

Incapacitation is the Goal in a sentence like this... Judge Edward J. Jones 7/20/04

At the age of 9, I was removed from my home and signed over to the State due to a life altering traumatic experience, that not only affected that moment in time, but the next 34 years when only after awareness of self and purpose, did I find True Reform.

In between those two events, the State of Oregon found a way to not only profit from my misery and misdirection, but also found it necessary to label my pain and confusion as a 'Personality Disorder' with a propensity for violence in order to gain an indictment on a previously unindictable Assault IV DV involving an ex-girlfriend who for 7 years had hid alot of my flaws and provided stability where none existed only to be mistreated and unappreciated while my life choices centered arounding my shame and indecision with alcohol and excessive gambling, along with avoiding or sabotaging any form of social interaction that required trust.

At every stage of growth and development I was that 9 year old and either in some form of state supervision, in and out of

Evaluation centers, court, and upon tuesday 18
the Pen.

After tuesday 28 in 2002 I'd been off parole
for 2 months and had relocated to California to
distance myself from the on going cycle of
dependence on everyone but myself.

Before relocating an altercation occurred while
intoxicated between a family member and myself
that although victim initiated, resulted in a self de-
fense Assault I after a board was used to
stop the fight of Siskos.

After relocating to California Tladon I had
established some healthy relationships gotten into
spirituality and got hired with a company doing
city work in Utah until my flight could get
confirmed due to a placed license after an
indictment was granted on Siskos regarding the
Siskos Assault.

I contacted the Mult Co Cir Ct and set an
arraignment date on two occasions.

The last being 11/3/03.

I visited Portland from 12/24/02 - 12/31/02 and
returned to Sac for New Years plans but returned
1/4/03 but could not reschedule with the Ct.

Upon returning, I stated with an ex acquaintance who told me about a labdog robbery that occurred. After leaving her house on the 7th an investigation began by a GPD Det.

I was then implicated by this ex after being asked to come to the station after not picking me in a photo threaddown.

On 1/19/03 I was traffic stopped and arrested for the Siskiyew Assault, and haven't seen freedom or justice since.

Due Process does not mean Used Process especially in the State of Oregon where minorities and poor are second class citizens who simply feed the economy by becoming product by the Cts and warehoused and consumed by the ODOC.

To achieve this the st has put in place Bm-11 which is a mandatory minimum sentence for certain Felonies ranging from 70-90 months dependent on class B.

Prosecutors based on that floor simply agree not to run charges consecutive if defendant's plead guilty and accept the already mandatory minimum.

Ct appointed counsel are essentially agents to ensure the deal gets signed regardless of the proof or evidence and due to this are in most

Cases incompetent at providing effective representation
I made it clear that I was exercising my right
to Jury trial, to face my accuser, and to be found
guilty or not guilty beyond a reasonable doubt by an
impartial jury.

None of those things took place.

Initial Counsel attempted to withdraw twice, both
the day before trial on the Assault I. Although she
had notified the ct that "He wants to go to trial
on the Assault I case," I agree with him, "He does
not want to waive his 60 days," I have not
asked him to. Vol 145

Then claimed an impasse as she did not know
how to advise me since the state intended to
not proceed to trial and instead was going to
reindict and include a death sentence sentencing
statute (ORS 161.725) in the indictment and pursue
that if there was a conviction.

ORS 136.765 states "the Prosecutor need not
plead sentence enhancements in the indictment."

State and Federal Constitutional law also
prohibits this action. Wagbe and Alord
Torres along with Appendix

Yet on this false premise, in retaliation for
taking false accusations of robbery and legally

Justified Assault to trial, I did not get a forced Judge trial. of a dismissed indictment for 16 months resulting in a 280 month sentence involving 3 Bm 11 sentences and a Robb in the Prosecution fabricated to discredit an Alibi witness to the Aboloo Robbery that provided no physical evidence tying me to those events.

The ability to address this illegal and blatant violation of Due Process has been undermined in the same manner as the defense through collective double speak and misdirection, while the subsidiaries of the big business prison industry collect fees and charge petitioners to not review the claims or to have Post-conviction counsel exclude key documents and issues and then withdraw after refusing to depose or obtain affidavits from trial counsel when raising I.A., Original documents not turned over, and an alternate theory by the State through the AG's office.

While attempting to address the legal aspects DC warehouses people while providing programming that is limited to a pathfinder course that is only in place as it is federally funded and allows the St to pocket profits while giving the impression of rehabilitation. The true awareness for me was through

A volunteer supported A1. Group facilitated by an individual that drove 3 hrs round trip every Tuesday to have an hour meeting.

This class was self initiated as I did not qualify for Educational or other institutional programs due to the length of sentence I'd simply be placed on a waiting list, they'd say.

The higher education I'm getting is through bi-mail courses

Several years of clear conduct meant nothing when a transfer was requested to work in OCE and to continue my job skills training that involved CNC operation in the workshop.

I'd read once a change of management occurred I accepted a different position as a photographer only to be program failed for requesting a refund after not receiving items paid for at a fund raiser held by Activities staff (who had a documented history of fraud).

My honor housing was changed, loss of level and refusal by the grievance coordinator to investigate witnesses and physical evidence.

The relocation to a high stress environment which involved a trustee officer who felt it necessary to disrespect and abuse his position in an attempt

to establish Authority, focused on me including cell
in's on MLK Day for Allowed Activities.

The next day I received a Denial of Review from
the Oregon S. Ct. of a Mandamus filed 11/28/10
requesting immediate release to which the AG's
office did not file an opposition to.

While attempting to notify my family of this set
back the clo chose to call me in for a quick round
Allowed Activities.

My reaction now has me facing more time what
the whole process was to give this illegal sentence
back.

So as a result personal property was destroyed
and I was transferred finally but to a different
Seg. so my family could not visit as easily.

At the time of this writing I'm housed in
Imu and based on my charge of Staff Assault
can not work or program although no rule violations
have occurred since that 11/17/10 meltdown.

Imu is considered a program so it's required
that AIC's complete packets involving reading and
writing responses to the information provided.

Rating from AIC's management to getting out of
far out way.

This Extended Segregational has been labeled

As a program only in that Doc gets funding for such a designation although still maintaining mandated minimums that the previous administration had decided to be a determining factor as to whether certain States would continue to receive funds.

Although a "personality disorder" was claimed to get indictment and misjoinder unneeded matters, it was abandoned by the State after the judge struck that language from the indictment but left the matters joined for trial which forced waiver of jury entirely.

I've yet to receive any evaluation by Doc to see if this claimed disorder has regressed, worsened or actually existed.

The reactive response to threats, harassment and disrespect while in prison has been labeled by the DA's office to be deliberate cruelty while the fact that my illegal incarceration for 14 years goes unchanged and is simply deemed as a matter for the Ct's.

I compare it to the Cleveland Police charging Ms. McKnight with destruction of property for kicking out the screen of door to a hell they faced for 10 years, in order to free themselves. What has happened through this blatant

Disregard of human and civil rights is that I've found my passion and purpose to not only expose the flaws in this system, but to actually advocate for, and bring about change in a manner that DCA claims to base its motto on but frequently neglects to maintain, Accountability?

I've found that many of the organizations that are in place including the Oregon ACLU claim to advocate for rights, but when notified of the corruptive and violative abuse of the grand jury process by DCA simply state that they don't get involved with individual violations of civil rights. And even though I've provided documented proof of multiple interactions, they should be to many.

Oregon did just pass legislation to require grand jury proceedings to be recorded leaving only Louisiana to not do so.

However, the damage has been done for many who by exercising their constitutional right have been retaliated against with little knowledge or skill of how to prove it.

For 5 years my case was up for review under direct appeal only to be affirmed without opinion. 5 years on post conviction review only

to be Awarded and now will finally receive federal habeas review after being filed in 2015.

In the meantime the State continues to collect money off my illegal confinement and years I can not get back no matter the outcome.

Relationships have been lost and abandoned due to absence and uncertainty.

All due to an intentional disregard for principles of policy and procedure to gain a conviction by any means, with the awareness that appellate review would not question these actions as it would shed light on an economic model that is too big to fail and too challenging.

My experience is not an isolated event as coming to Imu allowed the opportunity to meet others who by the design of this same DDA, attempted to exercise their rights only to be out maneuvered by a crafty and vindictive prosecutor.

In one case the victim notified her she did not want to pursue charges so the state claimed that the def. forfeited his right to cross examine. Although the DA did not subpoena the witness. Resulting in a 10 year sentence and the same cycle of I.A. from per counsel.

When it's by design who questions the blue print if not the architects?

As long as the tenants continue to pay the intentionally inflated price of life experiences lost in exchange for economic gain there's no need to provide an exit.

Mandatory minimums not only provide an imbalance in the adversary process it guarantees a 7 year profit in the name of safety while the lost souls are further harming the community by the absence and bitter mindset that no incentives for change provide.

I know I'm innocent and justified which has been my motivation to keep fighting not only this conviction, but to add to my own conviction to hold this system up to the light and expose the counterfeit production labeled as Justice.

People have to want to change once aware of their flaws. If able to stay numb, medicate or see only the things that frustrate you there is no urgency to change as the tools or true incentive are not available.

It took a metaphoric death by incapacitation for me to not recognize the person the state

created which at times made me question if the Constitution applied to me or my kind.

It applies, but the people in position to ensure it's done in accordance, including myself, failed to interpret its protections correctly.

There were 5 plus different violations of clearly established statutory and constitutional law and had I not been misrepresented by ineffective counsel I'd of been home 12 years ago but without a story and true purpose.

I signed up for this status by my lifestyle that made me an easy target for a system that feeds off of confusion, misdirection and inability, while failing to provide access to a remedy in the name of profit.

Had the Court paid any attention to the facts of the case instead of a JDA's opinion of a 'personality disorder' he'd have seen I was incapacitated at 9 years old his illegal conviction gave me life and meaning in stacked sentences.

True advocacy would come from allowing defendants to immediately challenge IA of counsel instead of strategically classifying it as an issue for post-conviction which allows the state to warehouse a wrongfully convicted

PERSON FOR AT LEAST FIVE YEARS WHILE UNDER DIRECT APPELLATE REVIEW THAT IS STATED, RESULTS SIMPLY IN THE APPELLATE CT RUBBER STAMPING THE PETITION.

THAT IS NOT REFLECTIVE OF 'GOOD WITH JUSTICE' AND SIMPLY ALLOWS THE SIXTH AMENDMENT VIOLATION OF RIGHT TO COUNSEL TO TRANSITION TO A DUE PROCESS VIOLATION ONCE APPELLATE COUNSEL IN COMPLIANCE AND COORDINATION WITH THE STATE, UNDERMINES YOUR VALID CLAIMS.

IN MY CASE THE INDICTMENT WAS RULED DEFECTIVE REQUIRING DISMISSAL AND EITHER REINDICTMENT OR APPEAL (ORS 135.670) INSTEAD BECAUSE COUNSEL DID NOT NOTIFY THE CT IT WAS REQUIRED TO DISMISS THE APPELLATE ATTY'S FOR THE ST SIMPLY CLAIMED BECAUSE COUNSEL DID NOT DO SO THE APPELLATE CT COULD NOT CONSIDER IT, ONLY TO HAVE THE PCR CLAIM THAT COUNSEL WAS NOT INEFFECTIVE FOR NOT DOING SO. LAW IS NOT BASED ON SHIFTING THEORIES BY CRAFTY STATE ATTORNEYS WORKING TO PERPETRATE A BOTTOMLINE NOT JUSTICE.

AND I'M LEFT TO FIND SOLACE IN THE FACT THAT IT JUST DIDN'T HAPPEN TO ME? THAT'S NOT MOTIVATION TO RESPECT THE PEOPLE IN POSITIONS OF AUTHORITY THAT'S ENOUGH TO GIVE A STATE MAN A PERSONALITY DISORDER WITH A PROPENSITY FOR

bitterness.

Fortunately through the volunteer services and self initiated efforts for understanding it was revealed to me that I'm powerless over Vindictive Prosecution, that a power greater than the state can restore my right to liberty, and made a decision to turn that will for my life over to that power while having the courage to change the things I can, which in this case is people's uninformed belief that a Court of Law is a Court of Justice.

It is a processing plant that takes lost souls and makes their body and freedom match in the name of profit by incapacitation as a motto, not reform or redemption.

But that's just the view from a second class citizen so it doesn't affect you until they eat out of us and have to feed off another faction of the population.

In this case, the Vindictive Prosecution will go uncorrected as it is not a matter of Law with this system it's a matter of manufacturing and who questions the blueprint if not the architect's.
Thanks for this outlet.