RAY SPENCER How one man went from wrongful prosecution to exoneration and on his way to total vindication



By Kathy Marshack

Editor's Note: This story presents the very reason why people who suffer false arrest

should immediately contact the US~Observer. If a person is falsely arrested and innocent that person is still wide open to being falsely convicted and imprisoned no matter how great their defense attorney is.

Corrupt prosecutors and conscienceless police officers use lies, procedures, distortions, innuendo, emotions, etc., to successfully prosecute the innocent. Ray Spencer's case proves that sufficient criminal defense is **JUDICIAL REVIEW**

Dishonorable Ronald Grensky, A Poor Example of a Judge

By Joseph Snook **Investigative Reporter**

Medford, OR - Out of the twenty-seven judicial districts for the State of Oregon, Judge Grensky ranks in the bottom 2% of all judges according to The Robing Room, an online website that publicly reviews Oregon Judges. Out of the 173 Circuit Court Judges in Oregon, there are only three Judges with worse ratings than Grensky. Notably, almost half of Judge Gresky's poor

reviews are from attorney's. The Oregon Court of Appeals is currently looking into how many cases Grensky has had overturned. And now, Grensky's judicial authority



has come into question yet again.

Grensky's most recent miscarriage of justice took place in an ongoing child custody case between

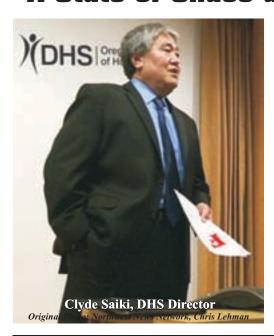
Christi MacLaren and her ex, Sean Lenzo, over their six-year-old daughter.

Judge Grensky removed custody from Christi on Oct. 13, 2015 (Judge

Grensky formally granted status quo custody on May 19, 2016, although daugther has been with Lenzo since Oct. 13, 2015) when Department of

Continued on page 14

"F" Grade for Child Caseworkers Senator deems DHS is in, "A State of Chaos and Disrepair."



By US~Observer Staff

Continued on page 13

The Oregon Department of Human Services (DHS) conducted an internal audit of 101 cases after the death of a child from untreated medical conditions raised questions about DHS' decision-making ability. The newly released report found that child caseworkers failed at determining child safety in 47% of the 101 sampled cases and that social workers didn't look for safety threats in 27% of their cases and clearly identified the wrong risks in 20%, putting children in unsafe living conditions. The detailed report

Continued on page 10



Jeffrey Deskovic - Photo by permission of Francesca Mirabile

By Joseph Snook **Investigative Reporter**

New York - Jeffrey Deskovic is pursuing a law degree in order to represent convicts in their post conviction efforts who have been falsely convicted. What makes Deskovic unique is his own story of being falsely imprisoned, and being one of the few to achieve

At the young age of 17-years-old, Jeffrey Deskovic

From Being **Falsely Imprisoned** to Defending Others The Jeffrey Deskovic Story

was convicted of rape and murder and sentenced to life in prison. Evidence contrary to his guilt existed, yet he was still convicted. On Nov. 2, 2006 at the age of thirty-three after struggling for years to prove his innocence, Deskovic was finally exonerated, in large part due to ironclad DNA evidence. After sixteen years behind bars, Deskovic was legally exonerated for the crimes of which he was wrongfully convicted.

After his exoneration, Deskovic sued several government agencies and individuals that aided in his wrongful conviction. Deskovic settled all but one. He wanted to take the last person to court; Former Sheriff's Detective Daniel Stephens, the person Deskovic referred to as, "the most culpable" for his wrongful conviction. Stephens had elicited and coerced a false confession from Deskovic and had also

Continued on page 15

EXPOSING INJUSTICE

When the Judicial System Victimizes Victims An Underreported Part of **Criminal Justice Reform**

By US~Observer Staff

There have been 2,000 exonerations since the University of Michigan School of Law began tracking wrongful convictions in 1989. That means the government made 2,000 mistakes which resulted in an innocent life being wrongfully imprisoned! These are just the known figures which do not include those falsely arrested and charged, whose charges were eventually dismissed, or the statistically probable tens-of-thousands of false convictions that remain unsolved, and will likely remain so. It also doesn't take into



Bill Allison, Michael Morton's defense attorney from 1987, visibly shaken as he testifies how he let down Morton.

account the many whom, on a daily basis, are coerced into plea deals through extortive measures by prosecutors who stack charges. Aside from those

Continued on page 10

Property Dispute Leads to False Arrest **Wrongful Charges Dismissed** With Help of US~Observer

By Seth Perkins Investigative Reporter

Lake County, OR - For one man facing an array of wrongful criminal charges - eight in total for the past two years, calling the US~Observer changed his life, and quickly. In just three days after seeking help from the US~Observer newspaper, Dalton Johnson felt total vindication.

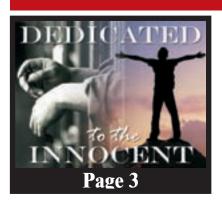
Subsequent to disputing property lines with a neighbor, Johnson found himself fighting for two years, defending himself from several false criminal charges including: unlawful use of a weapon (felony), menacing (misdemeanor), harassment



Dalton Johnson

(misdemeanor), unlawful use of a weapon (2) (felony), menacing (2) (misdemeanor), criminal mischief in the first degree (felony),

Continued on page 3







Michelle **Malkin** Fighting for

the Falsely Accused Page ... 8



Daniel Horowitz

• 'Circuits' or 'Circuses'? Page ... 8



Ron Lee • DQ Bully -Precedent

Setting Prosecution *Page* ... 9



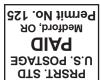
Andrew Napolitano

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Joseph Snook • Nullification: **Presently** Mainstream?

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Our Right to Trial by Jury Is under Attack, the Supreme Court Can Affirm and Protect It

By Tim Lynch

This article appeared on The Hill (Online) on March 28, 2017.

Today, the Supreme Court will be hearing oral arguments in a case that raises important questions regarding both the right to counsel and trial by jury.

Jae Lee came to the United States from South Korea in 1982. At the time, he was just a boy in the care of his parents. Now 48 years old, Lee has lived in the U.S. as a lawful permanent resident for decades. He went to school in New York, but eventually moved to Memphis and got into the restaurant business. According to federal prosecutors, Lee also became a small time drug dealer and, after his arrest, he was facing serious criminal charges.

Like many persons who are accused of a crime, the prosecution offered Lee some leniency in prison time if he would agree to surrender his constitutional right to trial by jury. Naturally, Lee wanted to know all of the legal consequences of accepting the government's plea offer — so he asked his attorney whether he would be subject to deportation to South Korea. Lee's attorney assured him that deportation would not be a problem and advised him to accept the plea bargain.

The Constitution is supposed to guarantee the right to trial by jury. We will soon see whether the Supreme Court will come to the defense of that guarantee.

On that recommendation, Lee pled guilty.

As it turned out, Lee received bad legal advice. His conviction meant he was now subject to deportation under federal law. After serving several years in prison, he would eventually be deported to South Korea and essentially banished from the U.S.

On appeal, Lee argues that he only pled guilty because of the recommendation from his lawyer. He wants to take his case before a jury. Prosecutors agree that Lee received lousy legal advice, but they say his conviction should still stand because the evidence against him is so strong that a jury trial will not change his legal predicament. They say a jury would find Lee guilty and, as a result, he would still be facing deportation.

The Supreme Court should reject the government's argument that there doesn't have to be a trial because everyone already knows what the outcome would be. The Constitution

guarantees our right to a jury trial in "all criminal prosecutions." Our commitment to this constitutional safeguard is tested when the government haughtily claims a trial isn't necessary.

Some appellate courts have rejected pleas for new trials by persons in similar circumstances as Lee's. Why order a new trial, they say, when the accused can only succeed by "jury nullification," which is the doctrine that says a jury can return a "not guilty" verdict even after it has concluded that the person on trial violated the law?

Well, for one thing, there's nothing wrong with jury nullification. The Framers of our Constitution believed that jury nullification was part and parcel

of what a jury trial was all about. Our second president, John Adams, wrote that it was not only a juror's right, but his duty to "find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court."

The Supreme Court itself has noted that the jury is supposed to be the "conscience of the community" and should check the government when necessary to protect individuals from injustice or oppression. The jury cannot perform that function if it is told that it must always apply the law mechanically, without regard to justice.

Take the case of John David Mooney. In 2002, Mooney's wife pulled a gun on him during a heated argument. He took the gun away from her and he went to a nearby police station to turn in the weapon because, as an ex-felon, he was not allowed to possess firearms. Unbelievably, prosecutors turned around and filed charges against Mooney for unlawful possession of a firearm!

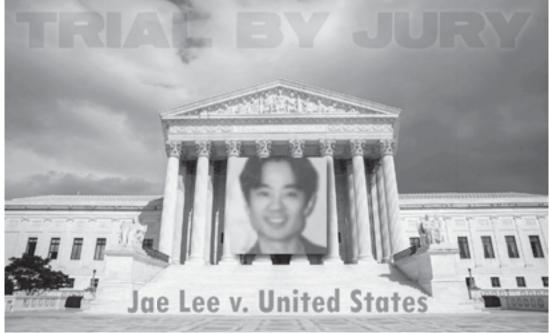
Mooney's attorney advised him to accept a plea bargain

because the case against him was open and shut. His status as an ex-felon was an undeniable fact and he had already admitted to possessing the firearm. Very reluctantly, Mooney pled guilty to a crime.

However, like Lee, Mooney got bad legal advice. Had he gone to trial, he could have made a "justification" defense to a jury. Upon learning this, Mooney appealed his case with the complaint that he received bad legal advice, and that had he received correct legal advice he would have insisted on his right to a jury trial. When an appeals court overturned Mooney's conviction, the prosecutors dropped the case entirely instead of going to trial.

Jae Lee is facing prison time and banishment from the United States. Before that happens, Lee wants to have his day in court. The Constitution is supposed to guarantee his right to trial by jury. We will soon see whether the Supreme Court will come to the defense of that guarantee.

Tim Lynch is the director of the Cato Institute's Project on Criminal Justice.



What Do States Owe People Who Are Wrongfully Convicted?

By Scott Rodd

(Huffington Post) - In April 2000, 23-year-old Floyd Bledsoe sat in an Oskaloosa, Kansas, courtroom awaiting the verdict in his first-degree murder trial in the death of his 14-year-old sister-in-law, Zetta "Camille" Arfmann. Throughout the trial, he maintained his innocence. But the jury entered the courtroom and declared him guilty.

Bledsoe was sentenced to life in prison plus 16 years, but doubts about his involvement in the murder lingered. The crime scene yielded little physical gover evidence, and Bledsoe's brother, Tom, 25, had originally confessed to the murder before recanting and pinning the crime on Floyd.

After years of fruitless court challenges, Bledsoe was vindicated in a gut-wrenching twist: In 2015, Tom Bledsoe confessed to the murder in a suicide note before asphyxiating himself. Within a month, a judge vacated Bledsoe's conviction and he was released from prison. The day of his release, Bledsoe recalls, was a mixture of celebration and mourning.

"Before I was locked up, I had 40 acres, livestock, a wife and kids," he said. "When I was released, I had nothing ... I lost my family, my job, my reputation—everything."

Bledsoe found little support as he adjusted to life outside of prison, including from the state that locked him up for more than 15 years. A bill before the Kansas Legislature would make up for part of that by making him eligible for \$80,000 for each year he spent behind bars.

A steady increase in exonerations in recent years, often a result of new DNA-testing capability, has prompted lawmakers in states like Kansas to consider legislation that guarantees compensation for those who are wrongfully convicted and imprisoned. And in

the 32 states that have compensation laws,

some lawmakers have sought to increase the amount of compensation exonerated individuals would receive, expand the eligibility for compensation or streamline the process for getting it.

It's only just that states provide compensation to people who are wrongly convicted and imprisoned, advocates for the wrongly convicted say.

"When an innocent person is deprived of liberty because of a wrongful conviction, regardless of fault, the government has a responsibility to do all it can to foster that person's re-entry in order to help restore some sense of justice," said Maddy del one executive director of the Innocence

deLone, executive director of the Innocence Project, a nonprofit legal organization that specializes in wrongful conviction cases. "Fair compensation is part of that."

According to the National Registry of

Exonerations, 2,000 wrongfully convicted individuals have been exonerated for state and federal crimes since 1989. In 2016, there were 166 exonerations nationwide — the most since the registry was established nearly 30 years

In 2004, Congress passed the Justice for All Act with bipartisan support. The law guarantees individuals exonerated of federal crimes \$50,000 for every year spent in prison and \$100,000 for every year spent on death row.

From state to state, however, those who are exonerated are not guaranteed the same rights or compensation after a conviction is overturned. "It really matters where you're convicted," said Amol Sinha, state policy advocate at the Innocence Project.

In Texas, a state known for its tough-on-

crime posture, the exonerated are paid \$80,000

for every year spent in prison and are eligible for monthly annuity payments after release. The state's generous compensation law has added up over time. In the last 25 years, Texas has paid over \$93 million to wrongfully convicted individuals.

Wisconsin, on the other hand, pays \$5,000 for every year spent in prison, capped at a maximum of \$25,000. Some states offer inkind benefits in addition to monetary compensation. Vermont, for example, provides health care coverage for 10 years after an exonerated individual is released from prison.

In states without compensation laws, like Kansas, those who are exonerated typically have to file a lawsuit to get compensation or convince legislatures to pass a special appropriation to pay them. Lawsuits can be time-consuming, costly and challenging to win. And winning compensation from a legislature isn't guaranteed.

In Kansas, for example, a wrongfully convicted person currently must go to the Legislature's Special Claims Against the State Committee and plead for compensation.

DEBATE OVER AMOUNTS

How much people deserve for the time they lost behind bars often is in dispute. It was in Indiana this year.

Rep. Greg Steuerwald's bill would compensate individuals with \$25,000 for every year of wrongful incarceration. Democratic Rep. Greg Porter thinks they should receive \$35,000 for every year of imprisonment.

Both bills would award compensation only to people whose crimes were vacated through DNA analysis. The attorney general would be in charge of processing claims for wrongful conviction compensation, and neither bill would apply retroactively. But both bills

appear dead for the year.

Frances Lee Watson, founder of the Wrongful Conviction Clinic at the Indiana University McKinney School of Law, said she hopes legislators will continue to push for compensation. "Convictions are still being vacated and people are still being exonerated in Indiana — but we don't have a compensation law," she said.

Another sticking point in trying to pass compensation laws is overcoming lawmakers' general faith in the criminal justice system or convincing them that innocent people can be convicted.

In nearby Michigan, Republican Gov. Rick Snyder signed a bill in December that pays \$50,000 for each year of wrongful imprisonment and provides re-entry services after release. But the bill's sponsor, Democratic Sen. Steve Bieda, first introduced it in 2004.

"I think [legislators] had a hard time wrapping their heads around the fact that someone could spend so much time behind bars and not have done something wrong," Bieda said of his struggle to pass the bill. "I had to reintroduce [the legislation] again and again."

Lawmakers in other states are looking to tweak their compensation laws by streamlining payments or ensuring that some people aren't left out unfairly.

In Tennessee, for instance, Republican Rep. Mark Pody wants to make it easier for people who are innocent, but aren't exonerated by the state's parole board or the governor, to receive compensation. Why? A judge vacating a conviction is not enough for an individual to qualify for compensation under current law.

His bill would allow a wrongfully convicted individual to apply for compensation without an official exoneration after spending at least 25 years in prison and if the conviction was overturned by DNA evidence.

Continued on page 3





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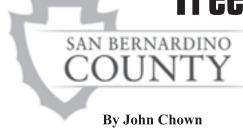
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DEDICATED THE INNOCENT

Stories of those who overcame the "justice" system and were freed

Freed After 23 Years, Californian Wants Answers



(Courthouse News) Riverside, CA — Cleared of murder by DNA evidence after spending 23 years in prison for the murder of his wife, a California man brought a federal complaint against San Bernardino County, its district attorney's and sheriff's offices and a host of officials on March 16th.

It took four trials before William J. Richards, of rural San Bernardino County, was convicted for the Aug. 10, 1993 murder of his wife.

The first trial resulted in a hung jury, the second was a mistrial and the third was another hung jury. Richards on Thursday also sued District Attorney Michael Ramos, Deputy District Attorney Michael Risley, and eight other officials involved in his arrest and prosecution. He claims the county fabricated evidence to convict him on its fourth attempt.

"Desperate for a conviction, in the fourth trial, prosecutors introduced — for the first time — false and fabricated bite mark evidence, which directly resulted in the wrongful conviction," the complaint states.

It was a brutal murder. Pamela Richards was severely beaten outside her home with fistsized rocks, strangled, and then a cinder block was dropped on her head, crushing her skull. Blood was found splattered 15 feet away from her body.

William Richards, a mechanical engineer, left work at 11:03 p.m. and drove home to a remote area where he and his wife lived in an RV. There was no power and no lights and he did not notice her immediately, but within 10 minutes he found his wife dead on the porch. He cradled her body in horror and then got a call from Eugene Price, her former lover. After a brief discussion, Price told him to call 911, which he did at 11:58 p.m.

The timeline, according to the complaint, is

critical. It was undisputed that Richards clocked out at 11:03 p.m. and drove home. An investigator's recreation of the drive showed he could not have got home before 11:47 p.m. Price called at 11:55 p.m., giving Richards eight minutes or less to commit the murder.

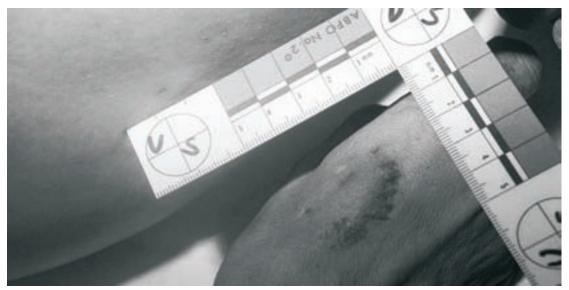
A deputy arrived at 12:32 a.m., but did not investigate other than checking the body, which was naked from the waist down and covered by a sleeping bag.

William J. Richards covered by a sleeping bag.

Homicide detectives arrived at 3:15 a.m., then left quickly, allowing Richards' dog to enter the first the crime scene and partially bury the victim.

At 6 a.m., detectives returned and began their line the line the

According to the complaint, this was because detectives had decided from the start that Richards was guilty. They failed to follow up and collect key evidence, such as whether the



Bite mark found on Pamela Richards

Daniel Gregonis

lying on the stand.

RV's battery was dead or had been removed. No fingerprints were sought inside or outside the home, the shed or even on the fist-sized rocks. They did not swab a bite mark found on the victim for the biter's saliva and a possible DNA link to the killer. A coroner's medical team never conducted a complete autopsy to determine key questions such as time of death.

The entire crime scene was soon destroyed when the RV and all other structures and items were removed from the property.

Richards' conviction hinged on evidence that was disputed and even recanted, according to the complaint. Dr. Norman Sperber, chief forensic dentist for San Diego and Imperial Counties, testified at the fourth trial that the bite marks found on the victim showed an abnormality distinctive to Richards that only one or two

in 100 people would have. Blue fibers found under Pamela Richards' fingernails were matched to Richards' shirt by criminalist Daniel Gregonis, who testified that blood found on Richards' shoes and the stains on his pants were consistent with blood spatter evidence at the scene.

On Dec. 5, 2007, the California Innocence Project filed a petition for a writ of habeas corpus on Richards' behalf and the court granted him an evidentiary hearing.

Richards presented new evidence at the hearing. The cinder block was tested for DNA and a mixture of the victim's DNA and the DNA of a man other than Richards was found on it. Mitochondrial testing of a hair found in the victim's fingernails determined that it did not belong to Richards, but to an unknown third party. Photos taken of the victim's hands were digitally enhanced and it was shown that no blue fibers were in her fingernails before Gregonis discovered them. Dean Gialamas, senior criminalist with the L.A. County Sheriff's Department, testified on the blood spatter evidence and disagreed with the conclusion reached by Gregonis. Sperber then essentially reversed his position, testifying that the bite mark was not consistent with Williams' dental impressions.

At the conclusion of the hearing, according to the complaint, Superior Court Judge Brian McCarville concluded that the evidence created a fundamental doubt as to the accuracy and reliability of the evidence presented at trial.

"Taking the evidence ... the blue fiber under the finger and the DNA and bite-mark

evidence, the court finds the entire prosecution case has been undermined and that petitioner has established his burden of proof to show that the evidence before me presents or points unerringly to innocence."

But the San Bernardino County District Attorney's Office appealed and won. Richards filed a petition to the California Supreme Court, but lost there in 2012 by a 4-3 vote. In 2015, he petitioned again and finally won his

but lost there in 2012 by a 4-3 vote. In 2015, he petitioned again and finally won his release in a 7-0 vote.

In the complaint, he accuses Gregonis of planting the blue fibers. Others are accused of

Williams' attorney Jan Stiglitz commented: "I expect the county to continue to take the position that Bill killed his wife. This is despite DNA evidence found on the murder weapon and under the victim's fingernail that could not have come from Bill. In fact, the county was all set to retry Bill after the supreme court reversal, and only backed off after we filed a malicious prosecution motion."

Stiglitz, of San Diego, said Williams has cancer and suffers from other medical problems due to his incarceration.

"Bill has some support from friends and the many good people who worked to free him. However, he cannot find meaningful, full-time employment and his financial situation is not good," Stiglitz said. 'We will be seeking substantial damages, but there is no amount of money that will adequately compensate him for the lost years."

The San Bernardino County District Attorney's Office did not return calls and emails.

Continued from page 1 • Property Dispute Leads to False Arrest ...

criminal trespass in the second degree (misdemeanor) and failure to appear in the first degree (felony). If convicted of all crimes, Johnson faced twenty-three years in prison.

At his ripe age of 63, being sentenced to twenty-three years in prison meant a lifetime sentence. Knowing he was innocent, Johnson put his faith in an attorney and began fighting to prove his innocence. As months turned into years, legal bills continued piling high as Johnson's freedom remained in jeopardy roughly two years after his arrest. Then, Dalton Johnson contacted the US~Observer newspaper - a champion for the innocent.

Although most people don't typically associate a newspaper with fighting against false criminal charges, the US~Observer is not your typical newspaper. The US~Observer has been in publication for over a quarter-century with thousands of cases resolved for the innocent who once found themselves facing wrongful arrests, charges, convictions or problems, just like Mr. Johnson. Once Johnson obtained the help of the US~Observer, they went to work.

Dalton Johnson's case was complex, as most of his evidence was one person's word against others. However, once the US~Observer got involved, they were able to immediately

identify what information was needed to establish Johnson's innocence and quickly acquire that crucial evidence, thereby exposing his wrongful charges.

After that, the US~Observer went to bat for an innocent.

Within three days of enlisting the aid of the US~Observer, Johnson was informed that all of his charges were being dismissed.

Johnson called to voice his newly found happiness, saying, "Whatever you did, it worked!"

Mr. Johnson's case represents another example of the effectiveness of the US~Observer in getting multiple false criminal charges dismissed for an individual who now stands vindicated.

Today, Mr. Johnson is enjoying his freedom, and rightfully so.

If you, or someone you know, are facing false criminal charges, or have been wrongfully convicted, you should contact the US~Observer immediately. They conduct thorough investigations, with the intent of vindicating the innocent. They have a proven track record of winning which is readily available for those inquiring.

References speak volumes.

Continued from page 2 • What Do States Owe ... Wrongfully Convicted?

The bill wouldn't affect many people in Tennessee. But it would affect Lawrence McKinney, who was released from prison in July 2009 after 31 years based on new DNA evidence. McKinney was denied an official exoneration from the parole board and is currently awaiting a decision from Republican Gov. Bill Haslam.

COMPENSATION IN KANSAS

After spending time on the Kansas Legislature's joint committee that decides on civil claims for wrongful conviction, Democratic Sen. David Haley decided he wanted to change how innocent people such as Floyd Bledsoe are compensated in his state to make it more just and evenhanded.

"Some [people] made compelling arguments," he said, "but there seemed to be no rhyme or reason as to who [was awarded] what."

So last month, he introduced a bill that would compensate wrongfully convicted individuals with \$80,000 for each year spent in prison or \$1 million if sentenced to death. It would also pay \$5 million to the heir of an individual who was wrongfully executed, though the state hasn't conducted an execution since 1965.

The bill hasn't passed yet. There are questions about whether \$80,000 is the right amount. And the bill has been amended to include some notable limitations: Individuals

who pleaded guilty or no contest to a crime, for example, would not be eligible for compensation — even if the conviction was later vacated.

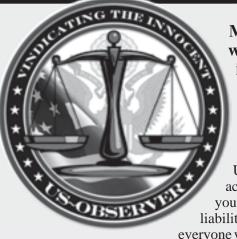
Sinha of the Innocence Project said provisions like this in compensation laws can deprive some innocent people of their rightful compensation because they were coerced, or saw little hope in winning at trial and agreed to a plea bargain.

The National Registry of Exonerations has confirmed over 350 instances of individuals who pleaded guilty to crimes they did not commit. According to the Innocence Project, nearly 11 percent of the nation's DNA exonerations involved innocent people pleading guilty.

Haley's bill in Kansas also would require people who are exonerated to apply for compensation within two years after their release from prison. That would exclude the bulk of people whose convictions have been vacated.

Bledsoe, whose brother committed the murder he spent time in prison for, doesn't want to be one of those people. But time is running out for him to get the level of compensation Haley thinks he deserves. Dec. 8 will mark two years since his release from prison.

"I haven't completely lost faith in our justice system," Bledsoe said. "[But] it's hard to trust in something that's not perfect."



Many of the exonerees we report on would have never even been convicted in the first place had they utilized the services of the US~Observer.

When hired, the US~Observer works for your vindication. What does that mean? Simply, if you have been charged with crimes or have been maliciously attacked civilly, the US~Observer will investigate your case to achieve the evidence that will be used to prove your factual innocence, or determine your lack of liability. With that evidence in hand, we ensure everyone who needs to see it does.

The power of public opinion is what will ultimately vindicate you, and that is what we utilize by promoting your case through our nationally distributed newspaper and our network of on-line affiliates. Not only does this make the facts of your case public knowledge, something attorneys are barred from doing, it puts an amazing amount of public pressure on those in political positions.

The fact is, attorneys alone rarely win cases. In many instances, the odds are so stacked against them the only recourse they have is to suggest a plea deal. It's not all their fault either! The system allows for the prosecution to publicize your case. The local paper runs your picture and soon, your neighbors think you are guilty. The US~Observer combats this one-sided assault and gives you the only real chance you have at vindication.

If you are in trouble, don't roll the dice with just an attorney. Let the US~Observer work for you.

And just in case you are wondering, there are many instances where our clients never even needed to hire an attorney in the first place. Contact us for references.

Contact the US~Observer! 541-474-7885 or editor@usobserver.com

US~Observer • Page 4 www.usobserver.com

In The News

Indicted District Attorney Allegedly Stole \$20k from His Own Mother!

By Joseph Snook **Investigative Reporter**

A 23-count federal indictment was filed against Philadelphia, PA District Attorney

Seth Williams on March 21, 2017. The indictment accuses Williams of accepting cash bribes and other lavish gifts, including 16 round-trip airline tickets, an all-inclusive vacation to the Dominican Republic, a Jaguar convertible and stealing over \$20,000 from his Mother's pension.

"The indictment (also) alleges that as District Attorney, Mr. Williams compromised himself and his elected office...," according the U.S. Justice Department.

D.A. Williams allegedly accepted travel in return for negotiating lesser sentences, or favors for one business owner who financed an all expense paid trip to Punta Cana, Dominican Republic, complete with a presidential suite, private beach and butler. While on 'vacation', the businessman

reportedly requested that Williams help another person in a criminal case, saying, "the guy pleaded guilty, he will take any punishment but he just doesn't wanna

do jail!" In response, D.A. Seth Williams

Williams inquired about a second trip, "I am merely a thankful beggar and don't want to overstep my bounds in asking... but we will gladly go." Williams also stated that he would try to help the business owner's friend by attempting to, "make it a county sentence."

As the 11th highest paid employee of Philadelphia, Williams' earnings reached \$175,000 annually according to a 2012 article in Philadelphia Magazine.

Michael Harpster, the FBI special agent in charge of the investigations into D.A. Williams stated, "When elected or appointed officials stray from their sworn oaths, they must be held accountable. Combating public corruption remains the FBI's top criminal priority."

Family Fined, Threatened With Jail for Building a Sand Castle

By Matt Agorist

(The Free Thought Project) -Panama City Beach, FL - In the ostensible land of the Free, cops claim the legal authority to extort money from you, or even kidnap you for a slew of activities which have no victim. Window Tint, smoking a plant in your own home, not wearing your seatbelt, walking across the street, sagging your pants, and even juggling — can and will get you

extorted, kidnapped, caged, or even killed. Now, as a recent case in Florida illustrates, we can add building a sand castle to that long list of victimless "crimes."

Bryant Rylee and his family were at the beach last March building an awesome sand castle when they were confronted by police. The officer, who was 'protecting society' by patrolling the beach for illegal sand castles, told the Rylees that their sand castle was in violation of the law.

At first, Rylee thought the officer was joking. After all, he and his son were harming no one while building their most epic castle. In a Facebook post, Rylee explains that it is 'illegal' to build a sand castle with a hole deeper than two feet. However, he explained that their hole was only one foot deep, so there was no way it was in violation.

It wasn't the hole from which the cop was protecting society, though — it was Rylee's son's equipment that was criminal. According to their obscure ordinance, only plastic tools are allowed on the beach, and they had some metal ones.

It is important to note that the officer explained to Rylee that she would let him off with a warning if he simply filled in the hole. But Rylee wasn't buying it. He wanted to know what ordinance he was violating.

It was Rylee's questioning of authority which led to police escalating the call. When her authority was put into question, the officer brought in backup.

Before the officer could tell Rylee which ordinance he was violating, the family was surrounded by police. In fact, four patrol units would show up and sit there for 20 minutes before

The Rylee family sand castle any of them could produce the law which said metal beach toys were illegal.

According to FEE:

While Rylee, a devout Christian, says he supports law enforcement and prays "daily for their protection," he also said on his social media account that, "I do believe that 'we the people' have a right to ask what ordinance number or to see the ordinance."

Rylee is absolutely correct. In the American legal system, there is a pillar of jurisprudence known as Mens rae, which is latin for "guilty mind." The principle itself comes from the latin phrase 'actus reus non facit reum nisi mens sit rea,' which translates to, "the act is not culpable unless the mind is guilty."

This is a standard test of criminal liability that asks the state to consider whether or not a person has broken a law knowingly before guilt can even be assessed.

After it was all over, as Rylee explains, the construction of a sand castle cost him \$25 and could've cost him \$500 and up to 60 days in jail.

When building a sand castle becomes a criminal act, it is high time we question where this ostensible Land of the Free is headed.



"Dr. Death" Christopher Duntsch

By David Lee

(Courthouse News) Dallas, TX – A Dallas County jury deliberated for one hour on February 20th before sentencing neurosurgeon Christopher Duntsch to life in state prison for maining an elderly patient in a botched surgery.

The 12-member jury convicted Duntsch, of Plano, on Feb. 14 of injury to an elderly person - an exceptionally rare conviction of a medical doctor for substandard care. He was arrested in July 2015 and indicted on five counts of aggravated assault causing serious bodily

Dallas County District Attorney Faith Johnson said after sentencing that her prosecutors "have done something historic" and that she is "so elated" with the life sentence. She said it was the first conviction of

Texas Doctor Gets Life in Prison for Botched Surgery

its kind in Dallas County.

"We hope [the victims] will just have a little joy to know that the person that did this thing to them will be serving a life sentence," Johnson said.

On Friday, a surgeon who turned in Duntsch to state regulators for maiming several patients testified that the Texas Medical Board was unable to stop him.

Dr. Randall Kirby told jurors he sent information the Texas Medical Board about at least five of Duntsch's botched

surgeries. Kirby filed the complaint after he witnessed the spinal surgery of Jeff Glidewell in 2013. He testified that it looked like Duntsch "tried to decapitate" Glidewell.

"The Texas Medical Board is not set up to stop someone like Christopher Duntsch," an exasperated Kirby testified. "It is inconceivable that someone like this would get out into practice."

Kirby said Glidewell would have become quadriplegic had doctors not done another operation to stabilize his spine. They also had to repair his esophagus and remove a sponge left inside him.

"This has not happened in the United States of America, where you can do such a procedure and have such complications: leave a sponge, knock a hole in his esophagus, take out the recurrent laryngeal nerve, take out the vertebral artery and just leave him there without any attempt to transfer," Kirby

Jurors wept during the three-day sentencing phase as they heard emotional testimony from Duntsch's patients. Photographs of several of Duntsch's maimed and killed patients were displayed in the courtroom next to large sheets of paper listing each of their post-surgery ailments.

Patient Jacqueline Troy testified Friday that she nearly died after Duntsch operated on her in 2012 to relieve back pain from a car collision. She said her esophagus was pinned under a surgical plate implanted near her spine, her trachea was punctured and a feeding tube allowed food to get into her lungs.

Her husband, Tom Troy, testified that he feared she would die after the surgery.

"She did not know what was going on," he said. "She did not know what was happening

Dr. Martin Lazar, a neurosurgeon testifying for the prosecution, said Troy's surgery was a "disaster, an unmitigated disaster." Lazar said he suspects the surgeries were performed by someone "who has no conscience, no empathy" and that Troy's surgery was unnecessary to begin with.

"This has the appearance that the patients were treated like cannon fodder. They were just there to be operated on," Lazar testified Friday.

Lazar said Duntsch apparently thought he had found a tumor in Glidewell's neck, though it was really a muscle.

Lead prosecutor Michelle Shughart thanked the Dallas-area medical community for their

"We want to thank them so much for teaching us everything we needed to know on how to prosecute this case," Shugart told reporters. "We did this for the victims, for what they have suffered, and we want everyone to know this will not be tolerated."

Shughart said the list of victims "went on and on," and that if there had been only a few patients, it would be a civil malpractice matter instead criminal.

When asked if other parties are responsible for not having stopped Duntsch, Johnson said several civil cases filed by his victims are pending against four area hospitals.

In one case, against Baylor Health Care System, a patient claims fellow doctors called Duntsch "dangerous" and "the worst surgeon they had ever seen." That patient claims Duntsch operated on his incorrect body part. Patients also have claimed that Duntsch operated after drinking alcohol and taking cocaine.

"The defendant was not the only one that was a part of this," Johnson said. "He has taken the criminal blame."

Group leaks CNN audio to expose newsroom "deceptions"

By Ron Lee Investigative Journalist

(US~Observer) - James O'Keefe, Leader of Project Veritas, an investigative journalism organization

whose goal is to, "investigate and expose corruption, dishonesty, selfdealing, waste, fraud, and other misconduct in both public and private institutions in order to achieve a more ethical and transparent society," made a bold promise on January 19th at the National Press Club to "investigate and expose the media," and it seems he is keeping to his

James O'Keefe word. On February 23rd, O'Keefe previewed his release of over 100 hours of audio from inside CNN newsrooms. He also requested that private parties aid in sifting through the hours of audio in order to find juicy clips.

While the audio is from 2009, O'Keefe claims, "...as they say, past is prologue." With several audio segments already isolated allegedly showing CNN's obvious slant and propensity for reporting news and polls which may no longer be accurate, the audio release could prove to be a treasure trove for

those seeking to discredit CNN further showing they have in fact reported fake

O'Keefe even went a step further and offered an award for anyone bringing him evidence of "corruption, malfeasance

and wrongdoing" in the mainstream press. O'Keefe saying, ""If you have hidden audio recordings, videotapes or documents inside of a newsroom or media institution, and the material is good enough, I will pay you \$10,000."

Mainstream media apparently believes they are responsible for "what people think," as was boldly stated on MSNBC's Morning Joe by

Mika Brzezinski in a broadcast discussing President Trump's "attempt to undermine the media" when she said, "he could have undermined the messaging so much that he can actually control exactly what people think. And that, that is our job."

With this kind of a mindset O'keefe's efforts and those of the citizen reporters, who will undoubtedly be embedding themselves in newsrooms around the country, is perhaps needed more now than any other time in our history.

It really is a war for your mind.

Common cold cure a step closer after scientists 'crack' genetic code



By Henry Bodkin

(The Telegraph) - A cure for the common cold has moved a step closer after scientists claimed to have "cracked" the genetic code which underpins the illness's many strains.

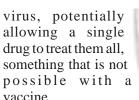
Developing vaccines to tackle colds is considered largely futile because the virus mutates.

However, researchers now say a simple gene-targeting drug able to cure all examples of the virus may be available within ten years.

Until now, scientists studying the Human Parechovirus had believed that the signals regulating the assembly of a virus were located in a small area of the genome. But now a British-Finnish team has established

that the virus forms as a result of multiple dispersed sites in the genome acting together

They found that details of the decoding mechanism appeared identical in all strains of the



vaccine. The next stage is to screen for potential anti-

viral drugs that target this decoding mechanism which could potentially see drug development results within the next ten years.

Professor Peter Stockley at Leeds said: "The coding works like the cogwheels in a Swiss watch.

"We now need a drug that has the same effect as pouring sand into the watch; every part of the viral mechanism could be disabled.

"We need to move away from a vaccine approach, which is what we

have for flu and polio." He added that protecting against infection by the use of vaccines was

"both very expensive and logistically difficult". Professor Sarah Butcher, from

Helsinki, said: "This new research means that treatment would be less likely to trigger drug resistance, which is currently one of the major Professor Sarah Butcher problems in anti-viral therapy.

"This discovery could be a great leap forward in curing a host of conditions." The study was published in Nature

Communications.

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Child Services Caseworker Charged With Official Misconduct and **Tampering with Public Records**

By Joseph Snook **Investigative Reporter**

Beaverton, OR - According to Washington County Sheriff's office, 34-year-old Department of Human Services (DHS) employee, Miguel A. Fuentes III, was recently arrested for falsifying 15 child abuse reports.

The sheriff's office released a report that reads, "February 9, 2017 -An Oregon Department of Human Services employee assigned to Child Protective Services was arrested for falsifying child abuse reports in at least 15 cases.

On February 9, 2017, Washington County Sheriff's Office detectives assigned to the Child Abuse Unit arrested 34-yearold Miguel A. Fuentes III.

Mr. Fuentes has been employed as a Social Services Specialist with the Oregon Department of Human Services (DHS) since August 2011. He was most recently assigned to the Beaverton office, where his duties included the investigation of child abuse and neglect.

During a child abuse investigation, a sheriff's office detective and a DHS employee discovered inconsistencies in



Miguel A. Fuentes III

official child abuse reports completed by Mr. Fuentes. Mr. Fuentes submitted reports which documented in-person contacts and interviews that never occurred. Other reports contained false statements and work that was allegedly completed on days Mr.

Fuentes was not in the office. Detectives reviewed many of Mr. Fuentes' assigned cases and found at least 15 cases with falsified information.

When DHS learned of the investigation in November 2016, they placed Mr. Fuentes on administrative leave. DHS cooperated fully with this criminal investigation. DHS has since reassigned cases affected by Mr. Fuentes to ensure child safety.

Mr. Fuentes has been charged with 15 counts of Official Misconduct I and 15 counts of Tampering with Public Records.

Inquiries about Mr. Fuentes' employment status should be directed to Oregon DHS."

DHS was recently sued for \$60million in a separate incident. This recent case could be a "tip of the iceberg" in regard to DHS' overwhelming liability for unchecked caseworkers who's job is to help, yet sometimes ends up damaging innocent families.

Children For Sale? FBI Raids International Adoption Agency

By Joseph Snook **Investigative Reporter**

Strongsville, OH - The U.S. Department of State has debarred European Adoption Consultants, Inc. (EAC) from accreditation for three years. Serious allegations were leveled at the agency, including, "evidence of a pattern of serious, willful, or grossly negligent failure to comply with the standards and of aggravating circumstances indicating that continued accreditation of EAC would not be in the best interests of the children and families concerned, according to U.S. Dept. of State records.

After being debarred, the FBI raided EAC almost two months later on Feb. 14, 2017. The FBI has yet to release an official report about why the adoption agency was raided after operations were halted by federal authorities. Allegations of selling children have been reported.

Representatives of the adoption agency were quoted in an online video stating, "It's important to work with a reputable adoption agency..." which could be



considered greatly misleading, considering the reports that have now been leveled against the reportedly closed for business adoption agency.

The State Department's investigation also alleged that the adoption agency failed safety procedures that prevent, "...solicitation of bribes; fraudulently obtaining birth parent consent..." that landed children at the agency to begin with.

In a report on EAC's website, they stated, "we disagree with many, if not most, of the statement and are considering the option of appeal..."

According to its website, EAC operates intercountry adoption programs in Bulgaria, China, Colombia, the Democratic Republic of Congo, Haiti, Honduras, India, Panama, Poland, Tanzania, Uganda, and Ukraine.

Judge - Banned from the bench for life

By Joseph Snook **Investigative Reporter**

Las Vegas, NV - Former Judge Conrad Hafen has been banned for life from serving as a Judge in Nevada by the Nevada Commission on Judicial Discipline. The main point was he'd ordered a public defender to be "handcuffed" following oral arguments to keep a client out of

Hafen lost his bid for re-election in June of 2016. He then represented himself before the disciplinary commission, resulting in his permanent expulsion from the bench.

Hafen admitted he was not, "patient, dignified and courteous to litigants, jurors, witnesses, lawyers, court staff, court

officials and others he dealt with in his official capacity." He also admitted that he did not, "perform



Ex-Judge Hafen

all duties of his judicial office fairly and impartially..." Furthering his disgrace, he admitting failure to, "act at all times in a manner that promotes public confidence..."

Clark County Deputy Public Defender Zohra Bakhtary, whom he had ordered to be "cuffed"

reportedly stated, according to AP that, "she respects the ruling."

Falsely Accused Mom Wins \$3.1M From Caseworkers, Still Doesn't Have Custody

By Joseph Snook **Investigative Reporter**

Los Angeles, CA - Rafaelina Duval recently won a civil lawsuit for \$3.1 million when a jury found that California's Department of Children and Family Services (DCFS) "intentionally and willfully" seized her young son, Ryan, from her custody without a warrant and with malice at the young age of fifteen-months old.

Duval's attorney, Shawn McMillan said, "The law is very clear and they (DCFS) get training on this, you cannot seize a child from its parents unless there's an emergency."

After taking baby Ryan from his mother, social workers disallowed reunification, claiming that Duval had Munchausen Syndrome by Proxy. This syndrome is when a parent intentionally makes a child sick to gain attention. The only catch - sources stated that Duval was never diagnosed with this syndrome - it was all just a "hunch" by social workers who don't have the ability to diagnose!

Seven years later, Duval only receives an hour and a half of visitation with her son every two weeks.

Young Ryan is now eight-years-

In another report, Duval stated, "No money can ever satisfy how I

This case is a painful reminder that agencies like DCFS have little accountability within family courts. Mirroring that sentiment, a Judge in Oregon recently called child caseworkers/social workers, "the custody police." Cases like Duval's are not limited to California.

Another family who claimed to be a victim of DCFS stated, "how can they (DCFS) be held liable financially, while continuously separating a son from his reportedly loving mother?"

According to video reports, California State will be on the hook for the \$3.1 million award, and the yet to be determined amount for punitive damages will be personally paid by the DCFS employees who took her son. ★★★

Inebriated Deputy paid over \$200,000 for being fired, now in trouble again

By Ron Lee US~Observer

Okanogan County, WA - On December 8, witnesses saw a truck,

running on rims only on its driver-side, careen down the wrong side of Highway 97 near Brewster, before being stopped by a Brewster Police Officer. Inside the vehicle was Shane W. Jones, a 46-year-old Okanogan County Deputy Sheriff, who nearly fell down when getting out of his vehicle. Reports state Jones' eyes were bloodshot and he spoke to the officer with slurred speech.

He had been driving his personal truck and was not on-duty at the time of the incident, which was reported shortly after midnight by another driver.

While he declined a field sobriety test, a warrant was issued by a Okanogan County judge and blood was drawn for testing at Three Rivers Hospital which showed no

tested positive for Alprazolam, otherwise known as Xanax, a powerful central nervous system depressant used to treat anxiety

OKANOGAN COUNTY

SHERIFF'S OFFICE

disorders. It can be highly

Jones has been placed on paid

administrative leave pending an

internal investigation by the

county's insurance risk pool and

hearings, to be conducted by the

under-sheriff. According to one

report, the hearings will,

"determine if Jones broke any of his

addictive.

alcohol in his system. Instead, it agency's policies or procedures, and if discipline is warranted.' One thing is certain, this isn't the

first time Jones has been in trouble for being behind the wheel

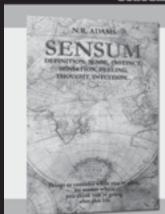
inebriated. In 2006, Jones was fired by Okanogan County Sheriff Frank Rogers for what has been described as belligerence, and lying about a gun being in his vehicle to a trooper who had pulled him over on the suspicion of driving under the influence. During that event, Jones' blood alcohol was registered as a 0.15, with 0.08 being the legal limit. According to reports, the DUI charge was

deferred and five years later dropped.

Jones was apparently reinstated to his deputy position after an arbitrator determined the firing was to tough a penalty. Jones was awarded almost \$200,000 in back pay and attorney fees.

One has to wonder if there is any justice in Okanogan County... ★★★

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US~OBSERVER NOTE ON FALSE CHARGI



False prosecutions are getting some well needed main-stream attention these days. Over the past 25 years, the US~Observer has been the lone voice exposing this rampant issue. Our cases, over 4,400 of them, have led to vindication through the use of our services - an achievement no other group, lawyer or agency can claim.

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

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

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Getting Away With Murder: The National Crisis of Cold-Case Homicides

By James M. Adcock

(crimereport.org) - The murder rate in 2016 was up nationally. But that's not the worst of it. The unsolved rate of homicides is also on the rise.

That means every year, there are more people who get away with murder than the year before.

Between 1980 and 2014, according to data I compiled from the FBI's annual Uniform Crime Reports (UCR) and the Bureau's Supplemental Homicide Reports, we accumulated well over 230,355 unresolved homicides. Nationwide, police agencies on average clear—where an arrest is made—about 62% of the cases, which means that over one third of those cases remain unsolved. Sadly, for 2016, there are indications this clearance number will drop below that percentage to its lowest in our nation's history.

This isn't justice. It is also not good for public safety.

Those who kill will continue to commit violent crimes, perhaps even more homicides, until they are arrested and convicted. At the same time, relatives of the victims will continue to suffer as long as those who took their loved ones from them remain unidentified and un-caught—a population that is likely to grow.

That's why authorities must make resolving these cold cases as much of a priority as solving the "hot" ones. If we are going to successfully address this problem, we cannot do just one without the other.

The national figures for unresolved homicides are alarming, but they look even more disturbing at the local level. To take some random examples, listed by order of magnitude:

Chicago — 9,757 Detroit — 7,500 Washington DC — 3,884 Philadelphia — 3,392 Phoenix — 2,136 St Louis — 1,629 Memphis, TN — 1,480 Birmingham, AL — 1,364

Nashville — 1,213

GETTING RIVERY WITH THE RESE

And these just reflect the figures for 1980-2014. The nationwide numbers continued to grow in 2015 and 2016.

Focusing on the problem of open homicide cases means that law enforcement leaders must first identify the unresolved homicides still on their books. That seems obvious, but in fact, many police chiefs have no idea how many cases exist in their jurisdiction.

Yes, you read that correctly. How can this be the case? First, they are concentrating their efforts more on the

present than the past. Smaller agencies might justifiably claim they are constrained by budget or staffing issues, but for the larger ones cold cases just do not have the same priority as more recent homicides.

In fact, avoiding the cold cases only makes their problems

Second, they also must come to understand that by resolving cold cases they will in turn take bad actors off the streets who are committing other crimes. This is accomplished by creating a dedicated cold case team trained on how to properly conduct a cold case investigation.

A dedicated cold case team is defined as a team that does nothing else but investigate unresolved homicides. The team members should not be introduced to—or brought in— to investigate the hot cases that occur on a regular basis.

Finally, the over-reliance on technology can actually impede quick resolution of these cases. Research suggests that good, old-fashioned detective work can solve more cases than resorting to poring over physical evidence like DNA

Cold case detectives tell me that if there isn't a DNA "hit" or other evidence that comes back from their crime laboratory which is positive for the identification of a perpetrator, then the case is not pursued further.

Have our officials bought into the CSI effect? This type of approach is wrong and it's making the matter worse. Technology is no silver bullet. If it were, we would not be suffering the huge backlog of unresolved murders that we face today.

For the sake of justice, and the surviving family members, we should demand that our police agencies properly address this problem with dedicated cold case teams that have received specialized training into the nuances of investigating decades old homicides.

If they don't, the unresolved homicides and an untold number of surviving victims will continue to increase by the thousands each year. It's a national crisis that can no longer be ignored.

James M. Adcock, PhD, a retired US Army CID agent, and a former Chief Deputy Coroner of Investigations in Columbia, Richland County, SC, has spent the past 19 years specializing in cold case homicides by training law enforcement, researching, and reviewing cold cases for agencies around the U.S. He has written two books one on Cold Case Investigations and the other on Death Investigation, both second editions. Last month, he presented the results of a 15-month study on the status of unresolved homicides to the American Academy of Forensic Sciences.

The Only State Without Power to Impeach a Governor

By Joseph Snook

(US~Observer) - Oregon is the only state that currently does not have the power to impeach its Governor.

Although it doesn't happen very often, the last state to impeach its governor was Illinois, ousting Democrat Rod Blagojevich in 2009 for corruption. Blagojevich was later convicted and sentenced to 14-years in prison.

Leading the push to change Oregon's impeach power is Rep. Jodi Hack. She sponsored House Joint Resolution 10 which states the Governor could be impeached for, "malfeasance in office, corruption, neglect of duty or other high crime(s) or misdemeanor(s)." If passed, the House of Representatives could lead the move with a three-fifths vote, followed by a hearing in the Senate, requiring a two-thirds vote before ousting a governor.

Although Oregon can currently recall a governor, it is noted that the Legislature should also have the power to impeach, as a secondary form of protection.

This issue arose when Oregon's previous Governor, John Kitzhaber's integrity came into question when he reportedly colluded

with his fiancée. She allegedly, "violated ethics rules or criminal laws in advising him about clean energy issues while serving as a consultant on the topic" to which he was, or should have been aware of. He resigned shortly after when most of his own party distanced their support for him.

Replacing him was appointee Kate



Rep. Jodi Hack, (R) Salem (photo: Denis C. Theriault/staff)

Brown. She was formally elected during the last election cycle, and is currently Oregon's 38th Governor. Although she is married to a man, she's known as the Nation's first openly bisexual governor. She is also known as no fan of the second amendment.

Republican leaders have voiced their concerns for her anti-

gun stance. There have also been reports of interest concerning Gov. Brown that the public may disapprove of

If Oregonians really want to protect the confidence of the office of Governor, the passage of HJR 10 should be welcomed with open arms.

Psychology professor: Little scientific evidence microaggressions are real

"You

can't say

that! It hurts my

feelings!"

By Kate Hardiman -University of Notre Dame

(College Fix) - Emory University psychology Professor Scott Lilienfeld is challenging the seemingly universally accepted concept of the microaggression.

After reviewing many studies on the topic, Dr. Lilienfeld argues in his

paper "Microaggressions: Strong Claims, Inadequate Evidence" that microaggressions lack scientific proof, and therefore should not be included in workplace or campus diversity training.

Moreover, he said he believes that the term microaggression is misleading, as it implies conscious intent to harm, and thus should be abandoned.

"The scientific status of the microaggression research program is far too preliminary to warrant its dissemination to real-world contexts," he writes in his 2017 scholarly article published in Perspectives on Psychological Science.

Lilienfeld told The College Fix in a phone interview that he became interested in studying the microaggression phenomenon after noticing its ubiquitous discussion on college campuses, faculty meetings, and the corporate world.

"I began reading the literature, and became more curious and more concerned when I realized that there was hardly any evidence supporting the concept of microaggressions," Lilienfeld said.

When universities and corporations began providing microaggression detection and avoidance training, the underlying assumption was that the concept itself had been subjected to rigorous scientific scrutiny.

Lilienfeld counters that this is simply not the case.

"We know that microaggressions are correlated with negative mental health outcomes, but that finding may be confounded with a person's pre-existing personality or mental health condition. Because microaggressions are determined by selfreport, it is difficult to prove that they cause mental health problems," Lilienfeld said.

The fundamental flaw, according to Lilienfeld, is the self-reported nature of the microaggression coupled with its broad definition.

"Because they are totally in the eye of the beholder — anything you say could be labeled as a microaggression," Lilienfeld said. "In the current literature, if someone is offended by something, it is a microaggression. You simply cannot progress scientifically in this way or expect to resolve racial tensions on a college campus."

Moreover, Lilienfeld argues that research on microaggressions does not draw upon key domains of psychological science, including: psychometrics, social cognition, cognitive-behavioral therapy, behavior genetics, and personality, health and industrial-organizational psychology.

Ultimately, he recommends entirely eliminating the term microaggression from use.

"Though the study of microaggressions has revealed important biases, the term is a terrible one because it implies that the intention of the person is aggressive in nature and aggression implies the intent to harm," he noted in a phone interview.

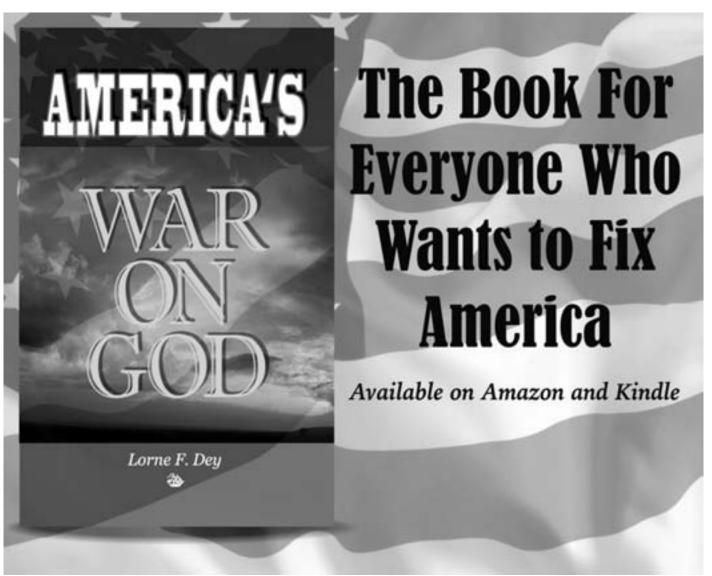
Lilienfeld said he believes that racism does persist on college campuses and in the workplace, however he is concerned that an overuse of microaggression training may actually heighten racial tensions.

"Concern about microaggressions may make both sides more defensive," Lilienfeld said. "Minority individuals may become hyper vigilant to recognize any signs of danger from speech or action. Conversely, majority members may begin to feel defensive because they have to watch every single thing they say."

"Both sides need to talk to each other more not less. By handing out a list of phrases that you should not say because they are microaggressions stigmatizes speech and shuts down dialogue rather than encourages it," Lilienfeld said.

^^^





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Welcome to the Free Thought Project — a hub for Free Thinking conversations about the promotion of liberty and the daunting task of government accountability.

Good Cop Quits, Crosses Blue Line After Fellow Cops Brutalize Innocent Man

By Matt Agorist

St. Paul, MN — On the night of June 24, 2016, Frank Baker 'fit the description' of a 'black man' in the area, so he was attacked by police and their K9. For several minutes, Baker was beaten, tasered, and viciously mauled by their K9. Also at the scene that fateful night was officer Tony Spencer — whose dashcam recorded the violent assault on Baker, who was entirely innocent.

That night, Spencer and his partner responded to a call, which ended up being fake, about a man with dreadlocks wearing a white t-shirt and armed with a gun.

When they arrived on the scene, Spencer and his partner saw Baker and realized he did not look like a suspect.

"There are about 50 people who would have matched that description that night," Spencer said of Baker. "He is not acting agitated. To me, he does not appear to be engaged in a fight. He did not appear to have run from a fight ... so we continue to roll through."

However, just after they passed Baker, two less experienced and far more violent cops showed up, pulled out their guns, and unleashed a dog.

Because police said Baker was slow to respond when showing his hands, officer Brian Ficcandenti let loose the K9, 'Falco.'

"I'm thinking he (Ficcadenti) saw something we didn't see or missed and is now performing a felonystyle stop," Spencer recalled. "As I turn the car and see the dog pulling out this man from the cars, I recognize it's (Baker). I can clearly see there's nothing in his hand as he comes between the cars."

While having his flesh literally torn from his body, Ficcandenti is heard encouraging the dog. "Get him, buddy. Good," said the officer. "Get him."

The dashcam then captured the following beat down — after Baker had been mauled. When officer Brett Palkowitsch exited the vehicle, he ran over to the innocent man and began kicking and stomping Baker's ribs.

Baker's legs were so severely injured during the attack that he spent weeks in the hospital recovering. He also suffered several broken ribs and collapsed lungs.

According to his attorney Robert Bennett, the dog tore "hunks of flesh" as its teeth bit "down to the bone" of Baker's legs.

After watching his fellow officers do this to an innocent person, Spencer could no longer stand it and decided to become a good cop. He crossed the thin blue line and testified against the officers who nearly killed an innocent man.

"It was very difficult because it was something I had been programmed throughout my career to never do," Spencer, 46, told Ruben Rosario from Twin Cities.



Frank Baker suffered broken ribs and severe trauma to his legs

"But I decided that the right thing to do was tell Mr. Baker's story," he added as he looked away momentarily, tears starting to form in his eyes, explained Rosario. "I owed it to him. How do you explain to that guy what happened to him

was justified?"

Spencer, who felt horrible after watching his fellow officers do this to an innocent man, visited Baker in the hospital.

"He had these big tears in his eyes," Spencer noticed. "He was still having trouble breathing. And then he tells me: 'I know there are good cops and there are bad cops. The thing is I know what you guys are up against out there. I know what St. Paul cops deal with. I live in that area. I love my St. Paul cops. The dog thing I almost get because I did not come out as quick as I probably should have. But those kicks he did were bogus.""

Sadly, the officer who released the dog was not fired and remains on the force. As for officer Palkowitsch, who kicked the innocent Baker as he almost bled out, he will likely be getting his job back. Neither of the cops faced any charges.

"We are the department that brought (cop killer) Guy Harvey Baker to jail alive," Spencer said. "That's what the community expects of us. The younger cops don't understand the legacy of the department. In our darkest hour on our worst day, we brought in that guy alive. And he did not have seven broken ribs and two collapsed lungs, did he? And he killed two of our cops."



Ex-officer Tony Spencer

Because of Spencer's testimony, which was described as the entire department against him and his partner, Baker received the largest settlement for police misconduct in the history of St. Paul. Attorneys for Frank Arnal Baker said Monday that they have a verbal agreement with the city for \$2 million for the case. The agreement, they noted, has yet to be signed by all parties, reports the pioneer press.

Officer Spencer is the epitome of a good cop as he was unafraid of pointing out the crimes of his fellow cops against an innocent member of society — whom they ostensibly protect.

However, that good cop is now gone and he will, like he alluded to above, be replaced by "younger cops [who] don't understand the legacy of the department" who are more prone to destroy first and attempt to justify later.

Search on-line for the video of this incident showing the brutality of these 'new cops'.

DUI Stops Now Include Mouth Swabs That Can Tell if You Smoked Pot

By Justin Gardner

San Diego, CA – On St. Patrick's Day, California's southernmost metropolis decided to debut a roadside test for those suspected of driving under the influence of cannabis. Several "sobriety checkpoints" were set up

throughout the city with the standard invasions of privacy, but this time they added a mouth swab test known as the Drager 5000.

If a cop suspects a driver of being high, they request that he or she take the mouth swab test, and perhaps a field sobriety test as well. They're trying to gather evidence to incriminate you, although the mouth swab test is not mandatory.

The Drager 5000, already in use in other countries and cities such as Los Angeles and New York, detects the presence of various substances, including THC, the psychoactive ingredient in cannabis. The problem is, this test has absolutely zero ability to test actual impairment or level of intoxication.

But a positive reading can give cops the excuse for the more invasive procedure of a blood test. According to The San Diego Union-Tribune:

"Officers trained to recognize the symptoms of drug impairment will first look for various indicators that a driver is high, from an unsafe driving maneuver to bloodshot eyes to the odor of marijuana to blank stares, San Diego police Officer Emilio Ramirez said. Once there is ample suspicion of drug use, the officer can then request to perform field sobriety tests or for a driver to take the Dräger *5000 test.*

If the driver refuses at that point, the officer can force the person to submit to a blood test.

To use the machine, the driver is handed a mouth swab and instructed to run it around the inside of the mouth for up to four minutes. The swab is then placed into the machine, along with a vial of testing solution, and the machine does its work. It takes about six to eight minutes for results to print out on a receipt.

A positive result will likely send the driver to a police phlebotomist for a blood test to determine precise drug levels."

Even a negative result could lead to a mandatory blood test if the officer still

suspects impairment.

"If the mouth swab test is negative but the officer still has a suspicion of impairment, then a blood draw might still be mandated, because the Dräger 5000 only measures for seven kinds of narcotics, Ramirez said."



Larry Sevenski in the hospital

And if you can't make bail, you'll be sitting in jail for weeks or months awaiting the blood test results. For many people, this would mean being fired from their job, or being ripped away from their family, or some other life-altering repercussion – all because a cop invaded your privacy at an unconstitutional roadblock.

The Drager 5000 can give positive results for THC even if the person did not even use cannabis that day. If it's legal to use cannabis – as in California – and the swab test can detect THC from days prior, there is absolutely no rationale for deploying the machine. Despite the fact that someone can be perfectly sober and still test positive, this "evidence" is admissible in court.

San Diego Police Chief Shelley Zimmerman played on fears over legalization to justify their fancy new \$6,000 machines, saying, "It's a huge concern of ours with the legalization of marijuana that we're going to see an increase in impaired drugged driving."

The funny thing is, results from 2017's St. Patrick's Day field sobriety checkpoints showed a decrease in the number of DUI arrests. At one checkpoint, six people were arrested, down from nearly a dozen the year before.

One person was going to submit to the mouth swab test for cannabis, but the ordeal gave him an anxiety attack that required medical attention. The cops went ahead and arrested him for DUI afterward.

"We did have one person, who was going to submit a test, but unfortunately had some sort of anxiety attack in secondary to the point where we actually had to get medical attention for him and then later arrested him for DUI," said Officer Mark McCollough.

Clearly, the Drager 5000 mouth swab test serves no actual purpose in addressing impaired driving, but is just another tool of the police state being rationalized by cannabis decriminalization.

83-year-old Forgot to Use His Blinker, So Cops Put Him in the Hospital

Larry Sevenski in the hospital

By Matt Agorist

Antrim County, MI — Failing to use a blinker for a u-turn has ended with a stay in the hospital for an 83-year-old business owner in Antrim County. Bar owner, Larry Sevenski found out the hard way that police in America

can and will escalate violence when it is entirely unnecessary — even against the elderly.

Last week, Sevenski got a call from customers informing him that state troopers were parked outside of his pub, Larry's Seven-Ski Inn. So, this business owner of 50 years decided to go talk to the police. He had no idea that this decision would end up

with charges and a stay in the hospital. Sevenski only wanted to ask the police if there was a problem. However, as he drove over to the two police vehicles, he failed to use his turn signal — a move which apparently

angered the cops — so they pulled him over. When Sevenski got out of his vehicle to talk to the police, he was immediately met with force.

"They said I couldn't talk to them. I was breaking some kind of law, I don't know. It got

crazy, all at once," says Sevenski. According to police, Sevenski didn't comply with their commands fast enough and got out of his vehicle. So, they put him in the hospital.

According to the Michigan State police, the 83-year-old grandpa was a threat to officers.

"The subject then grabbed ahold of the trooper's wrist and proceeded to make a fist in an assaultive motion. At that point, the trooper initiated his defensive tactics techniques and brought the subject to the ground," says 1st Lt. Mark Harris, Michigan State Police Gaylord Post.

However, according to Sevenski, he says he just wanted to talk to the troopers.

"They handcuffed me, and they hurt me very bad because I have a reversed shoulder and I can't put my arm behind my body," explains Sevenski. "Everybody's worried about me. I've been worried about me, too. Just don't

know what I did wrong."

Naturally, police have justified the violence against the elderly man because he did not immediately curtsey and obey every command given by the officers — who Sevenski only wanted to engage in conversation.

Lt. Harris says, "If he would have complied with the orders of the trooper,

got back in the car and not become aggressive and assaultive, he would not have ended up on the ground."

The 83-year-old man, for allegedly failing to obey every single command given by the officers, was assaulted to the point of needing surgery on his arm and had a broken nose.

According to FOX 32, the Antrim County prosecutor is reviewing a report for charges of assault and resisting and obstructing a police officer.

Sevenski was given a traffic ticket for not using his turn signal.

In the land of the free, 83-year-old grandpas can and will be beaten by police and hospitalized for trying to have a conversation.

UPDATE: Apparently, it's also okay to upthe-charges in an attempt to intimidate and criminalize those you beat up. According to a report by the Record Eagle:

"Larry Dale Sevenski, 83, was charged Wednesday [March 29th] with resisting and obstructing of a police officer, a felony punishable by up to two years in prison, in 86th District Court." ***

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COMMENTARY Your Right to Speak Out



By Michelle Malkin

Former Fort Worth, Texas, police officer Brian Franklin is finally free. But he is still fighting to clear his name.

"I've been vindicated," he told me in a recent interview, "but not yet exonerated." Franklin served 21 years in prison -- a harrowing 7,700 days -- of a life sentence after he was convicted of sexually assaulting a 13-year-old girl in 1995. But he steadfastly maintained his innocence, studied law in the prison library and won a reversal of his conviction last spring. In December, a jury acquitted him after a second criminal trial.

"It's been a roller coaster ride up and down," Franklin reflected. Hellish doesn't begin to describe the journey. His accuser had lied that she was a virgin before Franklin allegedly raped her. Prosecutors produced physical exam results of damage to her genitals as proof of his crime. In fact, she had been the victim of molestation by her stepfather for years.

Moreover, the young accuser's story of when she was allegedly raped changed to fit a timeline developed by prosecutors. That timeline was debunked when Franklin's employment time records and time-stamped

Fighting for the Falsely Accused and dated store receipts showed he was nowhere near the alleged rape location -- the backyard of her biological father, who was a

There were no witnesses. There was no

DNA. Yet, the cop with "law enforcement in my blood" lost his job, reputation and freedom.

friend of Franklin's.

"It's the easiest crime to be falsely accused of," Franklin told me. Prosecutors "used my position as a police officer against me." His family and church stood by him. But as soon as he was arrested, he had already been branded a "RAPIST" in the court of public opinion. His original jury "prejudged me," Franklin recalled. Given the reckless witch hunts in cases like his and the Duke Lacrosse case, he observed, "I'm surprised anybody gets acquitted these days."

After Franklin's conviction, lead prosecutor Rose Salinas learned that his accuser had signed an affidavit detailing the daily sexual abuse by her stepfather from the ages of 6-16. Those claims, Salinas concluded, "render irrelevant any medical evidence introduced at Brian Franklin's trial to show guilt," "clearly show she that she testified falsely" and "cast serious doubts on the integrity of his conviction." Had she known of the accuser's withheld evidence, Salinas acknowledged, she "would have immediately dismissed the charges" against Franklin.

But he was still years away from winning his release as his various writs and petitions worked through the laborious criminal justice system. "There were times when a court would rule against me and I felt hit it in the stomach and down in the dumps," Franklin recounted over the phone from Kerrville, Texas, where



Brian Franklin (Photo: WFAA)

he now lives with his mother. He leaned on his faith and family to get through the darkest

"I did not become hardened and I did not become institutionalized. I would not let myself become one of them."

Though he and his resilient family celebrated what they call a "Merry Acquitmas" in December, Franklin must still win a declaration of actual innocence from the state of Texas before he can be eligible for financial reparations for the falsely accused. He took a job at a grocery story and is trying to raise money on GoFundMe – for his legal bills.

Someday, Franklin told me, he would like to work full-time again in law enforcement and

help others who have been wrongfully charged, convicted and imprisoned. He has already weighed in to support former Oklahoma City police officer Daniel Holtzclaw, who was railroaded by the social

justice mob and accused of sexual assaults during the racially charged summer of Ferguson, Missouri, in 2014.

After reporting on the junk science, prosecutorial misconduct, police incompetence and due process violations run amok in his case over the past year, I've heard from several DNA experts, private investigators and former LEOs across the country disturbed by the gross miscarriage of justice against Holtzclaw. He filed his appellate brief with the Oklahoma Court

of Criminal Appeals on Feb. 1.

"I've studied this case from both sides and have come to the conclusion that he really is innocent," Franklin wrote on Facebook. "I know about innocence. I was a cop wrongfully convicted of rape...For those of you who jump to conclusions when you don't know what you're talking about, shame on you. Learn the facts first."

Brian Franklin is a beacon not only for law enforcement officers fighting the tyranny of "guilty until proven innocent," but for every falsely accused citizen. His vow:

"I will not give up. I will persevere. I am right. I'm not gonna give up."

By Daniel Horowitz

(Conservative Review) - With Supreme Court decisions erroneously regarded as the supreme law of the land instead of the Constitution, everyone on the Right is clamoring to ensure that Trump's Supreme Court pick is confirmed. But given that well under one percent of all federal civil and criminal cases make it to the Supreme Court, decisions coming out of the 13 federal courts of appeals ostensibly (and again, erroneously) serve as "the law of the land" for many critical social and political issues, as we so painfully witnessed with the recent "9th Circus" ruling.

That is why it is at least as an important to fill the federal circuits with originalists as it is for the Supreme Court. However, if Trump is going to leave his mark on the judiciary, that would require taking bold measures to overturn established traditions so that each appeals court nominee would be more in the mold of Clarence Thomas than even a Neil Gorsuch, much less a John Roberts or Anthony Kennedy.

WHY THE U.S. COURT OF APPEALS **IS SO VITAL**

For those paying attention to how a mere district judge in one bad circuit can violate the national sovereignty, you need no tutorial on the importance of the lower courts.

In 2015, 54,244 cases were filed in the 12 regional courts of appeals (not including the specialized appeals court for the Federal Circuit) out of a total of 361,689 that began at the district level. At the same time, only about 80 cases were granted full review by the Supreme Court. In other words, the federal courts of appeals are ostensibly the court of last resort for most federal cases. And given that the Left has successfully redefined the Constitution, almost every political issue has become a federal case.

Even though many of the major cases broadly affecting public policy are granted review by the high court, many languish in the lower courts for years and never make it to the Supreme Court. Moreover, the Supreme Court is clearly influenced by the jurisprudential momentum of the lower courts. Given that most of the circuits are full of postconstitutionalists who make Anthony Kennedy look like James Madison, it creates a peer pressure in the legal community to move away from the Constitution as written.

Remember, gay marriage didn't happen in a vacuum with the Obergefell case. Almost

'Circuits' or 'Circuses'? We Need Judicial Reform at the Circuit Court Level

every district court and all but one of the circuits redefined marriage in one of the most anti-constitutional opinions of all time. We are witnessing a similar trend with lower courts chipping away at the "plenary power doctrine" on immigration in recent

Furthermore, justices will rarely take up a case expeditiously when there is no split decision among at least two circuit courts. Given that the lower courts are in such bad shape — with such a dearth of originalists conservatives can rarely win in even one circuit on such bedrock issues as voter ID, religious conscience, and an array of immigration issues. The lower courts tee up the contours and the dynamics of

the cases that reach the high court. Therefore, if we fail to change the personnel and the procedures of the lower courts, another two solid originalists on the Supreme Court (assuming one of the liberals dies or resigns from office) would have only a limited effect.

Keep in mind that most of the major cases of consequence pending before the Supreme Court have been appealed by conservatives because of bad lower court decisions. The tyranny begins and usually ends in the circuits. Given that Republicans have control of the federal government and most state governments, we will only be playing defense in the lower courts because that is where the Left will plant their flag, even more so than during the Obama era.

WHERE THE CIRCUITS STAND: AN **ANTI-CONSTITUTIONAL CIRCUS**

It's not just the 9th Circus.

You could probably count on your fingers the number of true originalists (à la Clarence Thomas) on the circuit courts. While it's arduous to game out the "ideology" of each judge and circuit, here is my preliminary attempt at an overview of the circuits.

First, we will begin with this infographic detailing the number of Republican appointees and Democrat appointees by circuit among active judges (not including semi-retired "senior judges"). The graphic also shows the strong influence of Obama's eight years on the appeals courts and the immediate vacancies that can be filled by Trump.

A few observations stand out:

1. Among active judges, Democrats now have an outright majority on nine of the 13

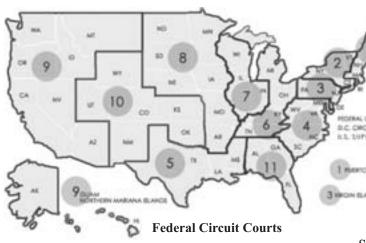
And as we will explain in a moment, the courts are in worse shape than this topline number would suggest because almost every Democrat-appointee is a post-constitutionalist while only half the GOP-appointees are conservatives and only relatively small number are true originalists. Just consider how



two GOP-appointed judges were already involved in the immigration ruling, one of the most radical and harmful decisions of all-time.

2. There are 20 vacancies that Trump can and should fill immediately.

But Obama's presidency was so strategic that it will take a long time to swing back a single circuit. Only 10 of those 20 are Democrat vacancies that would tilt the balance of a seat and most are not in circuits that will fundamentally alter the balance of most threejudge panels.



3. The all-important D.C. Circuit is now 7-4 majority Democrat appointees, with four judges appointed by Obama alone.

The D.C. Circuit is the second most influential court in the land on constitutional issues. Worse, while there are some solid senior judges, Janice Rogers Brown is the only real originalist left among the active judges, with Brett Kavanaugh a mostly reliable conservative. The D.C. Circuit is going to be a dumpster fire for the indefinite future. Moreover, if you drill down into the district level, the District Court for the District of Columbia has an 11-0 Democrat majority among active judges!

By the middle of the year, when all the current vacancies take effect, there will be 90 Democrat appointees, 69 GOP appointees, and 20 vacancies among active seats on the appeals courts. However, the circuit courts are really in much worse shape than even the top line numbers would suggest.

Remember, almost all of the cases in the appeals courts are decided by a randomly selected three-judge panel, which also includes the senior judges (although their caseload is reduced in varying degrees). While it is possible to request a full en banc review of a case by the full circuit, those reviews are relatively rare in most circuits. Due to the clear Democrat majority on nine of the circuits and the lack of originalists on most of those panels, the legal Left is almost always assured a favorable panel for whatever they are looking to do: redefine marriage, infringe upon religious liberty, throw out abortion regulations, block photo ID, etc.

On the other hand, we'd be lucky to find 15 originalists on the appeals courts who are every bit as conservative as the 90 Democrat appointees — and a number of Republican appointees — are liberal.

Now let's take a look at the four circuits where there is a supposed GOP majority:

7TH CIRCUIT

This is the easiest one to game out. The 6-3 GOP majority is extremely deceiving. This

circuit is home to the infamous Richard Posner, a Reagan appointee who quite literally believes that the Constitution as adopted is outdated and should be disregarded. He wrote the 7th Circuit's tyrannical gay marriage opinion, among many other bad decisions.

Only two of the nine active judges can be considered reliable originalists across the board:

Michael Kanne and Dianne Sykes. While many conservative

legal theorists have respected Frank Easterbrook for many years, he has shown that he doesn't believe in an individual right to bear arms. The rest of the Republican appointees range from progressive to unreliable. Thus liberals can pretty much rely on a favorable three-judge panel for almost anything they

6TH CIRCUIT

The 9-5 majority of GOP appointees is very misleading if one thinks this is an originalistdominated circuit.

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"Our lives begin to end the day we become silent about things that matter." --Martin Luther King, Jr.



By Ron Lee **Investigative Journalist**

(US~Observer) Glasgow, Missouri - After having written several suicide notes, 17-vear-old Kenny Suttner, while sitting alone on a log outside of his Glasgow home, put a gun to his own head and shot himself.

It is a tragedy that repeats itself daily across America, with suicide being the 10th leading cause of death.

What makes this instance stand out is not the hard, sad life the perpetrator/victim is reported to have endured becasue of bullying, but rather the first-of-its-kind stance the state is taking on the case.

Howard County Special Prosecutor April Wilson filed a class D felony charge of involuntary manslaughter against Suttner's former manager at his job with Dairy Queen, 21-year-old Harley Kaitlynn Branham, on February 1st of this year.

According to the Memphis Democrat:

Wilson indicated the charges stem

Dairy Queen Bullying Case is a **Precedent Setting Prosecution and All-Around-Tragedy**

from a verdict by a coroner's jury, which was convened by Howard County Coroner Frank Flaspohler. The six-member jury held an inquest into the events leading to Suttner's suicide, ultimately issuing a verdict that the suicide was in fact felony, involuntary manslaughter due to harassment that "occurred both at Dairy Queen and at school."

The jury finding went on to site Branham as the principal cause of Sutter's death, both also indicated Dairy Queen was negligent in training of employees to avoid harassment. The jury also found Glasgow High School, where Sutter was a junior, was negligent in preventing bullying.

Wilson and Flaspohler conducted the inquest, which is allowable under Missouri law but is not commonly utilized. The jury finding is not a verdict, but simply established probable cause which can be the basis for a prosecuting attorney to file charges.

The charges were brought by Wilson following more than six and a half hours of testimony by more than 20 witnesses.

There are, however, reports by other media outlets that depict Suttner as having been bullied by many, as this report from the CBS News outlet, Inside Edition suggests:



Harley Kaitlynn Branham

Fellow students tearfully testified [at the inquest] that the senior was continually bullied and taunted on campus by kids who made fun of the way he looked, talked and walked.

Best friend Lexie Graves testified Branham was ridiculed for "basically everything about him," including a speech impediment and his weight. She said he reported the abuse once, but nothing was done.

While it is a normal reaction for people to want others to be accountable for their loved one's bad choices, especially when those choices result in them taking their own life, or the life of others, it is a reaction based on a false premise that unfortunately this special

prosecutor has grabbed onto in order to make someone criminally "pay" for this young man's decision.

With this being the first case of its kind, a conviction could mean the amount of manslaughter cases could skyrocket across the country as overzealous prosecutors jump on the precedent and begin to hold people accountable for all types of "causal" behavior. For instance, you could be prosecuted for punishing your child's bad behavior, if it resulted in their decision to kill themselves. Potentially, you could also be prosecuted if you told-off a fellow worker and they came back and shot-up your work place, killing others and themselves. God forbid you cut somebody off in traffic and

they mentally lose it and purposely crash their car through the nearest Starbucks building!

I don't say this to trivialize Suttner's death. I say it to point out the ridiculousness of holding people accountable for others' actions.

In my opinion, this is just another way for out of control prosecutors to criminalize everyone.

While there is no doubt that Suttner should not have faced bullying, killing himself is a result of a choice he made. If we start holding others responsible for the chosen actions of those

who "pull the trigger" then our court system will be overrun and freedom will be minimized to being practiced inside of a box, because our mere existence could be someone else's "trigger".

As for Harley Kaitlynn Branham, she should at most face a civil suit by Suttner's family. Regarding her criminal charges, if I were an attorney I would suggest she file a civil suit against April Wilson, Frank Flaspohler and Howard County for wrongful prosecution, because no panel can determine a person's true motive for killing themselves, even if notes were left.

In any event, everything about this case can be summed up with three words -- what a tragedy.

Conservative,

By Judge Andrew Napolitano

The political fiasco that unfolded last week as President Trump and the Republican House leadership failed to pass legislation repealing the Affordable Care Act, commonly called ObamaCare, is attributable as much to the failure of politics as it is to the failure of politicians to understand the constitutional role of the federal government.

Republicans could not muster a majority in the House, which they control, because a determined small group of them want to remove the federal government from the regulation of health care and believe that the replacement for ObamaCare that House leaders have offered would keep too much of it in place. The president and his allies have argued that their bill would invalidate enough of ObamaCare to return free choices to health care and to fulfill their campaign promises. Neither side has prevailed.

Here is the back story.

When Congress passed ObamaCare in 2010, it did so without a single Republican vote. The premise underlying the highly partisan 2,700page legislation is that health care is a right belonging to everyone in America and the federal government has a constitutional duty to provide it.

The political structure of ObamaCare mandates that every person in America obtain health insurance, that every employer of more than 50 people in America pay for the health insurance of all employees who work more than 30 hours per week, that every policy of health insurance cover a large dimension of potential medical needs and that those earning under a certain annual income level receive health care at the expense of the rest of us. The failure to obtain and maintain health insurance triggers a tax burden -- equivalent to the annual premium on a health insurance policy -for every year one goes without coverage.

The economic structure of ObamaCare requires 100 percent participation of everyone in America so as to ensure a large pool of insurance premiums --

Is health care a right or a good?

whether paid by individuals, employers or taxpayers -- from which to pay health care providers. Still, premiums don't cover costs, which is why President Trump says ObamaCare is collapsing.

The regulatory structure of ObamaCare orders every primary care physician to keep all medical records on personal computers, to which the Department of Health and Human Services has access. Thus, the longrevered and uniquely American value of the patient-physician privilege -- the certain knowledge that your doctor will not reveal what you tell her or him -- has been obliterated. The statute also has given the secretary of HHS unreviewable powers to regulate intricacies of the delivery of health care in America.

Along with this expensive and bitter medicine -- which has caused hundreds of thousands of folks to downgrade to part-time work, reduced the wages of millions more and driven thousands of health care providers into retirement or new occupations -- ObamaCare also has provided some sugar. The statute orders insurance carriers to cover pre-existing conditions, children on their parents' policies up to the age of 26 and expensive elective procedures, such as abortions and sex reassignment.

After the Republicans acquired full control of Congress in 2015, they delivered numerous repeals of ObamCare to President Barack Obama, knowing that he'd veto them, which he did. These were complete repeals -essentially removing the federal government from the regulation of health insurance and the delivery of health care.

Now that Republicans control Congress and the White House, you'd expect that they would do the same, as they have promised. No such thing has happened. The legislation that Republican House leaders offered last week retained the basic premise of ObamaCare -- that health care is a right and the federal government has a duty to provide it -- and just nibbled a bit at the

Under the House proposal, the obligation to have health insurance would remain, but you couldn't expect it from your employer; you might have to pay for it yourself. And the penalty for the failure to have coverage would not be a tax from the IRS; it would be a \$3,000 annual surcharge from your insurance carrier when you sign up. You could buy insurance tailored to your needs, but nearly all remaining federal regulations



would stay in place -- including a new Orwellian one that would permit your employer to require you to undergo genetic screening.

This ObamaCare lite has been resisted by about 30 House Republicans who reject the premise that health care is a right. Without their votes, it would not have passed last week, so the House leadership declined to hold a vote.

Is health care a right in America?

In a word, no. Rights are either natural immunities -- existing in areas of human behavior that, because of our nature, must be free from government regulation, such as life, liberty and the pursuit of happiness, as well as speech, the press, religion, travel, self-defense and what remains of privacy -- or legal claims that we qualify or bargain for, such as the right to vote, which the Constitution presumes, and the right to use your property to the exclusion of all others and the right to purchase a good that you can afford.

But the federal government cannot create a right that the Constitution does not authorize. It can't constitutionally transfer wealth from taxpayers or employers to others and then claim that the others have a right to the continued receipt of the transfers. The Supreme Court has ruled that even Social Security, Medicare and Medicaid are government largesse that Congress could terminate because no one has a right to them.

Of course, the federal government has been creating expectations that it calls rights for centuries. To stay in office, members of Congress bribe the rich with bailouts, the middle class with tax cuts and the poor with made-up rights to all sorts of things.

Yet under the Constitution, health care is not a right; it is a good -- like an education or a gym membership. You work hard, you decide what goods to purchase. If government gives you the good, that does not magically transform it into a right. Bravo to the courageous House Republicans who recognize this.

Nullification:



By Joseph Snook **Investigative Reporter**

(US~Observer) - With President Trump's recent talks about the Federal Government targeting States that have legalized recreational marijuana, maybe the once thought to be conservative term "NULLIFICATION" is finally ripe for all walks of life?

Nullification as defined by Wikipedia reads: "Nullification, in United States constitutional history, is a legal theory that a state has the right to nullify, or invalidate, any federal law which that state has deemed unconstitutional." Nullification is deeper than this. Nullification can be applied in many ways. For example: if the most popular kid at school says, "let's play soccer today", yet other kids say, "let's play dodgeball" effectively changing the decision from the person who usually gets what is wanted - they have just nullified the process. In a court of law, regardless of Federal or State, nullification often comes with consequence as most states do not permit the use of this concept - even though our Nation's first Chief Justice, John Jay embraced and supported its use.

Justice Jay stated, "...you have a right to take it upon yourselves to judge of both, and to determine the law as well as the fact in controversy."

In most courtrooms today, jurors are instructed to follow the law, only judging on determination of guilt, as instructed by Judges. Lawyers and their ilk have had hundreds of years to perfect this lie of determination - and the government with police power often enforces this concept. New Hampshire stands out as the only state in the U.S. that currently allows nullification to openly be discussed in court. In other courts, lawyers can be sanctioned, and jurors can be tossed off juries for mentioning such.

In these current divisive times, let's not forget we as voters have a way to fight back against the proverbial elephant (Federal and State courts).

Remember, the U.S. Constitution begins with the words, 'We The People..." for a reason. Don't forget that! If you don't believe a law is just, then don't convict! You have that power as a juror. Just remember, saying it out loud could get you excused from jury duty.

In the States that have already banned together to legalize recreational marijuana - this concept should be quite easy to accept since juries will be comprised of "peers."

If you support marijuana laws, think about this: The United States has the highest incarceration rate (25%) per capita in the entire world, yet we only make up 5% of the world population. If you pay taxes, you're paying for hundreds of thousands of arrests for marijuana. Arrests can lead to incarceration, and incarceration comes with costs to the taxpayer.

Know your rights!

Traditionally



Presently

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Continued from page 1 • "F" Grade for Child Caseworkers

was shocking to say the least. What the report doesn't say, is equally horrific.

Senate Human Services Chair Sara Gelser. D-Corvallis, who requested the report, brought the damning findings to Oregon's legislative hearing this week. Senator Gelser described how children were left in a home where they were bitten by rats. Gelser stated, "Those children are not safe." When this report is taken into account with other failures at that hands of DHS, Gelser stated that DHS is in, "a state of chaos and disrepair."

The report only dealt with 101 cases, which causes more concerns as there are several ongoing cases wherein complaints have been made against child caseworkers, but nothing fruitful has been accomplished, which is not included in the new report. One ongoing case is Christi MacLaren's, in Jackson County. After she reported to authorities the abuse that was disclosed to her by her daughter, Christi had her daughter ripped from her home and

placed with the alleged abuser - the child's father. Cori McGovern, the caseworker involved, claimed that Christi had "mentally abused" her own daughter after the father was cleared of sex abuse from a polygraph that McGovern chose the

questions for. McGovern never sought collateral reports from professionals who recommended Christi's daughter not have any contact with the father. McGovern's own claim that Christi had mentally abused her daughter was refuted by two passed mental health exams that Christi had to take, along with a letter from McGovern's own superiors at DHS. McGovern, in clear contrast to her superior's letter, still testified that if Christi were to be granted custody of her daughter then DHS will reopen a child abuse case. McGovern has previously been sued in a separate, but similar case when she took a young girl from a safe mother and placed her in a home where the girl was repeatedly raped. This cost Oregon Taxpayer's over \$1 million. More concerning is that McGovern still maintains gainful employment by DHS. She recently testified proudly that she's never been reprimanded.

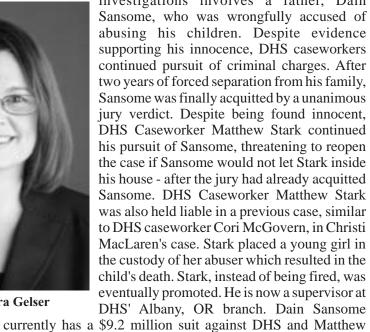
Senate Human Services Co-Chair Alan Olsen, R-Clackamas, and a champion of children, previously stated that he had concerns about, "the unprofessional way that DHS has handled many cases." He went on to address the Christi MacLaren case by saying, "I saw the bias that Cori McGovern (child caseworker) had." Senator Olsen has been instrumental in helping pick up the pieces that are left when

unaccountable DHS caseworkers ruin children. The recent report was internal and there was no author named or identified. According to an article in the Oregonian, "Andrea Cantu-Schomus, a spokeswoman for the agency, said the document was written by 'DHS staff' and finished in

February."

Senator Sara Gelser

Another case that highlights the inequities of DHS investigations involves a father, Dain



Stark. DHS Director, Clyde Saiki, has voiced deep concerns with his

own agency. He's told lawmakers that DHS' outcomes are



Senator Alan Olsen (center back) with a group of citizens concerned with DHS

unacceptable and a different approach is needed. However, back in October of 2016, Saiki said similar things when it was reported by Fox News 12 that "the agency [DHS] failed all 14 of the national standards for child safety and agency accountability." At that time he rated his agency's performance saying, "I would give us right now somewhere in the range of a 'C or C-'there's a lot of room for improvement ... I'd give us an 'A' for effort though.'

Saiki's apologist attitude that his agency isn't solely responsible for its own shortcomings has deeply affected

parents like MacLaren and the Sansomes, who have been or are embroiled in DHS cases.

In a statement given to the US~Observer last year, MacLaren pondered, "Why doesn't someone hold him [Saiki] responsible for the failings of his agency? I mean, they are ruining children and destroying families and no one seems to have any ability to keep them from doing it."

One of the major problems not mentioned within the new report is the training received by DHS' child caseworkers - a one month course with no licensing before they're off doing a job that greatly affects human lives. In one instance, Judge Grensky from Jackson County called child caseworkers, "the custody police", reaffirming the problem with accountability that exists within DHS.

In total, DHS has been hit with a large number of lawsuits in recent months totaling over one hundred million dollars in

One lawmaker stated that he would like to see some sort of licensing for each child caseworker, so a board can oversee complaints against them, independent from DHS. "That would be a good start," he proclaimed. He continued, "if we don't do something now, not only will many children be at further risk, so will our entire system. The lawsuits are real, and as the agency has stated - they are liable... how long can the taxpayer continue to pay for extreme negligence by DHS caseworkers?" As stated in the Oregonian, "The unnamed author (new

in the home.

report) identified common threads that ran through many of the faulty reports that deemed children safe. Social workers didn't collect enough information in many cases and failed to investigate beyond specifics of whatever allegation was made. In one example, a social worker talked to the alleged child victim, but not the six other children

"Many investigations encountered extensive delays and overlooked opinions of 'collateral contacts' such as relatives and teachers.'

Oregon is actively investigating three deaths of children, one as recent as January, 2017.

This new report is a grave reminder of the risks children face and the tragic consequences that can result when child caseworkers fail, according to Senator Gelser.

Sadly, many who have dealt with child caseworkers and others who are also child advocates, stated their biggest takeaway from this report was its lack of surprise.

Editor's Note: One thing is certain, with the failings of DHS caseworkers and the documented harm they do to children and families, the agency's leadership needs to step-up and start holding them accountable or face replacement.

Also, any and all caseworkers whom have been named in suits that resulted in either a settlement or a judgment should be terminated immediately. Our suggestion would be to start with Matthew Stark and Cori McGovern.

Parents Disagree With School Over ADHD Diagnosis -So Child Protective Services Kidnapped Their Son

By Annabelle Bamforth

(The Free Thought Project) - A couple from Ohio have found themselves in a troubling custody battle with Child Protective Services for reportedly rejecting a mental health diagnosis of their son urged by the school administration. The disagreement has turned ugly and parents Christian and Katie Maple say they have lost custody of their son over refusing medical treatment that they deemed excessive and unnecessary.

According to a report from Medical Kidnap and Health Impact News, the incident originated in February when the Maples were alerted by their son Camden's school, Bowman Primary School, that a "disruption" had been caused in class by Camden. Camden had allegedly remarked in class that he was feeling bad about himself and wished that he could be "erased" from the earth.

The Maples say that the school's counselor chose to follow up on the remark by asking Camden how he would go about erasing himself, and Camden responded that he would "stab himself in the eye with a knife." Christian then went to the school to retrieve Camden for a discussion at home about the

The Maples claim that they had a lengthy discussion following the incident. Camden said that he was feeling upset that day, but didn't wish actual harm upon himself and made the remarks to see what the counselor's reaction would be. Katie further explained that "The school thought we should have taken him to the hospital emergency room for a mental health evaluation, but upon assessing the situation and speaking to him at home, it was clear to us that he posed no threat to himself and just said it to get a rise out of the counselor. He has never said anything about harming himself prior to this incident or after. This was one time, one day...most likely repeating something he heard somewhere."

While the school had reportedly urged the Maples to seek an emergency mental health evaluation of Camden, the parents felt that they had properly handled the situation and chose not to send Camden to the emergency room for an evaluation. The school reportedly pressed the matter further, asking the Maples if they had taken Camden to the hospital and inquiring about what they had discussed with Camden.

The Maples said that the school contacted CPS after their conversation, and that this was not the first time either. Katie Maple provided the following context regarding how she and the school have clashed in the past over how to raise Camden:

My stepson camden is a very energetic and intelligent 7 year old. He tested a full grade level above where he should be! Camden gets very good grades, but he gets bored easily in class and acts out on occasion, like children sometimes do. The school thinks he is adhd, we as parents disagree. We believe that it stems mostly from boredom and not being challenged in the classroom. The school has tried on several occasions to get us to have him diagnosed, so that he can be medicated. We as parents do not have the problems the school claims to have with him, at home. We know how to deal with a rambunctious 7 year old, but the school is content with making him believe that he is a bad child, we disagree.

The school did not like us going against their recommendations and proceeded to call children services 4 ranging from physical abuse, neglect and no food in the house. and counselors to step in and assist in behavior-related We have no idea where these allegations came from, as we do not abuse our children and we have plenty of food. They were obviously completely made up. Cps never contacted us about these phone calls because they themselves admit that the calls were unsubstantiated.

Christian Maple said that he received a call from CPS after the incident at Camden's school regarding a report of neglect; he said that CPS requested a home visit to "investigate." Christian declined to grant permission to have CPS come into their home and said he reminded the agency of his 4th Amendment rights. Christian said he then received another call from CPS, about 2 weeks after the original incident, alerting him that he had a court hearing to attend that afternoon about the incident. "Upon appearing in court we find out that the allegations have now changed from neglect to a "dependent child" case," Katie said. "We find out that this is an 'Emergency shelter care' hearing later, we had no idea what we were walking into."

The Maples said that at this hearing, CPS sought to remove Camden from his home by claiming that the child has a mental disorder that requires him to be placed in custody of CPS. During this hearing, the court granted CPS permission to take him out of his family's care and into custody of CPS. Katie said that this was done with "zero proof of any such condition and zero proof of any parental wrongdoing."

A common argument heard within the public school system is

times over the course of the past year for false allegations that students who are victims of neglect need administrators incidents. This case appears to be a worrisome overstepping of parental authority; there is no evidence of depression or other behavioral issues in Camden provided thus far, and the Maple family appears steadfast in their dedication to handle any issue their son may face. Removal of a child from his home, which was once only conducted in extreme cases with hard evidence of mistreatment, is an action that holds drastic consequences for the entire family.

A hearing in the Maple family case was scheduled on March 23rd, and an adjudication hearing is set for April 20th.

"My husband and I have talked with lawyers, counselors, friends and family and everyone agrees that this does not add up and what CPS and the court has done is wrong and not typical protocol. They have no case for abuse or neglect and are now fishing for a reason to justify their actions. They have ordered my husband and I to undergo a drug and alcohol screening, random drug tests and a mental health evaluation," said Katie. "We have completed the evaluations. Our evaluator was thoroughly confused as to why we were even in her office and could not believe the situation that had brought us there. We have zero substance abuse issues. We do not do drugs and have never been accused of such. We have zero mental health issues. Why would they order us to do this? Again, another fishing attempt to try to find a reason for justifying their actions."

Continued from page 1 • When the Judicial System Victimizes Victims ...

who have been wrongfully convicted, there is another set of victims – the original victims of the crimes, and/or the families of the victims who once thought justice was served.

One of the most underreported effects of wrongful conviction is the affliction felt by a murder victim's family after being retraumatized by learning the wrong person was found guilty. Imagine that you entrusted the government to do the right thing, yet they framed an innocent and led you to believe their conviction was lawful. Next, you find out the prosecutor hid evidence that could have proved who the real killer was, which is what happened in Michael Morton's case out of Texas. Morton lost 25 years of his life while the public and members of his family thought he'd murdered his own wife.

Ken Anderson, the prosecutor who withheld exculpatory evidence (evidence that shows innocence), when finally caught, accepted a plea deal and was ordered to spend ten days in jail. He only served five days before being released.

What about the parents, children, and other family members and friends of the deceased wife in Morton's story? What about justice for them? They were fortunate as the real killer, Mark Norwood, has now been convicted for the murder that caused an innocent husband 25 years of his life. Unfortunately, other victims (murder) and thier families do not share the same outcome.

Opening up a chapter in the lives of victims' families that deals with potential scenarios like the real murderer roaming free can cause extreme pain and suffering, doubt, and a host of psychological traumas.

Some victims' families have gone on to meet with the

exonerated to apologize, also in pursuit of finding the real perpetrator.

Thomas Sowell said it best, "It is hard to imagine a more stupid or more dangerous way of making decisions than by putting those decisions in the hands of people who pay no price for being wrong."

Once prosecutors and judges lose their implied immunity (inability to be sued) there will be much more hope for the wrongfully convicted and the families of victims who are retraumatized.

As a taxpayer, I would certainly hope that each person concerned with government accountability would equally be concerned with helping exonerate the innocent, just as they would support the victims' family and the pursuit for the real criminal(s). Your tax money is wasted on wrongful prosecutions, incarceration, and costly compensation for mistakes made by those who rarely, if ever, pay a price for being wrong. Also, one should not forget the cost to reinvestigate these cases, some being decades old when discovered.

The first step toward freedom is knowledge! Understanding the effects of wrongful conviction is paramount to promoting a 'free' society. It is difficult to think of anything worse than the life of an innocent being taken unjustly. A great concern is that the movement for criminal justice reform will fall upon deaf ears... After all, we live in a society where someone burping on YouTube might just be more likely to go viral than this report. Let us change that - keep the cup of criminal justice reform half full by spreading awareness!

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U.S. withdraws funding for U.N. Population Fund



(Reuters) United Nations - The State Department said on Monday it was ending U.S. funding for the United Nations Population Fund, the international body's agency focused on family planning as well as maternal and child

health in more than 150

countries.

In a letter to U.S. Senate Foreign Relations Committee Chairman Bob Corker, the State Department said it was dropping the funding because the U.N. Population Fund (UNFPA) "supports, or participates in the management of, a program of coercive abortion or involuntary sterilization."

The cut marks U.S. President Donald Trump's first move to curtail funding for the United Nations and is likely to raise further questions about how deep those cuts will eventually go throughout the organization, where the United States is the top donor.

It comes after Trump in January reinstated the so-called Mexico City Policy that withholds U.S. funding for international organizations that perform abortions or provide information about abortion.

Known by critics as the "global gag" rule, Trump broadened its scope to include all global health assistance in his Jan. 23 executive order that withholds at least half a billion dollars in U.S. funds. A lack of clarity around the rule, however, has left aid groups scrambling and both Republican and Democratic U.S. lawmakers seeking clarity.

In a statement on its website, UNFPA said it regrets the U.S. decision to end funding, which it said is based on an "erroneous claim" that the agency supports coercive abortion or involuntary sterilization in China.

UNFPA said its mission is "to ensure that every pregnancy is wanted, every childbirth is safe and every young person's potential is fulfilled."

"The support we received over the years from the government and people of the United States has saved tens of thousands of mothers from preventable deaths and disabilities, and especially now in the rapidly developing global humanitarian crises," the statement said.

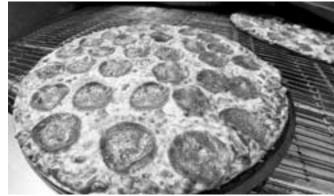
The cut follows Trump's proposed 28 percent budget reduction for diplomacy and foreign aid, including an unspecified reduction in financial support for the United Nations and its agencies, announced last month.

U.N. agencies such as the UNFPA are funded by governments voluntarily. The United States was the fourth-largest voluntary donor to UNFPA in 2015, giving \$75 million in core budget and earmarked contributions.

U.N. officials have warned that abrupt funding cuts could trigger more global instability and argued that dollars for diplomacy are more effective than military spending in combating terrorism.

(Reporting by Michelle Nichols at the United Nations; Editing by Bill Rigby) ★★★

Here Come the Pizza Gestapo



By Kevin D. Williamson

(National Review) - How many different ways are there to make a Domino's pizza? The answer might interest you.

It might also interest the Food and Drug Administration — at least, it should.

The nation's franchise restaurants are about one month away from the imposition of new nutritional-labeling rules dreamed up by the Obama administration, another gift of the grievously misnamed Affordable Care Act. For outlets of brands with 20 or more locations, that means posting signs in the shop with calorie counts for every item on the menu and for every variation on that item.

That's probably not such a big deal if you are, say, Raising Cane's, and your menu ranges from one chicken finger to 100 chicken fingers. It's a little different if you are a pizza shop, because pizza has a lot of variables.

Alot.

"We did the math," says Tim McIntyre, an executive at Domino's and chairman of (not making this up) the American Pizza Community, a thing that exists. "With gluten-free crusts to thick to hand-tossed to pan pizza, multiple sizes, cheeses, toppings . . . there are about 34 million possible combinations." He does a pretty good deadpan delivery: "That is difficult to put on a menu."

That's going to be a big sign.

Not that anybody is ever going to use it. The great majority of Domino's orders are placed over the Internet and almost all the rest are placed by phone. The number of people who walk into a Domino's outlet, look at a menu, and order a pizza is relatively small, representing only a few percentage points of Domino's customers. Other pizza chains see roughly the same thing.

So the signs are going to be largely

useless, but they're also kind of expensive, "Useless + Expensive" being the classic federal regulatory equation. McIntyre estimates a price between \$3,500 and \$5,000 per location. That isn't very much to a big corporation like Domino's, but the Domino's corporation doesn't operate all those Domino's shops: Those

are franchises, run by independent owner-operators. The profit margins are low, and five grand is a lot to put on a business that might only be throwing off \$40,000 or \$50,000 in profit a year. Or less: Franchise chains are pretty tight-lipped about what their stores actually earn, but if we assume a 5 percent profit margin, typical of such restaurants, and an average sales volume of about \$730,000, as reported in 2013 by the Motley Fool, then that's only \$36,500 per store, meaning that a \$3,500–\$5,000 sign could easily eat up a tenth of a year's profit.

What's especially dumb about all this is that the store signage is replicating information that is widely available on the Internet. Domino's, in fact, has a nifty little feature that no one uses ("very limited," McIntyre says, diplomatically) called the Cal-O-Meter, which totals up your order's caloric hit as you go. If you happen to be in that very small subset of people who both are very interested in Friday night's carb load and are determined to eat takeout pizza for dinner, there's an app for that.

There are lots of them, in fact. There are dozens of different smartphone apps (and smartphones are emerging as the dominant tool for ordering food deliveries) that provide nutritional data far in excess of anything required by food-labeling rules. There are even apps that turn your phone into a bar-code scanner so that you can get up-to-date information on every can of baked beans during your Saturday-morning Kroger run. The real problem in these early days of the 21st century isn't scarcity of information but overabundance of it.

Not that anybody cares, really. The sort of people who count calories and total up their daily carbs and protein and monounsaturated fats already moved

beyond government-mandated food labels ages ago. As for everybody else: There is basically no evidence that food labeling actually results in consumers' making healthier choices about their food. The belief that people who are given better information will make better choices is intuitively persuasive, but it does not stand up to empirical scrutiny. In fact, a study of McDonald's customers found that those who were provided with supplemental information about recommended daily caloric intake ordered lunches with 50 calories more on average than those who were not advised of expert opinion.

Similar regulatory backfires have been observed in mandatory labeling for non-food items, especially cigarettes and alcohol.

Domino's and other members of the American Pizza Community (seriously!) are asking for a delay of the rule's implementation. What's notable here is that they do not oppose the rule per se. They are all on board with disclosure. And, like most major industries, Big Pizza prefers one consistent federal regulation to a patchwork of sundry state and local rules, because it is cheaper and easier to comply with one rule than 598 of them. They have some complaints about how the rule is to be implemented, particularly about the fact that if a Domino's franchise operator with 15 shops is competing with a regional chain that also has 15 shops, the rule applies to him but not to his competition simply because his sign says "Domino's" on it.

But, mostly, they don't want to see their franchisees forced to spend thousands of dollars per location to put up signage that is of no use to anybody.

"It's a 20th-century approach to a 21st-century question," McIntyre says.

But Uncle Stupid is dead serious about this: Violating the new federal pizza rules is not a civil offense but a criminal one. A pimply-faced teen-ager who throws an extra handful of cheese onto a large Cali Chicken Bacon Ranch pizza could be thrown in the federal lockup for a year.

And you thought that zany Icelandic president who wanted to ban pineapple pizza had big ideas.

Kevin D. Williamson is National Review's roving correspondent.



By David French

(National Review) - If a New York nonprofit wants to speak about political issues, it faces intrusive and dangerous disclosure requirements.

When free speech threatens government power, government has a tendency to get curious about the identity and funding of dissenting speakers. This was true in the civil-rights era, when the state of Alabama tried to force the NAACP to divulge its membership lists. It was true during the Obama administration, when the IRS targeted the Tea Party for illegal scrutiny not merely by asking in some cases for donor lists but also by inquiring about the political activities of family members of tea-party leaders and the login information of tea-party websites. And it was certainly true in the state of Wisconsin, when law enforcement used terrifying dawn and pre-dawn raids to gather information about First Amendment—protected issue advocacy about labor-union reform.

But why threaten to batter down a door when you can just pass a law that batters away at the Constitution?

That's the state of New York's approach, and it's now facing one of the more important First Amendment challenges that you've likely never heard of. The case is called Citizens Union of the City of New York v. The Governor of the State of New York, and the law it's challenging is a sprawling, complex monstrosity that imposes extraordinary regulations on speech about political issues, not just in support of political candidates. In other words, if nonprofits want to speak about life, gun rights, tax reform, or any number of issues that profoundly

In New York, Big Brother is Watching Your Free Speech

affect American lives, they will now find state bureaucrats watching and examining their activities closely.

Like many campaign-finance or so-called transparency regulations, devilish government intervention is hidden within a labyrinth of details that even lawyers struggle to decipher, but the bottom line is that the law guts donor confidentiality when a 501(c)(4) — the kind of nonprofit at issue in the Tea Party—targeting scandal — actively tries to influence public policy. In other words, if it tries to reach 500 or more people in the general public and "refers to and advocates for or against a clearly identified elected official or the position of any elected official or administrative or legislative body relating to the outcome of any vote or substance of any legislation, potential legislation, pending legislation, rule, regulation, hearing, or decision by any legislative, executive or administrative body," then the law triggers extraordinary disclosure obligations.

Notice the incredible breadth of the law. If a nonprofit wants to advocate against even the position of an elected official (not even against their election or reelection), they're going to be forced to disclose the identities of every management official in the nonprofit, describe the communications covered by the law, detail the key financial arrangements that facilitated their communications, and then disclose all of the organization's significant donors (those who gave \$1,000 or more). The law even extends similar disclosure requirements to 501(c)(3) organizations when they make even minimal financial or "inkind" donations (such as office space or office supplies) to covered 501(c)(4) organizations.

The end result is a law that gives government and hostile members of the public a splendid way to monitor private citizens who engage in speech on matters of public concern. This gets transparency and accountability exactly backwards, and it degrades the sanctity of anonymous speech, a right that was critical to the founding of our constitutional republic and has proven critical to public reforms ever since. Transparency is a government obligation. Anonymity is a First Amendment–protected individual right.

While private citizens in the U.S. as a general matter don't face the same risks that members of the NAACP faced in Alabama in the 1950s, free speech still carries with it substantial and increasing perils. You name the hot-button political issue, and you can find people who've suffered from boycotts, job loss, harassment, and even physical threats (on both sides of the political aisle). We've already stripped anonymity from direct donors to political campaigns, but if the new message to our nation and culture is "you have free speech to address issues only if you're strong enough to deal with the consequences," then public discourse will tend to narrow into the lowest common denominator of inoffensive, irrelevant speech or remain the exclusive province of those few people willing to endure unacceptable risks.

Simply put, a robust First Amendment requires substantial protection for anonymous speech — especially speech about political issues. Indeed, "the First Amendment was fashioned to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people."

Supporters of the law will claim that they're protecting individual rights through provisions that give the state's attorney general discretion to restrict public disclosures when those disclosures "may cause harm, threats, harassment, or reprisals," but this does nothing to preserve anonymity from the government, nor does it protect a right of anonymity from the public. Your right is now a privilege, granted to you by the very officials whose positions you may be attacking and whose priorities you may be frustrating.

If I want to give money to support the cause of life, that's not the government's business. If I want to give money to support gun rights, that's not the government's business. Indeed, it's not anyone's business. In the name of transparency, New York empowers Big Brother. It also empowers hostile mobs. The government isn't protecting citizens from corruption. It's corrupting the First Amendment to protect itself.

David French is a staff writer for National Review, a senior fellow at the National Review Institute, and an attorney. $\star\star\star$

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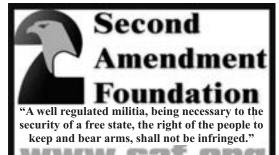
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The Thin Blue Line Racket 7 Cops Arrested on Federal Charges

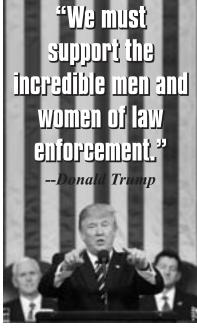


Release: Officers Allegedly Robbed Victims, Filed False Affidavits and Made Fraudulent Overtime Claims

By Ron Lee Investigative Journalist

Baltimore, Maryland - With President Trump imploring the US people to "support the incredible men and women of law enforcement" during his congressional address, the March 1st indictment and arrest of seven Baltimore police officers, on various federal racketeering charges, serves as stark reminder as to why many people don't trust law enforcement to begin with.

Statistics of crimes committed by officers of the law have rarely been assembled as there is literally no nationwide reporting requirements or data collected for research purposes. In essence, it is almost impossible to know just how many cops commit crimes themselves. In 2016, a report was received by the Department of Justice that relied on Google searches to provide information of crimes committed by officers from 2005-2011. The searches uncovered "6,724 cases in which sworn law enforcement officers were arrested..." but the researches admit the data collection "methodologies have thus far failed to produce systematic, nationwide data on police crime." In short, no one knows how many police commit crimes. But, based on the numbers in the 2016 study, roughly 1 officer in 1,000 are arrested per year. That's approximately 1,121 law enforcement officers arrested per year - and that's just REPORTED arrests. This doesn't address the overall amount of crime committed by those of the thin blue line. Just how many get away with their crimes? Is it a small margin as everyone in law enforcement would like the public to believe, or is it a larger problem



that is hidden from public view in order to keep the racket going? The public will never know until all of the great officers of the law

step forward and against those corrupt individuals who give ALL lawmen a bad name, as is the case in Baltimore.

Reported by a Department of Justice March 1st release:

"This is not about aggressive policing, it is about a criminal conspiracy," said U.S. Attorney Rod J. Rosenstein.

"Prosecuting criminals who work in police agencies is essential both to protect victims and to support the many honorable officers whose reputations they unfairly tarnish."

"As evidenced by these

"As evidenced by these indictments the FBI will continue to make rooting out corruption at all levels one of its top criminal priorities," said Special Agent in

Charge Gordon B. Johnson, FBI Baltimore Field Office. "Coupled with strong leadership by Commissioner Davis and his department, this investigation has dismantled a group of police

officers who were besmirching the good name of the Baltimore City Police Department."

"The police officers charged today with crimes that erode trust with our community have disgraced the Baltimore Police Department and our profession," said Baltimore Police Commissioner Kevin Davis. "We will not shy away from accountability, as our community and the men and women who serve our City every day with pride and integrity deserve nothing less. Our investigative partnership with the

FBI will continue as we strive to improve. Reform isn't always a pretty thing to watch unfold, but it's necessary in our journey toward a police department our City deserves."

As for the 7 officers indicted and arrested, they are reported in the release to be:

Detective Momodu Bondeva Kenton Gondo, a/k/a GMoney and Mike, age 34, of Owings Mills, Maryland; Detective Evodio Calles Hendrix, age 32, of Randallstown, Maryland; Detective Daniel Thomas Hersl, age 47, of Joppa, Maryland; Sergeant Wayne Earl Jenkins, age 36, of Middle River, Maryland; Detective Jemell Lamar Rayam, age 36, of Owings Mills; Detective Marcus Roosevelt Taylor, age 30, of Glen Burnie; and Detective Maurice Kilpatrick Ward, age 36, of Middle River.



Police Commisioner Kevin Davis

The report succinctly described their racketeering charges:

The racketeering indictment alleges that the police officers stole money, property and narcotics from victims, some of whom had not committed crimes; swore out false affidavits; submitted false official incident reports; and engaged in large-scale time and attendance fraud.

Police have a hard job, to be sure. It is made harder by those who choose to view the job with an "us vs. them" philosophy, perpetrating the myth that there is some sort of brotherhood that will have fellow officers turn a blind eye to their crimes.

The public needs more good officers to come forward to keep crimes like those committed by the Baltimore 7 from ever happening again. In fact, they need to come forward and stop ALL crime from happening in their ranks. It will be then, when the criminal few are rooted-out, that all within the thin blue line will have the public's due respect.

**

Continued from page 8 • 'Circuits' or 'Circuses'? ... Judicial Reform

First, Judge Helene White, although appointed by Bush, is really a liberal Democrat who was selected by Michigan's two Democrat senators as part of a deal. Jeffrey Sutton, another W appointee, wrote the court's opinion upholding Obamacare. Out of the seven remaining GOP appointees, only Alice Batchelder could be counted among the most reliable originalists with a few others leaning conservative, such as Raymond Kethledge. Another conservative, Danny Boggs, just retired, so at best his vacancy will be a wash.

Thus, between the liberal active judges and a number of other liberal senior judges in this circuit, it's hit or miss for conservatives in terms of getting a reliable three-judge panel. In fact, the far Left recently got a three-judge panel to say that transgenderism is settled law and helped promote Jill Stein's crazy recount in Michigan!

5TH AND 8TH CIRCUITS

The only two circuits that could remotely be considered conservative are the 5th and 8th circuits. However, even the fifth is not as good as its numbers would suggest. The panel certainly has its share of solid judges, with Edith Jones, Priscilla Owen, Jennifer Elrod, and Jerry Smith. But last year, conservatives couldn't even get voter ID past the full panel because a few GOP appointees joined with the Left.

The 8th Circuit is probably the best panel in the country. However, that makes the three vacancies on the court somewhat moot because they'd be better served on other courts.

THE BALANCE OF POWER WILL NOT SHIFT VERY SOON

As you can see, although there is much hype surrounding the more than 100 vacancies on the court, they will not swing the balance in terms of the circuits. Only 20 of the vacancies are on appeals courts, of which only 10 are Democrat seats, and many of them are on circuits that are irremediably broken or on the 8th Circuit, which is already good.

WANT TO TAKE BACK OUR SOVEREIGNTY? START BY BREAKING UP THE NINTH CIRCUIT

Rod J. Rosenstein

Moreover, the prognosis for the future is grim. Many Democrat judges will view Trump as anathema that they will not retire under his watch. A quick glance at the vacancy list shows that all five of the circuit court judges who retired since Trump won the election were Republican, as were most of the district court retirees. Thus the trend is not indicative of a host of opportunities to flip the balance of the circuits. Which is one more reason why we need wholesale judicial reform in addition to filling vacancies.

TRUMP MUST ACT SOON TO FILL VACANCIES AND DEMAND ORIGINALISTS IN THE MOLD OF THOMAS

Nonetheless, it is important that Trump not wait the traditional six months or so to start the process of filling lower court vacancies. While I don't believe it will fundamentally alter the balance of the courts, the better judges who are in the circuits make it more likely we will get lucky and have a decent three-judge panel for random, important cases.

However, if Trump is to make his appointments meaningful, he would have to depart from longstanding tradition that gives home state senators major input on nominees and allows them to potentially scuttle the nomination.

One of the reasons why we have many liberal judges from Republican presidents — such as Judge Robart, a W appointee — is because Democrat senators can "blue slip" any nominee from their state they dislike. Under Senate tradition, the Judiciary Committee will refuse to hold a hearing on any nominee that is officially opposed by the home state senators. This is why it's so hard to get even a marginally conservative judge approved from blue states, much less someone in the mold of Clarence Thomas.

Even in red states with two GOP senators, the judicial nominees often reflect a legal mirror

image of their political views, which are moderate at best. And in states with senators from opposing parties, Republicans have often cut deals to approve only those nominees who are acceptable to their home state Democrat senator.

The problem of home state RINOS and Democrats is further exacerbated by the fact that tradition tends to bind the president to maintaining state continuity in seats within a circuit court. According to CRS, just 13 percent of circuit court appointments since the Kennedy administration have changed state representation from the vacant seat. And it is downright mandated by law that every state has at least one judge on the given circuit court and that every nominee must at least reside within the circuit at the time of the appointment.

Consequently, if a president wants to fill a vacant seat from a state with a Democrat senator, he would be constrained by tradition from filling it with someone from a state with two Republicans, thereby avoiding a blue slip problem.

To begin with, it's so hard to find Clarence Thomases in this profession. The limitation of state allocation rules and blue slip obstruction are killers. This is why despite swearing every time we will do a better job "appointing better judges," we wind up with more Kennedys and Roberts on the lower courts. It's also why outside of the geographical areas of the fifth and eighth circuits, it's hard to appoint a string of reliable conservatives. There are three vacancies from the 3rd Circuit, for example, but it will be very hard to fill them with originalists given the geographical problem.

As such, Trump would have to expend as much political capital trying to "appoint better judges" in a meaningful way as he would by pursuing judicial reform. Yet the latter would actually solve the problem in the long run.

It's quite evident that we still need judicial reform, but in the meantime Trump would be wise to fill the vacancies aggressively on circuit courts and make it clear to Senate Republicans that they are to promote originalists with the same gusto that Obama used to confirm anti-constitutionalists.

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Vaccinated: The Side Effects of Blindly Following

By Joseph Snook **Investigative Reporter**

(US~Observer) - As someone who helps undue mistakes made by government, predominately within the U.S. Criminal Justice System, the knowledge I've gained over the last ten years since becoming a reporter is nothing short of horrifically enlightening. What I've come to realize is the U.S. Criminal Justice System is not the only antenna of government with flaw. Centuries ago, Lord Acton nailed it when he said, "power tends to corrupt and absolute power corrupts absolutely." As someone who's come to question the norm, I found myself watching "Vaxxed", when a good friend, who owns a Grants Pass, Oregon natural food store (Sunshine Natural Foods), sent me home with a copy. Thank you, Rob!

Okay, getting to the knitty gritty, knowledge is power, and informed decisions are almost always sought by those who want a healthy lifestyle. One important decision making process involves children and what we put in their bodies. Specifically, could the Measles, Mumps and

Rubella (MMR) Vaccine cause or contribute to autism in children?

Vaxxed predominantly deals with the MMR Vaccine, and its correlation to autism.

Here's the short list of what stood out for me while watching Vaxxed.

1. The Center For Disease Control (CDC) controls its own studies - no oversight. That smells fishy.

2. While being recorded without knowledge, CDC Scientist Dr. William Thompson stated, "I cannot believe we did what we did." This statement was in regard to the MMR Vaccine, children, and autism.

3. In the United States, a child is diagnosed with autism every seven minutes.

4. At the current rate, by the year 2032, 1 in 2 children will likely have some form of autism.

5. Several hundred billions, if not trillions in costs will be left to taxpayers (you and I) to care for these children as they age because of corrupted pharmaceutical companies, politicians and the CDC. I'll interject here and add, mainstream media, too. They have mostly followed \$UIT by reporting NO direct correlation between the vaccines and autism.

6. Dr. Rachael Ross, M.D. who spent years administering vaccines according to CDC standards stated, "It's ah, its really unbelievable how blatantly that data was switched around. It made me question whether or not this organization (CDC) that's been mandating how I practice medicine for the past ten years - but they're lying about this or leaving data out about

this particular study what else am I being lied to about?

7. CDC Scientist Dr. William Thompson wants for Congress to subpoena him so that he can legally testify about the egregious health impact on children and their families that stemmed

from his and others' "research" at the CDC. Congress has not subpoenaed him as of this publication.

Vaxxed hit hard when claiming the CDC, "deviated from the analysis plan, (caused) omission of crucial data, destruction of documents, obstruction of justice, misleading the



Congress, grievous harm to innocent children this has to be investigated!"

The film ends by prompting action from people like you and I. The actions that are needed according to the film are:

"1) That Congress subpoena Dr. William Thompson and investigate the CDC fraud.

2) That Congress repeal the 1986 National Childhood Vaccine Injury Act and hold manufacturers liable for injury caused by their vaccines (I would differ here and hold government accountable for allowing this to happen - they are the most culpable in my opinion and the only ones who can violate our rights).

3) That the individual (the triple 'cocktail' is currently administered and is reported as most dangerous) measles, mumps and rubella vaccines be made available immediately. 4) That all vaccines be classified as pharmaceutical drugs and tested accordingly."

Whether it be the Internal Revenue Service, TSA screenings, War, The Surveillance State, Human Rights, or whatever - I think we can all agree that the government is not faultless. Also, we, as a society are more skeptical now than ever of the control we forcefully submit to when big brother says, "it's for the greater good" which is often regurgitated by the mainstream media. Make an informed decision. Don't blindly follow - start coming to your own conclusions. Check your sources, and... don't take my word for it watch Vaxxed.

Continued from page 1 • Ray Spencer: How one man went from wrongful prosecution to exoneration ...

not really sufficient – an innocent man can still spend 20 years in prison. Call the US~Observer at 541-474-7885 if you ever find yourself in a predicament like Ray Spencer did.

In February 2014, a federal court awarded Ray Spencer \$9-million in a wrongful prosecution lawsuit (although he has yet to collect the money). It had taken him thirty years to get this verdict. In 2004, after serving 20 years in prison for crimes he did not commit, Washington's then Governor Gary Locke commuted his sentence to time served, when it was clear he had been framed. But the commutation was only the beginning of an incredible fight to win his life back.

Over the next ten years after leaving prison, Ray engaged in one legal battle after another, starting with exoneration. Even though he was not guilty of the crimes, the Clark County Prosecutor's office refused to cooperate and would not agree to exonerate him. Clark County lost this battle in the lower court; they lost at evidence! Now Clark County wanted to withhold exoneration? They wanted to keep Spencer in limbo as a registered sex offender for the rest of his life, even though he was innocent? I was

I looked around the courtroom to see if I could spot the man behind the story. My eyes lighted on the bald man in the blue sport jacket and crisp white dress shirt sitting directly in front of me. Could this be him? He seemed so calm. His arm was stretched out casually on the back of the bench seat. I noted the gold wedding band on his finger, and thought how amazing that this man was able to do twenty years of hard time, lose his children, and still find love again. My hunch was confirmed when Ray stood to leave the courtroom with his attorney, after the judges finished his case.

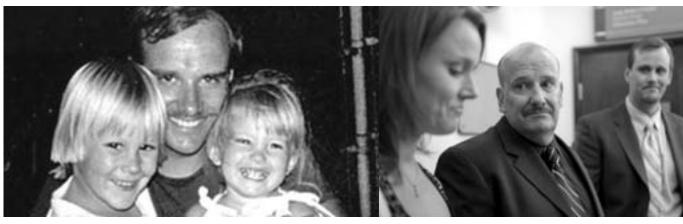
It took another year before Ray got the exoneration. Even though the Appellate Court upheld the exoneration, the Clark County Prosecutor insisted on taking the case to the obtain the US~Observer's help and uncover the corruption before Vancouver Prosecutor Josephine Townsend could put me in prison (see the US~Observer in 2010-11).

Another thing Ray and I have in common is that both of us have doggedly pursued the unethical police, prosecutors and Vancouver officials who tried to destroy our respective lives. It takes a lot to survive the terrorism of wrongful prosecution, but it takes even more courage to go after these criminals once you're free. Most people just want to be left alone after surviving these ordeals. Not Ray (or me). We want vindication. So when I learned that Ray had published a book entitled, "Memoirs of an Innocent Man," I just had to contact him. I wanted to learn the whole story behind this remarkable man, who survived so much horror... who reclaimed his children... who found love again... who was fighting back.. . and who was a kindred spirit.

Our conversation was brief on that day I called Ray. He answered the phone promptly. He filled

me in on some missing pieces such as the fact that he had finished a doctorate in psychology while in prison. His dissertation is on mental health in the prison system, something that he is passionate about improving. I told him that my own book about my tangle with Clark County is about to be published too ("No one calls me Mom anymore"). Both of us shared snippets of our horrendous journey as survivors, who know what it is to fight but also know when to

lay down the sword and enjoy the present moment.



Ray Spencer and his children, then and now.

appeal; and they eventually insisted on taking the case to the state Supreme Court, where they lost again. Why pursue Spencer with such a vengeance? Obviously they had something to hide, which will be explained later.

I first learned about Clyde Ray Spencer in July 2009 when I sat in a Washington State Appellate Courtroom, awaiting the oral arguments for my own appeal (a civil case involving a long history of my own wrongful prosecution by corrupt officials in Vancouver WA). My case had been delayed thirty minutes for an emergency, which my attorney Dan Lorenz found surprising. Normally the Appellate Court schedule is very tight and arranged months in advance. I decided sit in the courtroom and listen to the proceedings for the appeal regarding Clyde Ray Spencer, but I expected to find the arguments the usual dry stuff of legal pleadings and memos, etc. Instead I learned the incredible story of Spencer's fight for his right to be a free man.

Unbelievably I listened as the Clark County attorney made the argument that Ray didn't need to be exonerated because he was free from prison through the governor's order of commutation. Ray had been convicted of several counts of child sexual abuse with his own children and a stepson. The acts were considered so violent and abhorrent that Judge Tom Lodge originally sentenced Spencer to two life terms, plus 14 years. No doubt the severity of the sentence was also due to the fact that Ray was a police officer. But he was innocent of these crimes. Not only had Ray's children, now grown, come to his defense, but it was proven that detectives had not only withheld evidence at trial that would have cleared him . . .but they actually fabricated

Supreme Court. Once again Ray won. In October 2010, he was back in the Vancouver court that had originally convicted him, this time to plead not guilty and to have his case dismissed. Finally he was exonerated. . .six years after his release from prison.

Over the years since this appeal I have kept track of Ray, never meeting him but somehow compelled to know more. I read with great interest the occasional news stories describing his lawsuits as he forged ahead to reclaim his life and bring the true criminals to justice. It is from the news stories that I learned the tragic truth behind Ray's false prosecution. His second wife accused him of sexually abusing his children and her son. At the same time she was secretly having an affair with the police sergeant who supervised child sexual abuse complaints, Michael Davidson. Davidson supervised Detective Sharon Krause. It was Krause who would later fabricate evidence against Spencer. Clark County Prosecutor Jim Peters withheld a video of Spencer's daughter that would have exonerated him at trial. As this evidence was revealed, I was sickened to think that this man

and his family was destroyed and for what? I suppose my fascination with Ray's case is because it parallels my own. I shudder to think how I would have survived prison. Oddly our lives are synchronous in several ways. Both of us had to fight false prosecution by prosecutors in Vancouver, Washington. Both of us had exculpatory evidence withheld by government employees. Both of us suffered at the hands of police and prosecutors who fabricated evidence. And both of us had our families destroyed by this cruelty. But I was luckier than Ray. I was able to

WHAT'S NEXT FOR RAY?

On March 9, 2017 (13 years after his sentence was commuted) Ray was once again in court, the United States Federal Ninth Circuit Court of Appeals. This time, Sharon Krause, the Vancouver Detective who had lied about Spencer and concocted false evidence against him, was appealing the \$9million judgement.

Go to usobserver.com to see the video of the moment the judges voiced incredulity with her attorney's argument. Even though it had already been proven in federal court that Krause was guilty, her attorney claimed that she couldn't be held accountable for lying because she "believed" Spencer to be guilty. Watch as the judges voice their astonishment with this bit of legal mumbo jumbo.

Ray wants people to know that his fight for vindication is not all about him. He believes he has a purpose and that purpose is more than fighting for his rights or to regain his life. He wants to help others who face the corrupt system where prosecutors like Jim Peters and Detective Sharon Krause are free to create total fabrications and send innocent people to prison.

Kathy Marshack, Ph.D. is a psychologist who was the victim of wrongful prosecution. The US~ Observer helped expose the Vancouver city officials who tried to destroy Dr. Marshack. She has written a book about the experience to be published in 2017, "No one calls me Mom anymore."

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Continued from page 1 • Dishonorable Ronald Grensky, A Poor Example of a Judge



Christi with her daughter

Human Services (DHS) Child Caseworker, Cori McGovern, testified that Chirsti had mentally abused her own daughter. Christi had previously reported that Sean Lenzo (biological father) had rubbed, "magic cream" on her daughter's vagina in a really fast motion until bleeding/severe burning occurred – this according to her daughter. Next, the young girl reportedly claimed Lenzo took a picture of her vagina while it was bleeding, eventually showing her the photo as he laughed. This allegation, while cruel in nature, might not be "sexual" as originally reported.

Eventually the father was cleared by police after a sex abuse polygraph exam was passed. The test only included three

questions provided by Child Caseworker, Cori McGovern. Other forms of abuse, including torture - were never explored during the polygraph. Once the court-inadmissible test was passed, Child Casworker McGovern turned around and labeled the mother a "mental abuser", which Judge Grensky used to grant the father custody – the same person the daughter had identified as her abuser.

Apparently, the abuse has continued since Grensky granted Lenzo custody. Since removing the child from her protective parent, twelve new claims and documentation of child abuse and torture at the hands of Lenzo have been brought to the attention of authorities

none of which are sexual in nature.

It was reported that the daughter will not disclose these allegations to anyone other than her mother, as she does not trust the agency (Department of Human Services) because they "lied to her" by telling her she would be safe, then removed her from the very person she wants to be with - her mother, and placed her with the man she identified as the abuser. The child is also reportedly in fear of retaliation by Lenzo, not only against her, but her mother and her mother's family members, which was also reported. Instead, the brave six-year-old has asked to talk with Judge Grensky - to date, he has not allowed this.

Although the claim that Christi had mentally abused her daughter was later reversed by Cori

McGovern's own superiors in a formal letter, Judge Grensky's actions have shown that he'd rather believe a child caseworker who does not have the ability or credentials to diagnose. Not only would he believe the caseworker over her own superiors, he has seemingly taken the caseworker's word over Licensed Clinical Social Worker Victoria Bones, who stated, "I recommend all contact (daughter and Lenzo) stop immediately, including supervised visits." Victoria Bones has the ability to diagnose, unlike McGovern, who has a dark past (1, 2) as a child caseworker, having been sued for over \$1 million.

Finally, almost a year and a half later, trial for custody was initiated. Judge Grensky said there would only be a one day trial against the wishes of the attorneys involved. A one day trial that started on Jan. 19, 2017 has now turned into four days, scattered over several months. The final day of trial (if several more days are not necessary) is now scheduled for April 13, 2017.

Judge Grensky has clearly shown his lack of knowledge in this case, which was likely influenced by his own actions, allowing the trial to last several months. He has forgotten several key pieces of evidence and testimony, even apologizing at one point for his memory loss. His actions thus far have clearly demonstrated that he does not want to remove custody from the father, even in the face of overwhelming evidence, misconduct, and violation of orders by Lenzo to further keep the child from her mother.

One witness recently stated, "If Judge Grensky's actions in court are any sign of how he will rule, the mother will not get

custody..."

12 New Claims of Abuse

AGAINST LENZO

Sean Lenzo's picture from a dating site, titled:

An attorney who has read transcripts of recent hearings, but is not associated directly with this case stated, "Judge Grensky has violated nearly every judicial canon (code of judicial conduct) there is!"

Here are just a few violations named by the attorney:

3.2 ENSURING THE RIGHT TO BE HEARD

"A judge shall accord to every person who has a legal interest in a proceeding, or to that person's lawyer, the right to be heard according to law."

Christi MacLaren told Judge Grensky that her daughter wants to talk to him, and that she also wants the same. She stated this several times, saying that her daughter said she was told by Stacey Hubbard, one of the counselors that, "The Judge is the person who makes decisions." Judge Grensky completely ignored this testimony, denying the young girl her right to be heard which is now part of the court record. Judge Grensky also disallowed other witness testimony by initially saying there would only be a one day trial, preventing subpoena's for other witnesses that Christi wanted to testify.

3.7 DECORUM, DEMEANOR, AND COMMUNICATION WITH JURORS

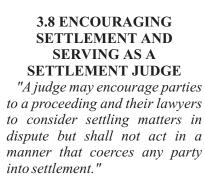
(B) "A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity..."

Judge Grensky stated there would only be a one day trial with

knowledge there were around twenty witnesses subpoenaed to testify. Since Judge Grensky did not allow proper scheduling, this trial will touch its fourth calendar month before it's likely resolved. His actions have been anything but patient according to what several witnesses and myself have seen. His rude demeanor, as referenced by comments at the Robing Room have also been very clear in this case. Judge Grensky has been extremely rude at times

to both parents' attorneys and the parents themselves. Judge Grensky's neglect of courtesy has also extended to several of the witnesses. After reviewing transcripts of this case, Oregon Senator Alan Olsen, a champion for children, referred to Judge

Grensky as an, "arrogant pompous piece of garbage."



According to direct witnesses, Judge Grensky has repeatedly pushed for settlement after settlement in this case. He has also done so on court record. This case is now approaching two years without resolve. All parties to this case reportedly owe, or have paid their attorney's a combined

"That's a joint not a cigarette" \$100,000.00 in legal fees, yet ge Grensky's Judge Grensky still pushed for settlement. Is pushing for settlement after settlement while clients pay \$100k in legal fees not enough to be considered coercion?



(2)(b), "Acting as a lawyer in the proceeding."

Judge Grensky has bordered on giving legal advice in this trial, if not directly providing it, and has asked more questions than one of the attorneys involved, Robert Good. Grensky questioned several witnesses over and over and over again...

Judge Grensky has made outlandish comments throughout trial, bolstering the belief that the father will retain custody when the evidence (two passed mental health exams by mother - expert testimony stating the child should live with her mother, and wants to live with her mother and her only other sibling -

and mother being cleared by the caseworkers superiors in a formal letter, disproving Christi as causing mental abuse) has clearly shown the mother should have never lost custody to begin with.

Sadly, it appears by Judge Grensky's actions that he will side

with an admitted meth and cocaine abuser, Sean Lenzo. Although Lenzo claims to have several years of sobriety, he was never given a urine analysis to confirm or deny drug use before he was awarded custody. Lenzo was in drug court as recent as 2012 according to records. Judge Grensky also has knowledge of these facts. Judge Grensky also knows the child's mother has a spotless record with no criminal convictions.

If you are a victim of Judge Grensky, you have a voice. Contact the US~Observer to see if we can help. If you have proof of any injustice committed by Grensky, you can also fill out a complaint form with Oregon's Judicial Fitness Commission.

If you are unfortunate enough to end up in front of Judge Grensky, I would suggest that you

would suggest that you DHS' Cori McGovern communicate with your attorney about your options to recuse him.

I've spent the last ten years reporting on criminal and civil cases across the United States. As a reporter working predominately in courts, it perturbs me to see a case like this. Judge Grensky is without doubt the worst Judge I've witnessed to date and the saddest part is, people like him are rarely, if ever, held accountable. I truly believe Grensky will rule in favor of Lenzo, thus causing more legal fees, another case added to his appeals record, and a child forced to continue living with her alleged abuser, and that injustice is what saddens me most.

Editor's Note: While some of the following information might be a bit repetitive, I believe this case and this helpless little girl to be important enough to add my first-hand knowledge.

Christi McLaren first began taking her young daughter to professionals in June of 2015, because her daughter disclosed to her that she had been abused by her biological Father, Sean Lenzo. Subsequently, her daughter was taken to a court appointed, LCSW, ACHP-SW, Licensed Clinical Social Worker with over thirty years of experience. This well qualified professional believed that this young girl had been abused and she went to the extreme of recommending that she have no contact with Sean Lenzo at that time. Caseworkers Matthew Brody and Cori McGovern totally ignored this finding and they kept this child with the very person she claimed abused her. For the record, this girl described to me long ago exactly what Sean Lenzo did to her. What she described to me is absolute abuse, severe enough to ruin this child. I promise both of these incompetent and "dangerous" caseworkers that this young girl's abuse is going to become an albatross to them - one they will find very difficult to rid themselves of!

IS THIS JUSTICE?

A trial commenced on January 19, 2017, in front of Jackson County Circuit Court Judge Ronald D. Grensky. It was originally scheduled for 2 days and then cut to one by Grensky. The trial did not conclude on the 19th. Grensky continued the trial to February 2, 2017. The trial did not conclude on the 2nd. Grensky continued the trial to March 7, 2017. The trial did not conclude on the 7th. Grensky continued the trial to April 13, 2017. We will soon see if the case concludes or if Grensky continues yet again. Christi's daughter is currently six-years-old, however, at one point in this trial Grensky stated her age to a witness and he was a year and a half off. Obviously, when a judge holds a trial one day at a time, with huge gaps between days, he gets quite forgetful of the facts.

Sean Lenzo has had numerous drug charges and has admitted on the record that he has used Heroin, Meth and Cocaine. Christi Maclaren has a spotless record, in fact, she supported their daughter for years without any financial support whatsoever from Lenzo. There has been more than

enough evidence provided on the record for Grensky to have concluded that this precious young child should be with her Mother, however, this poor excuse of a human being continues this complete charade, knowing that he is going to leave the girl with her "abusive" father.

Joseph Pulitzer once quipped, "Newspapers should have no friends, but seek the truth." The US~Observer takes this quote very serious. In the pursuit of this ideal, we assure all involved that each and every fact in this case will be made public and we also guarantee each and every player involved that their friends, relatives and

communities will know exactly and factually what they have done and not done regarding their lack of protection of this very special young girl and her exceptional Mother.

Logon to www.usobserver.com after April 13, 2017 for an update on this case.



Christi MacLaren

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Oregon Counties Fight Expansion of National Monument

By Karina Brown

(Couthouse News) Washington -Seventeen Oregon counties have challenged President Obama's 48,000-acre expansion of the Cascade-Siskiyou National Monument in southern Oregon, claiming the executive order prohibits logging the counties desperately

President Bill Clinton designated the Cascade-Siskiyou National Monument of 52,000 acres straddling the California and Oregon border on June 6, 2000. Eight days before he left office this year, on Jan. 12, President Obama added 48,000 acres to the monument, prohibiting commercial timber harvest inside it.

The Association of O&C Counties [Oregon & California Counties] claims the new designation violates a federal law that guarantees timber revenue to cash-strapped rural counties.

Congress put millions of acres known as the O&C Lands in the hands of the Oregon and California Railroad Company in the 1860s, but took it back in 1916 because the company was unable to sell all the land to settlers.

The O&C Act of 1937 directs the Bureau of Land Management to manage the O&C Lands as watersheds and regulate stream flow for salmon and as permanent timber production land for rural counties whose tax base is reduced by large swaths of federal land.

The Association of O&C Counties claims that 40,000 of the 48,000 acres Obama designated overlap with land regulated under the O&C Act, which directed that the land be managed as both watershed habitat and a source of logging revenue for the 17 counties represented by the association.

That directive is legally incompatible with Obama's order to manage the monument as part of the National Landscape Conservation System, which prohibits commercial logging, according to the Feb. 13 federal complaint.

The association says Obama's order violated the intent of Congress.

"The president may not, therefore, reserve those lands for a monument that prohibits the very sustained yield timber production for

which the same lands were previously set aside by Congress," the complaint states.

That's a conflict that has been dealt with in the past, according to Michael Campbell, public affairs officer for the Bureau of Land Management in Oregon and Washington.

A large portion of the 52,000 acres designated by President Clinton was also made up of O&C lands, Campbell said in an interview, and none of those acres reverted to management under the O&C act.

The association sued President Donald Trump, the United States, Acting Secretary of the Interior Kevin Haugrud and the Bureau of Land Management. It asks the court to declare Obama's executive order illegal under the O&C Act and directing most of the Cascade-Siskiyou National Monument to be managed again as O&C Lands, rather than as a national monument.

Campbell couldn't say whether it was possible for the BLM to revert to managing the disputed land under the O&C act because the agency does not comment on pending

Last summer, the association challenged the Bureau of Land Management's first update to the 1993 Northwest Forest Plan, claiming it prioritizes conservation over logging revenue which the association claims is also illegal under the Oregon and California Railroad Grant Lands Act of 1937.

That lawsuit is pending, with the parties arguing over whether to transfer the case from Federal Court in Washington, D.C. to Oregon.

The association is represented by Per Ramfjord with Stoel Rives in Portland in both cases.

Ramfjord said continued timber revenue under the O&C act is crucial for the economic survival of Oregon's rural counties.

"The income that these rural counties are due under the O&C Act has been their lifeblood," Ramfjord said in a telephone interview. "Measures taken by the federal government not only with this monument designation but also by the regional management plan are essentially causing these counties to suffer a slow death."

Supreme Court rules for flexibility in mandatory minimum sentences

(RT.com) - The US Supreme Court has unanimously ruled that courts have the discretion to decide whether a defendant has already been given a mandatory sentence for one crime when considering an appropriate sentence for another charge.

"Sentencing courts have long enjoyed discretion in the sort of information they may consider when setting an appropriate sentence," wrote Chief Justice John Roberts, delivering the court's opinion in Dean v United States on Monday. "This durable tradition remains, even as federal laws have required sentencing courts to evaluate certain factors when exercising their discretion."

The government had argued courts should calculate the appropriate term of imprisonment for each defendant and disregard whatever sentences already faced on other counts.

Advocates opposed to mandatory minimum sentences had argued for court flexibility. One group, Families Against Mandatory Minimums (FAMM), was surprised by Monday's decision because the court had seemed divided on the issue at oral arguments in February.

"I'm surprised it got there," FAMM Vice President Kevin Ring said, according to The Hill. "We're pleased obviously and I think it's a case where the court was reluctant to take sentencing discretion away from judges. To not allow a judge to consider mandatory minimum would have blindfolded him."

The case concerned Levon Dean Jr, an Iowa man convicted of multiple robbery and firearms counts.

Dean and his brother robbed a methamphetamine dealer in a Sioux City motel room. Less than two weeks later, they robbed another drug dealer at his home. During each robbery, Dean's brother threatened the victim with a modified semiautomatic rifle, later using the rifle to club the victim on the head. Dean ransacked the area for drugs, money and other valuables.

A federal grand jury returned a multi-count indictment charging Dean and his brother with a host of crimes related to the two robberies. Following a joint trial, a jury convicted Dean

of one count of conspiracy to commit robbery, two counts of robbery and one count of possessing a firearm as a convicted felon. He was also convicted of two counts of possessing and aiding and abetting the possession of a firearm in furtherance of a crime of violence.

Dean was sentenced to a little over three years for the robbery, but argued that his mandatory 30 years for possession of a firearm used in the furtherance of a crime of violence should have been enough.

Roberts ruled the Iowa district court was wrong in ruling that it could not vary from the guidelines range.

A focus of criminal justice reform efforts in the US has been centered on reducing the prison population at state and federal facilities over budget concerns.

Federal prison costs represent about onethird of the Justice Department's \$27 billion annual budget.

But reformers argue a significant way to reduce the problem would be to reform mandatory minimum sentences and that would require undoing laws.

To circumvent that obstacle during his administration, President Barack Obama resorted to granting clemency to 1,176 people who were sentenced to severe mandatory minimum laws passed in the 1980s and 1990s during the nation's war on drugs ...

Then-Attorney General Eric H. Holder Jr. put a policy in place in 2013 to ... no longer charge low-level, nonviolent drug offenders with crimes that impose severe mandatory minimum sentences. The policy change followed a 2011 report the assess the impact of federal sentencing.

The same year, the Supreme Court ruled in Alleyne v. United States that increasing a sentence past the mandatory minimum requirement must be submitted by a jury and found factual beyond a reasonable doubt. It increases the burden on the prosecutor to prove that the sentence is necessary for the individual crime by requiring that a mandatory minimum sentence be denied for a defendant unless they fulfill certain criteria.

Continued from page 1 • From Being Falsely Imprisoned to Defending Others ...

fabricated evidence. Detective Stephens received multiple letters of commendation for, "...the professional manner in which he

conducted himself..." while helping wrongfully convict Deskovic.

When Deskovic's civil trial came to an end, jurors awarded him over \$41 million. Deskovic stated, "I feel elated. The jury obviously saw that Daniel Stephens' testimony was not truthful."

What the jury did not know was that Deskovic had already entered a "hilow suit" wherein his award

would not exceed \$10 million if he were to be victorious. After court costs and lawyer fees (33%), Deskovic walked away with sixteen years of his life lost, and \$35 million less than what he was awarded by jurors who had no knowledge he wouldn't get the full amount.

Although he walked away with much less than awarded, his hopes were still high. Deskovic stated, " I feel like I finally got the fair trial I never got before."

With a hunger to help others, Deskovic eventually created The Jeffrey Deskovic Foundation for Justice which, "seeks to exonerate the actually innocent, i.e., prisoners who have no connection to the crime for which they were convicted." Since 2012, Deskovic has helped exonerate William Lopez, William Haughey and is currently working on freeing Lorenzo Johnson, an inmate who had his

sentence vacated due to insufficient evidence, and was then forced back to prison after the US Supreme Court reinstated his conviction on

appeal by Pennsylvania's Attorney General.

When asked why he is pursuing his law degree he said he believes he can better serve the people who need his help by being an attorney, saying he has current concerns with, "not being able to sit up front in the courtroom with clients and argue cases."

Now, Deskovic is roughly two years away from finally earning his law degree.

When accomplished, he will have hit another milestone in his life. He will be one of only seven known people out of two-thousand to practice law after being exonerated. Deskovic stated Jarrett Adams, Kian Khatibi, Marty Tankleff, Anthony Robinson (admitted to litigate at U.S. Supreme Court), Donald Glassman and Chris Ochoa are the few who've gone on to acquire their law degrees after being exonerated.

In a bittersweet ironic twist of fate, Deskovic attends Elisabeth Haub School Of Law At Pace University which is only nine-and-a-half city blocks from the courthouse where he was wrongfully convicted at age seventeen and also the place where he was later exonerated. Each day he passes the courthouse, it serves as a stark and personal reminder that the system is broken and there are innocent people in prison who need a champion.

When asked why he's so passionate about helping others, Deskovic stated, "I know what now wears a suit and tie in lieu of his "prison

hac vice!

Jeffrey Deskovic is a modern day hero who

greens." His outlook on life and drive to help others is something that should inspire all.

Editor's Note: Jeffrey Deskovic's case exemplifies why people need the US~Observer for wrongful arrests/convictions. If Deskovic had hired the US~Observer to conduct a thorough investigation into his case and force the facts upon all concerned,

including the public, Jeffrey



Jeffrey Deskovic - from convict to champion

it's like to be wrongfully imprisoned and I want to be the person that I wish I had on the outside back when I was still wrongfully imprisoned." A statement like this can't be fully appreciated unless vou've been where Deskovic has - behind bars and innocent. Deskovic is truly an inspiration to many who strive to have their voice of innocence heard from behind prison walls. He's also a role model to many who have had the opportunity to know him, and his story.

If he's not in class, then he's likely flying around the globe, shining light on injustice. Deskovic plans on mostly working on post conviction cases, with some civil rights litigation once he passes the bar exam. With his firsthand knowledge, it may not be long before he's traveling yet again, representing the falsely convicted from coast to coast - pro

Deskovic would have never been wrongfully convicted. Unlike the mainstream media which usually enhances the belief that someone is guilty simply because a police report says so, the US~Observer investigates, finding the facts and using the truth as a shield for the innocent. Relying solely upon attorney's in this day and age is like playing Russian Roulette with only one empty chamber. Taking the facts of your innocence public for the world to see is only part of what we do. Ensuring the innocent maintain freedom - that's our life's work -*541-474-7885.* ★★★

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Are You Facing False Criminal Charges?

Have You Been a Victim of 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:

Obtain conclusive evidence, investigate the accusers, the prosecutors, the detectives and then watch the judge very carefully. In other words, complete an in-depth investigation before you are

, 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

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If you prefer email:

editor@usobserver.com

over 4,500 cases to-date. Here are a few:

Dean Muchow

Charge: Gov't Abuse

Sto

Status: Cleared

"Your investigative reporting was instrumental in stopping the District Attorney's abusive attacks."

Victim: Investment Scam

Al Perelstein

Status: Compensated

"I can't thank you enough for getting our investment money back."



Victim: Employment
Discrimination

Status: Compensated

"You changed my life forever, and made me want to help others. You did what you said you would." Convicted: Murder

Reno Francis

Status: Released/Free

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



Sheila Rodgers

Charges: Felony

Grand Theft/RICO

Shawn Yoakum

Status: Dismissed

"My false charges were dropped when the US~Observer exposed the self-serving, crooked thugs who abused their authority and destroyed my company."

Charges: Sex Abuse

Jessica Morton

Status: Dismissed

"If it wasn't for the US~Observer I would have lost everything; my freedom, my family. You made sure that didn't happen!"



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