citizens of this state into a political issue," Hoover said in a statement. "These laws are supported by a majority of Coloradans because they protect public safety while respecting responsible gun ownership. Let's encourage the Sheriffs to focus on public safety and enforce the laws they have sworn to uphold, instead of playing politics."

The gun-control group, Colorado Ceasefire, accused the sheriffs of "marching to the drumbeat of the gun industry to overturn laws designed to improve community safety."

"By putting their energies into this lawsuit, the sheriffs are ignoring the voices of those they are sworn to protect," the group said in a statement.

"Last year, over 7,300 gun purchases were stopped (by background checks) in Colorado. But those denied persons were able to go elsewhere, online, a classified ad, or friend of a friend, and quickly buy a firearm. No questions asked. Is this what the sheriffs consider good public safety policy?" said the group, referring to life before the new state law tightened background check loopholes. "Have the sheriffs not had enough of gun violence? How many schools, theaters and city streets do we need turned into slaughterhouses before they 'get it'?"

★★★

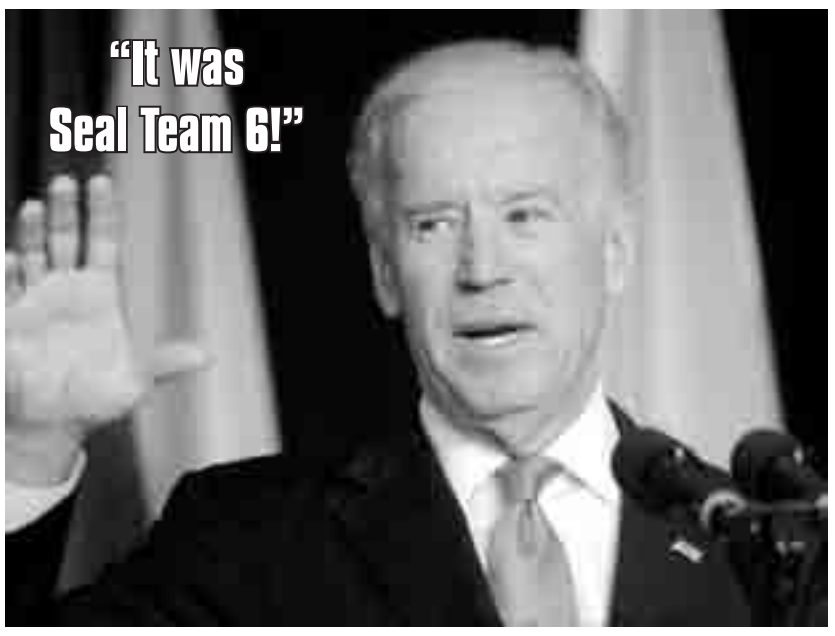
The Second Amendment

What about "SHALL NOT INFRINGE" is misunderstood?

The definition is as strong now as it was when the Constitution was written...

Infringe = Act so as to limit or undermine (something); encroach upon

Biden Now Blamed in Seal Team 6 Deaths
Attorney: 'He should even be held criminally accountable'



(WND Radio) - The families of three fallen Navy SEAL Team Six members say President Obama and Vice President Biden are culpable for the deaths of their sons for publicly identifying the unit that killed Osama bin Laden and pursuing policies that coddle Muslims and put our own troops at a tactical disadvantage.

SEAL Team Six carried out the daring raid in Pakistan in early May 2011. Three months later, three members of the unit were among 38 killed in a Chinook helicopter crash in Afghanistan. Twenty-five of the dead were special operations forces. Larry Klayman is founder of Freedom Watch, a WND columnist and the attorney representing three of the families who lost their sons. He said the Obama administration carelessly and illegally revealed the role of SEAL Team Six shortly after announcing the successful mission to kill bin Laden.

"Shortly after that successful raid on bin Laden, the president – through the vice president for political purposes – released the name of SEAL Team Six. That's classified information, and even (then) Defense Secretary Robert Gates was critical of that. So that was like putting a target on the backs of the sons of my clients," said Klayman, who revealed the helicopter may have been infiltrated by the Taliban before the crash because the Afghans on board were last-minute changes from the names on the original flight manifest.

Klayman said Vice President Joe Biden deserves special blame for these deaths.

"Biden did something, which was more than irresponsible. He served on foreign relations committees, intelligence committees. He knew, or should have known, what he was doing. He should be held accountable. Frankly, he should even be held criminally accountable for doing that," Klayman said.

In addition to the identification of the the team, Klayman said the Obama administration is culpable for these deaths due to a policy of coddling Muslims and putting tremendous restrictions on U.S. forces.

"This president has set a tone that Muslim outreach … is more important than protecting the lives of our servicemen, and that's crept into the military brass to the point where they can't engage in preemptive fire. They can't engage in return fire until they're fired upon once. They're sent into battle without adequate equipment," he said.

Perhaps the greatest insult to the families was at the funeral for their sons in Afghanistan. The military refused to allow a Christian minister or chaplain at the service and instead brought in a Muslim cleric who proceeded to slander the fallen.

"For some bizarre reason, probably this Muslim outreach again of Barack Obama, they had a Muslim cleric give a prayer. Why the heck you would have a Muslim prayer and the servicemen are Christian is beyond imagination. So it has to come from the top down. And this cleric then proceeded in Arabic. No one understood it at the time, but we have a video of it, and it was translated by certified translators. He proceeded to damn my clients' sons, and others who died, as infidels and that they should go to hell under Allah, the Muslim god," he said.

"That's unbelievable. We've never even gotten an apology from the military that they did that," said Klayman, who is demanding a congressional investigation and added that an announcement of litigation will be coming soon.

"This is a major scandal. This is as big if not bigger than Benghazi because it concerns all of the military," he said. "The mid-level military brass are not serving the interests of the brave fighting men that serve behind them. But the problem is that the tone and substance of these policies come from Barack Obama himself."

★★★

Shredding the Constitution:
Obama's attack on the media

By Jennifer Rubin
Washington Post

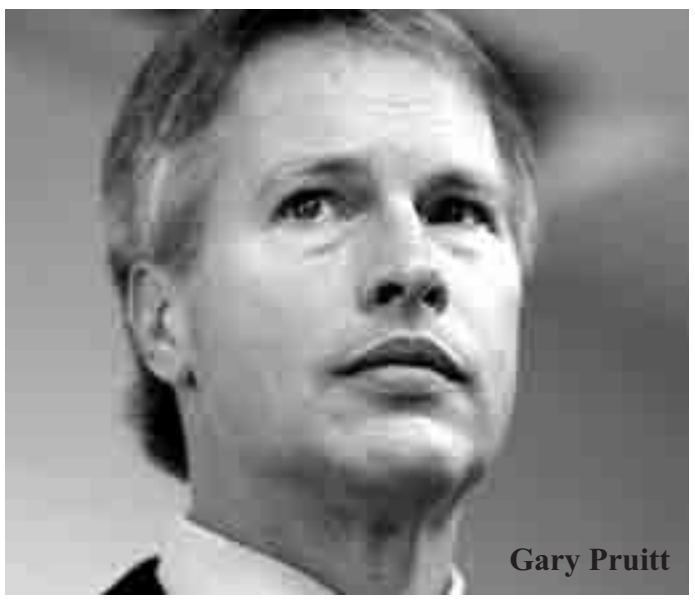
The president hasn't attempted to distance himself from the Associated Press snooping campaign. To the contrary, he offered "no apologies." To be blunt, he approves the most invasive breach of the First Amendment against any news organization in the history of the republic. No president has tried this and for good reason. We now have yet another media abuse story, in a way much more severe.

The Post breaks the story that the Obama administration indulged in excruciatingly invasive spying on James Rosen of Fox News and, in an unprecedented move, asserted that his news gathering is criminal. The Post reports:

When the Justice Department began investigating possible leaks of classified information about North Korea in 2009, investigators did more than obtain telephone records of a working journalist suspected of receiving the secret material.

They used security badge access records to track the reporter's comings and goings from the State Department, according to a newly obtained court affidavit. They traced the timing of his calls with a State Department security adviser suspected of sharing the classified report. They obtained a search warrant for the reporter's personal e-mails.

Moreover, the FBI agent involved in his affidavit asserted "that there was evidence Rosen had broken the law, 'at the very least, either as an aider, abettor and/or co-conspirator.' That fact distinguishes his case from the probe of the AP, in which the news organization is not the likely target." No administration has ever taken this stance.


Gary Pruitt

Even before The Post story broke, the AP's impressive chief executive, Gary Pruitt, went on "Face the Nation" to outline the media dragnet conducted on his editors and reporters. He explained that 21 phone lines were involved. "And these were phone lines for reporters, direct lines, cellphones, home phones. But also the office numbers, the main office numbers for AP offices in New York, Washington, the House of Representatives, and Hartford, Connecticut. So over a hundred — approximately a hundred journalists used these telephone lines as part of news gathering. And over the course of the two months of the records that they swept up, thousands and — upon thousands of news gathering calls were made."

Moreover, it appears the surveillance was undertaken in retribution for refusing to all the administration to itself break the news about a foiled al Qaeda plot:

GARY PRUITT: This was very good news, but strangely, at the same time, the administration, through the press secretary and the Department of Homeland Security, were telling the American public that there was no credible evidence of a terrorist plot related to the anniversary of the killing of Osama bin Laden. So that was misleading to the American public. We felt the American public needed to know this story.

BOB SCHIEFFER: Now, when you got the story, at first the people who gave it to you asked you to hold it for a certain time.

GARY PRUITT: Yes. So what happened was we got this story. We went to the government – the White House, intelligence agencies – they said there's a national security risk if you run this story, if you go with this story at this time. We respected that. We acted responsibly, we held the story.

BOB SCHIEFFER: Then?

GARY PRUITT: Then five days – we – we held it for five days. On the fifth day, we heard from high officials in two parts of the government that the national security issues had passed and at that point, we released the story. . . . The White House wanted to– wanted us to hold it another day because they wanted to announce this successful foiling of the plot.

BOB SCHIEFFER: So they wanted – they didn't want to get scooped.

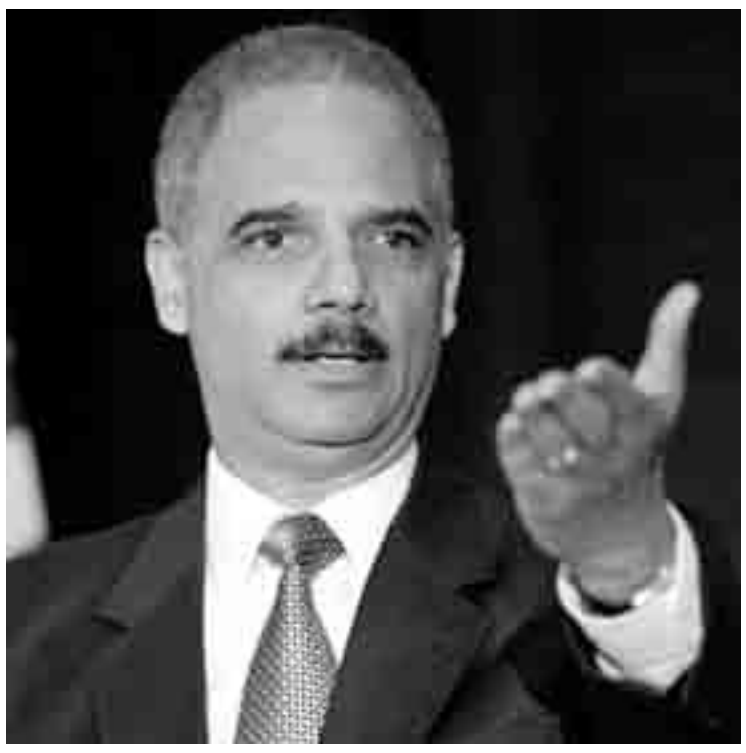
GARY PRUITT: I guess. I guess that – they didn't tell us their motive, but that certainly seemed that way to us. We didn't think that was a legitimate reason for holding the story.

How typical of the administration crew. It was not national security that motivated this administration crusade against AP, but Obama officials' pique over being denied bragging rights. (This administration wildly leaked the details of the Osama bin Laden raid, to the horror of then-Defense Secretary Robert Gates.)

To understand how egregious this was, one should remember the administration never asked for the records. The object was not the leak but to make a show of going after leakers. Pruitt observed:

And so now they possess the phone records of thousands– thousands of news gathering phone calls of the Associated Press, and they are required to narrow– under their own rules, they are required to narrow these– this request as narrowly as possible, so as to not tread upon the– the First Amendment. And, yet, they had a broad sweeping collection, and they did it secretly. The rules require them to come to us first but in this case, they didn't, claiming an exception saying that if they had, it would have posed a substantial threat to their investigation. But they have– they've not explained why it would, and we can't understand why it would. We never even had possession of these records. They were in the possession of our telephone service company. And they couldn't be tampered with. So usually they would come to us. We would try to narrow the request, the subpoena. If we didn't come to an agreement, we could go to a judge, and an independent arbiter could decide upon the scope of the subpoena. . . .

I know what the message being sent is, is that if you talk to the press, we're going to– we're going to go after you. We're going to go after these leakers. I don't know what their motive is, but I can tell you their actions are unconstitutional. We don't question their right to conduct these sort of investigations. We just think they went about it the wrong way. So sweeping, so secretively, so abusively, and harassingly and overbroad that it constitutes that it– that it is an unconstitutional act. . . .


Eric Holder says he had nothing to do with the wiretapping, but is defending his department saying they followed the rules.

I think that it will hurt journalism. In fact, we're already seeing some impact. Already, officials that would normally talk to us and people we talk to in the normal course of news gathering are already saying to us that they're a little reluctant to talk to us. They fear that they– they will be monitored by the government. So we're already seeing. It's not hypothetical. We're actually seeing impact already.

And the administration got its way — chilling reporting and scaring off sources. For this and for an attempt to criminalize ordinary news gathering the president declares, "No apologies." Had a Republican president approved all this I am quite certain the left would be calling for heads to roll.

Bob Schieffer, without yet knowing about the Rosen case, blasted the administration:

We heard that the President says that he didn't find out about [the IRS scandal] until last week, last week, which qualified him for Washington's fastest growing club, the longer and longer list of officials who suddenly don't know much about a lot of unpleasant things from Benghazi to the Associated Press investigation. At this point, just spare me the talking points and the excuses. No matter whether Republicans or Democrats are doing this kind of thing, this stuff is not just wrong it's really stupid. And it will take more than firing a few temps and low-level bureaucrats to fix it. The President won reelection with a smart political team, but the election is over. Maybe he should look now for people of substance who know about other things who could help him govern.


Bob Schieffer

Who but the Obama-sycophants could argue with that?

Jennifer Rubin is an American conservative columnist and a blogger for the Washington Post. Previously she worked at Commentary Magazine, the Pajamas Media, Human Events, and the Weekly Standard. ★★★

Exonerated Inmates: Florida Bill To Speed Up Executions Would Have Cost Us Our Lives

By Nicole Flatow
Think Progress

Several exonerated men whose innocence of murder was proven years after they were sentenced to death are imploring Gov. Rick Scott (R-FL) not to sign a Florida bill that would set automatic timelines for imposing the death penalty, and likely would have resulted in the execution of these and other innocent people.

The bill, known as the "Timely Justice Act," was passed last month amid legislator sentiments that "timely justice" is more important than "guilt or innocence," with one legislator saying, "Only God can judge. But we can sure set up the meeting."

Now, as the deadline approaches for Gov. Scott to sign the bill, former inmates who escaped the death penalty are coming forward to demonstrate the extraordinary costs of the law's passage, in a state with the highest number of exonerations, and more people on death row than any state but California.

"If Governor Scott would just sit with me and others like me, I know he will veto this bill that, if it had been law, would have ended my life – I am innocent," said Seth Penalver, who sat on death row for 18 years before exonerating evidence emerged. "If he signs this bill into law, I fear other people who are innocent like me, will be unjustly executed by the State of Florida."

Exoneree Juan Melendez wrote in the Huffington Post:

The "Timely Justice Act" would speed up a system we know has already sent innocent men, like myself, to death row. Some of these prisoners may be men like me, who have exhausted their legal appeals, yet keep trying to find a way to prove their innocence.

In multiple cases of current death row prisoners, we don't know exactly what the legal claims are. Some of the men on Florida's death row ran out of legal options simply because their attorneys missed filing deadlines.

In those instances, no court had the opportunity to evaluate the claims and determine whether they have merit. How can we possibly justify speeding up the execution of prisoners in those cases?

According to logic of the "Timely Justice Act," any prisoner who has exhausted his appeals and been through a clemency process has had every opportunity and is ready for an execution date, regardless of the specific questions and issues that surround his case.

I am living proof that each case is unique and that the system must allow ample time for the truth to emerge.

Given Florida's troubling track record on wrongful convictions, this legislation ensures the unthinkable — the execution of an innocent person.

Although the final version of the bill eliminated timelines for filing appeals and post-conviction motions, it would require the governor to issue an execution warrant to those who have exhausted their legal remedies within 30 days, and require execution within 180 days of the warrant. The problem is that when it comes to the death penalty, cases are reopened years later when new evidence finally emerges or defendants obtain the resources to uncover new evidence. In several recent instances, crucial errors in FBI analysis were not revealed until years after hundreds of individuals' cases had been completed and decided.

Just this week in Florida, a man who was sentenced to death in 2006 is just now requesting a retrial, after he obtained lawyers in 2011 that secured testing of crucial DNA evidence.

★★★

Continued from page 1 • Bankruptcy Fraud in Washington State?

information in more than one state.

4. The debtor will use bribery to coerce a court-appointed trustee.

In the alleged bankruptcy fraud scheme involving James O'Hagan, all four methods were reportedly used and with the help of the individuals listed at the end of this article.

As a result of the "illegal diversion" of Deer Creek, O'Hagan sued those involved, which included county officials and his neighbor, Kenyon Kelly, now deceased, who was also complicit as his farm benefitted from the diversion. However, prior to trial, all the county officials were suspiciously dismissed from the suit and O'Hagan was left with Kelly as the sole defendant.

In 2000, O'Hagan won his suit against Kelley along with a judgment for $213,014.37 plus damages that at the time would have been calculated to be an additional $900,000.00. Kelley allegedly began working with his attorneys to devise a way to keep from paying the judgment, which led to the concealment and diversion of his assets prior to filing for bankruptcy protection.

When Kelley first attempted to hide his considerable assets in bankruptcy court [when this first attempt failed he allegedly tried three more times with different judges], Federal Bankruptcy Judge Paul B. Snyder denied it on all counts and went on record to say that Kelley "… was a debtor engaged in a substantial farming operation who, immediately prior to filing bankruptcy and after the entry of an adverse judgment, worked with consultants and attorneys to judgment-proof his estate so that creditors [O'Hagan] could get little or no benefit from his assets." These assets amounted to approximately $700,000.00. Judge Snyder went on to identify Kelley to be an "absconding debtor," a ruling that was mysteriously ignored by subsequent bankruptcy judges.

According to O'Hagan there are two readily identifiable amounts of Kelly's money that were in the hands of attorney Gregory Ursich and Trustee Russell Garrett – one for $97,327.57 and another for $150,000.00. The whereabouts of neither amount has been satisfactorily accounted for, but the latter amount appears to have made it back to Kenyon Kelly, but was never reported to the bankruptcy court.

In 2011, after over 11 years of obfuscations by Kelley, other state and federal judges, and court-appointed trustees, Judge McCauley made this subsequent conclusion of law: "When I ordered this property [belonging to Kelley] sold and then there was a lot of delay for – to my mind, unknown reasons. Still, nothing seems to get done down there… whatever efforts that have been made at farming down there I think is not in good faith to truly farm that land, it's to avoid paying the debt to Mr. O'Hagan."

According to O'Hagan, "What both Judge Snyder and Judge McCauley have exposed is an ongoing, blatant bankruptcy fraud scheme involving multiple public and private individuals that demands an official investigation!"

In March, 2013, U.S. Attorney for the Western District of Washington State, Jenny Durkan, was notified by the US~Observer as to the facts and allegations in O'Hagan's case, but at the time of this writing, neither O'Hagan nor the US~Observer have heard back from Ms. Durkan or her office.

In recent developments, Pacific County Sheriff Scott Johnson and Pacific County Prosecutor Mark McClain may finally be taking O'Hagan's evidence and allegations seriously and we at the US~Observer hope that appropriate actions and investigations will soon be forthcoming. WA State Reps Brian Blake and Dean Takko have also been made aware of the issues regarding O'Hagan's cranberry farm and the allegations dealt with in this article. However, Ms. Durkan is the highest level official in Washington State to investigate and prosecute this case and we at the US~Observer want her to know that we will not accept no action or participation from her or her office in this matter, but will continue to expose her inaction should she continue to ignore O'Hagan's allegations.

It is O'Hagan's contention that the individuals implicated by Judge Snyder are attorneys: Gregory Ursich, George Benson, and Thomas Linde, along with consultants: Carsten von Borstel of Fields Unlimited and David Poor of Northwest Farm Credit Services. Also, according to O'Hagan, Pacific County Judge Michael Sullivan, Federal Bankruptcy Judge Philip H. Brandt, and Federal Bankruptcy Judge Brain D. Lynch are also involved in covering up the fraud scheme, as are U.S. Bankruptcy Court trustees, Russell Garrett and Brian Budsberg.

O'Hagan stated in a recent interview, "It appears Carsten von Borstel turned bankruptcy fraud into big business. The bankruptcy trustees and attorneys enjoy the business opportunities and financial gains the bankruptcy fraud schemes provide to them, whereas Carsten filed his own bankruptcy fraud scheme in Oregon to avoid his involvement in defrauding me."

Anyone who has information about these individuals that could help Mr. O'Hagan and expose this alleged corruption is encouraged to contact Lorne Dey at 720-231-2038 or by email to lorne@usobserver.com.

★★★

Continued from page 1 • IRS, Media and Common Sense

ordered them to go after the peace-niks and Jews; ever since our current Secretary of State, John Kerry, allegedly sent his IRS "friends" after the Swift-Boat vets who opposed his presidential bid (reported on by the US~Observer); and ever since someone in the Bush administration looked the other way when they started being extra tough on Tea Party people.

So that's funny. But what's sad?

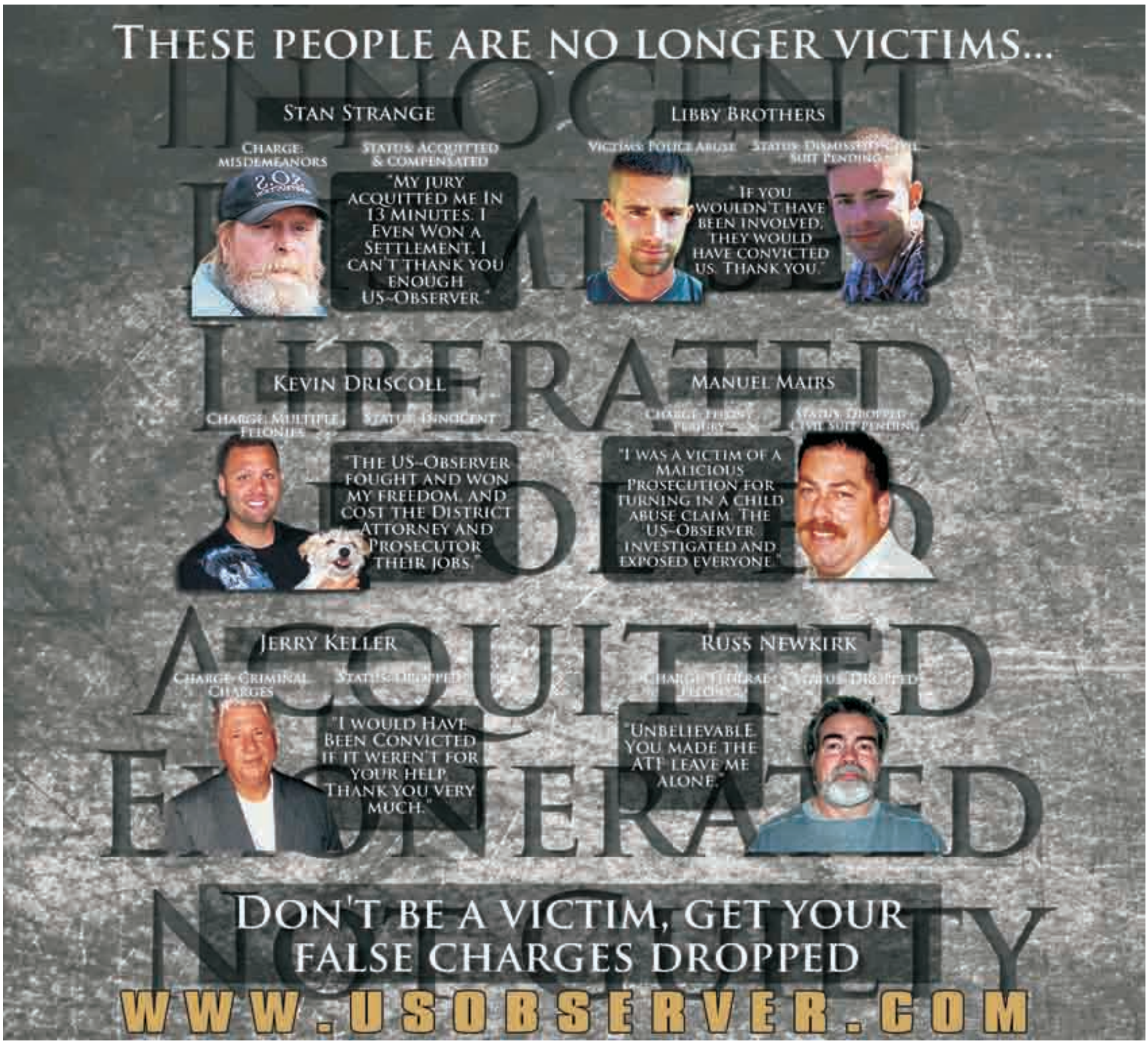
The politics of the day decides what groups it's okay to beat up on unfairly. But, what about the little guy who doesn't get his day in Tax Court? Does anyone care about him? Or, an ex-wife whose husband was a nut and left her with goofy returns to deal with, causing her to lose her home. Who cares? The big international companies who send work out of the US and pay no taxes, no interest. Where is the outrage? The Mom and Pop companies, who are already struggling, that get lambasted because they have to deal with the IRS's goofy and inconsistent paper work.

No champions? And, there are the myriads of innocent people charged with Tax Crimes who plead guilty because they just give up, or because their lawyers sold them out. No heroes? There are also the few innocent people whose lives are ruined by being slandered, who nevertheless fight to the end… and win that coveted not guilty jury verdict, and no one cares. No news articles are written (unless the US~Observer is involved) refuting the false ones the government spreads when an innocent is arrested and is publicly indicted and shamed. You can't get a reporter to cover most of these cases if you kidnapped him and forced him to the court house (other than reporting his own kidnapping).

I am waiting for the mainstream to say something that matters, because every day the IRS bullies destroy hard working American Citizens and no one really cares, in no small part because they don't hear about it. Bottom-line, the tax code is ridiculous and designed to force non-compliance and the IRS preys on the people. That's why this stuff happens, and every day citizens get uselessly destroyed.

As far as the Tea Parties, a few heads will roll and all this will blow over. And then? And then, nothing that's what.

Editor's Note: Lawyer Michael Minns is the most successful Tax Evasion Lawyer in America. His writing is nearly as uncanny as his court room excellence. Minns just makes "common sense"… ★★★



Are You Facing False Criminal Charges? Are you a Victim of a False Prosecution?

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

You then rush to an attorney, pay him a huge retainer to cover the usual $175.00 per hour (if not higher), which he/she charges, to supposedly defend your innocence. The attorney usually files some motions, writes some worthless letters and makes many unproductive (unless they pertain to you accepting a plea bargain) phone calls until you are broke. Generally you haven't even started your trial and 99% of the time the attorney hasn't completed any investigation.

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

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

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

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

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

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

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

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

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

Contact US~Observer at: (541) 474-7885