

VICTIMS OF A CORRUPT SYSTEM

Most Americans would be SHOCKED to know what goes on within our judicial, law enforcement and correctional systems across this country and I believe the time has come to shed some light on what happens in "Anytown, U.S.A" on a daily basis and has for many years! Here I have outlined my own personal opinions, beliefs, conclusions and personal knowledge and experience in regards to our criminal justice system in this country and the "war on drugs":

PROPAGANDA

The biggest reason that most people don't even have a clue what really goes on behind the scenes in our legal and criminal processes is due to PROPAGANDA! The message that is sent out through the main stream media is one of FEAR! And by utilizing such vehicles as "The War On Drugs", people are easily manipulated into believing that all that is done under the guise of "Protecting the People" is necessary, yet there is a deeper and more sinister effort going on that has nothing to do with combatting the drug use and trade in America and instead is a means to an end.

If a person watches the evening news and has never had the unfortunate experience of being touched somehow (either first hand or through a loved one) by the criminal justice system, they see a news story about a drug bust or something and automatically have passed judgement on the suspects and assume guilt and then cheer the police on when they are arrested.

While it is important for our "government" to take the steps necessary to ensure our safety and punish those who "harm us" (in fact it is one of the few roles our government was created for), there are legal boundaries that they are supposed to operate under to ensure our rights as citizens are not violated in the process. "Due Process", "Innocent until proven guilty" and "Probable cause" are not just terms that lawyers throw around, but are in fact supposed to guarantee that we indeed get a fair chance to prove our innocence and not be at the whim of law enforcement officials or have our rights violated!

I think most people believe that although there may be exceptions and that the system isn't "perfect", for the most part it is effective and the best in the world. But that is absolutely incorrect! People need to open up their eyes to the fact that although many other countries may actually kill people, our government enslaves it's citizens through the use of the correctional system and even through things like addiction!

THE WAR ON DRUGS = WAR ON U.S. CITIZENS

An overwhelming number of crimes that people are currently incarcerated for are victimless crimes or for drug related offenses! The system actually perpetuates drug use and addiction in many ways, for example, in the Pacific Northwest (Northern Idaho specifically) where the mining and timber industries (once booming) have been all but shut down entirely and with the influx of people moving there from

places like California, driving housing costs up and everything else - Long time residents especially have had a difficulty surviving! The minimum wage was at \$5.25 an hour up until just a few short years ago and if working in a position receiving gratuities (waitressing, tending bar) you could be paid as little as \$3.35 an hour and yet still be taxes on your income figured at a percentage of sales.

In Coeur d' Alene, Idaho where tourism and service related jobs are really all you will find (restaurant workers, bartenders, maids, hospitality, etc or some retail/sales) it is very hard to find a position that will cover your monthly bills thereby creating a depressed economy and community. There is a lot of money there, but it is held by the people who have a monopoly on business or part time residents who are "snowbirds" - with vacation homes or property holdings who are barely contributing to the community and yet because they are willing to pay higher prices like they are used to paying in bigger cities, they have driven housing and real estate prices through the roof!

So, some locals turned to drug sales and manufacturing many years ago in an effort to either sustain themselves and their families or out of desperation... Throughout the 90's and early 2000's there were, on every local news channel nightly, stories about "meth labs" supposedly being located on every corner and pamphlets were circulated to EVERY household entitled "Meth is Your Neighbor" which included a checklist for individuals to complete by watching their neighbors for any possible "signs" of manufacturing/selling/using methamphetamine. Examples of these "signs" were the lights being left on for extended periods, trash on the property or possible hoarding, cans of Coleman fuel or campstoves, posting No Trespassing signs, having the curtains/blinds drawn and not socializing with neighbors.

FEAR AND LOATHING IN IDAHO

This, needless to say, scared most residents and it was not uncommon to have elderly people frequently calling the police fearful, with their observations which led to many "raids" upon homes which oftentimes were unwarranted. Or one could report "tips" anonymously by calling a hotline and give whatever information they wanted which was usually followed up on regardless. Even the local grocery stores were given the responsibility of calling in a report after obtaining the license plate numbers if possible, of individuals purchasing things like Drano, coffee filters, Coleman and items such as cough syrup and cold pills were locked up and purchases limited and closely monitored.

Kootenai and Spokane counties were called "Meth capitals" in the news and many crimes and activities such as theft, fraud, dumpster diving, shoplifting, stealing mail, etc were almost always attributed to meth use. The message was sent out that most homelessness and mental illness was due to use of illegal drugs and to fear anyone who you may suspect of drug abuse! What did all this accomplish? A brand new market was created for a brand new business and lots of money being funneled into the area, but not in ways that were beneficial to the average citizen!!

New jails and prisons were built to accommodate the VAST number of people being charged with anything from *drug possession* to *manufacturing*, *frequenting a known drug house* and even *associating with felons*. Search and seizure laws were adapted to allow almost limitless power by law enforcement to access your home, vehicle and person. And with the implementation of programs like "**3 Go Free**"

where someone charged with possession could agree to work with the police and contribute to the conviction of 3 other people and their own sentence would be commuted or the charges would disappear along with the offer of paying thousands of dollars in cash to people for turning in someone for drugs helped to get MANY convictions. The thing is, despite the "*right to face your accuser*", these "narcs" were almost never identified or even screened for credibility. Simple **heresay** often led to investigation, arrests and convictions. And these "informants" were used over and over again, oftentimes to entrap someone without anyone having ever knowing they were involved in other arrests, maybe even their own on a previous occasion. Robberies, home invasions and even assaults and rape within the drug community were common because those involved in illegal drugs could not even go to the police when crimes had been committed against them out of fear of being told on for their own participation in using or selling drugs or because the police would disregard the allegations, even trying to force the victim into making statements in regards to drug activities.

What is quite interesting is that Idaho was one of the first states to have the DEA, Feds, working alongside the state cops and local city and county law enforcement. Several specialized "**Drug Task Force**" units were established and extensive training was provided in the Boise area that resembled the type used to train our military. There was a constant presence in the area of FBI and DEA and representatives from all 3 of the different state drug enforcement units as well. Other agencies such as Child Protective Services and even the schools commonly being used to aid in the various enforcement tactics as well and young mothers made an effective target by police because of how easily they would cooperate when they were threatened with the loss of their child(ren) if they didn't comply - so whether this person knew anything or not, it was forced upon them to help make arrests. There were as a result, random people at times targeted and set up and many homes raided out of a young girl's desperation and helplessness.

Although I do not have the exact numbers currently, if it is verifiable that the actual number of true "meth labs" in full operation that were busted were few!! All that was necessary for conviction was the presence of 2 or 3 "**precursors**" used in the manufacture of methamphetamine - which could be anything from cold pills, coffee filters, propane or matches to anhydrous, glassware, red phosphorous or pseudo-ephedrine. No actual seizure of the drug need even be made. During this time, there were no major busts with kilos of controlled substances either seized or being made... Most of the arrests yielded relatively small amounts by any other states' standards, yet under current Idaho state law - ANY detectable amount of controlled substance is a felony and that offense carries the same sentence regardless of the amount... up to **7 years in prison on a 1st offense for Possession of a Scheduled II Controlled Substance!** Even if there is no actual drugs seized, but an item was found with residue of any kind of the drug found on it, (for example a straw, mirror, pipe, scale or baggie) that qualifies as a possession charge. If more than one baggie is found of the drug, a suspect faces charges of **distribution and manufacturing** (a combined charge) regardless of whether there is any evidence or suspicion at all of selling or the production of the drug ever before.

It is important to note that in the state of Idaho there is no "**3 Strike**" rule, but instead they use something called "**Habitual Offender**" which enables prosecutors to request LIFE SENTENCES for anyone who either has ANY kind of previous charge in another state or when there are multiple charges against a suspect. This sentence carries "**20 to Life**"! Sadly enough, one of the common sayings in the area,

especially in certain groups of people is "**Come to Idaho on vacation - Leave on probation!!**"... If you're lucky - and it is amazingly enough, a very accurate statement.

THIS COULD HAPPEN TO EVEN YOU

The reason I am detailing all this for people is so they may see that it is not always so clear cut - A drug conviction is USUALLY NOT one that is only obtained after a long investigation or gotten for major drug activity, involvement or sales like is depicted by the media! **Controlled buys** are not always obtained by, as many believe, using marked bills and while under audio and video surveillance... Usually the SWAT team or DEA is NOT waiting in a van down the street listening on headphones while a drug deal involving large amounts of illegal substances is recorded and once the money is exchanged the place is swarmed with agents and everyone goes to jail except the one who helped them by wearing the wire!! This is Hollywood's version of getting the bad guys who in their version have millions of dollars and lots of guns and think they are business men - this depiction has just enough drama to get good ratings.

No, the truth is much less fanciful and the players are usually not so easy to hate or even distinguish good from bad. They range from the work-a-holic caught with a baggie of meth when it drops out of his wallet at a routine traffic stop, the occasional user arrested because they weren't carrying insurance on their vehicle and therefore their license was suspended and upon arrest paraphernalia is found, even the mom and/or dad trying to support their family after being laid off and are ineligible for unemployment due to working under the table or the college graduate who now lives on the street after losing his wife and kids because of his addiction and the pain it has caused who now has lost hope and the only goals he now sets for himself on a daily basis is getting high...

It could simply be someone who unknowingly gives a ride home to someone at work who happens to drop an EMPTY "bindle" on the floorboards upon exiting the vehicle and then is stopped for a taillight being out. There is NOTHING at all that has to be linked to that person driving and the paraphernalia found - no fingerprint test are done and 99% of time, there is NO drug test given the suspect by either police or at the jail upon arrest. So in the end, it boils down to the word of someone who is now suspected of drug use. That is exactly how easy it is for a person's life to be forever altered in a split second. And for those of you who think that that person would surely NOT actually go to prison (not jail) for that, especially with no history of criminal activity, a job, a family perhaps...

Well, I am here to tell you, **YES, THEY DO!** And it happens every single day...

WHO GOVERNS GOVERNMENT?

At one time I had within my possession, a set of 6 discs of data which included **The 1998 California Narcotics Officer's Handbook**, among other very interesting data and resources (like lists of vendors who sell surveillance AND counter-surveillance equipment, DETAILED instructions on how to produce

almost any kind of chemical street drug you can think of - including SEVERAL different methods to make meth and all the necessary equipment as well, and information about known mexican cartels and so on and so on). Upon studying this material, I was amazed at the degrees of subterfuge commonly used and legally permitted by law enforcement... The outright lies told and under what conditions the general rules that apply to secure our rights are no longer applicable or necessary to follow. Just for complete clarification, **I am NO LONGER in possession of ANY of this material** and as it were had just happened to stumble upon it in the first place in about 2002 when I was contacted about fixing a virus on someone's computer that had been somehow installed using these discs. Since then though, I have talked to many people about their own experiences and even students attending police academy training programs have told me that their training taught them that "**Every citizen is a potential threat or criminal - It is the job of the police to find out exactly what they are guilty of**"! I wonder how many realize that our police officers are being trained to treat **US ALL** as criminals?

And proclaiming your innocence does no good - Justice is indeed blind, but not in the ways you might think... It is **blind to the truth**! And the deals made between the offices of the public defender and the prosecuting attorney never are in favor of the defendant. Within our judicial system today, there are so many different ways that have been found to circumvent the laws that were meant to protect an individual in their battle for justice. **Miranda Rights** need not be read at the time of arrest and often are not even made known until after hours of detainment and interrogation and sometimes not even until a first court appearance. And while incarcerated in the Kootenai County jail, inmates are not able to file any legal paperwork on their behalf or permitted access to a law library. Generally It is recommended to waive your **right to a speedy trial** and so many wait months for resolution (in jail if unable to make bail and you are not released on OR) and almost never is a case taken to trial. **Conflict of Interest** does not seem to apply EVER - sometimes having your former public defender later be your prosecutor if a repeat offender and regardless of performance, any claims made for **Ineffective Use of Counsel** are never even addressed.

Although the judge always asks in the course of the legal proceedings that surely follow any arrest, if the defendant has been in any way **coerced** or promised anything in exchanged for his guilty plea -- It is almost laughable, because in nearly EVERY instance they have been! But to make that claim would invalidate the deal on the table and people fear that the worst possible scenario that has been outlined in greusome detail for them will indeed occur. Most never even begin to realize what exactly that "Guilty Plea" means and the inevitable consequences for having made this admission. The system is designed to promote fear and since most people do not know what their rights are or laws are being passed all the time that we are unaware of or are oblivious to - the tactic works! Combined with the looming threat of non-cooperation (like if you do not submit to search of your vehicle the threat of being arrested for suspicious behaviour and the mentality that if you having done nothing wrong you shouldn't have anything to hide) causes people to automatically comply with whatever is asked of them or stated by an officer of the law.

And as we all know or should, once a person is caught up in "the system", it is very difficult to get out. It is a system designed to make you fail with obligations that are at times as burdensome as a full-time job... **Drug court and Mental Health Drug Court** (options offered to many in recent years) can require a

person to be present 4 out of 5 weekdays for an average of 9 to 18 months or more without a conviction - and by missing 2 days it is at the discretion of the "panel" to terminate the program and send the person to (or back to) prison for non-compliance.

PRISONS ARE BIG BUSINESS

The other aspect of this that I know for a fact that most people are completely UNAWARE of and actually are under the wrong impression about entirely, is the money being made from people getting arrested and going to either jail or prison! It is wide-spread belief that it COSTS TAXPAYERS TONS OF MONEY to house and support prisoners and those incarcerated in county jails.... This is simply **A BLATANT LIE** and just another way to create resentment between people and separate us socially and by class or economics as well as garner support for more legislation!

The truth is, while the reports may document what it costs for each incarcerated individual in terms of shelter, food, medical, etc... What it does NOT openly make public, is the VAST AMOUNTS of Federal dollars and funds from outside sources that are being funneled into the system to INCREASE the number of arrests and prison population!! And that many prisons across the country are actual privately owned by corporations and not supported by taxes!

Again, in Kootenai county, Idaho a program was enacted a couple of decades ago call the "**Rider Program**" - This program was touted as a way for first offenders to be able to successfully get through the system and be able to pick up their life and go on to be successful, productive members of society. It was designed to only be used once - the first time a person was convicted, usually for drugs.

However, that is not at all what the reality of the situation is. Instead it is now used as a way to obtain a plea bargain easily and the **180 day "retained jurisdiction"** is often given to 2nd and 3rd time offenders, etc. "Participants" generally wait in county jail for up to 6 months AFTER sentencing for "a bed to open" and then are transported to the main prison down south for an evaluation period and from there go to a "**Rider Unit**" or for the men to "**Cottonwood**" (a militaristic environment where heads are shaved upon arrival and reveille is played at 6 a.m. at which time the men run courses like those found in boot camps) and while there, inmates have to "rat" (tell) on one another to successfully complete the program which is 6 months in length from the time they leave county jail. At that end of that time, they then go before the judge who they were sentenced by originally in their home county and the case is reviewed to determine their potential for being a probation candidate. If their judge deems them ready to reenter society, they are placed on probation for the remainder of their sentence (If sentenced to 5-20 years with a retained jurisdiction, they could be on probation for the rest of that 20 years).

At the current rate of **\$60 per month for cost of supervision fees** that each probationer must pay, that can add up to a lot of money coming into the **Department of Corrections - Probation and Parole** from just one conviction. And needless to say, one cannot be released from probation unless all financial obligations are met. I personally, call it residual income!! One way or another, they are going to be getting money for each individual who has become part of the system, whether that way or if they

re-offend and say are given another "rider" (which incidentally at one point was rumored to bring in like **\$67,000 per person** - for **180 days** of incarceration at a minimum security unit) or if they are required to go through a "**therapeutic community**" program (focusing on cognitive self change and also requires keeping each other "accountable" by "telling" on one another or else be flopped and have to do the entire sentence in prison) which originally was an 18 month program yet now runs between **9 and 12 months long**, supposedly qualifies for about **\$90,000** for each person.

So, WHY is the government PAYING for people to go to prison and the like? I think that's a valid question and it certainly deserves an answer - but I sincerely doubt we would either like the answers we most likely will never get anyway! Suffice it to say, it is in their best interest for such a large percentage of the population to be **FELONS!** Once a felon, a person cannot vote, carry a gun or most any weapon and their "rights" are basically stripped from them forever or at least until one can afford to take the case before the judge and petition for certain rights to be reinstated, however that is not even possible for 5 years after released from probation or parole. Not to mention, how difficult it is to get a job or even a place to live with ANY kind of criminal background history, even a simple misdemeanor in most cases anymore! How easy it is to control us then and keep people on that never ending cycle of dependence upon the government. If they try to stand up and challenge the powers that be, they can easily and swiftly be dealt with by claiming in the interest of national or public security, and then the government could very easily round up the felons and imprison them with the public looking on with relief, thinking they are now safe.

MY OWN PRIVATE IDAHO

I spent 14 years living in North Idaho from 1993 to 2007 and during that time I saw and experienced a great many things, including a deeply imbedded corruption that spans the entire system and effects a vast number of people. My guess is that 1/4 to 1/3 of the population in that area are now classified as felons! Some for "crimes" such as receiving **3 convictions of "driving without privileges"** (although they are no longer putting people in prison for that but they were as recent as 1995) but mostly for drug related convictions. There was no apparent concern for the individual or in getting help for the addicted and combatting the growing very real drug problem in the area!

And there was absolutely no way to fight the system that has been in place for so long, with Public Defenders aspiring to and often becoming Prosecutors and legal requests such as changes in venue or reappointment of counsel never approved. Children taken from the home and placed in foster care without requiring the proper protocol be followed such as interviewing or even notifying a parent, let alone having them properly "served" and given the opportunity to appear in court. It seemed as if no rules applied - with **12 year olds** being convicted of **Felony Delivery** charges for a "bud" of marijuana that was "reportedly" handed to another kid, **illegal searches** in the schools and unbelievably, **3 hour long interrogations** by police without parental consent or knowledge and with NO representation for the minor child and then with the subsequent court proceedings held in **OPEN PUBLIC COURT!!**

I personally was present for this case and it was open to the press and anybody else - no behind closed doors proceedings common in juvenile cases and when **Judge Morano** said in a packed courtroom that this 12 year old girl needed to "**give up**" the name of the person she got the marijuana from at the next scheduled court date or she should "**Bring her toothbrush**" because she WOULD be going to jail and single mother was berated for bartending by the prosecutor, **Barry Black**, after he claimed incorrectly the child was a delinquent - all this was at her arraignment!

Efforts on the part of business and especially real estate companies were made in surprising ways like pooling their resources to buy equipment for the police (such as a heat sensor or thermal sensing device) to help them obtain more drug convictions - This happened as a result of housing sales numbers dropping because people were afraid of buying a home that was a "former meth lab" and there were limitations on building new homes with so much land having been bought up and resectioned and selling at 400-500% profit.

Although we saw the effects from the housing bubble nationwide, this was an area whose Real Estate landscape particularly changed overnight. In just over 3 years, a single family starter home with 2 bedrooms that previously sold for \$60-80,000 in downtown Coeur d' Alene sported a price tag of well over \$400,000 in the early 2000's, yet salaries remained relatively unchanged and no major companies made their home base there and survived and no industries were developed - In fact just the opposite was true, with all but a couple lumber mills shut down and mining in the Silver Valley reduced to the bare minimum but having very low pay and unsafe working conditions.

Very little was ever done to build the economy and put people to work making decent wages. Downtown in the historical part of Coeur d' Alene is the only area that a small business or shop would have been able to make it, but since **Hagadone Corp** (owner of the **Coeur d' Alene Resort**, **The Press** and major real estate holdings, etc) owned practically ALL of downtown, it was (is) impossible for any kind of mom and pop's business to ever compete!

According to current reports, use of methamphetamine has gone down, but now the concern is for teenagers who are using heroin and are hooked on pills... It seems to me that all efforts are put into creating an environment for addiction to flourish and even other criminal activity allowed to perpetuate the problem and therefore necessitate more money and more facilities and more manpower needed in the form of law enforcement personnel... rather than trying to help people to improve their lives and find a way to live drug free and start over fresh.

EXILE NATION

Charles Shaw who is from the Northwest has written a book and made a film entitled "**EXILE NATION**" and is championing for awareness and change in regards to this topic after spending a year in prison for drug possession. He calls himself a "**POW of the drug war**" and feels that it is his duty to fight back.

With "**Exile Nation**", Shaw says, he "wish[es] to change the conversation about drug use and abuse, crime and criminality, justice and injustice, and the roles of cognitive liberty and religious freedom."

The War on Drugs, he says, is "a mind-boggling crisis that affects every sector of society." In Exile Nation, Shaw builds the case that the War on Drugs was less about trying to stop the trafficking of illegal substances than it was about maintaining social order in our country.

"If you can find a group that you want to prevent from accessing the benefits of the system, then you'd have to find conduct they all engage in, and criminalize that conduct," criminal defense attorney Alexis Wilson Briggs says in the film. You can find out more about this groundbreaking project at:

exilenation.org

THE NANNY STATE and GAINING CONTROL OF THE PEOPLE

My intent is not to advocate drug use here, by any means -- Addiction is a tragic disease that tears down a person's spirit and tears families apart at the very least. What I am addressing is the way our government and the current system uses things such as this to destroy people's lives and further it's own agendas and maybe even make a buck in the process... All the while creating fear and wide spread panic throughout the country by putting a particular "spin" on events in a way as to get a desired result!!! THAT IS WHAT I TAKE SERIOUS ISSUE WITH! And it won't stop with these examples, right now, there are groups pushing for laws that will force parents to have their children implanted with RFID chips and are using the the large numbers of missing children and child abduction and pornography/sex ring trades to try to accomplish this.

While we should be reinforcing the parents role in their children's lives, building up the family unit so there is TRUST and openness between them and respect for rules that are there to protect them and hopefully reduce the chances for these atrocities to occur... Instead the position of the parent is being undermined and thwarted more and more every day and kids are encouraged to rebel and even "turn in their parents", etc... and to turn to school counselors and official advocates and when they do the information garnered is often used to tear the family apart.

These "powers that be" do NOT want us to be healthy, happy and free thinking, creative and productive members of society geared towards offering opportunity to those willing to work for it--- They want us to be vulnerable and unable to fight for ourselves, provide for ourselves or think for ourselves and with our spirits broken and without hope so they can more easily take control!

...Are we going to let them?

IF NOT NOW, WHEN?

Without going into a great deal of personal details, I can tell you that all these things I have written about are either known to me personally through first hand knowledge or by having been in situations and/or places to be privy to certain information and events... NONE of this is over dramatized or embellished and in fact there is MUCH I have left unsaid!! Thankfully, my life is now so different and much time and distance has passed from then to now... For a very long time I have wanted to somehow make at least some of this known and available for the public to research and become informed about, however I was fearful of the possible retribution to myself as a result. I am a very honest person and always have been, but facts are easily twisted to distort truth when people bring **Light** into dark places and I have not wanted to make an already challenging situation even more difficult or even impossible.

However, I feel that the time has come for us to stand up and stand strong for TRUTH - shouting it from the rooftops if necessary and doing that regardless of what harm may be done to ourselves in the process! I have a deep and an abiding FAITH in God and know that when I stand on the side of righteousness and when I fight for truth, it can never be wrong. If **ONE SINGLE PERSON** is somehow helped or **ONE WRONG TURN CAN BE AVERTED** from me speaking out - Then it is **WORTH THE RISKS TO MYSELF!!** I hope and pray that others feel the same conviction and can find it within themselves to stand along with me - ***For God is faithful, even until the end of time and we are never alone!***

By: ***Brenda Herring***

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