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MY COUNTRY 'TIS OF THEE

BY:

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FACT: Politicians and alike, continue to reiterate "non-violent drug offenders." Are not drugs, violent? Drugs kill people—drug dealers are the conduit—people die every second from drugs. Crime(s), violent or non, are mostly the direct result of drug abuse. Drugs destroy our communities, children's futures, and are the common source for 95 percent of crimes committed across the globe. A non-violent drug offender, is a fallacy. From the movie The Great Debate, "Non-violence is the mask civil disobedience wears to conceal its true face—anarchy." What about the offenders who put in just as much hard work to change and rehabilitate themselves? Do they not deserve a second chance?

EXCERPT (#1)— From F.A.M.M. E-mail - 4/23/2014

"The two points that I think are most encouraging are that the person must have served TEN YEARS to be eligible, and that the criteria apply to ALL OFFENSES, not just drug offenses. However, the Deputy Attorney General made it clear in a meeting we had with him yesterday that they will not consider any cases that involve violence (gun cases where the gun was not used are still eligible), or terrorist cases, or sexual predator cases (that probably includes child pornography, even though I know it isn't a sexual predator case)."

EXCERPT (#2) - From F.A.M.M. E-mail - 4/23/2014

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Wednesday, April 23, 2014

Announcing New Clemency Initiative, Deputy Attorney General James M. Cole Details Broad New Criteria for Applicants. New Pardon Attorney Named.

As part of the Justice Department's new clemency initiative, Deputy Attorney James M. Cole announced six criteria the department will consider when reviewing and expediting clemency applications from federal inmates.

Under the new initiative, the department will prioritize clemency applications from inmates who meet all of the following factors:

- They are currently serving a federal sentence in prison and, by operation of law, likely would have received a substantially lower sentence if convicted of the same offense(s) today;
- They are non-violent, low-level offenders without significant ties to large scale criminal organizations, gangs, or cartels;
- They have served at least 10 years of their prison sentence;
- They do not have a significant criminal history;
- They have demonstrated good conduct in prison; and
- They have no history of violence prior to or during their current term of imprisonment.

"For our criminal justice system to be effective, it needs to not only be fair; but it also must be perceived as being fair," said Deputy Attorney General Cole. "Older, stringent punishments that are out of line with sentences imposed under today's laws erode people's confidence in our criminal justice system, and I am confident that this

initiative will go far to promote the most fundamental of American ideals' equal justice under the law."

The last portion of Excerpt #2 states: "For our criminal justice system to be effective, it needs to not only be fair; but it also must be PERCEIVED as BEING FAIR," said Deputy Attorney General Cole.

So, based on what the Government PERCEIVES AS BEING FAIR—what is PERCEIVED about a person's case—lies the sole judgement on whether that person receives clemency or not? The first wave of individuals receiving clemency during the Obama administration, most were drug dealers, some possessed firearms that were not used during their crime; most had POOR PRISON CONDUCT HISTORY during their incarceration, and showed no initiative to change. However, because their crime fell under the so called "NON-VIOLENT" category, clemency was conferred.

Let's take a look at those who fall under the "NON-QUALIFIED" category. Some of these individuals went to trial to contest their charges, either to prove innocence, refuse to cooperate (working as a confidential informant) with the Government; further congesting the prisons due to refusing a plea bargain; most may not have the finances to obtain private counsel, leaving a person under the care of the PUBLIC PRETENDER'S (aka DEFENDER'S) OFFICE.

God forbid you refuse any of these mentioned, your trial will get neglected, and you'll end up serving a preposterous sentence. Second, you'll exhaust all avenues in an attempt to receive a lesser sentence; based on the facts you know are relevant, which will be ignored by the Judicial System because you did not "PLAY BALL," (translates: pleading guilty and/or cooperating), and off to prison. After being railroaded and acquiring "CRIME OF VIOLENCE" charges—you make every attempt to file motion after motion, searching for a way to regain your freedom; or just a "HUMANE SENTENCE." While behind the walls, you'll not only have to learn to conform to the rules, regulations, and policies of the Bureau of Prisons,

you'll also have to learn to survive amongst the DIVERSE, and RACIALLY-DIVIDED mass of geographical inmates with their "CODES OF CONDUCT." As you learn to refrain from the wiles and negativity, you'll need to learn how to JUST STAY ALIVE! We (those who desire to change) begin to rehabilitate ourselves, utilizing what programs, education, and soaking in the good advice correctional staff offer, (there are correctional staff who do give a shit). We will demonstrate this change through our actions of good conduct. However, we are still not considered worthy of leniency. Is that fair, America?

No matter how much hard work you put in, while serving an outrageous sentence that would make any person have an "I don't care anymore" attitude, the burden falls on taxpayers and our government (who can't seem to get out of debt), for individuals who have recompensed with their time and life. Why house an armed bank robber who did not shoot, injure, or kill anyone, for the rest of his life? What if, at the time of his/her crime, the offender was experiencing some unknown issue(s), mental illness, drug abuse, etc. But now, labeled a "VIOLENT CRIME OFFENDER," the prisoner will enter the prison system, realizing their wrongdoing, feeling remorse, and commit to change. Still, in the eyes of our glorious (do no wrong) Judicial System, the offender is not worthy of a second chance.

Oh, what the hell, our government is rich. They are a Super Power, they can waste the invisible money they do not have, to house, feed, clothe, and provide endless medical care. (Who needs Obama Care? We have B.O.P. care.) Let's hire more correctional staff to monitor people who display all the qualities and characteristics of likely candidates that can be released, and possibly become PRODUCTIVE CITIZENS and TAXPAYERS, instead of UNPRODUCTIVE rotting corpses and a TAXPAYER'S BURDEN. Nah, that makes way too-much sense, doesn't it? Nassim Nicholas Taleb states: "We can learn a lot from data—but not as much as we expect. Sometimes a lot of data can be meaningless; at other times one single piece of information can be meaningful." and, "All pieces of information are not equal in importance."

Forthwith; touching on another sensitive topic: "sex offenders."
NOTE I am not, by no means, an advocate or supporter of any person who willingly commits a sex offense—male or female— who seeks out children and under-age kids for sexual desire; for profit or exploitation. Delving deeper. In all reality, there are many individuals wrongly accused of sex offenses (some have been exonerated, some have not).

PREDATOR: (Defined by Merriam Webster) An animal that lives by predation.

PREDATION: The act of preying or plundering.

By no means should a "SEXUAL PREDATOR" ever get a chance to prey on innocent people. There is no place in society for these animals—animals need constant monitoring and restrictive enclosures. But somehow, habitual sexual predators are continuously allowed to receive low bonds when arrested, low-numbered sentences (without being offered to cooperate) than a bank robber or gun dealer; with safe passage in club-fed prisons.

One individual I know, purchased a used computer tower from a garage sale. This person was involved in "OTHER criminal activity" which led to Law Enforcement conducting a raid on his premises, with the seizure of some of his belongings, including his USED COMPUTER. A thorough search of the hard-drive revealed (what was thought to be deleted) child pornography. "VOILÀ," he doesn't cooperate with Law Enforcement to help them climb up the chain of criminals, they question him on the content found—obviously he's not computer savvy, has no knowledge of the hidden evidence— Law Enforcement is angered by his refusal, charges him with possession of child pornography. He is now humiliated, labeled and considered an outcast. Inside jail, he may endure physical abuse, and once released (as a registered sex offender) he'll endure as a pariah all over again. He knows he's innocent, but due to the charge, he will not even be glanced at for leniency, clemency, etc.

You see, the problem with the "injustice" system and the broken law enforcement is that, their smart but simple minds can only

come up with simple solutions to deal with the "undesireables," and that is to lock'em up and throw away the key—the lazy and easy fix. Then, out of the same breath, these same people come back and complain about the cost of incarceration (prisons are somehow still being built and purchased); which supposedly "burdens" the almighty government, and the unassuming taxpayers. And still, the bickering government, the Backwards On Purpose (Bureau Of Prisons) and the other important muckety-mucks would rather see a first-time offender, who was caught with inappropriate photos on a computer (either placed their by the offender or, in some cases, placed on hard-drives, devices, etc., by means of sabotage from malicious or vindictive adversaries); the law will smite thee with a merciless hammer. Don't get me wrong, I completely understand that there are true victims, and cases where vicious predators in society, manage to carry out their sickness unchecked by anyone; surfacing eventually, but the damage has already been done, and the facts detestful!

This is where our so-called "professional" investigators and law enforcement, with their law degrees in criminal justice, are supposed to do their jobs; getting down to the root of each case, to determine if the person(s) in custody for said crime(s), fits the profile of a vicious predator. Society and the law hear the words: "sex offender, sex addict, pornography, prostitution," and immediately jump to the worst conclusions; and if there is a suspect to be had, then they are probably guilty before proven innocent. (John 8:7 "He that is without sin, cast the first stone.") These investigators and district attorneys will conspire, gather just enough evidence (whether the accused is actually guilty or innocent, or mentally ill) to solidify a case and conviction, and off to the next. It is this lack of ethics that normally results in overturned case convictions, and the releasing of innocent prisoners. The darker side of course, are those who spend the rest of their lives behind bars because, they have no support or legal assistance to help them in their fight; coupled with death by homicide committed by another inmate or choosing suicide.

An article surfaced on 7/13/2018 in the USA Today written by Caroline Simon, titled: "Sex Addiction Classified as Medical, Not Moral, Condition." This new classification was issued by the World Health Organization (WHO), stating "This could shift the conversation surrounding a condition that's deeply misunderstood." These experts are revealing medical facts to the public, pertaining to the very same individuals that are thrown in prison forever, (first-time offenders/mentally ill). Basically, these experts are informing us that there are alternatives in dealing with these issues. The article further read: "We don't look at alcoholics and drug addicts and say, 'You're a bad person.' We say, 'You have a problem.'" Another excerpt of this article stated: "Experts hope the new classification will chip away at a larger goal: de-stigmatizing sex addiction."

As a former alcoholic/drug addict (who has no problems with watching or viewing pornography), who has been to rehabs, treatment centers, etc.; I have learned that there are all types of diseases, disorders, and addictions; in which the programs teach, can never be cured, only arrested, if the addict continues to work the program, and continuously seek treatment. According to the Bureau of Justice Statistics, 81 percent of mentally ill inmates are currently in state prisons. 76 percent of mentally ill inmates are in federal prisons, and 79 percent of mentally ill inmates are in local jails. Headlines on www.hrw.org reads: U.S. number of mentally ill in prisons quadrupled. The site www.treatmentadvocacycenter.org states: "Mentally ill inmates cost more for a variety of reasons, including staffing needs." Going back to the USA Today's article, the last paragraph states: "The cost of treatment ranges from free online services to pricey inpatient rehab programs. Typically, people with sex addictions seeking treatment will be covered by insurance companies ONLY IF they're diagnosed with a concurring mental health disorder, such as anxiety or depression."

Since the dawn of human consciousness of what's perceived as "morally" right and wrong, sex has been one of the major topics

deemed as taboo, by religious and social customs. My Country 'tis of thee, land of hypocrisy. Never mind the facts, or that someone may be innocent, as long as "someone" ends up behind bars, the government is satisfied. However, the courts will continue to allow these "Pimps" (male and female, I do not discriminate) to exploit, sell, traffic and transport our children, and vulnerable women, across state lines, so that pimps can reside in lavish homes in suburbia, drive expensive vehicles, and brag, boast and post pics on Facebook, Instagram, and other sites; on California king beds surrounded by stacks of American currency; off the backs of women and children. When finally arrested, these pimps will receive 10-years (some cases receive 20-years to life), come to the penitentiary where they'll brag to their pimpsociates about how many "hoes" they had under their command, and what cars and clothes they purchased.

Once their sentences are complete, they'll return to society and do it all over again. Some of these pimps are so manipulative and crafty, they'll keep some of their women during the course of their sentence, conducting business-as-usual and serving these men/women upon every request. These are the people we allow to return back to society, right America? (*fiat justitia et pereat mundus.*)

As I write these words, I am considered a "Violent Crime Offender." Here is a brief glimpse into my history. Currently, I serve 1495 months (case #6:08-326[1]), plus 5-years probation. After eleven-months of awaiting trial in state court (which never came about), I was indicted on April 8, 2008 by the ATF. They automatically assumed I'd work as a C.I.—to assist in the capture of known and wanted drug and gun-dealers. Since the beginning, I faced numerous obstacles involving this case. There was no ACTUAL WARRANT for the premises in which I was located. A FUGITIVE WARRANT was used to gain a SECURITY SWEEP, to ILLEGALLY search, (which resulted in no weapons found). Lead Investigator (Jeff Maxwell) stated in his report that I gave verbal consent in order to search, then

stated later, in a separate report: "that him and I spoke on (6.05.2007) the next day," (the beginning of many lies).

On the day of my arrest, my 2-year old daughter was used as a threatening tactic (threat of DSS Services) as leverage to gain my cooperation. So, I admitted guilt, and stated I assisted individuals involved to steal money. (There were no weapons involved. If you read the statements of so-called "victims", you'll see the inconsistencies concerning the colorful weapons.)

I was appointed counsel (David Plowden, Esq). Mr. Plowden's only concern was that I work and become a C.I., and led to him neglecting my trial. Upon seeing his unprofessionalism during that trial, it compelled me to state to the court that I felt I was not being given a fair trial. My request was denied. I then stated that I'd inform the jury of this, which enraged Judge Henry F. Floyd, who then screamed: "You'll get on that stand and testify." He then stated: "If you say other than, you'll be removed from the court, and trial will continue without you." Of course, the transcripts were edited by the court's stenographer, from what Judge Floyd originally stated. When I requested audio, I was denied.

To make matters worse, on the day of the jury selection, in the presence of only a U.S. Marshal, awaiting Mr. Plowden's presence; Judge Floyd exited his chambers without his robe and told me, "You should plead guilty, boy." I told Mr. Plowden of this incident and he became belligerent with me, stating this never happened.

After a horrible trial, I was found guilty. The courts enhanced me to a category 6, due to a drug offense as a minor, and another at the age of 18 years old. I later found that my attorney never contested this during my PSR hearing. My newly appointed attorney, (Robert M. Sneed) brought these issues up during appeal, but they were shot down due to Plowden's ineffectiveness. Mr. Sneed said he felt that I only committed larceny. There were no weapons, finger prints, or footage of me committing these crimes as told. He felt that my sentence was due to me refusing to name, names.

Ladies and gentlemen, my government, my peers (felon or non). My intention for creating this missive, is to ensure enlightenment from a different perspective. I trust that these words will not be misconstrued as just some convict who's whining about TIME, playing the "WOE IS ME" card. On the contrary. I understand that every choice, action, and decision, renders a direct reaction, reward or consequence. The Kybalion states:

"Every cause has its effect; every effect has its cause;
everything happens according to law;
chance is but a name for law not recognized;
there are many planes of causation, but nothing
escapes the law."

Prior to incarceration, I had a good career in the cellphone industry. I've had the privilege to work with companies in Connecticut, New York, and South Carolina; but I also had my own mental issues, addictions, depression, and past history-issues I was not willing to face or deal with. Today, I am but a small-time published author, with countless (and at times angry) essays, articles, letters, and poetry; coupled with several original (I call them "real") movie scripts of various diverse genres, children's books, and graphic novels. One comic book in particular, was written for the progression of the LGBT movement; creating a hero for the community, instead of the degrading norm. What I've written for the LGBT, was also on behalf of my friends and their struggles of being a part of that community; struggles, according to TIME magazine, November 5, 2018, are still going on. An excerpt of TIME: "Last year, more than 20 transgender Americans were killed by violent means." This is why I write what I write. But, these prison walls are a constraint on a person's creativity and elevation. A majority of the outside fear to work, or accept work from a prisoner, due to reputations and/or stigmas.

Everyone believes that criminals commit crimes, and end up in prison only to learn how to become better criminals; in some cases this is true. But there are some who are tired of how they've

been living, wishing they could do something different, but lack the know-how. Most of us have a great potential, but are stuck inside a dark, and negative void, where an abundance of untapped talent is basically wasted. Prison, is said to be an institution to help rehabilitate criminals, and at the same time administer a "justifiable" punishment for offenses committed against society. So, when this small percent of offenders attempt to implement these skills into their rehabilitation process—with hopes of securing a better future and solid foundation—finding resources to network with, is next to impossible; and if you manage to find contacts on the outside, they instantly shun you like a pariah. (98% of recidivism cases are due to ex-cons not having family support, a plan, education, job-skills, and sadly, a desire to change. Ex-cons return back to what is familiar and comfortable, which results in violations, and more criminal charges.)

The system is broken. The sentences are unequal, and at times absurd! While incarcerated, they (the prison staff) instruct you of the importance of completing X-Y-Z programs (government funded-programs); some of these are informative, and can be useful if applied. And then you have other programs which are naturally baseless and fruitless. There are no programs or outlets that are available or appeal to the creative collective. I have been a prisoner in the Federal system for eleven-years, and a prisoner within my artwork and literary projects my entire life. In order to escape the madness and chaotic energy of this environment, I find myself—and prefer to be—trapped in the Xanadu of my mind. However, when the world's issues filter into my life, surpassing the walls and bars, causing the pressure to build within, to the point of exploding, I tend to vent. The frustration ensues, due to not having my voice heard by those I write for; as is the case with like-minded talents here.

I guess society and our nation's Capitol would rather us—the lost civilization of unwanted—continue to be a taxpayer's burden, and the prisons' modern-day slaves on layaway—tap-dancing

and singing "Mammy" to the government's flute. A recent story was told to me about a fellow prisoner, who is just days away from going home, after being locked-up for fifteen-years. This individual told his mother during a phone call: "I'm really scared Mom. I've been locked up all this time, and gained nothing useful from prison that will help me once I'm home." This prisoner will probably have to endure hours of classes (funded by the federal government), that must be completed, or risk a return trip back to prison; coupled with searching for a job (as a convicted felon/ex-offender); another stipulation with the risk of being sent back to prison; to earn money so that he'll be able to pay the fees for the mandatory classes, and being on probation/parole, or be sent back to prison.

The powers who try to keep their foot on our necks, do not want us expressing our opinions, talents, or obtaining "FACTS" to orchestrate an exposure event of truths. Nor do they want you to prove your cases in court because, that offers further assurance of a broken system, so they continue to provide the mentally ill and indigent, inadequate counsel known as the Public Pretender's office. It is not appropriate for you to succeed with your talents, or be considered for leniency, so they defame and tarnish your character; because, if you achieve success, you gain power, putting them out of a job—forcing them (the government) to actually do their job, and they can't have that, now can they?

My only gripe concerns the "PERCEIVED" nature of fairness; the inhumane sentences (for rehabilitative purposes), and the stigma of certain charges; which are overlooked despite a person's commitment to change. AMERICA, remember, once a person makes a mistake(s), and is punished beyond measure for it; faced with ETERNITY in this concrete world of negativity; we lose hope. Eventually, with nothing else left, and destined to die behind these walls, what other reason does a person need or desires to change, except for God? And when God is no longer heard, seen, nor felt; no family beyond these walls or loved ones; what was

once warm turns cold. I guess society and America would rather us fade away into the dark recesses of these walls—out of sight, out of mind—becoming a product of our environment, and finally, give America a true reason to cast the first stone.

1 Corinthians 15:51

"behold, I shew you a mystery; we shall not all sleep, but we shall all be changed, in a moment, in the twinkling of an eye, at the last trump: for the trumpet shall sound, and the dead shall be raised incorruptible, and we shall be changed."

God Bless America