T. L. LARSEN

Statement of Judicial Debts Receivable

Through the Year Ending

December 31, 1997

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This *Statement* was written to briefly answer inquiries as to the motivation for my book, legally permitted by the First Amendment of our U.S. Constitution's Bill of Rights, *Revenge on the Judicial System: Don't Get Mad Get Even!* If anyone is irritated and/or upset by what is written there, they should have thought of that before they violated me and realized that some of us won't accept these kinds of abusive actions. Although each individual violation addressed below could include several pages, I'm limiting each one to only the most serious highlights. Readers wanting more details should check out my book; *Fedbuster: The Southern California Wildfires of '93*.

In no way am I making a demand for money and no one can claim I am trying to extort what I honestly *feel* should be my money from those who feel it's their money. Extortion requires a threat of some kind that something bad will happen if some demand is not met. Nowhere here is any language like that referred to, and that is not my intent (I purposely do not even say I will not distribute my book if you pay me back my loses because that *may* fall within the provisions of extortion laws); rather figures expressed below are just my honest belief and opinion as to what I feel I'm owed for wrongs committed against me by various members of the judicial system or anyone working in conjunction with them.

Just as Japanese-Americans felt they were owed some financial compensation, reparations, and an apology (which they finally got, sort of) for World War II improprieties they suffered at the hands of our government, I have the same valid feelings. And if black people feel they are owed something, and in fact get some compensation by way of Affirmative Action — getting priority over non-blacks on certain things to sort of make up wrongs suffered, not by them, but by their ancestors — then surely I have a right to these feelings; after all, these are things I *personally* suffered. In many cases I felt just like I had been raped. If rape victims can sue in civil court because they feel they are owed something from the attacker then so should I be able to. And if female students can sue and get awards for *mere* sexual harassment that school officials failed to stop then surely so should I be able to. People have been awarded thousands of dollars in lawsuits for sustaining *much* less emotional and psychological damage than I have throughout the years because of judicial-system improprieties. Truly I *honestly* feel I am owed financial compensation. I consider all these debts due and payable now and everyone who has not done so, in default.

The improprieties I suffered has led to a strongly worded *Medical Advisory/Information: Statement of Facts* document which should carefully be studied, especially by those inclined to misbehave to any degree. Think of it as your "Bible" and its dictates as pronouncements on proper conduct to follow. Those with predispositions toward misbehavior are strongly encouraged to veer off that course and into a more proper direction so future violations are not committed against me and unfavorable reactions can therefore be avoided. This is especially important since the 1989 Torrance travesty, listed below, which has reduced my tolerance level to accept any improprieties to practically zero. (The above sentence was written before November 7, 1993, when another major travesty happened as detailed below. My threshold to withstand *any* judicial unfairness or unnecessary aggravation is now zero! The cupboard is now bare — there's *no* tolerance left; no slop factor!)

To make up my unfair loses, outlined below, I am merely selling a legal product for a profit to anyone freely willing to purchase any amount, something our free society allows. Net profits — whether from book or past teaching, lecturing, or advising on the subject — and any individual outstanding debts paid by perpetrators, or anyone for that matter, are deducted from the Total judicial debt listed at the end. Although I am not actively soliciting donations (due to the fact legally I may need a permit of some kind to do so), those received from anyone who does contribute any amount are also deducted from the total.

Although I hope to offset losses, I additionally hope those who have committed violations against me — and probably commit similar offenses against others — will modify their behavior to within proper boundaries in their future dealings with others and prevent the kinds of reactions they are suppose to be preventing.

When *Revenge* was originally written and samples of that shorter version were circulated among fellow prison inmates and various judicial-system personnel for comments and inputs in 1988, my goal then was only to recoup lost money sustained in the '85 Torrance and '86 San Fernando cases because of their improperly filed counts as explained below. Only after the travesty of the 1989 Torrance "extortion" case has my goal been expanded and modified to include all the way back to the beginning improper loses. As far as I'm concerned, none of it should have been lost and all of it should be compensated for. After Torrance '89, there's *no* reason to be generous and forgiving with *any* impropriety, even ones long ago. No one's getting off the hook. After all, judicial personnel haven't

[1] Formerly distributed to judicial-system personnel in a less-complete version known as *Judicial Debt Statement*.

forgotten past misdeeds I'd done long ago. They are constantly used against me, even a small fire I set in 1959 at age 9. I still get screwed by judicial personnel for that. As of now, only one offender, Mrs. Margaret A. Reeves from Manhattan Beach, has offered to settle her debt and that case is considered closed and my attitude about her in now neutral.

(Although I received a check from her, I was never sure if it was from her or from someone close to her who just wanted to do the *right* thing. Just because the letter included with her check was worded in her distinctive kind of lower-schooling-level English and had her signature affixed doesn't mean some friend or family member didn't do it to placate me. Since the vicious attack upon me at the *United States Penitentiary* (USP) at Lompoc on July 2, 1994 instigated by one of her friends or family members [that there is no doubt about], I'm less sure she is the one who offered settlement. I suspect she may have put inmate James Beverly up to it. Either that or he took it upon himself, I'm not sure which — yet! In any event, I'll apparently have to investigate it on my own due to the fact that I've gotten no help from authorities in bringing my attackers to justice despite multiple attempts in both letters and spoken words. More details are below.)

Special emphasis is placed upon non-violent non-physical injuring kinds of retribution people have done, do, and have considered doing to even the score because the San Fernando Deputy District Attorney, Leland B. (Lee) Harris, and Superior Court Judge Robert D. Fratianne insisted I plead to and be punished for a crime that the statute requires one to specifically intend to injure and they both *knew* I *didn't* intend that when I did intend to do the more minor crime of vandalism which should have been the *only* thing charged.

Profits I make, donations I receive, and/or individual outstanding debts paid are considered make-up, or more properly, reimbursement for improper loses I should not have sustained in the first place; and *not* income — therefore are not subject to usual income taxes I believe. If anyone thinks they are, speak up now or forever hold your peace. If profits *are* taxable, let me know now so I can adjust my goal up to allow the net profit after taxes to reflect the total at the end of this *Statement*.

Think of this as my "defense fund." Not unlike that of President Clinton's or various other high-ranking politicians who were unnecessarily (or even properly) burdened with costs they should not have had. Some guilty culprits even set up these funds for themselves. Well so can I! I'll call it "reimbursement fund." Cool! That works for me. :-)

Interest is calculated at the following annual percentage rates for the following years:

1967-1981=8% 1982-1986=14% 1987=10% 1988=9% 1989-1990=8% 1991=7.5% 1992=6.5% & 1993-1997=6%. These figures begin with rates in given years for long term savings accounts or bonds — where this money would have been if we hadn't been cheated out of it — then deducts 2% to approximate net income I would have made after state and federal income taxes were paid. I do not expect more than my *fair* share. I am not trying to make a profit on over-due debts I am legitimately owed. I am not even charging higher interest rates, like a bank would charge on a loan; as I really should do. (I do consider my money *loaned* out to my perpetrators.) Nor am I compounding interest more frequently than annually; as I should *also* do — which is the way banks and other investment places would do. I only want to come away with what I would have had, had I not ever suffered these unfair loses. I'm a bottom-line oriented person — I want MY money back; simple!!! (And as you can see, money and personal property are *extremely* hot-button issue to me — my Achilles' heel. I'm a bottom-line oriented, narcissistic, loner kind of guy and I've become increasingly more like this with each judicial violation. MY possessions are MINE. *All* I care about is *my* happiness and *my* health. The rest of it — I can give a shit. And my money and possessions fall in the "my happiness" category. No one has, or *ever* will, be allowed to violate them — *any* of them without punishment! Trust me; I've taken a solemn OATH on it!)

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December 1966: Ordered to see psychiatrist by San Fernando juvenile court judge to "cure" me of homosexual interests after I, as a 16-year-old, apparently offended 2 other male students I found attractive when I expressed I had a romantic interest in them. This interest was *only* verbally mentioned and no touching in any way transpired. When 16-year-olds make heterosexual verbal only advances to others of the opposite sex they are not treated this way. Neither should gay people for verbally expressing an interest in another of the same sex as I did. Heterosexuals that actually do sexually interact with each other in a consenting way (i.e. reference the *Lakewood High School* Spur Posse sex scandal of March 1993) don't even get prosecuted. This was true even in 1966.

Beyond that issue, teenage offenders, or even adult offenders, have community funded programs for mental health care when courts order it. We should not have

had to pay out of *our* pockets. Teenage girls that get pregnant even get free medical care and treatment at no expense to them (even though they are breaking the law when they engage in consenting sexual behavior according to Penal Code statutes). Being the court ordered me to seek treatment they, or the probation department, should have directed us in the proper direction. If they wanted me to attend therapy *they* should have provided it at no cost to me!

We surely shouldn't lose because of the court's discriminatory prosecutorial practice. Gay and non-gay solicitation is equally violating of the statute. To purposely pick gay solicitation to prosecute and ignore non-gay solicitation of the same nature is discriminatory and illegal. I should be compensated.

And I am still mad about missing the *Bethlehem Star Parade,* something I always looked forward to seeing every year, especially in this last year *ever* (1966) it was held. I was arrested moments before the start of the parade on *just* the word of *one* boy who was a parade goer (and probably then went back to the parade so he didn't miss it) and locked in a room at the Van Nuys Police Station for a few hours (just long enough to miss the parade) which was aggravatingly within earshot of the passing parade so I could hear it as it went by. To top that off the boy's father (with the last name of Lancaster) assaulted me and tore my coat before he notified police and no one confronted him about his crime in *any* way. Granted, I should have pressed the issue and formally complained, but police should have still at least questioned me about what happened to me. I don't know what fee to charge for the unnecessarily missed parade, and am not charging any, even though I should add that to what I'm already owed on this incident.

Cost $50.00 per "therapy" session, twice weekly, for 1 year (52 weeks) while on probation: $5,200.00

Lost 1 1/2 hour wages per session at then current pay of $4.00 per hour: 624.00

Total loss at time:. $5,824.00

Total loss from day of occurrence through end of current year with interest calculated I'm owed: . . . . . (+*) $76,217.70

July 1971: Van Nuys Police Detective Sgt. E. W. Metz and Van Nuys Deputy District Attorney William C. Melcher charged me with more counts, and some more serious, of sexual interaction with boys than were proper or valid. (Although the counts of conviction did not include them, most of the interaction we participated in involved neighbor boys I had previously spied engaging in it among themselves.) This cost more to defend against. I could have safely gotten by with a public defender if I had been charged with only what I had done. This would have cost us nothing then. Bail was also jacked up excessively because of it, costing more in lost bank interest while courts had our money. Some of the improper counts that included behavior that never happened were properly dismissed after preliminary testimony. Even though bail was promptly lowered it was too late. Six months interest was already lost because of early withdrawal penalty out of a high-interest term account. This should not have been necessary had authorities done their homework properly and only filed the *proper* charges.

It also should not have been necessary to pay a $25.00 towing fee for my car which was legally parked at home when I was arrested. Detective Metz wanted pictures of it so victims in court could identify it. Rather than just come to our house and photograph it they had it towed to the "official" police impound yard, which was just a privately owned towing service, and photographed it there. To get it back we ended up getting charged a towing and storage fee. If they wanted to photograph it there rather than at our house, which would have been a shorter drive for them from the police station, they could have had my parents drive it there. But no, that would have taken money out of their buddies' pockets at the towing yard and *we* had to pay to get *my* legally parked car back. That should have been up to them to pay, *not* us! With a little more consideration on their part neither us or them would have had to pay a towing fee that was not necessary to accomplish their goal of taking pictures.

When I was arrested on July 25, 1971 Detective Metz took my practically new

pair of shoes to use as evidence for a victim to identify in court. I was given nothing at all for my feet and for three days, until I got out of the *Los Angeles County Jail* on bail, I had only socks on my feet. My shoes were never brought up in court in any way and I never got them back even after I pleaded guilty and they were no longer needed by them as evidence. Besides that, I ruined a good pair of socks which they should replace because their cheapness to not give me something to wear caused them to get ruined.

Detective Metz also failed to feed me dinner after I was booked in the Van Nuys Jail despite he told my mother he would do so. Even though I got there at a *normal* dinner hour their excuse was that they feed prisoners earlier in the afternoon. As far as I'm concerned they *still* owe me a dinner.

We paid our own attorney and psychiatrists (some with several interviews) to defend improprieties and wrong conclusions reached by some court and state funded psychiatrists. As it turns out, I was sent to *Atascadero State Hospital* for what my paid attorney said was suppose to be 3 months. Hospital staff then told me that people committing my kind of offense do 1 to 1½ years. I voluntarily left their program after I did my year when I was told by Mr. William A. Ernst, the non-doctor person in charge of the ward I was on and whose title was Program Director VI, that they would *not* recommend prison or state I was a danger to society. They lied and wrote a very bad report which in turn cost more in attorney fees and psych reports to try to defend against. (This try was unsuccessful but the extra cost was not considered toward the punishment.) I did not learn of this worse recommendation, written and signed by the Acting Medical Director, Dr. Alfred J. Rucci M.D., who never even talked to me, until it was too late to change my mind and stay a little longer and work toward a favorable report. They even had the nerve to make fun of and belittle my hobbies of astronomy and bird watching, referring to my serious study of the sky as merely "star gazing."

Despite a majority of professional recommendations *against* prison — some by state employees, even the L.A. County Probation Department — Superior Court Judge William H. Rosenthal disregarded the majority and sentenced me to state prison anyway. He did not consider the expenses incurred so far as part of the punishment, therefore we should not sustain them. Especially when I did more time than some others that had free public defenders and didn't have to pay one cent.

Later, it cost more in other attorney fees and psych reports to correct Judge Rosenthal's improper decision. I was given khaki release clothes, as all inmates being released are, when I was transported back to the *L.A. County Jail* from the *California Men's Colony* (CMC) at San Luis Obispo in January 1975 on a Writ of Habeas Corpus. I dressed out in these clothes the day I went to court knowing I was going home. When the order was handed down the court bailiff spoke up and said these were state clothes and I could not have them. I objected these were *not* state clothes (as inmates we wore blue jeans and blue shirts), but in fact are my *release* clothes to go home in. The judge made my parents go home to get personal clothes for me and I was made to give up MY clothes the state owes us. (Later I couldn't get *CMC* to send me my $200.00 release money we are suppose to get because I guess they only give it to inmates going out on parole. A later reading of their rules makes it clear that any inmates that have been in custody for a set minimum time are to be given release funds. I did the time and I expect MY money.)

After I was released on county probation, Superior Court Judge Charles M. Hughes had the nerve to order psychiatric treatment at *our* expense. If they were so concerned with my mental nature they should have listened to the majority of professionals previously advising against prison and its predicted negative consequences. And surely they shouldn't stick me with it now to cover their asses for new emotional damage they caused and then expect *us* to pay for *their* screw up. It should have been on *them* to correct at *their* cost. (If I would have gone out on state parole, as I would have done shortly [due to Senate Bill 42's change in the law from indeterminate to determinate sentencing] had I not filed a Writ, the state would have provided psychological treatment at *state* expense as they do for parolees that

are ordered to attend therapy. The only difference in my case was that I was on county probation — not state parole. That alone should not put the cost on me. If they require it, let it be at *their* cost. I did the time as any other inmate, I should receive the same state paid "therapy" benefits as any other ex-inmate on parole.) This treatment often ended up addressing the emotional damage the prison system did to me; damage other examiners previously predicted in testimony and writing to Judge Rosenthal would happen. Total for all attorneys, psych reports, "treatment," towing & storage, shoes, socks, release clothes, dinner, and $200.00 are lumped together in one approximate figure: $35,000.00

Most of this expense was incurred in 1971. Some in 1974 &1975. Having no correct breakdown of costs I calculate the total loss with interest calculated to be from mid-1972 through end of current year I'm owed: . . . . . (*) $300,187.99

I did 3 years & 1 month total in custody. Figuring if I would have done the maximum of the proper amount (1 1/2 years), that is 1 year 7 months they owe me. Figuring I made $4.00 per hour, worked 8 hours per day, 6 days a week at my most recent previous job for 82 weeks this equals $15,744.00. Subtracting 25% for normal pay check deductions this equals owed me: $11,808.00

Total loss with interest calculated from mid-1973 (when I should have gotten out at the latest) through end of current year I'm owed: . . . . . (*) 93,773.03

Total owed me for this case through end of current year including unnecessary expenses itemized above and lost wages equals: . . . . . (+^) $393,961.02

(Beyond lost wages, no other compensation is made for unnecessary excess county jail time — *much* more punishing, yet not considered as such when punishment was handed down. [Especially angering is the extra county jail time I was forced to endure because the DA didn't want to have another DA handle my case when he went on vacation. I shouldn't have been subjected to that. If he was so insistent on handling my case it should have been at his loss, *not* mine. He could have delayed *his* vacation. I was unfairly denied bail when I came back to county jail from *Atascadero* twice even though I was out on bail for nearly 5 months without *any* trouble between my arrest and commitment to *Atascadero*. This in itself is particularly angering. It is also particularly angering that Melcher maliciously tried and succeeded in discrediting me to Judge Rosenthal during a hearing with some unrelated past behavior of mine.] Or is compensation asked for excess time in more relaxed hospital setting. Nor was any allowance made for malicious prosecution or improper belittling indignities I was subjected to as a sex offender, by both inmates and staff, and not protected from in prison or county jail despite the fact I *should* be compensated for these things too. I also do not add telephone call expenses to home or travel, gas, or motel expenses for visiting parents as I should for this or any other times I was in custody and shouldn't have been.)

November 1977: Secret Service agents, led by Special Agents James D. Davidson and Lane McNitt, confiscated (stole) *my* station wagon they knew (by way of various documents) was *not* used to pass counterfeit currency. They refused to take the Toyota pick-up truck I did use in passing because I was no longer the owner and it was worth less. They should pay for their money greediness.

Cost of car, sales tax, plus recent repairs to make it run good equals: $1,200.00

Pair of dark glasses never returned with personal property from car (which was a major hassle to get back. I'm not adding a penalty assessment or punitive damages on that issue, although I should.): 20.00

Various printing equipment was taken and never given back despite I was never charged with printing counterfeit currency. After Assistant U.S. Attorney Curtis B. Rappe cheated his way into a conviction on the 2 passes as explained below I was threatened by him and Davidson to give them *my* printing press and 51 reams of paper I had safely stored at another location to prevent their theft by agents. As per U.S. District Judge A. Andrew Hauk's order they were suppose to have a proper hearing about *my* property but never did. To do it right they are suppose to bring formal forfeiture proceedings forward in order for the government to properly

process seizures. Rappe never did and traditional methods of complaint involving typical red tape of a judicial system got me nowhere. This paper was in *unopened & sealed* boxes and never used in *any* crime and they *knew* that. It clearly should never have been taken and I should have been allowed to sell it or return it to the point of purchase for a refund if their concern was that I didn't possess it any longer as it should have been. Values listed below are prices I paid with sales tax included (and freight for the plate maker). I'm owed the following:

Printing Press:	2,644.70
Plate Maker:	1,180.70
Vertical Process Camera	1,478.70
51 reams of Cranes Bond 20 lb. paper:	354.96
Total:	$6,879.06

Total loss from day of theft (early Nov 1977) through end of current year with interest calculated I'm owed. (Due to the feds impropriety [stealing my property and threatening other *legally purchased* items from me I had hidden] I'm assessing the value of my property as the cost *I paid* to purchase it new originally, rather than fair market value, that what I could have gotten at the time as used equipment if I would have been allowed to sell it all as I *should* have been if they would have acted properly. I would have accepted that value at that time. That's why the press and paper was moved to a safe location away from thieving fingers so I could find a buyer. Their concern should have been limited to making sure I no longer owned the equipment, rather than additionally cheat me out of things I legally purchased and paid for with *legally* earned money. Being they pulled these shenanigans, I'm charging them *full price* what I paid at the time of purchase — *no* discounts. They got <u>*nothing*</u> coming when they stole it — no price breaks!): (*) $39,125.02

Due to improper prejudiced attitude of sentencing Judge Hauk against gay people (unknown to me at the time, but clearly known to Rappe who took advantage of the knowledge and milked it for all it was worth) — and Rappe making a special and improper and highly unethical point of making *sure* Hauk knew of my orientation (he maliciously tried and succeeded in discrediting me during my testimony on the stand with my unrelated past sex offense and questioned me more about that matter than the current offense I was *actually* on trial for. Then after he inflamed Hauk he deceivingly made it sound as if I got off with *just* Probation.) — I did about 32 months more than normal amount I should have done for the offense I did, and what I would have gotten if I could have pled guilty *and* kept and sold *my* equipment as I wanted to do. Rappe wouldn't settle for that. Their money grabbing hands wanted *my* property. I got more time for trying to hold on to *my* legally purchased property which they made me give to them in the end by making more threats, yet they didn't back down the time to where it should have been. Calculating my most recent full-time job in 1971 ($192.00 per week) for 140 weeks equals $26,880.00 in lost wages. Subtracting 25% for normal pay check deductions this equals owed me: $20,160.00

Total loss with interest calculated from mid-1978 (when I should have gotten out) through end of current year I'm owed: (*) <u>108,961.57</u>

Total owed me by government for this case only including stolen car & equipment and lost wages equals. (Beyond lost wages, no other compensation is made for excess time I shouldn't have done or maliciousness and impropriety of Secret Service agents, Rappe [as acknowledged by the 9th Circuit Court of Appeals during oral arguments; see *U.S. v. Larsen* 596 F.2d 347 (1979)], or Hauk despite the fact it should be. While some of their actions are just plain rude manners [especially gruff and cantankerous Hauk's out of line fits of ranting and raving the day of my court trial which aggravated both Rappe and my attorney before the start of trial], some of their other activity, like making threats and thievery, are down right criminal; and culprits who commit such deeds should be treated like any other criminals. I got punished for making threats more than once and stealing — so should they! So *must* they! They all conspired to deprive me of *my* property and above figures include that. Compensation is also not requested for lost time, small

cost, and gas money to drive to "therapy" required as a condition of parole after my release by the United States Parole Commission because I already made most of that up in my typical way of doing so. [Especially angering about this is that the "street" time I did on parole, when the "therapy" was required, was *all* taken away when I got arrested on the second counterfeiting charge and I had to do it *all* again on the inside. As I see it, if I have to give back the time, then they should give back the money and time I wasted on <u>their</u> "therapy."]): . . . . . (+^) $148,086.59

(It also needs to be mentioned here that I am further angered at the Van Nuys Police Department for another misdeed committed at this time which caused me to do my federal prison time in a less comfortable housing unit. I had written an anonymous letter to police accusing David Polumbo of being the Hillside Strangler — an active crime spree going on at the time in the Los Angeles area — even though I knew he wasn't guilty. I did it just to try to get him in trouble right at Christmas time 1977 because he snitched on me to the Secret Service about my counterfeiting activity. When police questioned me about the letter they asked for a sample of our typewriter to compare typestyles. Knowing it wasn't done on our typewriter I didn't hesitate to let them have a sample and that was the last we heard of it until a day I was in court in front of Judge Hughes for a probation violation hearing relating to the counterfeiting arrest. Moments after I was called up to the bench a plain clothes cop or maybe DA bogarded his way up front harshly telling Hughes to order me to give a hair and blood sample. As it turns out I was now a Hillside Strangler suspect. What angered me is the way they tried to get these samples. They never came to me asking for them like they did when they wanted the typewriter sample. If they would have I would have given the samples without hesitation. But not the way they tried to bogard their way to get them. As it turned out, Judge Hughes didn't like the way they went about it either. He snapped back to them that there is a proper way to go about getting them and he wouldn't order it. Later, when I got to the *Federal Correctional Institution* at Terminal Island they tried to get staff to make me give the samples but I refused to for the sole reason of their belligerent method they tried in court. Because of my refusal I remained a suspect to prison staff and this then kept me in a closer security harsher living dormitory north yard housing unit for all my time there rather than go to the more comfortable private room south yard housing unit which I was otherwise eligible for with my shorter sentence, past good prison behavior, and non-escape risk status. For 16 months in that harsher living environment due solely to that particular cop's belligerentness I feel I'm owed something, I just don't know what. I'll just log it as they owe me 16 months of good times somehow.)

January 11, 1980: Secret Service agents, led by Special Agent Michael C. Tarr, very maliciously ransacked and vandalized our house, and particularly my bedroom, in a search that just as easily could have been done properly to accomplish their goal. Knowing I was *extremely* neat and fussy about *my* personal property they even had the nerve to leave dirty empty McDonald's food wrappers from their lunches inside my bedroom desk drawers. Items were taken outside in the rain and were damaged. My mother was very rudely spoken to and threatened to stay seated or she would be handcuffed. Total cost includes *many* hours of clean up time (Those who have read my *Medical Advisory/Information: Statement of Facts* know I put *a lot* of emphasis on my personal property and money. Since the day of this offense, my sensitivity has increased manifold. I wouldn't be as lenient today to a similar violation. [Yet is was done *again* on November 7, 1993; this time by the FBI, ATF and Bakersfield Police Department with assistance of police officers from several other local police departments. This, despite *strong* warnings in their possession not to, along with clearly stated consequences for doing so. Currently, we are in a "holding pattern" while they get their ducks in order so they can come up with and participate in an acceptable restitution plan. More details are below.]) and expenses for redoing, repairing, and/or replacing damaged items plus penalty assessment & punitive damages for maliciousness and rudeness of vandalizing Secret Service

agents in their criminal acts. They may have a right to search, but not to destroy or be malicious about it. They're criminals and should be treated as such. I got punished for vandalism, so should they! Punishment should be pronounced and compensation *is* proper and expected along with an apology; plus they need to be taught some proper manners. It should surely not be left out that the Secret Service were working in cahoots (conspiring) with Rappe in committing this crime.

It's noteworthy to mention that *Black's Law Dictionary* definition of conspiracy is: "A combination or confederacy between two or more persons formed for the purpose of committing, by their joint efforts, some unlawful or criminal act, or some act which is lawful in itself, but becomes unlawful when done by the concerted action of the conspirators, or for the purpose of using criminal or unlawful means to the commission of an act not in itself unlawful." (underline added). And *Ballentine's Law Dictionary* says this about conspiracy: "An agreement between two or more persons to accomplish together a criminal or unlawful act or to achieve by criminal or unlawful means an act not in itself criminal or unlawful." (underline added).

We formally complained in writing to U.S. Magistrate James J. Penne who authorized the search warrant and promptly received word from him that he transferred our complaint to the head U.S. Attorney, Andrea S. Ordin. We never even got the courtesy of a reply from her, let alone an apology or the return of the innocent movie camera tripod and movie camera lights. After this vandalism and theft I knew that in some way I would get my turn. These actions of grave disrespect to *my* property along with Municipal Court Judge William G. Willett's misdeeds later in 1985 and '86 were instrumental in my decision to disrespect other people's property by way of vandalism in March through July 1986. My only regret to this is that I didn't let the individual victims know the circumstances for my lashing out and who really caused it by way of improper behavior. I wish the guilty culprits could have gotten barraged with tons of citizens' complaints about their misbehavior.: $5,000.00

Items were confiscated (stolen) by these agents because they had a photographic nature and their search warrant said they could take anything photographic. Yet some of these items *clearly,* without a doubt, had nothing to do with counterfeiting in any way, or *any* crime, and they *knew* it yet they took them anyway without concern for propriety. Two of these items included a light duty movie camera tripod and movie camera lights. They had, *and have,* sentimental value and were Christmas gifts to my father from friends years earlier. For them I assess not only their replacement value (a new tripod cost me $61.15), but sentimental value plus penalty assessment and punitive damages for their improper theft to teach them a lesson to keep their grubby little fingers off of *legal* personal property that clearly had *nothing* to do with *any* crime: 1,000.00

Another item with sentimental value was an approximately 8 X 10 inch ground glass from a 19th century portrait camera: 200.00

Four recently purchased photo flood lamps at about $9.00 each equals: 36.00

Various left over partially used hobby photo supplies and home made wooden photo equipment were also stolen. Cost includes not only materials, but time involved in making it all:. 600.00

Three hours lost income from my job when I was yanked out of work early for questioning rather than waiting until I got off at my regular time. Figured at $4.90 per hour minus 25% for normal pay check deductions equals:. 11.03

No criminal charges were ever filed and everything should have been given back plus of course damages compensated for. Total damages, loses, and penalties cost: $6,847.03

Total owed me by government for this offense only with interest calculated from day of crime through end of current year equals: . . . . . (+*) $32,947.92

September 1981: Secret Service confiscated (stole) another car (1972 Pontiac station wagon) that was used to pass counterfeit money but it was bought with legally earned money so still shouldn't have been taken. Being this car was used to

pass counterfeit money and the last one wasn't, I offered them the deal to return this one to make up for the last one that shouldn't have been taken and I would have accepted the loss of the last one. When they were advised in detail of all their past wrong doings along with this one they chose to not respond at all and totally ignored their responsibility to correct any of their misbehavior. So as far as I'm concerned, they owe me for *both* cars. (Even more so since they expected me to *promptly* pay the $300.00 Special Assessment in 1994.) I never even got as much as the courtesy of a reply to my request. (At least there wasn't anyone gloating in a high and mighty way how they're taking it like Davidson did last time. He bullied back, "it's mine now" when I complained agents were disassembling some parts on it.) Fortunately, no other major improper deeds were committed this time. They did not insist I give them my printing equipment and I sold everything at a considerable loss while out on bail, but no complaint there due to their proper handling. I'm not docking them for the difference between fair market value and the price I got because at least they let me sell it all and didn't attempt to steal or extort it out of me like the last time. As they should be able to see, I'm an easy dog to hunt with; as long as they treat me properly. And that's the key; they've got to take that *first* pro-active step. (It's still not too late guys; hint, hint!) I do complain that they did not give me my blue shirt back though. While fleeing from the gas station I passed a counterfeit $20.00 bill to in San Gabriel I took my shirt off and hid it in order to change my appearance. This shirt was located and turned over to the Secret Service by police as mentioned in their report. The Secret Service has made no attempt to return *my* shirt to this day. (It is worth mentioning that in the later part of 1983 the Secret Service was made aware that I was continuing to teach certain printing trade secrets and I would still tip off other people under surveillance as mentioned in my *Revenge* book in a recreational hobby sort of way to help recoup unnecessary losses I previously sustained and also to help thwart law-enforcement's sneaky practices to entrap others. They, or any other law-enforcement organizations for that matter, have not offered any comment on these activities and not the *least* hint of an objection about doing them now or in the future. [Even arresting FBI and ATF agents questioning me about my book — which they had a copy of — on the day of my arrest in 1993 had no objection.] And in my view, lack of complaint means acceptance. It is unclear whether they *really* don't care about losing the cases they wouldn't otherwise be losing, or if they just want me to *think* that it isn't important to them so that I'll tire of my activities and stop on my own accord. Either way, they cost me in ways they shouldn't have cost me, and I've enjoyed returning that favor in the small ways I have.) Cost of car, sales tax, plus recent repairs to make it run good, and blue shirt equals: $1,770.00

Total owed by Secret Service for this offense only with interest calculated from day of offense through end of current year equals. (No compensation is requested for the dinner they cheated me out of when they [Special Agent Paul Lipscomb] took me from *Terminal Island* on April 14, 1983 so I could lead them to buried counterfeit money. They fed the prison staff member that was with us dinner but left me in a locked room and didn't feed me. We all got lunch but that was hours earlier. I merely mention the incident to emphasize I *never* forget *any* improprieties no matter how long ago they were committed against me. After all, judicial personnel don't forget my past misdeeds, even misdeeds in the <u>ancient</u> past. As recently as 1989 I was still being held back from doing prison time at a better place because the structures there were made out of wood and I had set a small closet fire in 1959 when I was 9-years-old. To this day I log the lost dinner as something that will be due at a future time. And that's not the only dinner they owe me either. After I was arrested at my storage locker on November 4, 1977 they stopped at McDonald's to eat but didn't get me a darn thing. I was just sat down hungry at a separate table and handcuffed as they enjoyed their meal. [Davidson and McNitt owe me that one.]): . . . . . (+*) $7,496.88

March 1985: Arrested for minuscule act of verbally expressing a gay interest in 16-year-old Michael Edward Reeves. So minor was my police-recorded phrasing

to Michael — who was told by police to try to entice and entrap me to speak sexually to him (Detective Patricia Picker told me, and snickered in a self-satisfied way when she did, that she told Michael to do this) — that Manhattan Beach Police were not going to arrest me. *Only* when, during a consenting search of my van, they found a prescription medicine that was not registered to me did they arrest me for that (it was left behind in my van by someone I was previously out with on a date); and because of *that* I was then also charged with soliciting Michael.

Later, the DA wouldn't charge me with the medicine, but did for the sexual words when they learned of my 1971 incident. In effect it is clear I was being persecuted for what happened in 1971, something I had already been *way* overly punished for. I should never have been charged because the statute I was charged under (647a PC [which has now been renumbered to 647.6 PC]) includes teenagers soliciting opposite-sex teenagers, yet they are never charged — even ones that *do* sexually interact with each other in a consenting way which is more illegal than mere solicitation. And law book cases, including one I quote below involving a <u>child</u> offender, verify this to be true. In the printed case; In re R. (1970) 83 Cal.Rptr. 671, 464 P.2d 127, 1 C.3d 855 it is quoted, "The words 'every person' within this section [647a] means that every person who annoys or molests any child under the age of 18 is a vagrant include a minor as well as an adult."

Rather than prosecute either consenting teenage partner, some are legally given free condoms, and if the girl gets pregnant she gets free medical care and treatment paid for by taxpayers. But for me charged with *only* soliciting a sex act, I couldn't even get a free attorney which I legally was entitled to. Why shouldn't I get a free attorney like cops do when they are charged with a crime and, equally aggravating, why should I have a high bail imposed on some of the cases I've had when cops charged with serious crimes, even one's more serious than one's I've had high bails on, get out on a low bail or even an OR release. That is truly discriminatory, anger provoking, and not *ever* again to be tolerated! No double standards with me. Those who commit them *won't* prevail!

In state prison in the early '70s I, as a young looking early twenty's inmate, was subjected to worse offensive talking sexual harassing solicitation — sometimes even threatful sexual solicitation and at other times harassing threats alone (one memorable offender in particular being a 1st degree murderer) — by hardened muscular convicts and couldn't get anyone to protect me because it was too "minor" of an issue for staff to enforce. (And once I got hit by a belt buckle swung by a prejudice inmate and have a small scar on my forehead to show for it. And before that, I was beat up in the county jail within days of my arrest.) I am not about to accept being punished by the judicial system for the <u>*very*</u> same kind of crime I couldn't get the judicial system to protect me from — how dare they expect me to!!! And how dare they even arrest me for something *they* wouldn't protect me from! If they are so concerned about sexual solicitation as an offense worthy of prosecution, then why weren't they as concerned when it was directed at me? And why wasn't I protected from hearing even offensive speech of a non-sexual nature in every custody situation I've ever been in? Some of this was dished out by not only inmates, but by staff members also. Shame, shame! I should not accept being punished by the judicial system for using the *very* same kind of language I got thrust into? You need to realize that non-sexual language can be just as offensive, if not more so, than sexual language when cussing is involved. (If anything, *they* owe <u>me</u>! On November 9, 1993 the U.S. Supreme Court said, "Sexual harassment doesn't have to lead to a nervous breakdown to be a civil rights violation." In May 1994 a female FBI agent won a law suit based on sexual harassment by other male employees. If people can sue and get substantial monetary compensation from those responsible for allowing *or* causing sexual harassment then I *surely* expect compensation for what I've been through.) If a statute is to be enforced, then *all* who break it should be charged — surely those who actually do the act, even teenagers! There is no exception in the law.

And for that matter, how about other offensive indignities I, as an inmate, was

subjected to such as: being stripped naked in front of everyone else and searched into every body cavity and private parts; having to shower in front of everybody else, even officers of the opposite sex on occasion; and even getting sprayed with poisonous de-louse spray while getting booked into the *L.A. County Jail*. Yes, I was subjected to offensive practices too, and I am *truly* offended *and* angered — and remain so, *very much so!*

To make this debacle more horrible, near the same time of my incident with Michael, a woman police officer, Sharon Fischer, committed not only the very same act with a 16-year-old boy while on duty, but fondling was also involved — a more serious offense in the law books. As reported in the *Daily News* on March 13, 1987, her solicitation even involved love letters, a much more severe offense of 647a than mere talking as Michael accused me of. In the end she was only fired from the police department by Los Angeles Police Chief Daryl F. Gates and not criminally charged at all. Chief Gates gave the following reasons for her dismissal: "1) Improperly writing sexually suggestive letters to a minor, 2) Improperly telephoning a minor at his residence, 3) Improperly permitting a minor to fondle her breasts & buttocks, and 4) Maintaining an improper relationship with a minor" — who was a 16-year-old *boy* — while doing undercover work. To this day she remains fired and *not* prosecuted. How dare the judicial system expect me to accept punishment for my deeds when they won't hold one of their own responsible for worse deeds, in both behavior *and* language, with a boy of *exactly* the same age. She actually *did* the touching and as far as prosecutors knew, I did not touch Michael in any sexual way.

It's not right to prosecute some for a charge and not another, *especially* when that person's offense was more serious. No one should stand for that; surely I didn't then and *never* will. Either all should be charged on a given penal code statute number or none. If anything, police officers should be *more* accountable to act in a professional manner while on duty, as this policewoman was. Right after the Rodney King beating incident President Bush said, "law-enforcement officials cannot place themselves above the law." I believe we all have a responsibility to carry on his wishes here and I preach that freely in *Revenge*. Sometimes laws are purposely left broadly worded so authorities can capriciously choose who they will get, and to what extent, if they really want to shaft somebody. This tactic was followed here and should not *ever* be tolerated. It won't by me!

Equally bad, why don't others who actually do a sex act get prosecuted if I, who was only accused of talking about doing a sex act, get prosecuted and punished. When the *Lakewood High School* Spur Posse sex scandal broke in March 1993 a female deputy district attorney on TV responded to why many boys were not prosecuted by saying that even though sexual intercourse with a minor is a crime, it is their policy to "not prosecute when the willing participants are of the same or similar age and have a similar social experience in life." So here we have acknowledged evidence that some sex crimes will be allowed, while people *only* engaging in verbal sex talk will get screwed badly.

Even though the two of us are separated by some years in age, we are very similar in social experience. We're both very quiet, shy, non-athletic, intellectual kinds of people who like the same kinds of music, hobbies, and recreational activities. Michael sure didn't have anything in common with the kids his own age at the *Children's Baptist Home* who were mostly crude, rude, and loud, loud, loud — both with their mouths and their radios. He often expressed to me how very distressing that is to him and that he doesn't fit in with them. Most of the kids also happened to be black, and although neither of us were prejudice, there is quite a cultural/life dissimilarity. When you are one of the few whites around — and a quiet type at that — this can surely lead to discomfort. Having been in similar living situations in custody I can relate to this very well. Some of my worst memories of prison life are of the crude, rude, and loud inmates I had to put up with. I was 21 the first time I was in custody and had difficulty living with the cultural shock. I can imagine how I would have been at 16. And I can imagine being 16 and knowing that my own parents put me there rather than give me the love and support I needed.

Everyone says that because I did not have permission from the *Home* to communicate or see Michael that I am blameworthy. Yet how about their culpability for allowing their staff to man-handle their "inmates?" Michael and I did have more in common than not. Now that should account for something.

And then we have adult actor Rob Lowe caught taking pornographic video tapes while *actually* sexually interacting with a consenting 16-year-old girl (a much more serious violation of the law than what I did) and receives barely a slap on the wrist as punishment (20 hours community service as reported in the *Los Angeles Times* September 14, 1989).

In August 1989 then Los Angeles County District Attorney Ira Reiner responded on national TV to Lowe getting a very minor punishment for his offense in relation to what others would get by saying that when judges see a typical normally law abiding non-criminal come in front of them they see themselves in that person and are reluctant to punish him the same as a typical criminal. Reiner acknowledged that it is easy to punish a petty thief to jail, but not a white collar normal law abiding business person who stole millions. I could hardly believe what I heard from him, but these are his true statements and such discrimination makes me truly mad. He basically admits here that there are 2 systems of justice, exactly the thing we should not have to tolerate. Of all the gall, to come out in the open and admit unfairness and not even have shame for it. After hearing a statement like this I truly feel I'm even *more* owed. And I feel even *less* sorry for non-violent revenge I've done in the past to even the score.

And if prosecutors were not seeking county jail or state prison time for *Hemet High School* football coach Randy Brown (as mentioned by a prosecutor on TV) for arranging sexual liaisons between more than one underage football players and his wife, Kelly, why should I for just *discussing* sexual activity with a *similar age* high schooler? Where is the fairness our country was founded upon? Is there any surprise when someone overreacts in retribution as I did when authorities overreact on their actions beyond proper boundaries? I am appalled at the abject sexual discrimination inflicted upon me that no one should stand for. For the Browns, a stiff fine satisfied the prosecutor and court totally. Yet for me, whose monetary expenses greatly exceeded theirs, that was not enough even though, as far as they knew, I never sexually interacted with Michael. I am truly *not* sorry for the vandalisms I did and am *truly* mad to this day. I *am* owed!!!

One thing that is particularly *extra* angering to me today since the Michael Jackson sex scandal broke in the media in 1993, is that I shouldn't have even been charged to begin with. In relation to Jackson's investigation, police said that the statement from one 13-year-old boy alleging the two engaged in sexual activity was not enough to file criminal charges if there is no other evidence to substantiate his statement. Yet for me, they charged me even though there was *no* evidence other than one 16-year-old's statement, a statement that said I *only* asked for sex; something *much* less serious than Jackson was accused of by a younger boy. If more evidence is needed for him, then more evidence should also be needed for me too, if fairness is to be upheld that is. After all, sexual activity with a 13-year-old raises the crime's severity factor all the way up to the "serious felony" category while mine normally should remain in the "misdemeanor" category. Obviously fairness wasn't upheld, and I later acted accordingly; and after this bit of information I'm more glad than ever that I acted the way I did as far as the vandalism aspect of my conduct was concerned.

647a considers mere solicitation an offense because the phrasing is offensive to the person who hears it, yet 16-year-olds are exposed to more offensive legally permitted things in movies or even in school they can legally see or hear. And for that matter, MTV's cartoon characters, *Beavis and Butt-Head,* aren't so innocent of offensive language and little kids seem to be permitted to see and hear them on a regular basis.

While on the subject of movies, try this on for size. In the 1981 movie *Private Lessons* starring Howard Hesseman, 15-year-old Eric Brown was sexually involved

with the 25-year-old family maid played by Sylvia Kristel. If what I did was so offensive then this movie should also be judged as such. After all, even though it had no naked scenes, it clearly showed the passion between the two consenting lovers in bed, in a tub, and elsewhere clearly on screen. And in another more recent movie, *Rambling Rose,* a boy, Lucas Haas, I believe to be 16-years-old was also involved with an older woman. Why doesn't the talk of these two adults, let along their consenting actions, violate the offensive part of 647a if my talk does? And in the movie *Poison Ivy,* released in May 1992, actress Drew Barrymore, who was 17-years-old at the time (and surely 16 when it was made considering her birthday is 2-22-75 and the lag time between filming and release), made love with another person in a consenting way. Then, last but not least, in the 1994 movie *Milk Money,* a grown prostitute, played by Melanie Griffith, shows her breasts to a boy, advertised in promotional literature to be 12-years-old, and his two friends who could have been 13. She was offered and was given money to perform the deed.

And if Michael was really offended by me and really wanted me in trouble, he surely would have told of the in bed, non-intercourse, close, consensual, gentle, intimate kinds of touching & hand massaging activity we actually did do, rather than limiting his tattling to say I only *asked* for sex and touched *only* his leg. Clearly he was not an offended party — at least *not* offended by *me*. He even picked up a nude girly magazine one day at a store to look at and he sure wasn't offended by all he saw.

I do believe he didn't like the pressure his mother, Margaret, put upon him though. Later he moved out from her as soon as he turned 18. Unfortunately, I could not disclose this interaction before due to the statute of limitations not expiring yet, but it does indicate who the real victims and perpetrators are in this case. It's too bad Michael wasn't free from pressure by his mother and the *Children's Baptist Home* to express his honest wishes to authorities for my leniency. I never did, nor do I now, have any anger at him for his lack of bravery to stand up to his mother. He never initiated nor wished to complain to begin with. In fact, his purposely not taking the opportunity to get me in worse trouble, as bad as his mother wanted, despite *repeated* prodding and poking by her and police to do so, was probably an act of defiance against her wishes — his only way to silently disobey her, and I'm sure, knowing what I do about what he told me he's been through, that did him more emotional good than anything else.

It's noteworthy to mention that besides moving out from under her roof as soon as he turned 18 and was legally able to do so, when we were going out in 1984, and he was 16, he wanted to move in with me — that's how bad he wanted to get away from that *Children's Baptist Home* in Inglewood where his mother had him put in when she didn't want him at home with her. Michael is not gay and has no sexual attraction at all to males. Despite that, he would have rather lived with me where, between us, we agreed to limit our activity to massaging each other and various other gentle touching mostly of a non-sexual nature, rather than live in the abusive *Home* any longer. (I, by the way, talked Michael out of running away though.)

It's also unfair to consider Michael a victim when he's two years younger than the legal age of consent to engage in sexual activity, but then treat him as an adult and punish him as such if he were to do a serious crime. (A 1988 U.S. Supreme Court ruling allows states to execute those as young as 16-years-old. According to *USA Today* September 28, 1994, page 11A; 21 states do allow it at age 16, 4 at age 17, and 12 at age 18. 13 states have no death penalty. In 1994 2/5 of juvenile judges polled by the *National Law Journal* would extend the death penalty to 14- and 15-year-olds. A sixth of them would even execute kids as young as 12.) Either treat all 16-year-olds as children in *all* cases as it pertains to the law or as adults in all cases. The judicial system shouldn't flip-flop them back and forth for their benefit to *use* as they see fit. They can't have it <u>*both*</u> ways. That is the *real* child abuse in this society! That *is* using somebody to gain one's own advantage and that is absurd and unfair.

Child advocates will come right out and say that children can't give consent to

have sex and that they are not responsible for it if it happens to them. Well then I ask, when a 12- or 13-year-old does a serious crime and everyone jumps on the band wagon and yells for their punishment of time in custody just like any other adult because they are "responsible" for their actions, why are they considered "responsible" for that, but *not* if they choose to engage in sexual activity with somebody? This double standard having it both ways ain't right.

They say a 16-year-old can't legally give consent to do sex so having consensual sex is not a legal defense for someone charged with this "crime." But then they turn around and let the 16-year-old give consent to have an abortion if she, under her free will, wants to have one — and she doesn't even need her parents' consent for it either in some cases. The November 5th, 1992 edition of the *Los Angeles Times* quoted a statement by Judge Jerry T. Lockett of Lake County Florida. "If a minor is sufficiently mature such that the law has to accept her consent alone to an abortion, surely she may consent, as a matter of law and privacy, to the act which led to the necessity for the abortion, i.e., sexual intercourse." At least some judicial people are waking up to fairer open-minded views. I want to help wake others up too.

If their reasoning is that my deed involved gay sex and the police woman's did not, then how dare them further. 647a makes no distinction there. All who commit the offense are equally guilty, no matter the gender of the people involved. Either charge all of us, or none of us. Don't you dare nit-pick who you'll charge and who goes free at your whim. And don't you dare do it at *my* expense and expect *me* to pay for *your* prejudicial selective persecutions. That's my view! I welcome yours. I will not stand for *any* form of sexual-activity prejudice committed against me by *any*one! And I'm more firm in this position today (and more angered) since getting 6 extra months tacked onto my '93 federal sentence because of this double-standard type of conviction.

The fact that not everyone is charged indicates they do see it as a minuscule kind of offense. Beyond that, if actually interacting in a mutual way is such a harmful deed to a younger partner Michael's age as some seem to think, it would be illegal everywhere — but it isn't. At some places it is perfectly legal for people of my age to mutually sexually interact with opposite-sex people Michael's age, and in some locations — Washington D.C. for just one example where they liberalized their laws within this range in September 1993 — even same sex people Michael's age. In May 1996 it became newsworthy talk show material when a male teacher had legal sex with his 17-year-old female student in Pahrump, Nevada where the age of consent is 16. He *only* faced moral trouble because it was a teacher/student affair, not because he broke a criminal age law. And they expect me to pay so much for doing so little — no way!!! I shouldn't have to put up with a double standard and I can't see how they have the nerve to expect me to. Fairness is *not* an adjustable concept. It does *not* fluctuate based upon a person's legal status (whether he's free or in custody) or degree of powerlessness.

Beyond any of that, the punishing part that is so bad is the part they don't even consider as punishment — the loss of *MY* hard earned money. The county jail and community service time I did is long over. I no longer feel any lingering bad effects from that. But the financial loss continues — I'm still without *MY* money — and it even increases as the amount I lose with lost interest increases. (Recall from my *Medical Advisory/Information: Statement of Facts* the extreme emphasis I put on unfairness and money that should not have been lost. These are *very* hot-button issues — my Achilles' heel.)

To aggravate the situation further, the DA filed an extra third count against me that according to the statute's wording, and the police-recorded entrapment attempt tape, prove I was not guilty of that one. My words to Michael did not violate the statute in count three. He initiated sex talk because of police prodding and I tried to change the subject to something else. You'll recall, he actually tipped me off so I wouldn't say anything incriminating. Yet count three of the sexual solicitation was for *this* particular conversation. The other two counts were for soliciting Michael on

two other occasions when we went out and were statutorily valid. Shouldn't he be the guilty party on count three rather than me? Hmmm.

Actually, the case should have been handled out of the court prosecuting Hollywood committed crimes, because this is where Michael and I originally met and where I originally asked for intimate relations (and, by the way, where we did mutually interact once). This way, the whole situation could have been kept in the proper context of the more sexually-lenient Hollywood environment and treated as such. While free awaiting trial on this case, I called the Hollywood substation of the Los Angeles Police Department out of jealously on a man sexually interacting with a 16-year-old male prostitute and they weren't concerned as long as it was consenting. The officer I talked to didn't even want the man's license number when I offered it to him. I was angry and lied and said the man is keeping the boy out of school so they can be together. I don't know if that part was true or not, but even at that, the officer was not interested in taking a complaint. This is the agency that should have handled my interaction with Michael if anyone was going to. NOT Manhattan Beach where the complaining mother lived, a mother who gave up custody at that. Hollywood is where my "crime" of solicitation (which they were aware of) took place *and* where Michael and I actually did interact with each other once (which they weren't aware of at the time). Maybe the Torrance DA knew the Hollywood area was more lenient about such matters and figured they could stick it to me more if they handled it. They should have kept their noses out of it and let the *proper* jurisdiction handle it. The Manhattan Beach Police Department police report even mentions my contacts with Michael were outside their jurisdiction. The only reason Manhattan Beach PD got involved was because that's where Mrs. Reeves lived. But she wasn't the "victim" and Michael didn't even live with her. Nor did he live in that jurisdiction. He lived in Inglewood. (If they wanted to be so righteous about prosecuting crime why wouldn't they even look into the claim I relayed to them that Michael told me that when kids misbehaved at the *Children's Baptist Home* they would get "slammed against the wall"? The November 20, 1994 edition of *The Arizona Republic* made it front page news when they revealed abuse worse than slamming kids against walls and resulting coverups in Arizona's juvenile facilities. Is Inglewood and Manhattan Beach guilty of a cover up too? Hmmm.) As far as I'm concerned *they* owe me big time!!!

I was improperly forced to hire an attorney at *my* expense I could not afford with the income I was making. I had to borrow money despite attorneys are suppose to be provided for those who can't afford them and I surely should have qualified. (They paid for *all* the attorneys representing the misbehaving cops in the Rodney King case when they did a serious felony so why shouldn't they pay for my one when I did a petty misdemeanor?)

Cost for initial attorney interview: $150.00
Flat rate through preliminary hearing: 7,500.00
Extra costs, expenses, & investigating plus psych interview report ($175.00) approximates: 4,000.00

Improperly (and beyond that, excessive for this kind of offense in this context) imposed an $850.00 fine *not* a part of the *original* plea bargain I was pressed to plead to. In the middle of open court sentencing a DA, brand new to the case this day, spoke up and said he wanted a fine too. So now, as an uncaring afterthought Judge Willett sneakingly snuck in an $850.00 fine but kept the originally agreed upon 20 weekends in jail and 320 hours of community service the same even with the addition of the fine. How dare them cheat and sneak that by me. And how double dare they *actually* expect to get by with it!

When U.S. District Judge John G. Davies sentenced L.A.P.D. Officers Stacey Koon and Lawrence Powell in the Rodney King beating case he didn't fine them because he acknowledged in open court they were broke. Willett knew I too was broke so why shouldn't I be given the same courtesy? Judge Davies considered other punishment suffered by the two rogue cops and hardship when he handed down his sentence. Why couldn't I have gotten the same courtesy from Willett? On Christmas

Eve 1992 President Bush verbally expressed on national TV that he considered the lost savings spent to defend themselves as one reason he pardoned 6 Iran-Contra defendants. They had spent considerable sums of money defending their actions in court just like I did. Why couldn't I have gotten the same courtesy? *Every* penal aggravation we have to put up with, especially costs out of our pockets, should be considered as part of the punishment. There's no reason to *ever* settle for *anything* less.

Not only wouldn't Judge Willett consider the high attorney fees and other expenses I already paid as part of the punishment (which I asked him to do), but he expressed verbally how he wanted me to pay even jail time expenses while I was incarcerated. They just wanted to grab (bloodsuck) all they could and I was *furiously* offended. The fact that he was *so* determined to make me pay contributed to making me determined to return the favor in some way. At the time, there was no plan to vandalize numerous vehicles — but it didn't take too long for that plan to materialize.

This weekend jail cost by the way would amount to $150.00 per weekend for 20 weeks room and board in a local jail cell. (Local jails charge prisoners $50.00 per day or any portion of a day. Even though I would be in 48 hours at a time it would be from 6 p.m. Friday to 6 p.m. Sunday, therefore 3 *portions* of a day. Boy, isn't that a scamming way to screw someone over?) This is enough to tick any normal person off. Bloodsuckers all the way! How dare them cheat and sneak that fine by me. Do you see my outrage showing?

Due to lack of any more funds, I was unable to do the weekends and instead did the 40 days all at once in the *Los Angeles County Jail*. But to do so, Willett made this sentence 60 days knowing he had to do that in order to get me to do 40 days. But the catch is, to do 40 out of 60 I had to work 8 hours a day. In the weekend 40 day deal it would have been 40 *without* any requirement to work. Shouldn't 8 hours a day for 40 days (which equals 320 hours) have been taken off of the community service time then? I sure think so! There should have been *no* community service.

They owe me big!!! Cost of improper fine alone equals: 850.00

Cost to sign up for community service. (They had the nerve to charge *me* to sign up to do "volunteer" work and this fee was not a part of the original plea agreement and should not have been imposed. Boy, speak of a scam, do they owe me!): 15.00

Out of pocket expenses so far (subtotal): $12,515.00

Lost income from job to do county jail and community service work plus 6 lost days for court appearances calculated at $230.03 weekly take home pay (after taxes) for 16 weeks and 1 day equals: $3,726.49

Gas money to drive way down to Torrance for 6 court appearances at $7.00 each trip equals: 42.00

Gas money to drive way down to Manhattan Beach to do community service because Willett wouldn't let me do it locally as others do. I had to drive over 30 miles in heavy traffic from the San Fernando Valley down to Manhattan Beach every day to do the community service work rather than do it in my own local neighborhood as most judges would allow. (Willett also ordered the community service had to be "hard labor" and not a sit down kind of work like clerical duties.) I told Willett my financial difficulty relating to gas expenses on my old low-gas-mileage vehicle but that didn't matter a bit. "I want the community where the crime took place to benefit from the community service," was Willett's sharp-ass response. I told him the so called "crime" didn't even happen in *his* court's jurisdiction and that Michael and I met in Hollywood (where we even interacted). I then said to let me do it in Hollywood which won't be as far to drive. But no, that wasn't good enough for Willett. Now that he knew the *real* location of the "crime" he changed his mind and said, "then I want the community where the *arrest* took place to benefit." It meant nothing to him that the arrest shouldn't have taken place in his jurisdiction at all to begin with! (Ironically, the janitorial work I was assigned to do at the National Guard Armory in Manhattan Beach left Tony Conti, the regular state-

employed janitor I worked for, free to type labels for his extensive private collection of adult pornographic video tapes. When I did much of the work he was once doing alone, this left Tony free to do his own "personal" paperwork.) $7.00 per day for 40 days equals: 280.00

Total: $16,563.49

Total owed me by Torrance and Manhattan Beach up to this point with interest calculated from mid-1985 through end of current year equals: . . . . . (+*) $43,290.69

(It is noteworthy that this jurisdiction was also made aware of my ongoing plans to continue tipping off other people under surveillance to help recoup unnecessary losses I sustained during their abusive tactics. They too, like the Secret Service earlier, have offered no comment and not the *least* hint of an objection about my continuing to do them now or later down the line.)

This following part was owed to me by Mrs. Reeves for misdeeds she committed against me. In December 1989, while still in state prison, I received a money order for $300.00 and a brief note from her. While it was $14.18 short, it was a good faith effort to make right her wrongs. She did not know the exact amount anyway, only descriptions of approximate loses she was responsible for. Although she did not actually apologize and/or admit most of her wrongdoings, and therefore should not be considered forgiven, she apparently does realize there was unacceptable impropriety on her part and that satisfies my dissatisfaction at her. This debt is considered paid in full and, despite the fact she remains unrepentant and an unindicted criminal slanderer and perjurer, my attitude towards her is now neutral. Everyone aware of her shenanigans should do likewise.

Her misdeeds happened when I criticized her in a non-threatening but harshly worded letter (in October 1985 from *L.A. County Jail*) to condemn her for improper actions and emotional abuse she caused her 16-year-old son, Michael. She had the nerve to claim my sexually spoken words were so abusive to him. As it turns out, he told me he was upset by mistreatment he suffered at the *Children's Baptist Home* where he was staying — a place *she* had him put. (He wanted to run away from there and live with me.) He said staff will "slam kids against the wall when they misbehave." In an attempt to clear her conscious she tried to put all the blame on me as to his upset nature and forced him to tell all to police. Yet if he was so upset by me as she said, and really wanted me in trouble, he surely would have told of the consenting interaction and touching we actually did do, rather than limiting his tattling to say I only *asked* for sex and touched *only* his leg. While I could not discuss that with her at the time, due to the statute of limitations not expiring yet, the letter's true purpose was to vent emotional anger as a safety valve in order to prevent a response not so benign on my part from bubbling to the surface, and to set her right as to who *really* abused Michael. I don't believe in sweeping feelings under the table. They have a dirty habit of popping up somewhere else and when they do, they usually cause a lot of damage. Apparently Mrs. Reeves couldn't accept the real truth and realize that. It was not meant to be a threat as she tried to claim. She had a lot of nerve to even make that claim after telling my attorney that I should be hanged for speaking to Michael as I did. Hanging is murder, and that's violence in my book. Isn't it in yours?

Rather than see the wisdom of that and learning by it and trying to correct the situation she tried to get me in trouble for writing her which was <u>*not*</u> against any probation regulations. Maybe she thought she could clear her own guilty conscience, which she surely should have had, for what she did to Michael. I was only prohibited from communicating with Michael, who didn't even live at her house where I sent the letter. According to Detective Picker, Mrs. Reeves went to her to complain about the letter. Picker told her that she didn't see a threat in it and sent her to my probation officer. But I didn't have a probation officer because I was on unsupervised "summary" probation. Mrs. Reeves then went to the court clerk in order to file a complaint directly to Judge Willett. In order to get me in trouble though, she needed to lie *twice* about my behavior in a slanderous way as defined in

Penal Code § 258 and even perjure herself, another crime as defined in Penal Code § 118. She signed an official *Declaration of Probation Violation* document declaring under penalty of perjury that what she is saying was true and correct. This probably was suppose to clear her conscious that she is not guilty of doing any emotional harm to Michael. She couldn't accept any of the guilt for rejecting her own son at a precarious time in his life when he needed her badly and lied to put all the blame on me. Michael had relayed to me his upset nature he felt toward the *Home* his mother had him put in and the physical abuse they did to him there. As far as I know, no one looked into that when I told them — they seemed too concerned that I alone was responsible for "abusing" Michael and therefore allowed Mrs. Reeves to slither away from accepting any form of accountability pertaining to his emotional problems.

Worse than her deeds, Judge Willett up and puts a warrant out for my arrest without checking the facts first in that he did *not* prohibit me from contacting *her* as she claimed in both a typed letter personally to Judge Willett and her sworn *Declaration*. I purposely held up sending the letter to a day so she would be sure to get it early in the week when Michael, who was occasionally home with her on a weekend day pass, would not be there at the time. I made sure I abided by the probation requirement in effect which was not to contact Michael *only*. I was *not* prohibited from contacting her "in any way, shape or form" as she tried to claim. Now I had to put up $2,500.00 bail to get out of jail pending a probation violation hearing. Ironically, on the original charge, I was let out without posting any bail and never missed any court appearance dates. In the process, I lost 3 days off work for court appearances and had to pay public defender costs even though I was found legally *not* in the wrong for writing. (Judge Willett *reluctantly* appointed a public defender to represent me at the violation hearing when I told him I no longer had the money to hire an attorney and was, in fact, in debt from past legal fees on account of this mess. In the end he stuck me with the cost of the public defender after I was found to be in the right and not in violation in *any* way.) Worse, Judge Willett spoke harshly as if I had done something wrong. He apparently wasn't sharp enough to realize that letter was necessary to vent off steam to prevent less appropriate behavior from being directed towards Mrs. Reeves. (Judge Willett was pissed he couldn't stick it to me. After he read in the file on the day of my hearing that I was *only* prohibited from contacting Michael, he insisted on getting the court transcript to see if he *verbally* said to not contact her too. And when he found he had not, and then couldn't get me, he was quite obviously not happy. That insistence about getting the unnecessary transcript was responsible for costing that extra 3rd day off work mentioned above.)

Therapists realize the importance of verbally confronting someone who has done them wrong and how throwing the extra baggage of disgust back on their doorstep is a very cleansing form of therapy. One can only carry so much baggage before you have to unload it. (And believe me, *Revenge* unloads a lot of it all around! That's its purpose. My way of doing it legally.) I don't believe in sweeping strong feelings under the table, especially when they can pop up somewhere else and cause a lot of damage. I had a lot of anger over this case and I *needed* to confront the main perpetrator. I successfully used this technique in the past to other misbehaving judicial personnel and in all cases it lowered the chance that less appropriate reactions could bubble to the surface. Although on the most serious violations, my reactions were not lowered within legal bounds of venting, my reactions still came much *closer* to that boundary.

Before the second verdicts were announced in the Rodney King case, people were told to *verbally* express their anger if the results were not what they hoped for rather than do violence and vandalism as they did the first time. Even at the first verdicts then Los Angeles Mayor Tom Bradley, in his wisdom, realized how the community needed to vent off steam after the case was over. And at that time then Police Chief Gates acknowledged how people need to channel their anger in a right way. This led to their strong recommendation to vent it out in a verbal and orderly

way. Why couldn't Willett just have let me vent it out?

That's what I did in my letter to Mrs. Reeves and I should have been complimented for writing, *NOT* condemned. I'd bet if a hard-core gang banger did that rather than do a drive-by shooting to alleviate an anger he would be complimented and highly praised. Surely, I shouldn't have been cost money out of *my* pocket for choosing this benign method of alleviating an anger, an anger that was *very* legitimate to have. My verbal tongue lashing letter was merely a therapeutic way to vent off steam in a slow way, a safety valve so to speak, to prevent something of a more explosive nature in a more hostile way from coming to the surface. That's really all there was to it — a way to put closure to the situation and bring it to completion. It was not a threat, it was the *opposite* of a threat, a preventative action. A very *necessary* preventative action. I was doing a long slow burn and I was worried that at some point the anger would just come out. It's too bad Judge Willett didn't understand this. He, if anyone, should realize what it could prevent. Knowing Mrs. Reeves isn't too bright, I can sort of overlook her in a small way, but Judge Willett is highly educated. He should have known better. It's too bad they couldn't listen to my whispered complaints and criticism. Instead, they had to hear the shouts from hundreds of people who got their cars vandalized as listed below.

Mrs. Reeves' crime of perjury was worse than my original sexual words to Michael, yet she was never charged or even reprimanded in any way. I was once punished by Judge Hauk when I made perjured statements (he expressed his disgust about my lying). So why shouldn't Mrs. Reeves have been punished just the same? Once again, I became a "double-standard" victim.

In the end, I — the person in the right — was charged court costs; I had to pay for the public defender. THEY SCREWED UP. She lied, they never charged her, and Judge Willett didn't <u>check the facts first</u>. If he had, all this would have been avoided. Rather than up and put a warrant out on me when he read her complaining document, signed under penalty of perjury, he could have easily checked my file to see she was in error. Rather than do his job properly, we ended up going through all this, and after their bloodsucking attitude got all my money before, now they wanted more. I was ordered to pay $48.00 for Judge Willett's screw up. That should have been up to him. I've had to pay when I've screwed up before — so should Willett have had to!!! Losers in civil cases pay the winners' expenses. I was the *winner* here — the person in the *right*. That should have been up to them *and* <u>her</u> to pay!

Why should I have to pay for the use of an attorney that is *suppose* to be provided for free to those who can't afford one when illegal aliens, who have no business even being here to begin with, don't have to pay a thing for doctor or hospital care for all those <u>extra</u> babies they keep having, even when they can't afford the ones they already have, which they're even getting free care for also? Here my actions of writing were <u>*legal*</u>. Why should I have to pay? Those who are *illegal* don't get cost a thing! Why? Why? Why? I want my money back!!!

After suffering so many unfair, improper, and unnecessary abuses and monetary loses over the years by various members of the judicial system — especially how the Secret Service very maliciously ransacked and vandalized our house, and particularly my bedroom on January 11, 1980 — this action by Willett was the straw that broke the camel's back and led to the vandalisms listed below. I was mad about losing <u>*MY*</u> money I, as an innocent victim, shouldn't have lost, and I wanted to cost other innocent people and make them mad in return. I wanted to violate other innocent people's property as my innocent property was violated. For that I am *not* sorry at all even though I said so at the time to appease judicial personnel and possibly lower the punishment I could receive. The shock should be *not* that I responded in an extreme way to these violations, but that they have the nerve and audacity to actually do the various kinds of violations I address within this document and then *expect* us — the defendants — to just accept them as if it's the normal thing to do. *That* is the shocking thing — and the shameful thing! It is <u>*not*</u> normal! And it *won't* be tolerated! And there are a lot of VOCAL members who

concur.

The thing I am *very* sorry for though is the minor injuries that happened to a few people when some of the overspray mist blew onto their skin. My MO is one of a non-violent property offender (revenge tactics that merely cost, inconvenience, embarrass, and/or aggravate others as a response to violations committed against me as outlined in my OATH), *not* someone to injure others — that is *not* my way, despite the fact DA Lee Harris later put more emphasis on this part of my behavior. See 1986 San Fernando case below for details. I am also sorry I didn't let the individual car splashing victims know who *really* should be blamed for my responding and why. Who *really* are the misbehaving culprits. I truly wish I would have made the *real* guilty culprits get a ton of bad media coverage and a ton of complaints from car splash victims.

And just so the record is straight; no, it wasn't *just* a $48.00 fee that led to the estimated half a million dollars in vandalism. That was just the final straw. Every other impropriety about this case, which I've already addressed, along with the anger over vandalizing Secret Service agents on January 11, 1980 was already brewing. Being pressured out of this 48 bucks just raised the flame a notch higher and the tea kettle burst. Let that be a lesson to those prone to misbehaving — keep the flame low.

One can only imagine what would have happened if Judge Willett had gotten a wild hair up his ass and sentenced me anyway even though there was no real legitimate violation. Mrs. Reeves probably wishes he had, but that's only because she's not bright enough to realize she's better off the way it happened.

As it turned out, her own handwriting convicted her without a doubt of the second lie. A note in her handwriting turned over to police and included in the original police report, which she apparently forgot about, verified that. She was keeping a record of the times I called her house and talked to a visiting Michael. In one notation she indicated that, "asked home address, gave it," meaning that I asked Michael for the home address and was given it. In her complaining letter to the court claiming a violation of probation had taken place she said, "I don't know how he got my address, because Michael didn't give it to him!" By all rights she should have been arrested and charged. If that would have been any of us ex-offenders we surely would have been. In the least Willett could have reprimanded her.

But as I said, Willett's biggest sin was sticking me with the public defender he reluctantly appointed. $48.00 was the damages that I, as an innocent *victim* of this woman's malicious lies, was ordered to pay. And I had to pay it too because it would have been a real legitimate violation of probation if I didn't. But it didn't end there. They weren't getting by with this.

Public defender cost equals: $48.00

Lost wages for 3 days off work at $46.01 per day take home pay equals: 138.03

Xerox fees to have some legal papers copied out of my file by clerk — papers that would not have been needed had this travesty not occurred equals: 12.54

Gas money to drive way down to Torrance for 3 court appearances at $7.00 each trip equals: 21.00

Total expenses suffered at that time equals: $219.57

Total owed me by Mrs. Reeves with interest calculated from time of her offenses (March 1986) through date she paid off her debt (Dec. 1989) equals: . . (+) $314.18

(Although only $300.00 was paid, I consider this debt paid in full and have subtracted the full $314.18 from the Total judicial debt at the end.)

July 30, 1986: Devonshire substation of the Los Angeles Police Department and San Fernando Deputy District Attorney, Leland B. (Lee) Harris charged me with several counts of assault with caustic chemical that, according to Penal Code § 244 were not valid. Specific intent is required for a person to be guilty of this statute and they knew I did *not* intend "to injure the flesh or disfigure the body of" those few people when I intentionally vandalized numerous vehicles. Beyond that, case law also requires the chemical to *touch* the victim. One count didn't even meet this

provision as could be read in the police report. In the victim's own clear statements I was *only* guilty of vandalism, a much less serious crime, and the one I *did* intend to do. All this improper charging cost me more to defend against. I got one extra year consecutive on that one count alone. They also charged a special Great Bodily Injury (GBI) allegation (Penal Code § 12022.7) that was clearly not valid when the police report is read. It clearly stated there was "no serious injury to [any] victim." Section 17.20 of the *California Jury Instructions* says that, "'Great bodily injury,' as used in this instruction, means a significant or substantial physical injury. Minor, trivial or moderate injuries do not constitute great bodily injury."

Despite that, Harris wanted an open-court hearing rather than quietly drop the GBI allegation. Maginnis told me Harris was the one who insisted on it because, with all the media publicity, he was worried how it would appear if the most serious charge was dismissed behind the closed doors of chambers. Probably he also didn't want to look bad to the media and have to explain to them why he charged a count he shouldn't have charged to begin with, if he had done his job and read the police report *properly*. It was then up to me to pay my attorney for this hearing that wouldn't have been necessary if Harris had done a proper job and filed *only* the proper vandalism charge at the outset.

To top any of that off, police from the Devonshire substation had splash victims, which got some of the overspray mist on them, identify my picture that in no way could have been done in a proper and legitimate way. For instance, when I drove by a line of cars squirting acid on them some of the mist blew onto a bicyclist I passed by going in the *same* direction. Yet she positively identified my face in a photospread even though there is no way she could have seen me. At the most, she would have seen the back of my head through the back windows of my work van, the vehicle I was using to commit the vandalisms.

In another indication of police misconduct in relation to making improper ID's, a girl testified in the above mentioned court hearing to show the media she was not injured. On the stand she was shown a photospread with my picture and immediately pointed it out. Then she was immediately asked if she could point that same person out in the courtroom. After looking all around, she could not at all even though I had not changed my appearance in any way. This looks suspiciously like because police knew I had splashed cars, they figured they had to point out my picture to splash victims in order to get an identification and therefore a conviction. Due to the way the splashing was done, there is no doubt this was done for one or more victims.

I was then threatened with three improperly added priors (Penal Code § 667) to plead to what they offered or else I'd face enhancements up to 15 years that I found out only later, weren't valid. Even my own attorney, J. Patrick Maginnis, paid by us, went along with *their* side. I didn't discover this until it was too late and I was in state prison. All these extra charges, plus certain lies told to the court at my first bail hearing court appearance by Harris, jacked bail way up above what is normally called for when someone violates 244 ("bail deviation" I believe is the term they called it) and it cost us extra lost bank interest to put it up and while courts had our money. Six months interest was lost from early withdrawal out of a high-interest term account. This should not have been necessary had Harris done his homework properly and not overfiled the improper charges.

The complete language of 244 is as such: "Every person who willfully and maliciously places or throws, or causes to be placed or thrown, upon the person of another, any vitriol, corrosive acid, or caustic chemical of any nature, with the intent to injure the flesh or disfigure the body of such person, is punishable by imprisonment in the state prison for two, three or four years." When I questioned Maginnis about the statute requiring intent (I was not aware of the terms "general intent" and "specific intent" at that time) to injure and disfigure in order to be guilty of it he lied to convince me that is not true by saying, "if one shoots a gun up into the air and the bullet comes down and accidentally kills someone it is still murder." Today he couldn't use that baloney to defendants since Korean grocer Soon Ja Du got probation for second degree murder because the court ruled she did not intend to

kill the non-threatening walking away teenage girl. In fact, after the Williams and Watson part of the Reginald Denny trial was over with on October 20, 1993 Maginnis came on TV as Antoine Miller's attorney and said there was no intent on the part of Antoine to kill Denny so he is innocent. (Antoine only opened the door on Denny's truck, probably to burglarize it. It was the *other* defendants who dragged him out and beat him. Antoine never touched him at all.) Maginnis should have had the same response to me about my lack of intent. This bullet crap won't get it. It's a *dead* issue. No pun intended. Truly, Maginnis owes me *big* bucks back. He shouldn't be allowed to slither off with his bulging pockets filled with *MY* money. The court in turn should also have *only* punished me for my intentional misbehavior (vandalism) as required by statute. I should be excused for a non-intentional minor injury if someone can be excused for a non-intentional murder.

And in some cases, those who have intentionally murdered others have gotten practically excused. Several years ago a man shot and killed his son's molester while cameras were rolling away taping the whole scene. And I don't believe he did any time for it. And who can forget Ellie Nessler. With public support behind her, she did only a few years in prison for the 1st degree murder she committed when she killed her son's molester right in the courtroom.

I should never have even been charged with assault to begin with. On TV, a DA made a point of telling the media that he was *not* charging Mets' outfielder Vince Coleman with assault in relation to his throwing a large firecracker (reported to equal 1/4 stick dynamite) into a crowd of baseball fans on July 24th 1993 because he said Vince had *no* intent to injure anyone. In his case, it was well publicized how his careless act injured a 2-year-old baby girl serious enough to show visible scratches near her eyes. Besides her, two other people suffered minor injuries; an 11-year-old boy and a 33-year-old woman. The injuries to these three people were worse than *any* physical injury I caused during my carelessness while vandalizing cars. Vince was only charged with unlawful possession of an explosive device, the *intentional* thing he did do. Why couldn't Harris have been as forthright in charging me with *only* the proper charge of vandalism, my *real* intentional behavior? But as far as being charged with injuring others, why did I face one count for *each* person I injured when Coleman injured three people and faced *only* one count against him? And if he was allowed to plead guilty to a mere misdemeanor, requiring no jail time, then why not me? It's noteworthy to mention that the assault statute Coleman could have been charged under, Penal Code § 245, is not a specific intent crime. Only general intent is required for guilt. If the natural circumstances of his act could result in bodily injury to another, then he rightfully could be found guilty of the crime — if only he would have been charged with it. Do I have a legitimate right to claim I want my money back, or what???

On May 10, 1991 Los Angeles County Sheriff Sherman Block was interviewed on KNBC-TV *Channel 4 News* about a videotape, taken by deputies and released to the public by a disgruntled deputy, showing several deputies hitting inmates after a riot, which happened in the Mens' Central Jail in April 1986. The tape clearly showed deputies hitting calm inmates as they crawled on their bellies out of their cells and into another nearby holding cell. Even with all that evidence, Block said the offenders were only "reprimanded." To minimize their misdeeds he said there was "unnecessary force" but not "excessive force" because the officers did not intend to inflict injury. Boy, was that a white wash or what? They should be punished for inflicting *any* injury. Assault as defined in Penal Code § 245 does not require there to be specific intent to injure in order to be guilty of the statute. In this statute, an accidental infliction of injury is enough to constitute a commission of the crime. Block also defended his lenient treatment of the 5-year-old event by saying that no inmates complained about brutality at the time. That's our fault for allowing them to get by with it. Have we defendants reached the point where we accept it as O.K.? Shame on us!!! DON'T include me in that group.

And when 35-year-old Chinese refugee and transient Andres Zhang Huang accidentally set the fire that burned thousands of acres and over 150 homes in the

Altadena area on October 27, 1993, causing some 140 million dollars in damages, he was only charged with a misdemeanor of starting an illegal open fire because an interviewed deputy district attorney said, "he had no criminal intent to start a fire," he was only wanting to keep warm and was merely careless. I had no criminal intent "to injure the flesh or disfigure the body of" anyone as required by statute in order to be guilty of it and they *knew* it. I was merely careless when I was splashing cars. Why wasn't I treated with the same fairness?

The *Los Angeles Times* (November 24, 1993, page B2) reported, "There is no evidence he was aware of the unique fire season conditions in the San Gabriel Mountains." Since when is ignorance of the law an excuse? And it apparently didn't matter either that a 98-year-old man died of, "Pneumonia that detectives said was related to inhaling smoke from the Altadena fire." (*Los Angeles Times,* November 30, 1993, page B2.) But wait — Huang's criminality doesn't end there folks. When he was arrested, he had three counterfeit $100.00 bills in his possession. Now surely he'll be charged with that won't he? Not according to the same November 24th *Times* article. He "…will not be charged with fraud for having three counterfeit $100 bills on him when arrested, according to the Los Angeles County district attorney's office. Huang told authorities he got the bills in Peru and had kept them as souvenirs." Ya, right! I used to have some I kept as souvenirs too. I wonder what they'd have said about that? Hmmm.

So what do you suppose his sentence was? Now he only faced a maximum of 6-months in the county jail and a $1,000.00 fine. Well he pled no contest and got 3-years probation and was ordered to live in a residential treatment center. (*Los Angeles Times,* December 23, 1993, page B2.) Surely the biggest thing that worked in his favor was his mental disability. Yet when I tried to play that card I couldn't get *anything* favorable out of it. Can you see me g r u m b l i n g madly here?

After going to state prison I began researching the law and found conclusive proof that Maginnis was wrong. In preparation to filing a Writ of Habeas Corpus, my father asked him to sign a Declaration acknowledging the advise he gave me. Even though he would have only been admitting to *giving* the advise, and not admitting that it was *wrong* advise, he refused to sign it. Instead, he tried to cover his tracks like a cat in a litter box. He sent my father a letter in an attempt to bolster his position that the advise he gave us was correct. That letter says:

December 2, 1987

Mr. Ernie Larsen
XXXXX Xxxxxxxxx
Xxx Xxxx, California 91XXX

Re: People v. Larsen

Dear Ernie:

Enclosed you will find CALJIC 1.22 and the use notes that accompany the jury instruction. You will note that the comment specifically states that maliciously, as construed in a Penal statute, does not require specific intent. I am enclosing a copy of the Bohmer case for your review.

Judge Fratianne was quite clear that he would have denied the motion, whether I was present in court or not, because he felt that the sentence that he meted out to Tom was reasonable pursuant

to the plea bargain. He also felt that he was giving him a break, by not sentencing him on any of his four prior felony convictions.

With warmest regards,

J. PATRICK MAGINNIS

JPM:mry

Enclosures

CALJIC 1.22 refers to § 1.22 of the *California Jury Instructions*. The comment Maginnis refers to states in part, "The word 'maliciously' in a penal statute does not make the crime defined a specific intent crime. *People v. Bohmer,* 46 Cal.App.3d 185, 120 Cal.Rptr. 136, certiorari denied 423 U.S. 990, 96 S.Ct. 402, 46 L.Ed.2d 308." The Bohmer case involved defendants charged with blocking the passage of a train. Yes, malicious doesn't require specific intent. But that's *not* what I'm attacking. I'm addressing § 244's intent "to injure the flesh or disfigure the body of such person." And according to CALJIC's *Appendix D,* that <u>does</u> require specific intent.

In January 1998 I did some more research in the law library to fine tune my already-established position that Maginnis was wrong. Instead of *Appendix D's* brief mention that 244 is a specific intent crime, I see the statute has now been assigned its <u>own</u> CALJIC number. It's complete language is:

CALJIC 9.08.5

ASSAULT WITH CAUSTIC CHEMICALS

(Pen. Code, § 244)

[Defendant is accused [in Count[s] _____] of having violated section 244 of the Pen. Code, a crime.]

Every person who willfully and maliciously places or throws, or causes to be placed or thrown, upon the person of another, any vitriol, corrosive acid, flammable substance, or caustic chemical of any nature, with the specific intent to injure the flesh or disfigure the body of that person, is guilty of a violation of Penal Code section 244, a crime.

["Flammable substance" means gasoline, petroleum products, or flammable liquids with a flashpoint of 150 degrees fahrenheit, or less.]

In order to prove this crime, each of the following elements must be proved:

1. A person placed or threw, or caused to be placed or thrown, <u>(substance)</u> upon the person of the alleged victim;

2. In so doing, the person acted willfully and maliciously; and

3. The person also acted with the specific intent to injure the flesh or disfigure the body

of the alleged victim.

Well there you have it. It *is* a specific intent crime. It *is* one of three elements that must be proved in order to be guilty of the statute. And the specific intent is "to injure the flesh or disfigure the body of" a person — just like *Appendix D* told me so many years ago. Wonder what Maginnis would say now with this waving in his face.

Anyway, back to his letter of December 2, 1987. He went on to justify why he didn't show up in court. The day he missed was the day the Court was hearing the Motion I prepared in an attempt to modify my sentence. Apparently Maginnis was too embarrassed to be there, seeing that I was addressing the errors *he* made. His letter also keeps referring to my priors, this time stating there were "four" when the correct number was really *three*. And, of course, I later found out that only *one* of them would have been valid in the beginning; the two counterfeiting convictions did not meet the provisions for 5 plus 5 years enhancements. And after the GBI allegation was dismissed none of them were valid. This is what I should have been advised of before I entered a plea.

Penal Code § 667 allows them to add 5 years to a prison sentence for *each* prior conviction of a "serious felony" if the current offense a person is charged with is also a "serious felony." Penal Code § 1192.7 defines what constitutes a "serious felony." If charges are "brought and tried separately" they count as separate priors. For those, like my two counts of child molesting which were consolidated together in Superior Court back in 1971, that would be a single conviction and count as one prior. 1192.7 does not require the sex act to be forcible in order to rate "serious felony" status; so there is no question that it would have been a valid prior. But the other two priors Harris alleged, those for passing counterfeit money, are not "serious felonies." The GBI allegation, by its very nature, would have been a "serious felony." Therefore, if it would have stuck, I faced one prior enhancement — not three as I was being threatened with. Now after the GBI allegation was dismissed, leaving just the 244s where no one even sought any medical attention, my current offense would have most assuredly been classified as a regular ol' non-serious felony — meaning no prior conviction enhancements could be added.

I plead no contest (the same as a guilty plea for all practical purposes), not only to the 244 counts (which I was led to believe I was guilty of despite my lack of intent), but to as many 244 counts as they wanted me to, strictly because Maginnis was making me feel pressure that I would get 15 *extra* years on top of whatever sentence was imposed if I didn't.

And to top that off, the California Supreme Court in *People v. Day* (1926) 248 P. 250, 199, C. 78 states, "…section 244 requires proof of the fact that the acid actually touched the person of another,…the defendant cannot be found guilty of the offense charged if the attempt to throw or place acid upon the person of another failed of fruition.…" In count 3 the victim, Charles Simons, clearly stated in the police report that the acid touched *only* his vehicle, not him. Yet, I was *still* improperly charged with assault with chemical, rather than merely misdemeanor vandalism, and got an *extra* year consecutive on that count. I did 6 months more in prison and had to give the prison free work to earn the other 6 months off. Grumble, grumble! Maginnis just makes me angrier and angrier. I always had to admit my wrong doings when I got caught. Why can't he? He must!!!

(A bit later on I talk about my dad playing a taped telephone conversation between him and Maginnis back to me on the phone shortly after my November 7, 1993 arrest in which Maginnis refers to the second letter I mailed as being "hand delivered" to him. Although that tape got recorded over, while searching for it I found another one containing a conversation they had right before he sent my dad the above mentioned December 2, 1987, and details of that irrelevant Bohmer case, in order to try to justify his position as being correct. Without this, it would have been just my word against his that he peddled that lame "shoot a gun up into the air"

line at me in order to make me think that intent didn't matter. Although he said it to me in front of my dad on several occasions, with him no longer here to verify it, I had no proof. Until, that is, I found the tape with him saying it to my dad once again. "I talked to his [Fratianne's] clerk, he went into chambers, he talked to the judge, he came back out and he said Pat, here's what the judge said. The Motion was going to be denied whether you were there or not. The judge is feeling that he got a fair sentence based on all of his previous record, based on the fact that he got no time for the priors and that's all there is. The judge's attitude is that.…I'll send you a copy of this 1.22 and you can send it down to him [me in prison in San Diego] to show him he's all wet on the issue of malicious. It is *not* specific intent. [Emphasis in his voice saying *not* was apparent.] It's no different than myself getting in the back yard and saying I'm going to shoot some sea gulls and get my shotgun and shoot a sea gull, a couple pellets come down and hit my neighbor next door in the heart and kill him. Now I intended to kill a sea gull, but I got more than a sea gull in the process.…It's called transfer of intent. The whole idea is the law is going to punish someone for the natural consequences of his or her actions. You don't cry fire in a crowded theater, you don't shoot a pistol in an urban area, you don't throw acid on a car because you never know if somebody's walking by the car or opening a door and you could get that person. Right?… That's what the punishment is for — is to keep people from doing something like that." Transfer of intent would fly on a non-specific intent assault crime like 245 PC, but not with the one I was charged with — Penal Code § 244. Maginnis is wrong! And so was Fratianne for thinking the priors were valid. Grrr! Anybody want to hear the tape?)

It is precisely because they put their emphasis on the *wrong* thing all along and stuck me with a violent-crime conviction, as if I had done it intentionally, and in turn practically neglected the non-violent intentional vandalism aspect of my deeds, the exact opposite of what they should have done, despite my pleadings to not misplace their priorities onto the wrong thing again, that I acted back in the opposite way they wanted and wrote *Revenge* and enthusiastically speak up with my opinions so forcefully and favorably for this method of vandalism as an easy, satisfying, and fun way to cause a lot of grief to a lot of people with *no* danger of injuring anyone *provided* care is taken. I love knowing that I've given judicially-abused people ammunition to annoy other people in return. (Actually, none of this would have surfaced had the *Fairness Doctrine* been adhered to all along. Let that be a hint to others prone to misbehavior. They may be opening up a can of worms they have no idea is even present.) This is sort of my way of revenging Harris and Superior Court Judge Robert D. Fratianne for putting improper emphasis on the *wrong* thing. They knew what the *proper* charge was to file. They knew what my true intentional behavior was. They knew what is required by statute to be guilty of assault with a caustic chemical. They knew I don't respond to unfair treatment very well. And then they still made a conscious choice to sidestep proper conduct and even actually expected me to just accept it and even pay improper-advise giving Maginnis' bills. If that isn't a lot of gall, what is? Obviously they didn't realize they picked the wrong person to screw over — *again*. They put the emphasis on the wrong thing so I'm (in *Revenge*) putting it back where it belongs — on the vandalism. Truly, they should have stuck to the right thing and been more concerned they don't screw me over again. Obviously, like Rappe and his bag of cohorts and Willett earlier, this bunch too came out as goats with big time egg on their faces. They're just lucky violent behavior is not a part of my nature and that I don't have a terminal disease with nothing to lose no matter what I did. (Even when I did think I had a terminal disease [AIDS] I chose a benign method of response as detailed below.)

I, of course, do not do the deed myself any longer knowing that, because of the unusual nature of this crime, I am immediately suspect when it happens and police are on my doorstep questioning me about it, even when it happens hundreds of miles away. When they do I just show them my writings about the deed and they know splashing information is out and about to more and more people. As much as they want to stop it and me from spreading the word around, they can't. I don't do the

deed any longer. Obviously Fratianne and Harris should have had their priorities in the appropriate place right at the start and been more concerned that they don't trigger off something else farther down the line. They, like too many others in the judicial system, were looking at just the short term "protection of society" philosophy and giving no thought whatsoever to the long-term effects down the line. Here is a clear-cut example of doing something legal to get revenge and piss off others, especially law enforcement, while having *no* risk of getting arrested. It is *not* illegal to merely express an honest *opinion* verbally that wronged people "should" do the deed as long as you don't do the deed yourself or actually prod someone into doing it. It has something to do with free speech and that First Amendment thing. It always creeps in there somewhere when you least expect it. :-)

If only the proper offense I did do (vandalism) would have been charged in the beginning I could have safely gotten by with a public defender at *no* cost to me. Because of invalid serious charges I had to defend against, we paid thousands to psychiatrists (some were friends of Maginnis, who probably got kick backs for referring me to them) for court evaluations. Evaluations that wouldn't have been necessary if only the *proper* charges were charged.

My own paid attorney gave me wrong advice which prompted me to plead to more counts and I got more time. When I inquired about having to plead to so many counts of assault with chemical Maginnis told me that Fratianne doesn't sentence consecutively anyway so it doesn't matter. (I ended up being sentenced to consecutive sentences anyway totaling 6-years in state prison.) My biggest worry though was the 3 priors they kept hanging over my head, about 15 extra years beyond the sentence I was facing for the crime itself, and they weren't even valid. (Another privately retained attorney researching this issue found this out for sure.)

When Maginnis was confronted with the *known* facts he tried to weasel his way from blame by sending my father some copied law book pages to try to bolster his actions as being right. The thing is that what he sent conflicted with the truth we found and Maginnis never has, even to this day admitted any of his errors. He even admitted without shame to my father and me how the system is unfair and insinuated how I was expected to accept it. Having an attorney like that makes me understand why William Shakespeare said, "First thing, kill all the lawyers." (I did become one step away from it later on when I thought I had AIDS as detailed below.)

After the July 1, 1993 San Francisco lawyer massacre by Gian Luigi Ferri, a business man disgruntled by some legal interaction, the President of the State Bar went on the air to complain about "lawyer bashing" jokes. In his complaining about the joking abuse lawyers have to put up with, he failed to mention all the abuse they put out that causes them to have this form of bad press to begin with. How many Maginnis' are there out there? How many of their victims are suffering because of tactics like that? Should the bashing jokes stop? Shouldn't more serious action be taken? Hmmm.

Before sentencing, I wrote an 18-page letter to Judge Fratianne explaining how it "was totally by accident and very careless on my part" that "6 people [got] some overspray mist on them…that was not intentional." I assured him, "I am not like that and have never intentionally tried to hurt a person physically." In my letter, I also asked that toward sentencing, he consider all the monetary expenses I suffered, along with the mitigating circumstances of previous improper judicial misdeeds and embarrassment I sustained by media advertising and emphasizing the improper counts. Judge Fratianne did not so I shouldn't suffer them if they're not considered as part of the official punishment. And $3,310.00 more in doctor bills come in after sentencing that Judge Fratianne wasn't even aware of. Even though the probation report and a 100 day diagnostic study conducted by staff at the *California Institution for Men* at Chino recommended state prison, I honestly think I should have been given probation to make up for the time in 1973 when the probation report (and even *Chino* would have if I had been given a 90 day study) recommended probation and Judge Rosenthal gave me state prison instead. Being a judge didn't go by a probation and *Chino* report then, in all fairness a judge shouldn't go by them now.

Knowing full well that an improper monetary cost triggered off the vandalizing events in this case and that I was being sentenced on counts that were not valid, Fratianne *still* had the nerve to impose a $1,000.00 fine. Fortunately, somebody down the line saw fit to *not* try to collect it. They knew better and kept their grubby little paws off of MY money. Actually, that $1,000.00 fine was the impetus for writing *Revenge* in the first place. I knew my breaking point when it comes to money violations and what such misconduct can and does lead to. I needed to make sure that if they were going to insist that I pay off that fine (just like the Willett bunch did), that it was going to come from the profits of something that, although legal, they wouldn't like — i.e. the teachings and preaching in my book.

(Too bad the feds and Bureau of Prisons didn't follow suit with their $300.00 "Special Assessment" threatened and extorted out of me. They'd have been money ahead if they'd have heeded my clearly worded admonishments, openly distributed to them, outlining my typical ways of resolving such unfairnesses along with specific remedies I ordinarily invoke. After all, it was because of this case's improprieties — along with remembrances of others, particularly my Torrance "extortion" case and federal threatening letters case — that I solemnly vowed to *never* again be forced by way of pressure, threats, or extortion to pay for an attorney out of *my* pocket and *never* pay a fine or suffer an unnecessary or unfair judicial-caused expense without returning a punishment comparable in nature back upon them with enhancements as reoffenders get. [I will personally do nothing to bring on an attack of symptoms. And at the same time, I will not allow symptom-producing behavior to be done to me without first advising the instigator of likely side effects.] There will be *no more* income-funneling judicial related expenses going out of *my* pocket *ever* again! And that they can take to the bank — my bank! And that includes traffic or parking tickets. If I get one, I'll choose to do the few days in county jail rather than pay the fine. I won't run out on a promise to appear mind you; I just won't pay a fine. I don't mind doing the brief county jail time as long as it costs them and not me — after all; I *do* love to cost the judicial system money; to monkey wrench as I put it. That *is* a pet hobby of mine. Some people like cats or dogs or collecting stamps. I like monkey wrenching. [Did you catch the pun there? Pet and Hobby?] I am *especially* adamant about this vow because I have been punished for the *very* same thing, [twice on one case alone]; making threats. I'm *not* about to accept them from somebody else! Double-standard violations are one thing I don't tolerate no more. Don't expect me to. I'm far, *far* to close to the edge on this topic.)

Even though priors were not added to my sentence, part of the 6-years I got was imposed because of my past record and Fratianne especially made note of that on the record. That is an *extremely* anger provoking thing to be forced to accept, especially when I was over punished on my past crimes. If anything, time should have been knocked off to make up for the unfair excesses before along with the abuse I suffered at the hands of others which no one got punished for.

Another anger provoking thing about Judge Fratianne is that he claimed my sentence modification request was filed late so he had no jurisdiction over me any longer. (The docket sheet states, "Defendant's Application for Modification is placed off calendar. The Court finds that it has no jurisdiction to modify sentence herein.") As it turns out, it was filed *one* day before the deadline; on the 119th day after sentencing. What is so angering is that he was extra fussy about a deadline of his as it pertained to papers I filed, but when it comes to a deadline he set for the probation officer (Mr. Robert Kelsey) and *Chino,* he allowed them to get by with not keeping to his deadline. The probation officer had over 2 months to do a *Probation & Sentencing* report and still didn't get it done and Fratianne allowed him to have more time by setting off my sentencing date about 1 month. I was then sent on a 90-day observation at *Chino* but Fratianne set the report and court due date 100 days away to allow them some extra time. Even with 10 extra days they didn't make his date. They needed another week and he allowed it which meant I was stuck in the *L.A. County Jail* that extra time with no bail set. Then when it comes to me to file papers by a 120 day deadline I'm told I'm too late when I wasn't. Even if I was, why

couldn't I have had the same courtesy as the others? Is there any wonder I would or should be discourteous in return? Is there any wonder I should be hyper-sensitive about double-standard violations committed against me?

Another loss I suffered may be minor but it's the principle of it. When I was arrested they took the squirt bottle I used to spray the cars, which is understandable. But they also took another squirt bottle with a liquid soap and water solution in it which had nothing to do with any crime. That should have been given back after they analyzed it to determine in was a harmless legal substance. They didn't, so I add that to the total what's owed me. Cost for legal soap bottle, Maginnis, psychiatrists, and lost interest to excessive bail equals about: $45,000.00

Several years after I calculated this section up, I ran across receipts and logs my father kept of the various fees he paid to each psych and Maginnis along with the dates of each. As it turns out, when you take into account the interest that was lost because our money was put up for bail instead of remaining invested in high-interest earning savings accounts, plus the fact that we were penalized for withdrawing the money before maturity, my $45,000.00 estimate here is damn close. I didn't have these accurate figures when I arrived at my original estimate. If memory serves me correctly, it is a figure I got from my father. In all, it seems to have withstood the test of time quite well. He knew what we lost.

For Maginnis we have; 8-6-86 = $5,000.00, 9-13-86 = $2,500.00, 10-28-86 = $2,500.00, 1-17-87 = $1,500.00, 3-24-87 = $2,500.00, 4-30-87 = $3,000.00, and 5-7-87 = $3,000.00 for a total of $20,000.00.

For his friend, Paul R. Tobias, M.D. we have; 12-15-86 = $125.00, 12-31-86 = $340.00 (testing Marie Tom), 1-27-87 = $125.00, 2-10-87 = $125.00, 2-13-87 = $85.00, 3-5-87 = $800.00, and 9-14-87 = $350.00 for a total of $1,950.00.

For Carlo P. DeAntonio, M.D. we have; 9-16-86 = $100.00, 9-23-86 = $100.00, 10-1-86 = $100.00, 10-15-86 = $200.00, 10-22-86 = $100.00, 10-29-86 = $100.00, 11-5-86 = $100.00, 11-12-86 = $100.00, 11-19-86 = $100.00, 11-26-86 = $100.00, 12-3-86 = $100.00, 12-10-86 = $100.00, 12-17-86 = $100.00, 12-19-86 = $100.00 (Ernie), 12-31-86 = $100.00, 1-14-87 = $100.00, 1-21-87 = $100.00, 1-28-87 = $100.00, 2-4-87 = $100.00, 2-11-87 = $100.00, 2-18-87 = $100.00, 2-25-87 = $100.00, 3-4-87 = $100.00, 3-11-87 = $100.00, and 3-14-87 = $100.00 for a total of $2,600.00.

For Michael B. Coburn, M.D. we have; $750.00.

For James Paul Walker. Ph.D. we have; 10-3-86 = $800.00, 10-23-86 = $400.00, 10-31-86 = $400.00, 11-7-86 = $400.00, 11-13-86 = $400.00, 11-19-86 = $400.00, 12-1-86 = $400.00, 12-16-86 = $600.00 (tests), and 1-27-87 = $600.00 for a total of $4,400.00.

Kurt S. Jorgensen, M.A. gave us a FINAL STATEMENT dated July 24, 1997 that itemized his services. His breakdown was as such; September 19 - December 8, 1986: 23 Interviews @ 2hr. ea. 46 hrs./ Read case material, reports, listen "confession" tape 5.25 hrs./ February 27, 1987: case material review, conf. Drs. Tobias & DeAntonio & Pat Maginnis 3.5 hrs./ September 1986 - April 7, 1987: telcons re: case 5.25 hrs./ Review videotapes, notes, case material & prepare March 9, 25 & July 6, 1987 reports 19.5 hrs./ April 6 & 7, 1987: trial preparation 2.5 hrs./ total hrs. @$80.00/hr= 82.0 hrs./ Videotapes, originals: 23 VHS tapes $176.66/ Videotapes, duplicates: 12 VHS tapes $87.96/ total video tapes: $264.62/ 82.0 hrs.@$80.00 = $6560.00/ April 7, 1987 court appearance: 4 hrs. @$100.00 = $400.00/ total = $7224.62/ July 20, 1987 court appearance: no charge/ paid toward balance as of December 1, 1986 $4000.00/ balance due = $3224.62/ Please make payable to: James P. Walker, Ph.D./ Sincerely,/ Kurt S. Jorgensen, M.A./ My dad wrote on it that he subtracted $264.62 from the balance due and made out check # 4464 for $2,960.00 on July 30, 1987. There was some dispute regarding the video tapes that Jorgensen made of our sessions although I've forgotten what it was. In any event, my father didn't pay for them and that's what he subtracted. I seem to recall we were suppose to get them back but didn't. I also gave Jorgensen the original audio tape that the police made when they questioned me and I didn't get it back

either.

Fees to later attorney (John D. Vandevelde) to try, unsuccessfully, to correct errors of first one (Maginnis) cost: 6,500.00

Lost wages of $230.03 per week take home pay calculated as wages of job I had at time of arrest times number of weeks extra I did beyond a proper punishment I should have gotten for crime I did do (vandalism), 128 weeks total. The court and DA were fully aware of my lack of specific intent and the probation report also acknowledged it. (No penalties or other allowance is made for improper prosecutorial actions despite the fact I should be compensated for these things too. Making threats alone is a criminal action and they should be treated as such as I was when I made a *minor* threat in the next case.): 29,443.84

Total (And seeing I did an extra 6 months on my '93 federal sentence because of this fraudulent conviction I've got *every* penny of this coming. If not more when you consider they were advised of Maginnis' incompetence but refused to take that into consideration. Then they have the nerve to brush over the *intentional* attack upon me at *USP Lompoc* on July 2, 1994 knowing I don't stand for double standards. If you insist on keeping this conviction intact then I insist on justice for the attack upon me, and I won't settle for anything less as I've made perfectly clear to the Bureau of Prisons in both word and writing. I can still ID 2 of my 3 attackers. All I need is a photospread to look at. No more double-standard violations will be committed against me ever again; you can bet on that!!!): $80,943.84

Total owed me by San Fernando with interest calculated from September 1986 through end of current year equals: . . . . . (+*) $181,528.92

By the way, if anyone wishes to voice their criticism to Lee Harris; as of May 1998 he was the acting assistant supervising Judge at the Van Nuys Branch of the *Los Angeles Municipal Court,* 14400 Erwin Street Mall, Van Nuys, CA 91401. (818) 374-2639.

Fratianne, to the best of my knowledge is retired.

1989 Torrance "extortion" case: I wrote to Mrs. Reeves again in harsh language to straighten out some further improprieties of hers in addition to my need to vent off *considerably* more steam to prevent less appropriate behavior. I only expressed my honest belief and opinion as to how they could and should make up their past misdeeds. In expressing my opinions and wanting to stay at the higher-security level *Richard J. Donovan Correctional Facility,* I was currently at near San Diego, I allowed my language to get away from me. *Donovan* staff negligently let information about my 1971 case fall into inmates' hands and I had to be moved to a separate yard after staff became aware of threats on my life. Now, months later they wanted to transfer me to a lower-custody institution because my good behavior brought my custody point score down. I did not want to go to a lower-security open dormitory living situation where I could be attacked at night by anyone knowing of my past. *Donovan* had two people to a cell and the doors are locked at night, making it a lot safer for people like me. Knowing that molesters are at the bottom of the skewed pecking order of prison culture and are continually made to feel like soiled pieces of baggage by way of harassment and threats, I was scared. Anything can happen in the dark hallways of an open dorm but no amount of appeals I filed were getting my pending transfer canceled. One staff member even hinted how some inmates will sometimes purposely disobey a prison rule in order to get a write up. This would raise their custody level and keep them at a higher-level institution. I was well aware of this tactic and had already decided to do it. Because of fear, my wording to Mrs. Reeves inadvertently went too far and I was charged with extortion (Penal Code § 523; Sending threatening letters with intent to extort money, etc.), although that wasn't my intent — and "specific intent to obtain property from the other person" *is* required as part of the statute for a person to be guilty of it (See CALJIC 14.77 for verification). I never actually expected Mrs. Reeves to sit down and write me a check. (I fully intended to let profits from *Revenge,* along with those from my other teaching and activist activities, earn me back what I lost.) I even told

her to show the letter to police, and emphasized how I could tell a whole new group of inmates about her misbehavior if I transferred, hoping they would contact *Donovan* and I would be considered too "dangerous" to transfer to a lower security open living prison. In the past I've always been held back when officials said I was a danger in some way, even when I wasn't. This time I was trying to use the category to *my* advantage, yet *Donovan* paid it no mind and I was shipped off anyway.

I had even vandalized a fair amount of clothing, bedding, and more than one TV, in hopes *Donovan* officials would write me up for a serious rule violation which would raise my security level. Unfortunately for all of us they wouldn't do it, even though they (Facility 1 Lt. Diminni [spelling unsure] in particular) knew I was guilty, apparently because they knew it was purposely done so I could stay. After this case was over and I was transferred back to the *California Correctional Institution* at Tehachapi, which was a lower-level open dorm living facility, all attempts to transfer back to safer *Donovan* failed, despite Superior Court Judge Cecil J. Mills' written request. Only after I was linked to $27,078.00 (by their estimate) in damages to state property (razor blade cut up clothing) was I finally transferred to a proper and safe (two per cell) prison to finish out my time. This cost me an extra 12 days in prison and $48.00 of my personal funds I earned from my prison janitor job but it was well worth it. That's all they got because that's all I had. I purposely spent down my funds as much as possible knowing they were going to steal it. (The <u>theft</u> of this $48.00 cost them around another $4,000.00 in damages but that story is not a part of this *Statement* and is not elaborated on any further here. Why they wouldn't have anticipated that no one knows. Just suffice it to say that if requests to transfer me back where I belonged had not fallen on deaf ears they would have saved over $27,000.00 plus the other $4,000.00.)

(Now that the statute of limitations has expired on the $4,000.00 vandalism I can disclose the details. After I was convicted of $446.90 of the $27,000.00 damage at *Tehachapi* they asked me to sign a form to transfer money from my account to theirs. I refused. Some months later at the *California State Prison* at Corcoran I applied to get back some of the time they took from me at the disciplinary hearing at *Tehachapi*. Chairing this hearing was Associate Warden C. Reed. He offered to give back only 10 days of the 75 days that he was allowed to give back because I hadn't signed over *my* money to then. But then as soon as I did sign it I <u>magically</u> got 75 days back, the maximum he could give at that time. [I got all of the remaining 75 days back at the next hearing.] I clearly felt extorted and threatened. Here I was currently doing 4 extra months for just threatening to *talk* about Mrs. Reeves to others if she didn't pay back what she owed me, and now I was threatened with what would have been <u>extra</u> time if I didn't sign *my* money over to them. The thing is, when they take an inmate's money it isn't just some of it at a time as the feds do with their FRP deal where inmates are still left with reasonable spending money. (FRP stands for "Financial Responsibility Program," the federal program where they have an inmate sign over just a portion of the money he gets at regular intervals in order to pay a debt he owes.) *Corcoran* wanted *every* penny I had on my account and would take *every* penny I have sent in to me until it is paid off. They cared less whether I'd have anything to spend for necessary canteen items, so in return I cared less about their property. I immediately began cutting up clothing as I'd done before. This alleviated some of the anger over having to do without necessary canteen items. By the time they got around to suspecting me, I figure I got them for $4.000.00. It's worth mentioning that before they got around to processing the paper work to take *my* money I was able to spend down my account to zero. I didn't have that much but it saved me — and them, by way of reactions I'd give back to them — some. The thing is, for months I was getting no money from my prison job, it was all coming from home. Now as a pay slot *finally* came open I was going to be getting paid. It is this money they grabbed from me, which just happens to total $48.00, the same as Willett's theft. But the anger of that is lessened by the fact that I cost them $4,000.00. When will they learn — <u>don't</u> mess with MY money? With all the documentation they had available to them, why they wouldn't have

anticipated my response to their pressure tactics I don't know. I hid nothing from them. Just suffice it to say that if my request to have them consider my safety hadn't fallen on deaf ears back in San Diego they would have saved over $27,000.00 plus the other $4,000.00.)

All these excess reactions could have been avoided had prison officials stuck closer to their *own* rules which emphasize that transfers are to consider the inmate's safety along with societies, prison staff, and property. Due to their negligent actions, despite they knew of my innate nature of lashing back vandalism, we all come out losers.

Who hasn't said things to their kids at a time of emotional excitement or anger they later realized wasn't right? The DA accepts that Mrs. Reeves' perjury and lies were done at a time of emotional fear at my harsh letter and did not prosecute her. In all fairness to her, if she deserves any more fairness than she's already gotten an abundance of, I believe she may not have *purposely* sunken into the sewer of perjury when she lied. She may have just had a lapse of better judgment in her time of emotional uneasiness.

At the same time, I should also report on a third lie committed by her in relation to this letter. She wrote to Judge Major, who took over Judge Fratianne's cases while he was out on disability, and told him that I threatened both Judges Fratianne and Willett. (She even said I threatened her life, which we'll see shortly is not true.) In fact, I only criticized the judges and I later told her to correct the error because, even though I no longer have any pending court cases in front of either of them, I do not want incorrect information in my files. I have not checked my files there yet to verify if she has sent a correction, but I would suspect she hasn't — after all, she wasn't woman enough to admit any other errors after I made her aware of them before. If she hasn't, she should be prompted with much vigor to do so without delay. Surly the court shouldn't let her slither out of this duty.

She even had the nerve to show up at my sentencing in the San Fernando case in March and April 1987 to harp how I deserved prison. Of the many hundreds of people whose cars I vandalized and the few people who actually got some overspray mist on them and who were *actual* victims in this matter, not one of them showed up to complain about me in open court even though they were notified by the probation department and invited to attend. Yet Mrs. Reeves, who was not even a victim in this case, or even the one with Michael's case in 1985, butted her way in to speak up when she actually had no legal right to. That agitation of her antagonized me further in my so called December 1988 "extortion" letter to her. In particular because I got persecuted and prosecuted for that letter so horrendously, she is *truly* lucky she settled her debt when she did. With offers from others to settle the matter for me for a fee she almost literally was one step away of me being *very* unforgiving. (But much *much* more than that, she and they're damn lucky they didn't make me miss seeing Halley's Comet back in 1985 & '86 by being in jail for as long as she wanted. I had been looking forward to seeing it since a small child and even more so since I became a serious amateur astronomer in 1965.) Knowing her lower intelligence ratio I'm sure friends and/or family are responsible for helping her, or convincing her, to take accountability for her misbehaving actions. She surely wouldn't have done it alone.

(After the vicious attack upon me instigated by one of her friends or family members, as previously mentioned, I now suspect she is not responsible for settling her debt. But that's O.K. I got MY money and that's the main thing. She still needs to straighten out her third lie to Fratianne and Willett though. That's on her and she must not be allowed to slither away from that duty.)

If her mis-written statements can be excused due to their being written at a time of fear she thought was present, then why shouldn't mine be allowed for in the same way? I expressed I had a great deal of evidence to show I had a valid fear about transferring from *Donovan* and my state of mind should have been allowed for as hers was when she wasn't prosecuted. I did not intend to do a crime any more than she did. I even said that I didn't in several of the sentences in my letter. While

the DA, whether an assistant or the head supervising one for the Torrance courthouse, was nit-picking to find my bad words, he or she should have been just as choosy with numerous ones that cleared me of wrong doing. For instance, on page 10 of this 17-page letter (first 16 pages were typed and page 17 was handwritten) I said, "I'll repeat he has no intent of doing anything illegal though." And on page 11 I said, "And he's not doing anything illegal. Nothing more than telling the truth about you, while hoping you don't like it." I should mention that I wrote the letter as if it was coming from another third person writing about my anger at Mrs. Reeves. Shame on the DA for not being equally picky about pointing out my good wording. This happens all too often by judicial people reading about our deeds. They will highlight the bad parts and neglect the good parts. Then they wonder why we act bad rather than good in response later on.

I was angry at her for showing up at my sentencing hearing in San Fernando and saying the stuff she did. I did plan to verbally vent off some things to her later on, but when this pending transfer come about, I decided to combine that with using her to my advantage to try to stay at *Donovan*. In the third person (which included condemnatory words and criticism for her past misbehavior), I made it sound as if I was spreading a lot of dirt about her to other inmates and that she could be in danger because of it. I emphasized that it was only *truthful* things that were being reported about her misbehavior so no laws were being broken by doing so. In sort of a reverse psychology move I made her think that I *wanted* to transfer, and that by doing so, I could endanger her even more. "Tom hopes to get transferred to another institution so he can spread the word about you to a whole new group of inmates." Along with the letter, I sent her a draft copy of *Revenge* with the express intention that she contact the institution and tell them that I was too dangerous to transfer. I'd always gotten screwed over by the judicial system when officials with the power to be thought that I was a danger in some way when I really wasn't. This time, I was trying to use that diagnosis to my advantage and make them think that I was too dangerous to go to a lower-custody institution. Unfortunately, while in my own fearful state, I inadvertently included some wording that crossed that great divide; the legal/illegal border. While I firmly don't believe that 523 was the proper charge to file, that's what I ended up getting stuck with.

This 16-page letter was typed between the time I was told at Classification that my point score had been lowered (and that I would likely be transferring) and the day I got the final notice that it was definite. That notice arrived on Friday, December 2, 1988. I wanted to get my letter in the mail to Mrs. Reeves before the weekend but I didn't have access to a typewriter. I needed to add a few extra things so I disguised my own handwriting in all upper-case letters and penned page 17:

> BECAUSE MAIL NEEDS A RETURN ADDRESS TO LEAVE HERE AND BECAUSE I DON'T WISH TO SAY WHO I AM, I'M PUTTING TOM'S ADDRESS ON THE ENVELOPE. I ALSO ADDRESS IT TO YOU AS AN ATTORNEY SO IT CAN BE SEALED FROM SNOOPING STAFF EYEZ. IRONICALLY BECAUSE OF TOM'S "GOOD" BEHAVIOR HE WILL BE TRANSFERRED TO A LOWER CUSTODY INSTITUTION WITHIN DAYS TO FINISH HIS SENTENCE. STAFF RECLASSIFIED HIM TO THIS, OBVIOUSLY UNAWARE OF WHAT HE'S BEEN UP TO. HE'S ALREADY COST THEM A BUNDLE OF MONEY. TOM WILL NOW HAVE A WHOLE NEW GROUP OF INMATES TO TELL ABOUT YOU AND PASS ON HIS OPINIONS ABOUT REVENGE. YOU WOULD BE ADVISED TO SEE HE STAYS WHERE HE IS. HE CAN DO LESS DAMAGE WHERE HE IS AS EVERYONE ALREADY KNOWS HIM.

At first I thought my plan worked. Staff called me in to the office to question me about it and I played the innocent — who me? — routine. Apparently it did hold up the transfer for awhile, but on February 1, 1989 I was put on a bus and shipped to *Tehachapi*.

Such prison fears I was having are not without merit either. While I was at that lower level prison at *Tehachapi* one bold convict murdered a fellow inmate with a prison made knife in broad daylight among crowds of others on the baseball bleachers knowing the inmate "code of silence" would allow him to escape unpunished. He calculated correctly as no one came forward to staff, inmates only talked over the particulars among themselves. One can only imagine what could happen in the dead of night in an open dorm and staff don't take it serious when a person who sexually interacts with minors is violated. I presented them with evidence where they lightly punished a person who severely beat up such a person. (And since the above sentence was originally written I've become a victim of this horrible practice. Even though I told numerous Bureau of Prisons' officials repeatedly that I could identify 2 of the 3 inmates who viciously attacked me at *USP Lompoc,* and that I wouldn't stand for someone to go by unpunished, I cannot get them to follow through with getting me a photospread to view.) On another occasion while I was there a melee broke out on the yard with several inmate injuries and throughout all the time I've done I've seen many fights, sometimes for what most ordinary people would consider minor reasons. Truly, I had valid concerns of worry.

Additionally, if female Korean grocer Soon Ja Du can get probation from Judge Joyce Karlin for killing a 15-year-old girl the court ruled she was emotionally afraid of, even though the 15-year-old was non-threatening and walking away at the time of the murder, why couldn't I for making a harsh and sort of moderate, but non-physically harming, threat when I was emotionally afraid? Once again, I shouldn't have to put up with a double standard and it's amazing they actually expect me or anyone to do so. Remember, fairness is not an adjustable concept and it *doesn't* fluctuate.

And if Zsa Zsa Gabor could get only 3 days in jail for actually hitting somebody why did I get 8-months in prison when I touched no one or even threatened to physically touch or injure? My threat was only to disclose *past* criminal activity of Mrs. Reeves to the public at a *future* time — something I was never told I couldn't actually do at any time, now or in the future. While I can speak about her in a truthful manner all I want to anyone at the <u>current</u> time, I just can't "threaten" I *plan* to do it at a <u>future</u> time — that's when it becomes a crime.

Now when police inflict minor but unnecessary and improper physical injuries on people they don't get prosecuted. This infuriates me greatly as to why I should have been singled out. Worse yet, when police misconduct is serious enough and they are prosecuted, their attorney is paid for by taxpayers (or their own Police Protective League as in the case of the cops that beat Rodney King), even though they can afford it. This is *really* intolerable discrimination and particularly angering in view that I was forced to pay my own attorney in the 1985 & '86 Torrance matters and this time I get a cheap-ass public defender, nowhere near as good as a privately-appointed attorney like the King defendants got, who led me astray to think I'd get back time jail credits.

I truly remain very angered and feel owed. I *don't* demand compensation, but I truly *feel* I'm owed it! If William Kennedy Smith can publicly express his belief that he expects compensation for improper judicial prosecution soon after his rape trial was over with then so can I — and I do so with as much vigor!

What is so additionally anger provoking is that I get blamed, prosecuted, and punished for telling someone that really is a guilty culprit that they owe me, but the Internal Revenue Service can actually, out in the wide open with no attempt to hide their intent, threaten an innocent person that is *merely* an employee of a company (not an owner whatsoever) to pay back taxes the *owner* didn't pay. They do this form of "legal" theft if there is more of a chance of collecting the debt from some innocent person with seizable assets than there is from the *real* guilty culprit who is

the *real* responsible person who does not have assets that can be found and/or seized. They can get away with this because they say laws make a mere employee responsible for the intentional tax evasion of the owner *if* that employee had the power to write company checks as part of normal business operations.

They had the nerve to charge me with threatening to publicly expose Mrs. Reeves' crimes of slander and perjury, which clearly fit within California Penal Code definitions, and still *not* charge her for those crimes. Using that phrasing in the criminal complaint against me, they finally admit that what she did was in fact a crime. To this day she remains an unindicted criminal.

(For those interested, here is a selection of sentences I unloaded upon Mrs. Reeves. "The sad part about it is that when he wrote to you in 1985 he recognized he was victimized to bad to just forget it. That tongue lashing he gave you was therapeutic to him. It was a way of relieving the anger he had, to prevent something more detrimental from coming about.…his letter was not a threat to you. Rather, it was the opposite of a threat. It was, so to speak, a safety valve, to vent off an anger to prevent something else worse from transpiring. You should have been able to see that. He thinks you probably did, but used that as an excuse to try to get him in worse trouble so you could justify to yourself not having to accept the truth he told about you being a bad mother. The way he sees it, the only way you could prove your actions right as far as what you did to Michael was to prove Tom was wrong by writing to you. You should have accepted the criticism and offered an apology when you had the chance.…What made Tom so mad at you is that if you were really concerned about Michael why weren't you concerned of the emotional trauma Michael could experience because of the rejection he'd feel because you didn't want him at home. Things like that can be worse psychologically coming from a loved one than a few miniscule mis-spoken words from a stranger. Especially when movies 16 year olds are allowed to see are more sexually explicit than Tom's words ever should have been considered. And Michael couldn't have been that upset as you say because he wanted to have Tom as a friend and be with him. He wanted Tom to call him.…He just needed the last word. Then you had to bring all this back to the surface just because you couldn't accept the truth of being a bad mother. He clearly said that letter was in place of doing something else as he would have done when younger. Yet you try to convince the judge he's a 'definite threat to us!'.…And worse yet to really stick yourself in the dog house you had to lie about it to get him in trouble. You tried to say and I quote your letter which he shows around when he is often heard still expressing his anger about this case, 'absolutely no contact with Michael or his family, in any way, shape or form'. If you would have listened as you should have to the judge you would have known that is not true. And if you weren't sure you should have checked the facts first before you signed a document under penalty of perjury. Tom didn't 'ignore' the judges order when he wrote to you as you tried to claim. But you sure ignored the advice he tried to give you. You filed the declaration with the clerk. All you would have had to do is ask the clerk to check the facts to see if the judge said just not to contact Michael or if he included you. That should have been your responsibility. Tom thinks you probably knew, but didn't care. You were determined to get him in trouble whether he was in the right for writing to you or not.…Tom had contested your statements in a written letter to the judge and also explained the reason it was written along with the necessity of it because of his inability to merely forget an injustice. He mentioned your 2 lies, but that apparently fell on deaf ears. You signed that declaration of probation violation under penalty of perjury and you lied. You should have been arrested. YOU'RE A CRIMINAL!!! when you sign something like that it's your responsibility to check the facts first to make sure you're not making a false statement, and you didn't do that. You should be held accountable. If that would have been Tom lying to a judge he would have been raked through the coals. In fact that happened to him once and he got a higher sentence for it. That judge verbally made that clear to him. And here you are getting off scot free. We can't have that. You deserve to be arrested and jailed for a least a few days to see how it is. You

should see how it is to smoulder in a hot cell in summer day after day with only warm water coming out of the faucet. You need to be forced to shower in front of other people. You need to have someone strip search you in front of everyone else and search into every body cavity and private part to let you know how it feels. You need to get some of that de-louse spray sprayed on you to see how it feels. Tom would love to see you set up some how to experience it first hand. In the least you should have been reprimanded by the judge for lying, but he didn't even do that.…As mad as he is at you he means you no physical or bodily harm at all. When asked his opinion of what he would like to see happen and thinks you deserve, it is to lose your life savings and possessions exactly as he lost his life savings to attorney fees.…He noticed how you admitted to the judge in San Fernando that Michael moved out from you in August 86. Tom remembers his birthday is at the end of August 8-30 and he would have turned 18 in 86. Apparently as soon as Michael become a legal adult he couldn't wait to get out from under your pressuring rule. I'll bet that if you would have had your way you would have wanted to drag Michael to court in San Fernando to speak against Tom. Only now that he's over 18 you couldn't make him as you could do before he was 18. One would logically assume that if he was as upset by Tom's sexual words as you say he was he would have made it a point to be there. One can quickly see that you were the one that was upset rather than Michael. Knowing the way Michael talked about you in 1984 to Tom it's not surprising that he was anxious to get away from you. And that probably made you madder. You are under the false belief that you think you can take it out on Tom. That doctrine is of course false. You were especially mad when you couldn't command him to come in to court and speak against Tom as you coaxed and pressured him to do before, weren't you? Yes Maggie, you were an abusive mother in emotional ways to Michael. It's time you face up to it!!…And if he was as emotionally bothered as you say he was by only a few mis-spoken words, can you see how emotionally damaged he could have been made by YOUR rejection when he needed a mother more than ever? You've got a lot of nerve, bitch. You should feel guilty. He sure deserved a better mother than you." And here's what I wrote about my draft version of *Revenge* which was included in the letter to Mrs. Reeves. "It would be nice if someone like you could encourage authorities to buy the publication rights to his booklet which would mean he wouldn't publish it because someone else would own the copyright. Of course authorities wouldn't want to publish it, but if they own the rights Tom couldn't print it. Actually it would be considerably cheaper if they gave him an equivalent value to all this case cost him than it would be to have it go into publication. He may even be able to find one of those so called under ground publishers and then get national distribution. If just one purchaser of the book picked up one idea and did just one day of stunts it could cost more than what buying the rights would cost. Imagine what a lot of people with a copy of it could cost the system. See what you brought about. You made him mad. You shouldn't have made him mad. Now he's getting his turn. Knowing how people connected with the judicial system usually do things in not the most efficient or wise way, they'll probably choose the more costly way in the long run and allow the booklet to go into publication rather than buy the rights. Well that's their loss." And assuming its wry thoughts contributed to Snake and the fellas' actions in the fall of '93, as is conceivable, not buying its rights *was* their loss — as well as societies in general. Oh well!)

I made them aware of the proper misdemeanor charge I should have only been charged with (Penal Code § 650; Sending letters threatening to expose another). Even it would have been a questionable charge, but none of that mattered though. I was threatened to plead to the original felony charge and accept a small amount of additional time (when back time credits are figured in) or face a lot more if I lost a trial. The Torrance DA and Judge Mills knew my language didn't fit within the provisions of the felony statute, but that didn't matter to them. They even, as if a slap in the face, put it on the record (citing *People v. West*) they acknowledge I *wasn't* guilty when they took my *forced* guilty plea. They should have been more

interested in justice for all, rather than just winning at any cost. How dare they accuse me of a threat then turn around and threaten me. If making a threat is a crime, then aren't they also criminals? I honestly believe so. They should be treated as such. I was only guilty of using her to my advantage to try to stay at *Donovan;* not a crime! How dare them even accuse me of a threat when they subjected me to the fear and intimidation of *L.A. County Jail* Sheriffs in jail when they knew it was detrimental to me.

Possibly worst of all, rather than take into consideration the past abuses I already suffered from Judge Willett, the head Torrance DA took an extra personal interest to get me at any cost, whether a charge was valid or not. This was because I partially got back at them and publicly made them look bad for the 1985 Judge Willett improprieties listed above. If they were so concerned about my harsh tone of voice to Mrs. Reeves as an offense worthy of prosecution, then why weren't they as concerned when threats were directed toward me, both now and years ago in custody the first time? Is there any reason I should stand for selective enforcement? Is there any reason I should smile and just accept it? Surely they know I won't. Especially since I got an extra 6 months on my '93 federal sentence because of this fraudulent conviction.

When lessons of history are ignored, they repeat themselves. You'd think they'd have learned their lesson with me before, but instead they went ahead and screwed me again. They are mighty lucky my revenge has always been limited to an intentional non-violent variety with no one being physically hurt. Maybe they were betting on that MO to continue. (All I can say is they're mighty damn lucky I don't have a terminal disease and know I only have a short time to live [like actor Michael Landon knew] with nothing to lose because I know what I'd do if I did, I am so *mad* about this case!!! [The above sentence was included in this *Statement* before my '93 federal case. I'm really not exactly sure why I chose benign letter writing when I did think I had AIDS in August 1993. Luckily, I didn't know ahead of time the new violations that would be committed against me after my arrest. These are outlined below.]) Others I've spoken to have said they wouldn't be so lenient under similar circumstances. This time though, my vengefulness is limited to legal methods of lashing out behavior which gives me the laugh's last laugh's best opportunity which is quite satisfying. I can speak out to others and write about the subject all I want, as the First Amendment of our U.S. Constitution's Bill of Rights allows, and there is nothing they can do about it — no matter how mad they are; as I hope they are!

To add insult to injury, state prison officials did not abide by the deal we agreed to, as to how I was suppose to be credited for 76 days back time, and Judge Mills would not, when advised of the error, uphold the decision we made. If they were so nit-picky at the words I used to classify them as illegal, they should have been as nit-picky with upholding the deal that Judge Mills made. Shame on them for not being equally picky about that. If one thing can be so simply brushed aside as if it was nothing, then surely so can the other one be. I did 4 months of the 8 month sentence, having to do free prison work to get the half-time credits. (The extra back time county jail credits [76 days] were suppose to come off the 4 months.) This delayed me getting out and getting a job by 4 months. (In case anyone wishes to voice their criticism to Judge Mills; as of January 1998 he was a Juvenile Court Judge at the *Los Padrinos Juvenile Court,* 7281 E. Quill Dr., Downey, CA 90242-2096. (562) 491-8841.) I figure lost wages for 17 weeks at $230.03 per week take home pay at my last full-time job before arrest in 1986: $3,910.51

I do not add extra hassle of county jail aggravation or any penalty assessment or punitive damages for malicious excessive DA prosecution conduct, even though I should, because I did gain something in that I learned operation of Macintosh computers in school, but I do add lost prison wages for 3 months at $20.00 per month equals: 60.00

Fee for psychiatrist, Dr. Marvin C. Ziporyn, M.D., whose good report wasn't considered by Judge Mills to modify sentence. (Interview was paid by court but we

paid for extra research to complete report.): 250.00

I made them aware of the importance of attending the annual *Riverside Telescope Makers Conference* on Memorial Day weekend at Big Bear, California, which I could have attended if this sentence wasn't in effect, (I would have been released over a month before, in April 1990) but they didn't care. I add this amount for transportation and expenses to and from the *Stellafane* convention in Springfield, Vermont or the *Texas Star Party* in Fort Davis, Texas (two other major annual astronomy conventions I don't normally attend but which are equal in proportions to *RTMC*) to make up for the *RTMC* one I should not have missed. (Extra angering is the fact that for this particular year Memorial Day weekend coincided with New Moon. Unlike the other two conventions listed above that always schedule their events on a weekend nearest New Moon in order to get the best dark-sky viewing, *RTMC* is always held on Memorial Day weekend. That weekend only coincides with no Moon in the sky about 1/4 of the time and this year was *our* year. And they made me miss it.): 700.00

Total damages equals: $4,920.51

Total owed me by Torrance and Manhattan Beach for this case with interest calculated from day of travesty (March 1989) through end of current year equals:(+*) $8,630.33

November 7, 1993: Federal agents, led by Special Agent Richard G. Palacios of the Federal Bureau of Investigation (FBI) and Special Agent Michael P. Gleysteen of the Bureau of Alcohol, Tobacco and Firearms (ATF), along with three police officers from the Bakersfield Police Department, led by Detective Roger D. Ott and several police officers from the Manhattan Beach Police Department and the Torrance Police Department very maliciously ransacked and vandalized our house, and particularly my bedroom, designated "Room E" on their "Evidence Recovery Log" inventory form, and attic, called the "loft" and "Room I" on their form, in a search that just as easily could have been done properly to accomplish their goal. (Palacios was the agent in charge on the FBI side of the vandalism but was not present. He, along with Special Agent Karl Anglin of the ATF, were interviewing me at the AFT office in the Federal Building in Van Nuys at the time. I'm not sure if Gleysteen was present at the crime scene. Ott was present but waited in a car out front of our house because he had a severely broken foot and was in a cast. The other two officers from Bakersfield present in the house were Detective Steve Griffith and Detective Adair. One of the Manhattan Beach Police Department officers assisting in the vandalism was Detective Jane Hoag; the one who brought charges against me in the Torrance "extortion" case listed above.)

In many ways, this criminal disrespect was worse than the January 11, 1980 Secret Service travesty. For one thing, my "Fedbuster" threatening letter, which was addressing all of the past Secret Service improprieties, including the January 11th event, warned them in clear and *no* uncertain terms, "If you was to do now even 1/10 what you did then you'll find a Killeen Texas situation on your hands only worse. But I'll pluck off little kids in school yards from a distance with a high power rifle I could easily buy and I'll make sure everyone knows you were told and refused to abstain from your bad vandalous deeds. So don't fuck with my property again. Or else." Plus, I told Palacios and Anglin in a verbal admonishment during formal questioning on November 7th to not re-committed the same offense the Secret Service did in 1980 and that I wanted to be present during the search; a search I fully expected and was ready for. I reminded them how fussy I am about people *merely* touching my things and I even left several pairs of rubber gloves in plain view in my bedroom for them to use if they needed to rummage through my stuff but they never used them. Instead, they confiscated them as *supposed* evidence of some kind. My *Medical Advisory/Information: Statement of Facts,* with its *strong* warnings about respecting and not touching my property, was also in my bedroom in plain view. I know it was read because when I got it back it was separately displayed in plastic.

Also, on November 2, 1993, five days before they committed their crimes, Palacios spoke with Special Agent William Issen of the United States Secret

Service. He was one of the many agents involved in investigating me as a counterfeiter and was present at the time of the search of my parents' house and my car in 1977. The Discovery mentions that "ISSEN also recalled that LARSEN was an extremely meticulous person who kept everything in a very orderly fashion." And on top of that, the feds were working together with the Bakersfield Police Department who were planning to search our house on the same day. Detective Ott obtained copies from my California Department of Corrections file and a post-release psychological evaluation is noteworthy. On October 1, 1990 Staff Psychologist, Dr. Pamela Jackson, Ph.D., "noted that he has a long term pattern of lashing out legally and illegally if he feels he has been treated unfairly, unnecessary aggravated, put in a position where he has to spend a great deal of money, cheated, or had his property 'messed with.' He also noted that he has become more sensitive over the years with regard to the latter." And continuing on, the report says there was evidence of "hypersensitivity, and strong feelings of entitlement along with pre-occupation with the theme of getting even or avenging himself when feeling wronged." Plus Bakersfield also had my three page typed *Medical Advisory/Information*. It's noteworthy to mention that according to Agent Gleysteen's sworn Affidavit in support of an application for a warrant to search for our house, he admits that Ott provided him with a copy of Jackson's evaluation. So there's *absolutely* no way any they can come back now and snivel that they didn't know that I was so hyper-sensitive about my possessions. The feds had the information; and Bakersfield had the information. Both from separate sources. And they collaborated and shared it all together.

They also took (stole) a lot of my personal papers and books along with my computer and printer. Other than a few small not-too-important items (the gloves, one road flare, and possibly batteries), everything they took seems to have been returned after it had been messed with. At least I don't detect anything else outstanding at the current time. While they're *deep* in the dog house, they're not all the way back. In anticipation of the computer being taken, after news reports were circulated more and more about my "Fedbuster" letter, along with my suspicions that I was being followed, I deleted the then latest version (185 pages) of *Revenge on the Judicial System: Don't Get Mad, Get Even!* and this *Statement*. I then overwrote the unused hard disk space and de-fragmented it so no remnants of these documents would be left behind for snooping eyes to see. I'm not ashamed of them by the way; I just didn't want them seen at <u>that</u> time. They're something private to distribute in *my* own time. *Revenge* makes it pretty clear that my attitude is basically; heaven help anyone who ever tries to take my computer, and this *Statement* previously said, "I wouldn't be as lenient today to a similar [January 11, 1980] violation." Even though the vandals didn't see these additional warnings, they still had plenty of others thrust up into their faces and they paid none of them a bit of mind. *No* leniency should be shown now. Currently, we're in a "holding pattern" while they get their ducks in order so they can come up with and participate in an acceptable restitution plan.

Especially anger provoking is the fact that in order to get their search warrant they had to lie several times to a United States Magistrate in order to entice him to approve a search of our house. Gleysteen's Affidavit said he believed I set one or more of the recent fires and that I owned two vehicles that matched those described at the scenes of two fires. They knew this was not true because they had me under surveillance since before the first fire ever started and they know my two vehicles did not fit those described by witnesses. Gleysteen said, "According to official records and FBI physical surveillance of the subject, Larsen owns and operates a 1975 Honda motorcycle (color unknown), with a California license plate number of 5L2879 and a white 1971 Chevy van with a license plate number of 1KHY362. Similar vehicles have been seen at two of the above mentioned arson scenes." Previous pages of this Affidavit mention that, "A witness stated to investigators that the witness observed a motorcycle leaving the area of origin at a high rate of speed" and elsewhere it says, "At one of these fires (the Rancho Palos Verdes fire) a white

van was seen leaving the area of origin." It's odd they don't know the color of my motorcycle if they saw me driving it. Well they didn't because it wasn't running. It was parked in the back yard out of sight. For the record, it happens to be orange. It also happens to be an ST90 model, which they could have confirmed from DMV records which they claimed to have gotten. Even in new condition, that small engine size, along with its smaller than average diameter of wheels, would not propel it down the road faster than 46 miles per hour. It is not capable of "leaving the area of origin at a high rate of speed" as Gleysteen misleadingly hints at. To claim that my motorcycle is similar to one seen speeding from the crime scene is fraudulent and he should be held accountable for his deceit. And that includes his deceit about my van. It is green *and* white. Green on the bottom half and white on the top half. To claim it as white is deceitful. To lie that way on a signed sworn statement should be considered illegal. That was a sworn statement. Shouldn't Gleysteen be considered a perjurer? And I don't mean to pin everything on the ATF alone. The FBI is equally culpable here. Both organizations were twins of deception in getting their search warrant. To be fair, I have to say that I haven't heard their side of the story yet. Were they of the belief that my van is all white? Did they just fail to check into the kind of motorcycle I own and what its maximum speed is? Do they just think that lies are the oil that make the judicial system run smoothly? Or are they merely honesty phobic?

As far as them knowing I set none of the fires because they had me under surveillance since before the first fire ever started, I know that to be true because of something J. Patrick Maginnis told my father on the phone. He had called my father a day or two after my arrest and because he had made the first call, I didn't think there was anything improper about having my father call him back after I had been indicted. I thought that because Maginnis was now an "official" victim (before being indicted I was only charged with mailing a "Fedbuster" letter), that his word could have some weight toward the court about granting me bail. I asked my father to express my apologies for the letters. He happened to record the conversation as he often did on important calls. Since President Clinton's 1998 sex scandal broke in the news, word come out that making such a recording without the permission of the other party may be illegal. Well if it is my dad ain't here to prosecute so you're shit out of luck on that. Anyway, he later played the tape back to me over the phone when I talked to him from the *Metropolitan Detention Center* (MDC-LA) where I was being housed. Unfortunately, what I requested did not come through in his conversation to Maginnis. He somehow never asked Maginnis to speak up in court for my bail. But one important thing did come through though. In their discussion about the letters, Maginnis mentioned that one of them had been "hand delivered" to him. Even though my dad recorded over the tape and I don't have it now, I distinctly remember Maginnis using the words, "hand delivered." Right away that caught my ear. I already knew that agents pulled the Harvey Levin letter out of the mail box that they saw me mail on November 6th. I also remember agents telling me they did give Harvey Levin a copy of it. The first bundle of letters were all mailed on August 28th so of course I wouldn't have been under surveillance at that time. If Maginnis was "hand delivered" a letter, just like Harvey Levin, then that would mean that it too was pulled out of the mail box in similar search warrant fashion after they saw me mail it. After I got a copy of it as part of the Discovery I saw that it, like Levin's, did not have a postal service cancellation stamp on it. There's no doubt that it was pulled out before it could go through normal mail pick up routines. The fact that it had to have been the letter I mailed on October 24th, two days before the first fire ever started, means they had me under surveillance *at least* that far back.

When we misbehave repeatedly we get punished more severely. When judicial officials re-commit their same violations over and over again we should hold them to the same standards and treat them accordingly. Total cost here does not include the *many* hours of clean up time and expenses for redoing, repairing, and/or replacing everything of mine that had been messed with. (See below for that figure.) Only penalty assessment & punitive damages for the maliciousness by the vandals in

their "jointly undertaken criminal activity" (1993 *U.S. Sentencing Guideline Manual,* § 1B1.3) is listed here and it is 4x the January 11, 1980 travesty to account for the extra "Criminal History Points" they have accumulated as recidivists. After all, the Introductory Commentary to § 4A1.1 in the 1993 *U.S. Sentencing Guidelines Manual* says, "A defendant with a record of prior criminal behavior is more culpable than a first offender and thus deserving of greater punishment. General deterrence of criminal conduct dictates that a clear message be sent to society that repeated criminal behavior will aggravate the need for punishment with each recurrence. To protect the public from further crimes of the particular defendant, the likelihood of recidivism and future criminal behavior must be considered. Repeated criminal behavior is an indicator of a limited likelihood of successful rehabilitation." And case law backs this up. "Prior similar adult criminal conduct may indicate the seriousness of the past crimes and the likelihood of future crimes whether or not it has resulted in conviction. The recidivist's relapse into the same criminal behavior demonstrates his lack of recognition of the gravity of his original wrong, entails greater culpability for the offense with which he is currently charged, and suggests an increased likelihood that the offense will be repeated yet again." *U.S. v. Jackson* 903 F.2d 1313 at page 1320 (10th Cir 1990). These are the standards we offenders are held up to. Let's see to it *all* offenders are held up to the same standards, whether they be one of us or one of *them*. What's good for the goose is good for the gander. 4x is appropriate. Just pray that they don't commit it a 3rd time and become a "Career Offender." Three strikes and you're out is now law and in effect with *substantial* increases in punishment for 3rd time losers; especially "prior similar adult criminal conduct not resulting in a criminal conviction." — valid ground to upward depart a sentence as per § 4A1.3(e), *U.S. Sentencing Guidelines Manual*. The judicial system now has 2 strikes against it (January 11, 1980 and November 7, 1993). Need more be said? Generosity goes only so far, be it from the judicial system (I've never gotten any as a reading of these pages can verify) — or directed back toward it (I've never given any either). And, by the way, *U.S. v. Crawford* 991 F.2d 1328 at page 1331 (7th Cir 1993), which explains § 1B1.3, shows that what one agent did, they are all accountable for (even ones that weren't at the crime scene participating in the vandalism); and I'm sure that goes just as well for the side effects. "In the case of criminal activity undertaken in concert with others, whether or not charged as a conspiracy, the conduct for which the defendant would be otherwise accountable also includes conduct of others in furtherance of the execution of the jointly-undertaken criminal activity that was reasonably foreseeable by defendant." Penalty assessment & punitive damages total is:. . . . . $20,000.00[x]

(The superscript [x] after the above figure, and all those below, indicates amounts that are not *actual* out-of-pocket monetary expenses or time costs involved in restoring something to a pre-November 7, 1993 condition. Such superscripted figures include: punitive damages and penalties for vandalizing the house, rent I'm charging them for each day they had my computer, projected expenses to make up missed events [other than my computer technology class], punitive damages for being in the hole, and related damages pertaining to the two tort claims — being attacked and having a box of irreplaceable property lost. These monetary amounts need not be collected before my self-imposed silence is ended and the complete story is disclosed to the first person to shove a check into my hand for the full selling price listed near the end of the next section's case. Originally, all monetary amounts, including superscripted ones, were going to be included in the selling price, but once I added everything up and saw how expensive it was, I realized that if I held out for that amount, as I really *should* do, I would have priced myself out of a sale. Plans now are to collect superscripted amounts by pushing extra copies of *Revenge,* although any income I make from paid interviews I might do in the media, beyond selling *Fedbuster,* will be applied to these superscripted amounts first. *Fedbuster's* selling price includes only the actual out-of-pocket expenses I suffered in this mess along with the time I put in in the restoration process [plus a fee to make up my missed computer class which is explained in its appropriate paragraph]. And to top

that, time is calculated at the very reasonable per hour take home [after taxes] pay I received *way* back in 1986 on the last full-time job I had. The purchaser is getting a damn good bargain — I bet you wouldn't work for what you did back in '86 — and I hope they appreciate it. I don't like selling my story this low, but I'm doing it — grudgingly. :-(

I was driving around looking for Danny shortly before my arrest on November 7th. He was known to occasionally hustle on Santa Monica Blvd. and I wanted very much to see him so I could find out the story behind the fires. I just needed to hear it directly from them whether they were in fact involved in any of the fires, as I strongly suspected. Two LAPD officers were instructed by the feds who were following my every move to pull me over and send me home. The Discovery says, "agents were forced to have a police officer make contact with defendant to scare defendant away from the area so that the government would not be forced to arrest him before it had completed its investigation." In my shirt pocket I had a small container of pepper spray. It was clearly labeled "For Animal Attacks." Such a labeled bottle is in a consistency that is legally permitted to have without a special permit. (Back in that time frame, the laws had not yet been changed to allow possession of pepper spray for personal protection against attacks by people.) They stole it despite I told them that that particular kind *is* legal to have. I paid $12.95 plus tax a year earlier. For its theft I add this amount: 14.02

While I was being questioned by Sergeant John Yarbrough of the Homicide Bureau of the Los Angeles County Sheriff's Department late on the night of my arrest he told me to take my Casio watch off and give it to him and also to give him my house keys. If I had been allowed to take my watch into custody I could have had it once I got to my designated institution and possibly even as a pre-trial inmate at *MDC-LA*. He gave the items to FBI Agent Palacios who returned them to my father. Inmates cannot get watches sent from home once they are in the institution. I was forced to purchase a new one and did so after I got to the *Federal Correctional Institution* (FCI) at Phoenix, Arizona. Its cost was:. 11.65

The FBI had my computer from November 7, 1993 through January 28, 1994 which was the day my dad picked it up from them. I'm charging them a rental fee just like a computer store would do when someone comes in to rent a machine. In order to determine a fair cost to charge them I went to a store that rents Macintoshes. At Mac Talk, 22536 Ventura Blvd., Woodland Hills, CA 91364, (818) 225-9327, I spoke to Moe H. Navidi and asked what it would cost to rent their least expensive model of Macintosh for 2 to 3 months. At first he showed me a state-of-the-art Power PC with a color monitor and quoted me a fee of $15.00 per day. I told him all I need is a slow Classic which is the model the FBI stole from me. He then quoted me $5.00 per day. I then said I also need a StyleWriter printer (the same kind that was stolen from me). His final figure for the complete package was $5.50 per day. I doubt it would have been any cheaper back in 1993 when the Classic wasn't such an ancient out-of-date dinosaur. I never ascertained if tax is charged on a rental so I'll let them slide by on that one and accept the *very* reasonable fee of $5.50 per day. That works for me. Even though the feds didn't actually use it every day, they still *had* it and we couldn't use it. Now I know you're going to say that I wasn't at home to use it. Well, first of all, I would have been home if I'd have been out on bail, as I should have been. And second, my dad had all of his financial records on it and he couldn't track his investments as efficiently. For the 83 days they had it the total rental fee is:. . . . . 456.50[x]

And that doesn't include any penalty for the tiny scratch I found on it. They can count themselves *damn* lucky it wasn't something brand new I plan to keep for years. If so, I would insist on a new case and the labor costs to install it. I will be selling this computer when I get a new one so I'll let them slide by on this one. It is only a tiny scratch hardly noticeable and even with my obsessiveness about my property, I can live with it until I get my new one.

Also stolen by agents raiding the house that day was one 12" 15-minute road flare. I had it in a box in the back of my Chevy van to use if I ever broke down.

According to the Discovery it is a, "twelve inch red road flare manufactured by GLEASON CORPORATION, milwaukee, Wisconsin." It was never returned. I priced what ones costs at Pep Boys and a new one with tax is: 1.83

The 4 or 5 pairs of rubber gloves I had in my bedroom were never returned. They are indicated on their "Evidence Recovery Log" inventory as "Packaged Rubber Gloves." I will estimate their price as $.25 apiece for a total of: 2.00

According to their inventory forms, "Misc batteries" were taken from the desk in "Room D," the hallway. We had a number of AA, C, and D carbon-zinc and alkaline batteries in that desk. On later pages where I accuse some of my relatives of stealing some things from the house I mention that, "I'm not going to set a dollar amount on [the batteries] because most were old and had been recharged over and over again." I cannot be certain whether they were never returned by the feds or if my relatives stole them when I was in prison. Either way, they're gone and they shouldn't have been. If I'd have been out on bail, as I should have been, I could have determined whether the feds were guilty here because my relatives would not have been left alone in the house.

When I suspected I was under surveillance back in 1993 I rented two save deposit boxes at Great Western Bank to store the back-up floppy disks of all my data along with the original disks from all of the software I owned. I had heard too many horror stories about people either not getting seized computer materials back or of getting it back in damaged or destroyed condition. I had put in way too much time and effort creating my data to risk losing it. And that's separate from the fact that much of it could never be recreated if lost. Losing the hardware and not getting it back would be bad enough. But at least that can be replaced by money. The data itself can't be replaced with *no* amount of money. If I lost it I have no doubt that my Intermittent Explosive Disorder (IED) would have taken control in the worst possible of ways for as long as possible. And more than likely, such a violation would prompt me to throw my OATH out the window and go at 'em full bore with nothing holding me back. With the number of disks I had I needed two safe deposit boxes. One cost $50.00 per year and the other smaller one cost $25.00 per year. I have no problem accepting costs for the first year; it's the rest I bitch about. If I'd have been out on bail, as I should have been, I could have emptied and closed the boxes before I was sentenced in June 1994 because I knew by then that the feds were through with taking or messing with any more of my stuff. I had to pay rent in 1994, 1995, and (because I couldn't get out to a half-way house) 1996. I could have at least avoided the 1996 fees if I would have been at a half-way house because I could have emptied and closed the boxes before they were due *that* year. (Paragraphs below cover more fully my getting cheated out of the half-way house.) I closed them as soon as I got out of prison in October 1996. $75.00 per year for 3 years equals: 225.00

I was a member of Kaiser Permanente at the time of my arrest. Their health insurance fees for me in 1993 were $136.95 per month. Instead of paying monthly, we paid quarterly. I sent them a check near the end of September for $410.85 which would cover October, November, and December. Because I was in custody in November and December, and not out on bail as I should have been, that's like wasting the money for those two months. If I would have been gone for two full months it would add up to $273.90, but because I was not in custody for the first 1/4 of November, I'll charge only 3/4 of *that* month's fee. Through the end of 1993 we then have $239.66. For 1994 my health plan fees increased to $139.46 per month. Near the end of December my dad paid that amount for January because he still thought I'd get out on bail. And on January 27th he paid the fees for the next three months; another $418.38. All this was wasted because I wasn't there to benefit by it. I wrote to Kaiser to explain my situation and request a refund but never heard from them. Those wasted fees add up to: 797.50

I'm only getting warmed up here — there's a lot more figuring to do. Obviously you can tell that my anger level is *considerable* elevated above pre-November 7th levels — and as you can tell from earlier pages, it was already

topping out. This arrest was for sending several threatening letters designed to quell an anger, attempt to set right several previous wrongs committed by judicial personnel, let off steam to prevent something worse from very *nearly* coming about, and put closure to the ongoing lingering feelings of dissatisfaction I was still having. Although many details are included within this *Statement,* readers wanting the complete story about how this case came about along with how it progressed through the next few years should see my book; *Fedbuster: The Southern California Wildfires of '93*.

By mid-June 1993 my mother, who had been suffering with terminal cancer for nearly a year and a half and requiring nearly constant care, was feeling a little better. I went out for the first time in a long time and had a one night stand with a 22-year-old named Steven, who I met at a gay bar in West Hollywood. Two weeks later certain symptoms prompted a doctor's visit and I found out I had gonorrhea. I tried to find Steven to let him know but I was only successful in finding someone who knew him. After he told me Steven was HIV positive I fell into a deep depression. Not only was my mother, who I was very close to, dying — but my own impending doom was lurking in the not-to-distant future.

I continued to try to find Steven on other nights to confirm his diagnosis but to no avail. I knew that if I was infected it wouldn't show up in a test for months so I was left in a whirlwind of despair. Knowing the bad luck I've had in life I acquired a very pessimistic attitude and expected the worst. Now as it turns out, I've been tested 3 times since with negative results.

On several of my sojourns to the bar I run into a group of people, some AIDS infected, and all disgruntled with the judicial system in some way. As our talks progressed, some of it relating judicial abuse "war" stories, my ex-shyster attorney, J. Patrick Maginnis, come on TV once again as one of the attorneys handling Antoine Miller in the Reginald Denny trial. By this time I'd had a few drinks (before this time I was never a regular drinker) and when I heard him say how Antoine's attempted murder charge should be dismissed because he had no intention of killing Reginald Denny I went ballistic. While that's probably true about Antoine, it was also true about me. I had no intent "to injure the flesh or disfigure the body of" the few nearby people who got overspray mist on them from diluted acid I sprayed from a squirt bottle at upwards of hundreds of cars back in '86.

At around the same time the Vince Coleman story was in the news (he threw a large firecracker, reported to equal 1/4 stick dynamite, into a crowd of baseball fans on July 24th 1993) and I referred to that as another time when a defendant's lack of intent led authorities to limit their criminal filing of charges to only *proper* counts; something they didn't do with me in Maginnis' case and to some degree in others.

One of the people I was talking to was named Snake, and believe me when I say this was a very fitting name for this character. With him that night were two friends, Mondo and Danny. As our "war" story talks progressed, and our mutual levels of anger rose Danny pulled me aside and offered me a 9mm automatic pistol and an extra full clip for $200.00. This being right after Gian Luigi Ferri blew away a bunch of attorneys in San Francisco on July 1st Danny said, "you're already a ferry [referring to the derogatory term for gay people], why don't you be a 'Frisco Ferri'?," a half-hearted joke/homonym reference to Gian Ferri. My Ferri, of course, being Maginnis. I had my ATM card in my wallet and a bank was just down the street as I thought it over.

It's not that Maginnis didn't deserve to suffer some malady — God only knows; he does, and Biblically speaking, he *should* get it. Proverbs 12:22 says, "Lying lips are abomination to the Lord." And many other verses speak of some form of lying or making false statements. In Exodus we find: 20:16 "Thou shalt not bear false witness" (he broke one of the 10 Commandments here); 23:1, 7 "Thou shalt not raise a false report. Keep thee far from a false matter." In Leviticus we find: 6:3, 5 these verses reference lying and swearing falsely. In Deuteronomy we find: 19:15-21 the false witness will have done to him what he wanted to do to the

one he lied on. And other verses that speak of lying, deceit, and false witnesses are: Psalms 63:11 101:7 109:2 Proverbs 6:17, 19 12:17 12:19 "a lying tongue is but for a moment" 14:5, 25 17:4 "a wicked doer giveth heed to false lips; and a liar giveth ear to a naughty tongue" 17:7, 20 19:5 "a false witness shall not be unpunished, and he that speaketh lies shall not escape" 19:9 "a false witness shall not be unpunished, and he that speaketh lies shall perish." At this point Snake asked me, "we shouldn't argue with God should we?" Continuing on with Proverbs we have: 19:22 21:6 21:28 "a false witness shall perish" 24:28 25:18. In Jeremiah 7:9 swearing falsely is as bad in God's eyes as committing murder. In Zechariah we find: 5:1-4 8:16, 17 "love no false oath: for all these are things that I hate, saith the Lord." And when Snake read the words of Jesus in Matthew 5:29, 30 "If your right eye causes you to sin, pluck it out, and if your right hand causes you to sin cut it off" he felt we should yank out Maginnis' lying (sinful) tongue in the least.

Even though such sufferings are logical and Biblically consistent, I opted to decline Danny's offer. After hearing Snake's tales of life in the violent lane, I didn't want to admit I'd never killed anyone before and really couldn't make myself do it, so I used an excuse as to why I didn't want the gun. I said I was worried it could jam right at a critical moment. You see that happen all the time on TV and I thought it was a good logical reason. Snake was quiet for a moment before he gently (it's hard to picture Snake as a gentle person; you'd have to know him to know what I mean) led me aside to tell me he had something to show me back at Danny's hotel. Once we got there he led me over to a car parked down the street. He opened the trunk and inside was a whole shit load of weapons. Revolvers, rifles, shotguns, uzis, hand guns with silencers; even a bow and arrow. He said, "take your pick and I'll tell you the price. Here's a .38 special, as simple as it gets. This one will never jam." Now what was I to do? Not wanting any of his stash, but afraid to tell him no, I finally broke down and told him my "weakness." "I've never killed anybody before and I can't do it. If there's anyone that deserves it more than Maginnis I don't know who they are. Maybe Saddam Hussein or some mid-eastern terrorist like that, but that's about it." Then he said, "Well for God's sake *I'll* do it, give me two thousand bucks and I'll do it." Now that I considered a little more seriously. I had nothing against Maginnis' death mind you. I just couldn't do it myself. Now a new option opened up. Too bad the price was so high though, me being tight with money and all. At this point Maginnis was literally one step away from pushing up daisies. Snake and his accomplices were bringing my worse thoughts to the surface and I almost fell for it hook, line, and sinker. Had I known for sure that I did have a terminal disease and that death was very near, the $2,000.00 wouldn't have mattered. In the end, I guess one reason I declined Snake's latest offer was my stinginess with money. From my writings it is readily apparent I'm tight with money; they are hot-button issues to me when I'm cost or squeezed out of it; especially by the judicial system. I had more than enough in the bank to cover his fee but told Snake I didn't. Then he inquired, "how much you got?" "Oh, 'bout a thousand." "Tell ya what, for one thousand I'll shoot his Achilles' tendons and cripple him for life. Then you won't have to feel guilty you're responsible for his death." There was now serious thought going on here folks. I could have settled the anger with the person I was *most* angry with ever and there wouldn't have been any chance of tying it to me. Plus, with him still alive, I still had a shot at getting restitution for the thousands he still owed me. I could never collect with him dead.

Make no mistake, I'm not planning to do it, or have it done now. As bad as I've been openly talking about him to everyone wanting to hear my story (mostly inmates; prison staff cared less), if anything did happen to him now I'd be suspect number one. I'd need a time warp back to August 1993, before I ever uttered a word publicly against him, with my current memory intact so I'd know what turning down Snake's offer led to, before I'd say yes. Even though I had no attorney expenses in this case, thank God, two thousand spent then would have been a *whole* lot better than what I lost of life since the day of my arrest. Barring the starship *Enterprise* coming to warp me back in time, Maginnis is in no danger as of now. I'm free and

healthy with no terminal disease to give me nothing to lose if I were to seek out a Snake like character at this time.

The anger hasn't subsided mind you. If anything, it's bigger than ever. I'll just say that Maginnis knows what he did wrong and what compensation he owes. We'll just leave it at that for the time being. One reason I'm angrier now is because when he was interviewed by the news media after my arrest, rather than accept any responsibility for his misbehavior, he told them I "appeared to" threaten a judge's daughter. That's a lie and if he'd have checked the facts first before he run his mouth he would have known that. In 1987, before being sentenced on the acid spraying case, I wrote an 18-page letter to Superior Court Judge Robert D. Fratianne. In it I explained the various events that led up to my crime and referred to the fact that I have been obsessed with non-violently evening the score when I'm violated in some way, particularly by members of the judicial system who should be professional and above such aberrant tactics. I tried to play up my psychological nature and referred to other good obsessions, as well as the bad ones, and that I was now obsessed with the desire to work at over-coming my darker side. I then gave an example of a good obsession so he would understand where I was going with this.

Fratianne's daughter was a gold medal winner for ice skating in the Olympics and I mentioned how it takes a lot of work and dedication to become that good to achieve such a goal. I used that as an example of a *good* obsession to have. The part of the letter in question went as follows:

> Not all of obsessive-compulsive behavior is negative. I'm sure you as a young prospective attorney were rather obsessive in the extreme amount of studying and detail work you had to do and the years of schooling you had to dedicate to your field to reach your goal of obtaining a law degree. Congratulations, I'm sure it wasn't easy. And I can also appreciate the obsessiveness in a persons personality to become an Olympic ice skater and gold metal winner as your daughter has achieved. Few accomplish that or even have the dedication to try. Unfortunately some forms of obsessiveness are negative and some parts of my behavior have turned into negative parts of my life.

As you can see, I am *complimenting* her obsessive dedication, not threatening her in the least. At the time, Maginnis mentioned that Fratianne didn't like the reference to his daughter, apparently not liking personal references being made; even complimentary ones. Somehow over the span of time, Maginnis seems to remember this event as that I "appeared to" threaten her and that's what he told the media in '93. ("…he mailed a letter to the judge in which he mentioned the judge's daughter and appeared to threaten her, Maginnis said." *Los Angeles Times,* November 24, 1993, page B1.) Now it's possible he didn't once again sink into the sewer of deceit. His memory could have just faded over the years and this is the way he honestly believes my letter was worded to bring on Fratianne's displeasure. Either way, seeing he didn't check the facts first, he has a *responsibility* to set the record straight with those media he talked to. I just accidentally saw the story in one newspaper. Only he knows who all he talked to. Besides the money he owes, as reported earlier, now he has this mess to clear up. The lies *have to* be corrected! (It's interesting to note that later editions of the *Times* dropped the "appeared to" phrase, and simply stated that I *had* threatened her. Ya catch a hint of my outrage here?)

Some have criticized me for saying what *should* happen to Maginnis, as if to imply that I am advocating or encouraging that it happen to him, which would be

illegal. On the contrary, I am only expressing a personal opinion; something our Constitution allows us to do. You know, it's that darn free-speech thing. It just always creeps in there somehow. And being the First-Amendment kind of guy that I am; I will *not* be silenced. After all, if Zsa Zsa Gabor can tell the world in the November 28, 1994 issue of *People* magazine, Vol. 42, No. 22, page 194, "First of all, we have to slap the police around a little bit" and not get in trouble; and if some pro-life zealots can say that abortion doctors *should* be shot to save babies and not get in trouble; and if Catholic Priests can go on talk shows, like *Geraldo* in January 1995, and tell the world that doctors that perform abortions are mass murderers and *should* be killed and not get in trouble; and if former Los Angeles Police Chief Daryl F. Gates can say that drug dealers *should* be shot and not get in trouble; and if radio talk show host, and convicted felon, G. Gordon Liddy, can suggest aiming for the head and groin (as they have body armor) if ATF agents break in without a warrant and not get in trouble; and if Phoenix, Arizona conservative talk-show host Bob Mohan can openly agree with Liddy's comment on his May 10, 1995 show and not get in trouble; and if music rapper *Ice Tea* can sing about shooting cops and not get in trouble; then surely I can say what merely *should* happen to Maginnis and not get in trouble. People can dislike my opinions all they want — or hate it that I express them — but they can't say that they are illegal to verbalize. It's one thing to get stabbed in the back; it's quite another to have it turned and turned and turned. I am *very* mad, and I'm not going to be silent about it.

It appears that Snake was living vicariously through me. You see, he was recently diagnosed as HIV positive so he knows his days are also numbered and there's not much to lose. And like me, he had an attorney that screwed him over real bad some years ago. But in his case his attorney died of natural causes before he got out of prison and had a chance to kill him himself. And that's what he's angry at. To hear him talk of how he'd love to force Maginnis to admit his errors moments before he'd kill him, I could tell he was visualizing Maginnis as his own attorney he never had a chance to get his hands upon. As I look back upon it, I'm surprised he didn't offer his "services" for free. Knowing that spending my money was one of the things that held me back from accepting his offer, I have a feeling Maginnis may not be around today if Snake had of known of my miserly nature. I know he liked to kill. Just hearing his Vietnam stories were riveting. There's an old wives' tale that says snakes can poison the air with their eyes. With this human snake, I'm not so sure it's a myth. It's kind of ironic, being tight with money is the one thing that brought out my vandalizing reactions back in '86 and in turn, the case I had with Maginnis which we're all complaining about here. Now switch to the summer of '93 and those very same penny-pinching tendencies are what's helping save Maginnis' life. Who says life doesn't have weird twists to it? Hmmm. Snake also wanted me to print up some counterfeit money for them. He claimed that with that and his dope connections we could all come out with a nice nest egg.

Being the kind of guy who likes to boldly fly in the face of convention non-violently I, in my more benign ways of evening scores said, "let's write Maginnis a threatening letter." Although this was being rather lenient with him, when one looks at it from the Biblical standpoint, I felt it would be sort of sufficient. And I emphasize "sort of" here folks! With the extra time I did in prison over what a proper sentence for just vandalism would have been, I suffered a lot of agitating harassment from hostile inmates aware of my past sex offense. Giving Maginnis some uneasy agitation in return was the *least* he had coming. And that doesn't even count all the money I lost to him and his psych buddies. Snake's idea was that we shouldn't disregard God's wishes for these kinds of "bottom-feeding scroungy characters," but I was adamant about settling this according to VOCAL's Guidelines. After all, how would it look for me, who founded the group and set the first beginnings of it's Guidelines down on paper, to not follow them myself? With this, they set about the task of putting down on paper what needed to be said. Each paragraph was written by a different person and the envelopes were addressed by another. One went to Maginnis at his law firm, another to his wife at home, and 23

more copies to law firms chosen at random out of the yellow pages. Oddly, only 7 of these letters were turned in to police. Did other law firms think it was a hoax and threw them out? Did they know Maginnis, or his ways, and not care what happens to him? Although it would be nice to ask them, we'll probably never know because I have no record of who all we sent the letters to.

Snake's friend Jake, an amateur herpetologist, a person trained in the science of reptiles, wrote part of the "Nightcrawler" letter. Someone else typed the rest of it during a brainstorming session as they sat around deciding what to say. This letter was addressing the wrongs of my San Fernando case with Maginnis and the '89 one in Torrance. Jake wanted to actually poison food with the secretion from the Poison-arrow Frog from the Genus Dendrobates but I said no we'll just threaten to.

Snake acquired a great love for fire in 'Nam when he used to participate in the burning of foliage and villages. That, along with his fixation on Maginnis led to what happened next. It's hard to relate to you the look that came over Snake as he bellowed out, "let's *burn* 'em out — let's *burn* 'em out!" All I can say is the angry looking pupils of his menacing brown eyes were peepholes into hell.

For years I had been satisfactorily avenging the misbehavior of the Secret Service. I wrote to them back in the early '80s that I would listen in on law-enforcement frequencies to tip people off that are under surveillance to louse up the cases they're trying to build and also teach people how to print counterfeit money and other documents until they gave me my stuff back and made amends for the vandalism they did in 1980. While I slacked off in recent years, I still kept my foot in the door when the venting need arose so my anger at the Secret Service and other judicial personnel regarding my counterfeiting activities was lower than my more recent victimizations.

But at the same time, if my imminent death was approaching I wanted to bring closure to all this stuff. In the "Fedbuster" letter addressing the violations of the Secret Service, United States Attorney's office and personnel, and U.S. District Judge A. Andrew Hauk I suggested, sort of as an appeasement to Snake, to threaten to set fires. I never expected them to actually go out and set fires; if in fact they did. I haven't seen them since I mailed the letters on August 28th.

101 "Fedbusters" were sent out, one to KNBC, Channel 4, who mysteriously never turned it in to police, and 101 "Nightcrawlers" were sent out, one to KCAL, Channel 9, who also mysteriously never turned it in. Maybe they just took it as a crank letter. Additionally, 25 "No Justice No Peace!" letters, addressing the Maginnis' misconduct, were sent out. In all, only 37 people turned in "Fedbuster," 33 "Nightcrawler," and 7 turned in "No Justice No Peace!" That small number of Maginnis letters being turned in surprises me, seeing that we did hint at blowing away other law firms and not just Maginnis.

I'm not attempting to tell the whole story in this *Statement*. That's not its purpose. I've written a book for that and once again, I suggest readers check it out for the complete story. This *Statement* has a specific purpose and it's time to continue it.

Additionally, this time — for the first time ever — I was denied bail because of that well worn phrase; I was supposedly a "danger" to the community. This excuse alone was used, despite the fact they knew, or should have known, that of the past times that very same excuse was haphazardly thrown up into my face when I wasn't a real "danger" at all, it later, out of spite, brought out behavior (sometimes not even illegal behavior) to purposely show that I could be a "danger" — or in the very least, a real *nuisance* to the judicial system. Accomplishing one of those opposites of what they're trying to accomplish — like handing them back some of the disadvantage they're throwing at me — especially when it can be done without breaking the law, has been an ongoing pet project of mine for years and I openly speak enthusiastically about it.

It was particularly anger provoking to be denied bail by U.S. District Judge Harry L. Hupp and Assistant United States Attorney Gregory W. Jessner who knew

my mother was dying of cancer and that this would be, and in fact was, the last Christmas we could have spent together. Nor was I allowed to attend her funeral on January 3, 1994 despite a court order I be taken to it. A private viewing at the funeral home was better than nothing, but it still wasn't the funeral service with family around. And then, to pile anger upon anger, I was again denied bail after she died so I couldn't even be with my father for his last days on Earth, while confined to a hospital bed, even though I had pled guilty to *all* the counts Jessner wanted me to and "accepted responsibility" for my *benign* letter writing campaign. As a result, he died among strangers — the staff at the hospital. And then, to anger me further, I couldn't even go to his funeral on February 17, 1994; despite another court order to take me — the U.S. Marshals saying, "we did it once, we're not doing it again." These are things I will never forget *nor* forgive; even if all other past wrongs are made up, as they should be, and all perpetrators were to apologize, as they should do. This one though *can't* be made up.

Title 18 United States Code § 3142 outlines how judges are to conduct hearings to determine if a defendant can be let out on bail. One sticking point against me was that my crime was classified as a "crime of violence." At the time I found that very surprising. I never touched anybody; how could I have committed violence? My definition of violence is more as the real world sees it. Somebody has to *actually* be injured in order for it to be considered a violent crime. The State of California distinguishes violent felonies from serious felonies from other felonies that are not violent or serious. And their list of violent felonies contain only truly violent acts in all cases but one that I'm aware of. (Penal Code § 288 — child molesting involving a child under 14-years-old — is in that violent category even though the statute includes the little talked about or acknowledged acts where a younger person is a willing participant who initiated the interaction. If that 13-year-old lover enticed 35-year-old Mary Kay Letourneau into bed here in California and they had a baby together, as was apparently their arranged plan, she would still be guilty of a violent felony even though they both termed themselves as "soul mates" and the relationship as a "natural romantic love" in which they "walked together in the same rhythm." If 288 PC had various degrees to it — similar to murder's 1st, 2nd, and manslaughter — this particular form of interaction could surely be taken out of the violent category and placed back into the garden-variety non-violent felony where it belongs.)

The feds are different. Section 3156 of Title 18 defines a "crime of violence." The part that pertained to me included these words, "an offense that has an element of the offense the use, attempted use, or threatened use of physical force against the person or property of another." Merely threatening somebody — or even their property — with harm, even when there is no intent to carry out the threat, is violence in the eyes of the feds and is one valid reason to deny a person bail. My first thought was, well the cops who beat Rodney King got out on bail without anybody objecting and they did actual *real* violence that led to serious injuries. And even serial arsonist John Orr, who actually *did* commit arsons, got out on a very closely supervised bail. (If I remember news stories correctly, he wore an ankle bracelet.) Naive me still figured bail would be no problem. After all, even though I had a lengthy criminal record (none of it containing violence, other than minor *non-intentional* injuries to a few people), my excellent performance while out on bail *all* those times, along with my making all court appearances on time would surely go in my favor. In fact, that's even one of the things they're suppose to take into account. But no, Hupp and Jessner never even considered that.

Ironically, the very things they pinned my denial on had the exact opposite effect of what they were trying to accomplish and that dulled the pain just a little bit. They were required to consider things that "will reasonably assure the safety of any other person and the community." Now I may be wrong here, but I would say that showing the Maginnis — "No Justice No Peace!" — letter around (which I got from the government as part of the Discovery), with his address prominently displayed, and ranting angrily about his misbehavior to anybody who would listen could have

put him into more danger from released irate inmates that had been screwed over by an attorney they didn't know where he or she lived than having me at home in a content, and silent, state caring for my ill mother while we spent our final Christmas together. After all, look what speaking out against him to just Snake and his minions almost led to. Of course, Hupp and Jessner weren't aware of these items at the time so they couldn't be held culpable for that.

And as far as safety of the community? Wouldn't the community have been safer with the real arsonists behind bars, where it's possible they could have been if I wasn't in a self-imposed silence, which I wouldn't have been in if I could have saw to it that my property was put back in pre-vandalism condition, as I could have done if I'd have been out on bail — as I should have been? Whew — that was a long sentence. But, of course, Hupp and Jessner didn't know all that either. Oh well; that's the way the cookie crumbles I guess when priorities are placed upon the wrong things, as seems to happen *way* too many times. Maybe next time they won't trade off a long-term ideal for a short-term advantage. When they're commanded to "take into account" the "characteristics of the person" while making such an important decision like bail, shouldn't they think of the possible liabilities back to themselves and society when one of those "characteristics" is a well-known desire to achieve the exact opposite of what the judicial system is trying to accomplish? When will they learn to listen to my admonishments? PEOPLE! Keep your priorities on the *right* things! (Namely, thoughtful and fair consideration for both sides.) When they are we're all benefited — *you* as well as me! (And I have a mountain of documentation to back that up!) Do you like my little wavy effects with words here? Don't mind me — I'm just feeling a little extra giddy about venting this stuff out. It's about time it gets told. It's taken a long time. Fess up to it, you caused the same condition (danger to society) you're *suppose* to be eliminating or preventing by not letting me out on bail and in return, letting the arsonists remain free. Would you like a Kleenex to snivel?

And don't you dare try to say I had an *obligation* to tell the feds or even that I lied to them. First off, I had a *right* to remain silent. You know about that; Miranda rights they call it. I was read them and signed that I understood them at 11:35 a.m. Pacific Standard Time on November 7, 1993. I waived them and agreed to answer their questions and I was truthful as best as I can remember. Now I know I was denying being "Fedbuster" in the beginning; but in reality my words were, "that's not my writing" on the letters; and it wasn't. None of it is. On the letters nor on the envelopes. As far as the fires, I denied being involved, and that's true. They never asked if I *knew* who set them or *even* if I had any suspicions who might have. So, I was well within my rights legally to keep my mouth shut, plus I didn't lie. Legally it wouldn't have been illegal to lie though, because I wasn't under oath. But I didn't need to lie when they failed to ask the *right* questions. Besides, they dare not have a right to complain if I am not as forthright with helpful talk or actions when they themselves were rather unforthrightful on that day; both in actions and words. (Their Discovery admits to using a "ruse" while questioning me.) I've often been heard saying, "If they choose to play by less than the rules of the road [first], then they dare *not* have a right to complain if I respond in a like fashion." Turn about is fair play? Yup; it works for me!

After I pled guilty to all 6 counts Jessner wanted me to plead to — the "Fedbuster" threats, 18 U.S.C. § 844(e) — on January 10, 1994 we tried to get bail again so I could be out to help my dad after my mother's death less than two weeks earlier. The U. S. Sentencing Guidelines, which define the rules that will be followed in order to sentence me, defines "crime of violence" a little more leniently. The part that pertained to me is defined in § 4B1.2 and includes these words, "has as an element the use, attempted use, or threatened use of physical force against the person of another." Notice the words, "or property," are not there. My counts of conviction, as defined in the indictment and § 844(e), threaten *property* only and not persons. With the letters threatening people's lives not a part of the counts I stand convicted of, I am not guilty of a "crime of violence" and that sounds cool. It

shouldn't have been to begin with if you use real world definitions of violence which is how Congress should have structured the law from day one. Hopefully bail would be no problem now. Ah, but luck was not with me; and in return, not with the government either who was sentenced to suffer a longer self-imposed silence. For sentencing purposes, where the Guidelines set the rules, I was not guilty of a "crime of violence." But for bail setting purposes, 18 U.S.C § 3156 still defines "crime of violence" and in there the words "or property" stuck it to me. I'm still guilty of a "crime of violence" as far as using that factor to deny me bail.

Part of Judge Hupp's official reason for denial was, "I think the risks to the community are too high." If he believed that me in and the arsonists out is safer for the community than me out and them in, I've got a piece of ocean front property in Arizona to sell him. That's a joke folks. I'm not selling any land right now. Seriously though, in his favor he wasn't aware of my secrets. I thought once again of placing an offer on the table — i.e. bail and return of my seized property for the arsonists — but after Assistant U.S. Attorney Curtis B. Rappe and Secret Service Special Agent James D. Davidson threatened me out of my legally purchased printing press and paper they knew I was hiding back in '78 and the Secret Service conned me out of my buried counterfeit money in 1983, I wasn't going to fall for such shenanigans again. Being a victim of middle-level bureaucrats run amuck still gnaws at my innards. If I was going to expose my knowledge, it was going to be on *my* timetable and on *my* terms. And if they didn't like? So? I don't give a flying fuck whether they like it or not. I'm not here to please them.

Another anger provoking thing bubbled to the surface months after I was sentenced and bail was long a dead issue. Malcolm X's daughter, Qubilah Shabazz, was arrested for trying to hire a hit man to kill Louis Farrakhan, who was an enemy of her father. She apparently thought he had something to do with her father's death and wanted to avenge it. Even though her crime easily fit within the "crime of violence" statute, she be released on an unsecured bond. And I couldn't get bail at *any* cost. Boy, was I *glad* I was in a self-imposed silence.

One thing I've learned in all my years of involvement with the judicial system is that if they want to grant you something they *will* interpret their rules in whatever way necessary in order to help you. But if they want to deny you, you can damn well bet they'll be interpreted in such a way with all the legalese words to fully justify why you got nothing coming. They easily could have gotten around that "crime of violence" definition if they wanted to. They did it with the Rodney King cops and theirs was a "crime of violence" for *both* bail and sentencing purposes. Oh well, I can accept that as long as I know that two can play that game too. I had an ace in the hole that I knew they wanted, if only they knew I had it. And that little bit made my time just a tad bit easier. Enough of the bail issue. It's time to move on to the next hurdle.

I had a court order to be taken to my father's funeral, but even with that the marshals were balking. They brought me over to the marshal's lockup at the federal courthouse the day of the funeral as it seemed I would be going out with some privately hired off duty law-enforcement personnel. But a combination of problems, beginning with the marshals *now* wanting more people to escort me, led to me missing the 11 a.m. service. Then those dirty bastards wouldn't take me back to *MDC-LA,* where I was being housed, after lunch on the early bus because they said that, "you're still scheduled to go out." "But I already missed the service," I told that bitch (female marshal), "so I won't *be* going out." Still, I had to stay for the last bus back. Those dirty sons-of-bitches got nothing coming from me *ever*. After I missed the service and now was told that I'd have to stay for the last bus back I was *enraged* and my verbal speech reflected it to everyone within earshot; inmates and staff alike. I yelled to them at the time that if I just happened to be the lone witness to a vicious attack or murder of a marshal or a marshal's family member and was the only person in the *entire* world whose statement to police and/or testimony in court could bring the perpetrator to justice I'd remain silent and wouldn't *even* think of lending a finger to help do so in *any* way. And as my anger level has grown over the years,

I've expanded that proclamation out to include *any* and *all* law-enforcement personnel; even minor staff members working in the law-enforcement field such as secretaries and janitors. If you clean up after law-enforcement people or type their dictation ya got nothin' comin' from me — EVER! For the *rest* of my *entire* life, if I just happen out of coincidence to witness such a crime upon such a person or one of their family members, if I've got any say in it; the perpetrator's going free and I hope you don't like it. And what if I am one of maybe two others who could positively ID the culprit you may ask? I'm glad you did. Let's assume the others would correctly ID the suspect. Would I go as far as perjure myself by saying the attacker is definitely not the guilty party? Such testimony, I'm sure you're aware, could then give the jury a reasonable doubt and result in an acquittal. I'll decline to answer that question right now because to answer in the affirmative could be breaking the law. I will add though, that you do *owe* me a free perjury pass — i.e. no prosecution if I *do* commit a perjury. After all, you wouldn't prosecute Mrs. Reeves for the perjury she committed against me back in '85 (see details of that listed in an earlier section of this document) which left me a victim so you owe me one — a free pass. We'll just leave it at that. And how about Gleysteen? If he perjured himself, as I allege he did, don't I have two free perjury passes coming? Now I know this scenario is highly, highly unlikely ever to happen. But it does emphasize how *awfully, awfully* high my anger level is. They took something from me that I could never get back — something that meant more to me than anyone could ever imagine. So much so, that it left a gaping hole in my heart that will *never* heal. That has to be impressed upon them in the *strongest* of terms. There's no forgiving them for what they did. Unlike Maginnis and other violators, their misdeed can't be made up with money or in some other way. There is no way, short of a time warp back in time to that rainy February day in 1994, that it could ever be made up. I just wish I could repay them in a comparable fashion — like for starters, keeping the actual guilty marshal who was responsible for screwing me out of attending the funeral from attending a funeral of one of his or her *dear* loved one's. Give him or her a taste of his or her own damn medicine. That's what's deserved!

(And for the communities of Manhattan Beach and Torrance, they're even deeper in the dog house. If I become aware of any crime happening there — be it major or minor — to even a private citizen, and am the only one who could help bring the guilty culprits to justice, they have nothing coming from me either. Not only did they violate me a *second* time, as outlined on earlier pages, but these two communities partook in the vandalism of my house on the day of my arrest — a third "strike." Private citizens down there be on guard. Having me as a witness is tantamount to having no witness.)

I think you need to know further about my relationship with my parents to fully understand my anger level here. I was their only child and never lived apart from them, except for the times when I was in prison. They never deserted me during my travails throughout life; whether it was when they found out that I was gay or during encounter upon encounter with the judicial system. They were always there to help me. Also, it's widely known that I am a loner with no close friends. In fact, I haven't had any real friends for years. Oh, of course, I'm friendly with club members at the various astronomy, Audubon, and computer clubs I attend — but as far as real friends; not one. No one I associate with outside of club meetings. The only real friend I've had in life was Joseph D. Truxton, the founder of the *Valley Astronomy Club,* which I attended beginning as a teenager and on through my mid-twenties. He died in the arson-set fire in Malibu in October 1978 when I was at *FCI Terminal Island*. Staff wouldn't let me go to his funeral because he wasn't a "family member." Even when I explained to them that he was closer to me than all of my aunts and uncles it made no difference. Even having a staff member offering to escort me to his service was no help. I was left with the belief that if he was a family member there would have been no problem at all going. Now, when the only other people I've been close to in the entire world die and *are* family members I couldn't get the judicial system to take me. The stickler here was the jurisdiction I was in.

Bureau of Prisons staff members, those that had me in custody back in '78, said that if I was under *their* control it would be no problem. But because I was still unsentenced, I was in the custody of the U.S. Marshals — and they're the ones who were balking on taking me. So basically, I'm like a political prisoner of one arm of the judicial system that refuses to take me even though the other would with no problem.

The marshals are on my shit list and every law-enforcement person — including secretaries and janitors — will pay for their sins for as long as I live; no ifs, no ands, and no butts about it! And if anyone wants to snivel about it, well just remember that this anger comes from much deeper within the core of my being than any other anger I have over unfair judicial-system practices, so you just march your god damn ass right on back to that particular marshal who decided to disobey a court order. Now my attitude may be cold here, but that marshal should have realized there would be some kind of liabilities for his or her decision to cheat me. So wherever my travels of life take me, you ain't got nuthin' coming from me!

In my rage that day after being told that lame excuse as to why I couldn't go back on the early bus I also yelled out in a waving scolding-finger tone, "I'm the only one in the entire world besides the real arsonists who know their true identity. And I'm not giving them up until I get to see my parents' graves." The way my angry attitude saw it at the time (and still does), if *I* had to wait until I get released from prison to see their graves, then *they're* going to have to wait to get something from me. I'm a firm believer in turn about is fair play, and this is one of the best examples to put that adage into practice that I've ever had in my entire life. And as you know, we waited. I dressed up in the suit my father bought me a few years earlier — the one he commented on how he wanted me to look good at his funeral — and visited their graves on October 4, 1996, the day after I got out of prison.

That statement I blurted out in a fit of anger was not only the first time I ever led on that I knew who the arsonists were, but it was also not totally true. I don't absolutely know they're guilty. I *believe* they are — but I never saw them after August 28th, the day I mailed the letters, and they never told me they were going to do it. (Their "fire speech" was limited to wanting to burn Maginnis out.) Since my declarations to the marshals that day I've remained truthful in the statements I make. I know the identity of those who I *believe* set the fires and *that's* what I've said to prison staff members and inmates since then.

This *Statement* and *Fedbuster* often refers to the arsonists in a context as if I *know* for sure they did it or that I'm the only one that could bring them to justice. While my words on the topic often could lead one to that conclusion, I don't have absolute proof they were involved because I wasn't there and they never told me they were going to set such firestorms. While burning Maginnis out was mentioned, killing him was more fervently discussed and that wasn't committed. Readers need to understand that when I talk about bringing the arsonists to justice, I'm meaning bringing those who I feel are the most *likely* culprits, those I believe *could* be guilty; not that are <u>in fact</u> guilty. I can't bring the arsonist-hunting battleship all the way into the harbor, I can only plug in some excellent coordinates. The judicial system will have to delve into their activities back in the time frame in question to make a "beyond a reasonable doubt" determination. Now I know that could be harder to do with the passage of time (they may no longer have the incriminating things in their possession), but who do they have to blame that so much time has passed? (As simple an act as keeping their grubby little fingers off of my personal property could have negated this whole dialog. Thanks to that one incident, the real arsonists quite likely rode off into the sunset, never to be heard from again — unless, of course, we can round them up now.) While I can have that "reasonable doubt" suspicion settled in my <u>own</u> mind, as I clearly indicate, my mere *feelings* that they are guilty are not sufficient for a jury to convict. Heck, look no further than O.J. Simpson. Many of *feel* he was guilty; but according to the law, he ain't. Have I clarified that or are you more confused? Just make sure you don't interpret my words pertaining to the arsonists as if to imply I have the *absolute* proverbial smoking gun. There's plenty

of residue indicating that it was freshly fired mind you — it's just not smoking; not too much anyway. A puff here, a puff there. Everywhere a puff puff. Alright already; I'll forget the jokes. I'm just feeling so extra proud of myself how I turned a great deal of disadvantage directed toward me back upon you all, and didn't even have to break the law to accomplish it. You know, one of those opposites of what they're trying to accomplish deals. Oh, I love it when a plan comes together. :-)

In a memo dated November 27, 1995 given to Mr. David L. Wisehart, my Unit Manager at *FCI Phoenix,* but addressed "To: Any interested BOP [Bureau of Prisons] staff member" I said, It's a little bit satisfying that because of FBI-ATF deceit & misconduct (things they knew I was touchy about) I shut down & to this day they don't know who it is that I believe started all the fires nor will they till they read it in my book. They were so determined to get me as much time as possible now it's coming back to bite them as they have to wait to find out the real guilty culprits. The thing is, the longer that wait is the less likely the culprits will be where they were when I knew them but that's what they get for screwing me over as itemized in my support documents…."

My blared out remark to the marshals was also not planned. They say you can't unring the bell once it's been rung, and that's certainly true here. For fear they'd pull a Rappe/Davidson threat on me, I didn't want this knowledge known until after my sentencing date. It was in this very same marshals' lockup back in '78 where Rappe and Davidson, in cahoots with my own defense attorney, Michael Sobel, approached me in a threatening tone and insinuated that if I don't give them my printing press and 51 reams of paper, which I was hiding, that I'd get more time when I go for sentencing. U.S. District Judge A. Andrew Hauk had just convicted me of passing counterfeit currency and raised my bail pending sentencing. After I was taken from the courtroom, Rappe spoke up to Hauk asking him to order that I give them my press and paper. Hauk made it as a condition of getting out on the higher bail that I do so. Even though Hauk told Rappe that he would have to bring the formal forfeiture proceedings forward, Rappe has refused to do so to this day.

If they knew that I was holding back, they could hold it over my head and threaten me with a higher sentence if I didn't talk. Remembering their past shenanigans back then, I knew all too well that they're not above such atrocious tactics. Even though the U.S. Sentencing Guidelines that are now in effect limits the range of sentence a person can legally receive from the judge more than they did back in '78, they can still fiddle with them enough to screw a person over if they want to. I didn't want that to happen. I wanted to be the one on top of this mess, the one holding at least some of the cards. Now that my secret was known, I expected Jessner to show up any minute and make a similar Rappe/Davidson threat. I had three choices: I could tell him the whole truth; I could refuse to talk at all; or I could make him think that what I'm telling him is the truth and that I'm cooperating when in fact I'd be giving him bogus names and places to lead them astray. Knowing my anger level and how I'm *so* against helping them, plus how I want to cover my ass, it doesn't take a rocket scientist to see that my most favorable choice would be number three. Well, as it turned out, Jessner never did squeeze me for information. Fortunately, the marshals never picked up on it and my bellowed words died right there. Inmates are always yelling angry and disparaging words at jailers so they probably don't even listen. Lucky me, I guess. The marshals even took out a floor to ceiling wire mesh partition separating us and them, and installed one with thick glass so we could still be seen, but heard less.

By the day of the funeral I had already decided that I would remain in a self-imposed-silent state until I get a chance to survey the damage the thieving vandals made at home, plus I wanted to make sure I got all my property back. My father picked up the last of it on January 28th but I needed to check everything first. I wasn't going to be suckered again. The Secret Service took things back in 1980 that had nothing to do with counterfeiting in *any* way and they're *still* not giving them back. Even telling them that I'd teach people how to counterfeit money until I get it all back has done nothing to prompt them to make it right. Nor has telling them that

until they return the stolen items I'm going to listen in on law-enforcement radio frequencies so I could tip people off that are under surveillance to ruin cases that are being investigated. Even as we speak; I'm still waiting for the return of what they took which is all listed in pages farther up the line and they've made absolutely no stink at all about my ongoing activities to avenge their thefts. Although its been awhile since I've done such things outside of custody; I'm sure the feelings are still there and could easily resurface.

There's an old saying, "fool me once, shame on you; fool me twice, shame on me." They made a patsy out of me once (I gave them my press and paper and still got a stiff sentence) — they're *not* gonna do it again. I wanted to make sure I had something to bargain with. They wanted something, I wanted something. So basically proclaiming that I was going to remain silent until I get to see my parents' graves — even if that wouldn't be until after release from prison 3 or so years down the line — added no further disadvantage to their position. I already knew I'd have to wait for release in order to survey my property and I completely accepted that bail was now a dead issue. As far as I saw it, we can all wait together. It was no skin off my back and it was sort of personally satisfying knowing that them trying to give me as much time as possible was *actually* giving them a greater disadvantage in the long run — i.e., that the real arsonists, the ones that should be getting time as soon as possible, were in fact enjoying a longer breath of freedom. It was like doing one of those opposites of what they're trying to accomplish that I've always enjoyed so much coming back at them full strength with. And in this case I didn't even have to do anything to achieve it — I just had to sit back in silence and do my time until it was my turn. Like I've been heard saying, it didn't matter to me if the arsonists were brought to justice in a timely manner, or if ever; I didn't lose a house in a fire. I'm narcissistic! I'm worried about what *I* lost in this mess. Now that may be cold-hearted to say, but look at it this way. No one cared about my property; or even my personal safety while in custody. So why should care about anybody else's? If you ask whether this is one of those laughs last, laughs best scenarios, I'll admit it brought a chuckle to my belly. By screwing me they were screwing themselves, and that made the extra aggravation I was suffering a little more palatable. :-)

Although I've visited the cemetery, confirmed that everything taken by law-enforcement was returned (minus a few not-to-important items), and put all my property and the house in general back in pre-vandalism condition, they're not out of the woods yet — not by a *long* shot. Other things have crept in to prompt me to keep my mouth shut and they are listed below. But before we get to them, there's other paragraphs of the story to read.

It was very much more angering to be told that if my case had not made the media publicity it did, that bail would not have been such a problem. Yet if the FBI and ATF would have been honest and forthright from day one and told the media I really wasn't an arsonist it could have been reported *properly*. I would then have been only a non-newsworthy person who just wrote a threatening letter; and with that I could have gotten bail set. This I will never forgive — nor forget either.

The day I was taken in, under the "ruse" — as the Discovery phrased it — of being a victim of crime they did all they could to get me to admit authorship of "Fedbuster." I was never questioned about the other two letters. At one point an agent said if I'd admit authorship they'll keep my name out of the papers. Moments later, another agent coming from outside the office inquired to his fellow agents, "what's with all the media outside." No matter what they would tell me or what I'd tell them I knew then that I'd be all over the news. After 2 weeks of some of the worst and greatest number of fires in Los Angeles history, many being arson set, along with the fact that my widely distributed letter threatened just such firestorms, there's no way I'd be kept out of the media no matter what. One point had become crystal clear this early in the game though. There was deceit on their part. The flags were all raised and I had to be on guard.

It was well after dark when I asked to call home, mainly to find out if my personal property was being respected. At this time I was considering divulging my

escapades into the outer fringes of hell with Snake and the fellas. But once I found out from my dad of the thieving destruction they had done I shut down real quick. Once they crossed that line of no return they had *nothing* coming from me. At least not at that time. I could always divulge what I know later on so Snake and his cohorts could be brought to justice, but I'd do it at a time of *my* choosing. I was now a real victim here and I wanted to make sure that I was treated like one. I was going to have some say in this mess. Given the right circumstances, I'd be glad to give them up, but I needed something in return. To date, I haven't gotten anything even close to prompt me to help them out. I don't care if they're ever caught. Like I've said, I didn't lose a house in a fire. I'm worried about what *I* lost in this mess. Bringing them to justice brings me no personal satisfaction. I'm a bottom-line oriented kind of guy and helping law enforcement does nothing for my bottom line. Bringing some of *my* violators to justice, as outlined on earlier *and* later pages, would bring me satisfaction. That's more important *to me* than the arsonists of fires I wasn't a victim of. Narcissistic? Damn right! You bet! Nobody cared about my property or about bringing my violators to justice so turn about is fair play. And they can chew on that awhile. I gave them the road map to follow — i.e. *don't* mess with my property — but they chose to follow their own beaten path. Now they gotta' live with it.

Why they would engage in such risky behavior *once again* is beyond me. I mean; it doesn't take a rocket scientist to understand there would be *some* kind of fall out from it. After all, they *knew* me by now. It wasn't as if they thought I was some unknown chump they could easily push around and get away with it. I had a track record for not allowing such misbehavior to go by unchecked or unpunished. If they would have just kept your grubby little fingers off of my property,—as they were *told* to do — on November 7th they might be sitting pretty well right about now with real arsonists behind bars rather than *just* little ol' letter sender me! And they can chew on that too!

Absolutely *everything* was done to make me displeased more and more. Severely embarrassing me through the news media even though they knew I set no fires and enhancing my sentence beyond proper boundaries — over-punishing me on things I have already been over-punished on already (including both primary punishments officially pronounced by judges and secondary — sometimes more severe — punishing aggravations not a part of an official handed down punishment but always a part of it anyway) and/or innocent of — were surely no help at all. (Knowing I especially like to embarrass judicial personnel back, it is especially negligent on their part to commit this offense even in a minor way, let alone the major way they did. As an added point of note, because of the severe embarrassment I suffered by way of media publicity I now don't want to even be seen by those who previously knew me on the outside. I am now *totally* a loner; and we all know the personality profile of loners don't we? They just kept digging more and more. They should be concerned about justice for all; not just winning a conviction at any cost using any tactics they want.)

I don't know of any money that could make up the denial of bail simply because of the extreme media publicity — and resultant embarrassment — despite the fact they *knew* I was not an arsonist. Or for that matter, I don't know what amount of money could make up the lies they uttered in order to get their search warrant so they could commit their vandalism. It sort of makes me pissed I couldn't be the one or ones who can now look back with satisfaction that they caused a lot of destruction and vented a lot of anger. I normally am not like that, but extreme victimization over and over again tends to bring out the worst in people.

Of the three threatening letters I mailed; "Fedbuster," "Nightcrawler," and "No Justice No Peace!" (the Maginnis letter) I was only questioned about "Fedbuster" because fires started. I did not discover until later that their hard questioning of me as a "suspect" arsonist was just a "ruse" to try to get me to admit authorship of the letter. Unknown to me at the time, they had me under surveillance since at least 2 days before the first fire ever started so they know I didn't set any of them.

Ironically, had they of been forthright and honest right from the start and told me they knew I wasn't an arsonist and that all they wanted me for was the letters I would have been more apt to cooperate and help them with information that may have led to solving the real crime they should have been more concerned about — the *actual* arsons. It seems they had their priorities on the wrong thing once again; an offense I've admonished judicial personnel about over and over again throughout the years.

Of the 13 different handwritings on the letters and envelopes no one at any point, other than a Bureau of Prisons staff member interviewing me and inmates, inquired about who these other people were. And no one asked in the least if any of them could have started any of the fires. I have no direct information any of them did. I haven't even seen any of them since August 28th, the day I mailed all the letters. The thing is, all of them were disgruntled, some HIV infected, people with bones to pick about the judicial system and my talking along the lines of VOCAL — **V**ictims **O**f **C**ourt or other judicial system **A**buse of **L**aws & powers — (see *Revenge on the Judicial System: Don't Get Mad Get Even!*) was inciting them more and more.

They knew I set none of the fires. They knew there were many different handwritings on the letters. Why couldn't they just have kept their grubby little fingers off of my property, be polite, and merely *ask* if I had any information as to who the arsonists could be? Back in '86, when I was arrested for vandalizing numerous vehicles, I distinctly remember a police detective emphasize how he was very careful with my possessions when he was in my bedroom because he saw how neat and orderly I was. I thanked him and then talked freely and openly about my crime to him. Too bad the feds didn't do a little more homework. Hopefully they know now you can get more flies with honey. Is that the right saying here? Anyway, you get the point.

Snake, the writer of "Fedbuster," was a particularly fire prone individual as I look back on him in hindsight. When the feds were pressing me pretty hard with their "facts" that I was an arsonist they escorted me into another room where I was shown a chronological chart of all the recent fires. When I saw that a white van was seen at one fire and a motorcycle at another I thought of disclosing that Snake owned a motorcycle and Danny an old white van. Before I was going to discuss this and probably take them to the park some of them hung out in and the hotel Danny had rented back when I knew them I wanted to call home to see if things were being respected. When I found out the crime they were committing with my stuff I clammed up and they had nothing coming from me. Their over-zealousness to violate me resulted in maybe the real arsonists going scot-free. Whether they were or not we'll probably never know. But that's what they get when they try to lie their way into a confession and phony up a polygraph test. I kind of hope they were the real guilty culprits and that my silence brings the FBI and ATF a lot of crap over how they *botched* the case. I wish I could run into Snake, Mondo, Danny, Tim, Chuck, Dave, Crystal, Doug, Scott, Ken, Berry, Jake and a few others whose names have faded from memory with time some day and get the whole story. If I knew it now; it would still be a secret though.

As they were accusing me more and more of being an arsonist I was becoming more and more scared. I was no longer denying the letters, but I wasn't admitting them either. At the same time I strongly emphasized that I had nothing to do with any of the fires. I insisted that I wanted to take a lie detector test. In years past I had been given them by the Secret Service, the L.A.P.D., and even a polygraph examiner privately hired by an employer. In all other cases I had something to hide. This one time I didn't. I asked the examiner to limit his questions to those pertaining to the fires. He said if I didn't come clean on the letters first, the fact that I was holding something back would give a false reading on my answers pertaining to the fires. I suspected his rational right away because in a past test an examiner purposely kept his questions to one limited area of behavior they were wanting the truth on. He finally reluctantly agree to limit his questions to the fires. For the first time ever

during a polygraph examination I felt relaxed. I knew the questions would be limited to the fires and I knew I had nothing to do with them. I answered them truthfully and with confidence. In the end I was told I had failed the test without question. That couldn't be. I was so truthful and comfortable in answering. I was wondering if my body chemistry was such that polygraph results are not accurate on me. I also wondered if they purposely lied to me in an attempt to scare me further into a confession of the letters. Such deceitful practices are committed by law-enforcement personnel as was disclosed in the December 23, 1997 episode of *Dateline NBC*. Today I believe this aspect of their behavior is the truth. Nowhere in the entire Discovery report is there ever a mention of a polygraph examination being given. It mentions my request to take one, but that's it. Surely if I honestly did fail one that result would be prominently displayed in writing. Just another reason to continue a self-imposed silence.

(Dan Rather explored the subject of police deceit during interrogations in the May 6, 1999 episode of *48 Hours*. "Police interrogations are usually by the book. There's a manual for almost everything. There's even one on how to arrange the furniture to get the best results. And not only are the police allowed to lie to coax a confession, they are taught how to do it. For example, to claim the results of a polygraph, such as this one, [pointed to by him] proved that a suspect is guilty or that there's hard physical evidence when there is none.")

Anyway, it's hard to put a dollar figure to all the embarrassment the feds' lies caused. If everything had been reported properly right from the very start I would *not* have been a newsworthy item and there would be no need for me now to withdraw from all who knew me out of embarrassment. They made a point about how being a loner is a characteristic in the profile of an arsonist. The thing is, their lies have led to me totally being a loner. My parents are dead, no relatives were around, and now I am too embarrassed to have all who knew me see me. I left prison <u>*totally*</u> alone. All I know is they owe me big time!

For missing the 1993 *Hollywood Christmas Parade* I always go to on the Sunday after Thanksgiving and that I wouldn't have missed if I'd have been out on bail, as I should have been, I add this amount for transportation and expenses to and from New York so I can see *Macy's Thanksgiving Day Parade* as a make up: . . . . . 1,000.00[x]

For missing the total eclipse of the Moon that night, November 28th, 1993, I also should not have missed, I add this amount as a make up for travel and other expenses to view another future total lunar eclipse in another part of the world that won't be visible here in any way and therefore wouldn't have been seen: . . . . . 3,000.00[x]

For missing the winter *Consumer Electronic Show* in Las Vegas, which I always go to every January, I add this amount for transportation and expenses to and from Chicago so I can attend the summer *CES* in June, which is an event I don't attend, as a make up: . . . . . 1,000.00[x]

Fortunately for *all* of us, no attorney expenses were involved, I left that up to them this time and got a damn good attorney, Deputy Federal Public Defender Paul L. Abrams. But there were still expenses incurred such as phone calls home, gardeners (at $60.00 per month) that wouldn't have been needed if I'd have been out on bail (because I would have been there to do the mowing and yard work as I was doing before arrest), gas, xerox fees, mailing costs, and parking fees (I found a parking receipt from the one time my dad visited me at *MDC-LA* for $3.30). Total is at least: 500.00

As I mentioned in my *Fedbuster* book, this *Statement* along with my *Revenge* book were deleted from my computer after my threatening letters were making widespread news and numerous arson-set fires were burning up the southland. I expected snoops would likely take my computer and I only wanted them to see my other squeaky clean files. It's not that I was ashamed of those two documents mind you; it's just that too much was happening in such a short time span that I just didn't want to complicate things by having to explain my honest beliefs and opinions that people victimized by the judicial system should get even, albeit in non-violent ways. For once I was wanting to keep that silent. As it turned out, the feds had the sample

draft version of *Revenge* which I had previously widely distributed to inmates and judicial personnel alike. Now I wanted to have a copy of this *Statement* so I could show appropriate personnel the violations that were committed against me over the years and what they have led to. Because the feds took my computer and printer, my father couldn't just print me out a copy to send me. As mentioned earlier, I had rented two safe deposit boxes to hide all my master system and application floppy disks and the backup copies of the documents I had created over the last few years. My father never even knew about them, nor was he on the signature card to get into the boxes. Fortunately, I had two floppies hidden at home that contained not only this *Statement,* but also *Revenge* too. I sent him to Kinko's to get it printed out and they sent him to Mac Universe in Tarzana. To print its 26 pages (that's all it was back then) at $.95 per page on a laser printer, the only kind of printer they print on, it cost $24.70. Gas cost probably about $2.00. (He made two trips to Mac Universe.)
Not including his time, that adds up to: 26.70

There were a number of costs I suffered that I wouldn't have if I'd have been out on bail as I should have been. Both of my parents were receiving social security benefits. My mother passed away on December 29, 1993. After one spouse dies the surviving spouse can receive a special one-time payment of $255.00. My father failed to apply for it and when I checked into it after my release from prison I found I cannot do it now. The opportunity to get that payment died with my father's passing. Because I inherited all their assets *I* lost out. If I would have been out on bail at the time I, who was closely monitoring my parents' finances, could have seen to it the application for the payment was made. In a nutshell I lost: 255.00

My father purchased two $5,000.00 Redevelopment Agency of San Bernardino coupon bonds back in 1971 that paid 7% annually. He gave them to me a number of years ago and I had been depositing their interest in my savings account at Great Western Bank for all those years. They weren't suppose to mature until February 1996 but they called them in early. He received the money from them a couple weeks after my arrest and deposited it in his Bank of America checking account. It was still there when he died on February 14, 1994 and because of that I ended up paying estate taxes on that $10,000 that I wouldn't have if it would have been in my account where it would have been if I'd have been out on bail. In studying over the complexities of the estate tax returns after my release from prison it appears that I paid nearly 22% in taxes on that part of the estate which was over the tax-free limit of $600,000.00. That means I lost: 2200.00

Of course, if I'd have been out on bail I would have reinvested that $10,000 into a high-interest long-term investment just like all our other money is in. Instead of making about 6% tax free interest for those 3 years of my absence it was making *only* 1% while stuck in the checking account. That means I'm owed 5% interest for 3 years and that equals:. 1,576.25

On the subject of paying 22% in estate taxes on what I inherited over $600,000.00, my Christmas gift in 1992 was a new computer. The problem is that I didn't buy it them. I was aware new models were coming out in a few months so I told my dad I wouldn't be purchasing one until later. Later kept getting put off as I kept hearing of newer and newer models and falling and falling prices on the existing models. Besides, my existing computer was serving my needs, as it still is. By not buying it when it was given to me, the money stayed in my parents' checking account and I got stuck paying estate taxes on that amount. I figured on paying around $2,500.00 for a new computer so 22% of that is:. 550.00

I also saw that I ended up paying $970.00 in state penalties because my tax preparers, Tapp, Tapp & Chu, filed the estate tax forms late and apparently the feds imposed a $130.00 penalty for filing and paying late with them. With me out there that wouldn't have happened. First off, I would have gotten all the necessary paperwork to those doing the tax preparation in a timely manner. And second, I would have kept on them to finish it on time. Lynda C. Tapp, who was doing the work, acknowledged in a round about way that its easy to put my stuff aside behind another client's when I wasn't there to assist. These penalties should not be up to me

to pay. Therefore I charge the full amount of: 1,100.00

And this wasn't the only penalties for late tax filings. Chronologically, this entry should be farther down the line but I'll put it here because we are on the subject of taxes. Craig Smith — an employee with the law offices of Maria Bezaire (who set up my parents' trust years earlier) and the one I hired to watch after my affairs after my cousin, Mark Prochaska, moved away — was late in filing the 1995 state taxes and I was charged $94.00. He was also late with the 1995 federal taxes and I was charged $148.00. And for being late in making an estimated tax payment to the state I was cost $13.54. That gives a total of: 255.54

My mother had one life insurance policy from Prudential Insurance Company of America and my father had two (policy numbers M07280020 and 403401390). He cashed hers in within weeks of her death but I had to wait until I got out to cash his in. On January 11, 1997 I received a check for $2,493.88 for the first one and another check for $1,999.01 for the second one. If I'd have been out on bail I would have gotten them in a timely manner and reinvested the total $4,492.89 into a high-interest long-term investment just like all our other money is in. By not doing so for three years I lost this amount of interest: 858.21

After my mother died two of my father's sisters, Myrtle Christell and Florence Jensen, come out from Omaha, Nebraska to help my dad at home. I don't know if he asked them to come out or if they took it on their own to do so but, in any event, they wouldn't have been *needed* if I'd have been there. Now I know they were a great help to him, but so could I have been. My father hadn't been feeling good for several days and on February 2, 1994 he drove himself to Kaiser Hospital. He was immediately admitted and was given treatment for pneumonia but did not respond and died 12 days later. He had a phone in his hospital room and I talked to him every evening through the 10th. (When I called on the 11th I found out he had been moved to the Intensive Care Unit.) He told me he called his sisters and asked them to come out again. He relayed how they weren't going to and he was crying when he told me that. He said he offered to pay for their trip and apparently pleaded for them to come out. I don't know if he offered to reimburse them for the first trip or not. The main point here is, up until this time he never paid for their first trip so I'm guessing they took it on their own to make it out here that first time. They wouldn't have had to come out the second time if I'd have been there. And they wouldn't have had access to the checkbook to write themselves out checks for both trips. After I got home and had a chance to audit all my financial paperwork I found out Myrtle wrote herself out a check (check # 1079 from the Bank of America checking account) for $1,400.00 and put in the memo field, "Airfare 2 times." She also wrote a check (check # 1078) out for the same amount to Florence for the same reason, "Airfare 2 times." I'm guessing they just took it on their own to have me pay for *both* their trips. Now I know they're not as wealthy as we are and maybe they figured I didn't deserve all I was getting (when they visited me at *MDC-LA* after my father died they were critical of me because of my criminal behavior throughout life and what that did to my parents) but the thing is, they wouldn't have been here that second time or had access to the checkbook to write themselves out checks if I'd have been out on bail, as I should have been. (I also know they're tight with money just like me. On January 11, 1994, Myrtle sent my father a birthday card [his birthday was the 15th] and mentioned among other things, "Will call you collect every so often as we talked about." Apparently they wanted to talk to him as long as it was on *his* phone bill.) I have a sneaking hunch I ended up paying to help Myrtle's adopted/divorced daughter, Lori, raise her kids because the dead-beat dad isn't pulling his weight. (Myrtle has mentioned in past letters how she has to work to help Lori as the dad isn't coming through.) Total for those two checks was: 2,800.00

For the few days Myrtle and Florence were at the house they used our ATM card 7 times to withdraw money. (I did give them permission to use it.) Now I know they had food and some other expenses, which they wouldn't have had if they weren't out here, as they wouldn't have needed to be if I'd have been out on bail; but what they withdrew was *way* more than mere expenses. Besides the fact there

shouldn't have been *any* withdrawals, there surely shouldn't have been *this* amount. On February 13th they withdrew $300.00. On the 14th another $300.00. On the 15th they made three withdrawals; $40.00, $160.00, & $300.00. On the 16th they withdrew $500.00 and on the 17th another $500.00 for a total of: 2,100.00

My dad also usually kept around a couple hundred dollars hidden at home for cash expenses. This was also missing. Because I don't know an exact amount I'll split the difference and charge only: 100.00

When my dad was in intensive care for those few days before he passed away, and before I talked to Myrtle and Florence on the phone, they tried to help him get his final affairs in order. From conversations with my dad a few days earlier I know he was concerned a fine, reported in the news media to possibly be millions of dollars, could wipe out my inheritance. Back in 1986 my parents set up a Revocable Living Trust with the law offices of Bezaire & Bezaire (later known as the law offices of Maria Bezaire). I believe my dad was wanting to restructure it so the inheritance would be untouchable by whoever would attempt to collect a fine. Apparently he couldn't remember where a copy of the trust was so Myrtle and Florence hired Greenwald, Hoffman & Meyer. Where they found this law firm I do not know. After I got out I found check # 1090 was written out for $1,054.50 to this firm on about August 2, 1994 by cousin Mark. I contacted this firm and talked to a lady there who told me that my aunts — Myrtle and Florence — hired them to help get my dad's final affairs in order so my inheritance would be protected. She was at the hospital but my father slipped into a coma before he could sign any papers so the original trust was still in effect. (Fortunately, there was no fine, except for the $300.00 Special Assessment so everything worked out O.K. Even if there had been, the U.S. Sentencing Guidelines limited it to $40,000.00. I was never facing the millions reported in the newspaper. Nor was I facing the hundreds of years in prison they reported.) So basically nothing was done for this cost. Now I'm not contesting their right to charge that fee; I'm sure they did put in that amount of work. The point of this is, if I'd have been out there on bail, Greenwald, Hoffman & Meyer wouldn't have been called because I knew where *all* the Bezaire paperwork was. They did all the transferring of everything to my name anyway. Greenwald, Hoffman & Meyer accomplished nothing and that money was wasted. Also, if my case wouldn't have made all the media publicity it did, the possible fine I was facing wouldn't have been known to my father and he wouldn't have been concerned enough to want to restructure his trust. It could have remained as it was originally set up which was very well done. I'm charging Greenwald's cost of: 1,054.50

My father had a number of investments spread out among various companies or locations. One bond he had was originally for $10,000.00 and was paying 8% annually. This bond was suppose to mature on November 1, 1991 but the company, Derwood Investment Corp., went into default while they worked at reorganizing their business. We were notified that although we wouldn't get the principal we had previously invested at this time, we would still earn 8% annually until they pay it off in full. Soon after this they did repay $2,000.00. To do so my dad had to go to the safe deposit box to retrieve the $10,000.00 bond certificate and send it to them. They then sent us a new bond for $8,000.00 and a check for $2,000.00. As the months went by we continued to get letters from them updating us on their progress toward paying the rest back. In September 1993 the company wanted the bond certificate back once again as they were going to repay more of our principal. This time, instead of reissuing a new bond, they rubber stamped it saying among other things, "A partial payment of principal has been made and future partial payments of principal may be made. THEREFORE, THE UNPAID PRINCIPAL AMOUNT OF THIS DEBENTURE MAY BE LESS THAN SET FORTH ON THE FACE HEREOF" and sent it back to us. (I've still got the bond, that's how I know what it says.) My father put it in a drawer where he kept other papers related to Derwood for safekeeping until he returns it to the safe deposit box. Shortly after that I was arrested, then my mom died, and then my dad died. When Myrtle and Florence were getting financial paperwork together to give to Mark before they returned home I

told them to check this particular drawer because I didn't know if my dad had gotten around to returning it to the safe deposit box. They couldn't find it so I just assumed he had. I planned to give Mark written authorization to get into the safe deposit box because other bond certificates were in there that were needed so their funds could get transferred over to my name. The last communication we got from Derwood was that their plan was to issue partial principal and interest checks for the next few years until it is all paid off. Then they decided to recall the bond and pay everything off; all the remaining principal and any interest that was due up to that time. After a given date, which I do not recall and cannot find the paperwork right now, no more interest will accumulate. But to pay off everything they needed the bond certificate back first. I told Mark to check in that drawer and if it's not there then it would be back in the safe deposit box. He said it wasn't in the drawer. As it turned out, it was in that very same drawer folded up and put in an envelope. Negligent Myrtle, Florence, and Mark just didn't look close enough. In fact, Mark never even did get in to the safe deposit box. The bank had no record of him getting into it plus the other bond certificates were still there. I didn't lose any money by those investments staying in my parents' name though. They just continued to pay regularly into their account which I eventually got transferred to my name after I got out of prison. Derwood was another story. When we couldn't find the bond it was up to the Bezaire law offices to work with Derwood to get them to pay it off without the certificate. Just because it was missing it took all the way until December 1996, after I got home, to get the money sent to me. Bezaire worked closely with Dean Witter Reynolds Inc. and I understand they went through some major headaches with Derwood until it was finally resolved. You can imagine my surprise, and anger, when I found the bond certificate right where I told them it was. If I'd have been out on bail, as I should have been, I would have taken care of it in a timely manner and at least 2½ years worth of interest wouldn't have been lost. Derwood was happy to delay as long as they could because they got to make interest by keeping it in *their* bank. That amount of interest I lost is calculated here. Because some principal had been repaid off of the $8,000.00 before my 1993 arrest the remaining amount that was held up for these 2½ years was $7,166.71. 2½ years of lost interest on that amount, assuming I would have earned 6% with it reinvested back then, equals:. 1,127.38

After I got home I found a number of things were missing from the house. Some of the things I'm sure Myrtle and Florence are the guilty culprits. Other things point more to Mark at the thief. And many items leave no clue as to who took them. After Mark quit watching after the house in the spring of 1995 (he allegedly got a job promotion out of town) I hired Craig Smith to take over. I brought up to him about things missing and he said he didn't take anything. I tend to believe him. I haven't questioned Mark, Myrtle, or Florence yet but I'd bet that if they admit to anything it will be that taking what they did was their "fee" for helping me out. (Each was sent an identical 19-page letter which contained all of the below paragraphs in this *Statement* that relate to them and only Mark responded back. His letter is quoted later on right after all the paragraphs relating to them.) The thing is though, Myrtle and Florence already took a bunch of my money with them back to Nebraska as I've already mentioned above. And Mark did his share of withdrawals too along with making out checks to himself from my checking account as I detail below. Plus, he had *free* access to use my 1990 Buick Regal and 1982 Ford van conversion so he benefited *very* well. It is possible Mark had some friend or relative of his stop and check the house that he didn't tell me about. If so, this person could be the thief. Mark may be innocent; this has yet to be determined. (Mark's letter claims no friend was in the house.) While on the subject of the Ford van I need to mention that my dad had purchased 3 or 4 service manuals separately and they are nowhere to be found. Nor is the owner's manual around. I assume Mark took them to study over. I plan on selling the van when I purchase a new mini-motorhome so I'm not going to buy a new set of service manuals. Therefore the thief is a little farther ahead money wise; he or she doesn't have to reimburse me for them.

There are three things I'm sure Myrtle and Florence took. One is two shoe

boxes full of old family photographs. In there were small unframed pictures of my parents and their brothers and sisters, and possibly their parents, taken earlier in this century. These boxes were on a shelf in the closet at the northeast end of the living room. There are some larger framed pictures of my parents still in that closet along some pictures of me as a child and adolescent. I can tell these pictures, along with some of my old birthday cards and school report cards, have been sorted out neatly. I know Myrtle and Florence were helping my dad go through stuff after my mother died. I distinctly remember one picture was of my mother visiting my father in the hospital in the late 1940s when he had tuberculosis and was confined there for a year and nine months. I know my mother used to travel for miles to visit him. The love they had for each other really showed through in that picture and I want it back, along with all the others. There's *no* way money can buy back these boxes of pictures. Everything else can be made up with an amount of money. This can't! Without it, I will have *nothing* to do with helping to bring Snake and company to justice in any way.

Another thing missing that was probably snatched by Myrtle and Florence was a small birthday book. A date book in which my mother filled in the names and dates of birth of all of our relatives. It was kept in the desk in the den. Although it wasn't up to date with the latest additions to the family, it did include those who I knew as a child. It was began years before I was born and most entries were written with an old-style fountain pen. As with the box of pictures above, I need this book back. NO amount of money can make it up.

The third thing I'm sure Myrtle and Florence took was a framed crochet piece made by their mother and given to my father in the early 1950s. It said GOD BLESS OUR HOME. And I have pictures of us in the house taken at Christmas time and my birthday showing it in the background hanging on the wall dating back as early as December 18, 1962 to prove *we* had possession of it all those years. Now there is the possibility my father gave the piece to them during their first visit here after my mother passed away. After I got home and found that birthday card Myrtle sent to my father I noticed it said, "Our packages arrived Sat. in good shape. Was fun unpacking the goodies. Will all come in handy." On first thought, I would expect that to be limited to my mother's clothes, but maybe they snatched the crochet piece too. I can imagine them sitting around and discussing how their mother made it. I can also imagine them asking my dad for it or even him offering it to them. I have no way of knowing as he never mentioned it to me on the phone. Now I do know for a fact that that's not the only important thing he declined to tell me. (I originally suspected Myrtle and Florence stole some Hummel statuettes they told me were broken in the January 17th earthquake, which surely my father would have mentioned to me if it were true, but I do see one vague indication that that is a true story.) The thing is, if I'd have been out on bail, as I should have been, Myrtle and Florence wouldn't have been here to get their grubby little fingers upon it to begin with. On the possibility they may have come into possession of it with permission from my father I'll give them the benefit of the doubt to this *limited* extent. Rather than refuse to disclose the complete story of Snake and his minions until they return it, I'll allow them to take a polygraph test conducted by a law-enforcement approved examiner from their home town. If it comes back that they are showing no deception when they say they came by it with my father's permission I'll allow them to retain it *provided* they put in writing that it reverts back to me upon their deaths. Florence is in her 80s and Myrtle isn't that far behind. There's no way their kids should be inheriting it. First of all, both of them have adopted kids. It's not *their* grandmother who crocheted it; it's *my* grandmother who crocheted it! And second, it's been in *our* possession since I was a young child and I've got the pictures to prove it. Provided I am promised it back upon their deaths, Snake's full story can be disclosed when all other financial hurdles are met satisfactorily. If Myrtle and Florence want to retain it within their family beyond their deaths I am open to a financial disposition. Whether they came by it with my father's permission or not, I will not hold this item up as a hurdle that needs resolution before the Snake story

can be told in complete detail. For the below listed fee I relinquish all rights to the crochet piece forever. That fee is: 2,000.00

Myrtle and Florence — and even Mark — need to know though that the wishes to be reflected in *my* will gives half of my estate to my father's family and the other half to my mother's family. I am gay and have no kids or a wife to try to claim a piece of the pie, nor will I. The way it sits now is; I'm counting the days from February 18, 1994, the day Myrtle and Florence left for home after my father's funeral, until the return of the crochet piece. That number of days will be added to the time my father's family will have to wait to receive my inheritance beyond the date it would otherwise be released to them. If I've got to wait to receive the crochet piece then they can wait to receive my money an *equal* amount of time. I see that as fair. And I am a fair person; in fact I obsess upon it — as is clearly evident in *all* my writings. (Speaking of fairness, I should subtract the time between October 3, 1996 — the date I come home and discovered the theft — and the date I notified them of my findings and the consequences it brings. Although I could have and should have confronted them with the side effects of their actions in a timely manner, for my own reasons I waited until May 1998. They should not be docked for this time span.) Now I know this inheritance may be years in the future if I live to an average old age and whoever inherits it may not even be born yet. But I want Myrtle and Florence to know that their names will be attached to the reason for the delay of their unborn relative receiving my money. And be rest assured, any interest accumulated during that waiting time will go elsewhere; possibly to help criminals in prison. The family don't get that. They're not going to profit from Myrtle and Florence's misbehavior in *any* way. If they wish to buy the rights to the crochet piece for the fee listed above no waiting period will be imposed. (Myrtle and Florence need to know though that ever receiving *any* inheritance is dependent upon the return of those two boxes of photos and birthday book discussed above. They are not for sale for *any* sum of money and no offer is placed upon the table for any other compensation other than their return. Without them, Snake's complete story dies with me and my inheritance will never be given to *any* member of my father's family *ever*. No ifs, ands, or buts! Also, the same inheritance time delay will be imposed on the stolen pictures and birthday book as on the crochet piece. Once they're returned, I'll calculate the time delay to be added to when my distant relatives can get their fingers on my money. If Myrtle and/or Florence want copies of any of the pictures they're instructed to put them in a separate envelope marked "copy" and I'll copy them for them at *their* expense. They get copies, I get the originals!)

Other less sentimental things come up missing from the house during my absence also. I put as much blame on the government for not letting me out on bail as I do on the actual thieves; be they Myrtle, Florence, Mark, or someone Mark let in the house to check it when he didn't do so. None of this would have happened if I'd have been out on bail. I could have secured the house up *properly* before I had to go into custody and hire a reputable firm to look after my affairs during my incarceration. Actually, no one would have even needed access to inside the house at all. All gas and electric could have been shut off and I could have built a lockable mail box big enough to hold a couple weeks' worth of mail. Whoever was hired to sort through the important mail and handle my affairs would have been given all the necessary paperwork ahead of time, along with a key to the mail box, so no access inside the house would have been necessary and no thefts would have taken place. The house has security bars on all windows and doors so burglary was not a concern either and there was no problem in that area.

I already covered how when I was being questioned by Sergeant Yarbrough on the night of my arrest he told me to take my Casio watch off and give it to him. Agent Palacios later returned it to my father who signed for it. After I got home I find it is missing. I liked the style of that particular watch. When I buy something, the style of its looks is just as important as any other aspect of the item. That particular year Casio had only two watch styles that appealed to me, and I know because I had their catalog to review. Of the two, I chose the less expensive watch;

model W-700. It cost $24.46 as I can prove by the receipt I still have. I already covered above how I had to buy a watch in prison which I wouldn't have had to if I could have gotten booked in with the one I had. That watch was an unattractive off brand though. While it served its purpose in prison, I wanted an equally attractive watch to replace the stolen one after I got out. Casio no longer had a watch style I liked in the price range of the stolen one. And I know because I checked their latest catalog. Even the more expensive style was changed somewhat but it was still nice looking. It is model DW-6800-1V and cost: 52.36

Also missing from the house are a number of baseball caps. One was a green and white cap with a patch from Nor-Mar Sales, a place I worked in 1984-1986. Another was purple with a patch from the National Guard, a place I did community service at in 1985-1986 as part of my sentence for soliciting sex from Michael Reeves. (That case is covered on earlier pages.) Others were free-bees from various places we acquired over the years. But the most important one was a blue LA Dodgers cap autographed by Don Drysdale, a pitcher for the Dodgers back in the '50s and '60s. Back in about 1960 or so, when I was around 10-years-old, Mr. Drysdale was signing autographs in the basement of Butler Bros., a department store in Van Nuys at the time. Both my dad and I got a cap with his autograph under the bill. My dad used his cap regularly and the autograph had long ago faded. I preserved mine, but even with that it was pretty much faded. Still, it was a cap autographed by a ball player I liked a lot. Even though I wasn't a sports fan, it still meant a lot to me and I want it back. Barring that, I'll charge the following fee to cover it, my dad's cap, and the other less important ones: 2,000.00

I had a Sharp scientific calculator model number EL-5100 that was a Christmas gift from my parents back in 1984. I liked the features it had and the style of it. And I was also very familiar with how it worked and liked that too. Sharp no longer makes a scientific calculator with all the features it had. I purchased model EL-520L which come close. Although it doesn't have all the features the stolen one had, I wasn't using them anyway. This new one uses a different key in sequence to perform the calculations I do use and I don't like it as well. I'd still rather have MY calculator back. I've still got the instruction manual for it. At least the thief didn't get that. Cost of the replacement calculator is indicated here and I have the receipt to prove it: 14.06

We also had a regular non-scientific calculator in the living room which my father and I used to not only calculate progress on our investments, but for other general calculating needs too. That too is missing. I purchased Casio model SL-807LB and retained the receipt to prove its cost was: 7.57

I spent 2.1 hours on February 14, 1997 shopping at several stores for these calculators. I was trying to find my EL-5100 and eventually found out that the less feature filled EL-520L is as close as I will get in the Sharp brand. I then settled for it. 2.1 hours @ $5.11 per hour (my take home [net] pay on my last full-time [45 hours per week] job in 1986 was $230.03 per week which equaled $46.01 per day or $5.11 per hour) equals: 10.73

My father had a triple-head Norelco razor and I had the same thing in a cordless model. Both are missing. I do not know their original costs. I priced Norelco razors at Fedco in the fall of 1997 and found they had 6 rechargeable models. The model most like my stolen one is 4845XL and it cost $99.99 for a total of $108.24 with tax. Two of the 6 rechargeables were cheaper, and 3 were higher in price so my pick was about in the middle. Unfortunately, I didn't like the style of any of them. From mail order I purchased a Panasonic cordless model number ES742s as a replacement for mine. It cost $117.35. I do not need two razors so I'm not purchasing a second one. But I did price comparable corded models. The only one Fedco had was Norelco model 3405LC and it cost $49.99 for a total of $54.11 with tax. Total for the two is: 171.46

In our medicine cabinet I had several bottles of after shave and cologne that were quite full or nearly so. All of these are missing. Re-purchasing several of them (not including time involved in shopping which I failed to log) cost: 20.51

In a drawer from a desk in the hall we had two citizen band walkie talkies dating back to the 1960s. Even though they were old and were single channel they still worked. Through mail order I purchased one Midland model number 75-820 as a replacement. Because this unit has more features and costs more than the stolen ones I'll consider its cost as paying off the two missing ones in full. Other items from this desk are also missing and are addressed below. The receipt for the one replacement walkie talkie will verify its cost was: 134.45

In the lower left-hand drawer of my desk I had a pair of 10x50 Tasco binoculars along with 7x50s by Jason. When I got home I found the 10x50s were missing. I got these back around 1968 as a birthday or Christmas gift from my parents. They were kept in pristine condition like much of my property so were virtually like new. I tried to shop around for some just like them because I liked their traditional style. Tasco has some that look similar but everyone I talked to familiar with such things said how Tasco's quality today is nowhere near as good as it was back in the 60s, and even then they weren't top-of-the-line. My Tasco's were considered inexpensive, but they were damn good. (I hand picked this pair. I had returned two other pairs that didn't pass the critical "star test." A point source of light will show minor defects in optical quality real quick. This pair showed better resolution than many others of the same model.) Most of the better quality binoculars today have a rubberized coating on their barrels rather than the traditional leatherette finish and I don't like that. I ended up purchasing 10x50s from the Ultima line of Celestron International. They were a step up in quality but I had to make that step in order to get the traditional style I liked. (As for gas money and time shopping for them, that is included in the costs listed in the vandalism case detailed in the below section for the day I went to court in Newport Beach on March 4, 1997 because I bought them down in that area before I returned home and just kept the clock running on my time going to and from court plus my gas expenses doing so.) The cost of the binoculars alone with tax is: 266.13

We had a Radio Shack 5" color AC/DC TV/Monitor in the bathroom that cost $319.95 plus tax which was 6.5% when it was purchased in the late 80s. (I couldn't find a receipt to verify this price but I did find it in a 1988 Radio Shack catalog I still have. Its stock catalog number there is 16-108.) It too is missing along with its AC adapter. Out in the garage I find its box is still there and in it is the car cord and the compartment for the D batteries that power it during portable use. According to the box, its model number is merely the catalog number; 16-108. To replace it I purchased Casio TV model EV-510 for $216.49, AC adapter model AD-K64 for $19.47, and DC car adapter model CA-K65 for $56.45. And I have the receipts to prove these costs. Now some would say that because the Radio Shack TV was old and scratched that I should appraise it at a much lower price than the $319.95 plus tax we paid and only want that amount in return. Normally that would be the case if something is accidentally damaged or destroyed, but not when it's *intentionally* stolen. They get no price breaks there. That's the standard I'm holding the Secret Service to as indicated earlier in this *Statement*. They stole legally purchased printing equipment from me back in 1977 and I'm assessing them the full cost *I* paid rather than what I could have sold it for as used equipment as I should have been able to do. I'm still waiting for them to pay it off so that's a long past due debt, but it still remains on the books that the amount due is the cost *I* paid. Here, the TV and adapters I purchased ended up to less than the cost of the Radio Shack TV so they're money ahead a bit on this one. On the binoculars, the ones I purchased cost more than the original stolen ones but that's what similar optical quality and style of ones I liked cost. They stole so they just have to live with it. That same methodology will be followed throughout the thefts relating to this case. And if you don't like it; too bad! Don't steal next time Cost for the replacement TV and accessories was: 292.41

On the bed in my bedroom along with the bed in my Chevy van I have Vellux # 284 blankets manufactured by West Point Pepperell from West Point, Georgia. They are both the same color; beige. The blanket in my van was beginning to fall apart due to sun damage shining in on it over the years. Back around 1992 or so I

purchased a new one at Fedco, the same place I got the first ones, but was not using it because the defective one was not that bad yet. I had the new one still in its original wrapper on the couch in the den along with a bunch of other stored stuff belonging to my parents. This couch was a sort of catch all for storing stuff. When I got home from prison I found that the blanket is missing. Maybe this is one of those "goodies" that Myrtle and Florence just decided to take off with. Maybe my dad didn't realize it was mine and gave it to them; I don't know the story yet. The thing is though, it IS mine and I want it back if it's still new, or replaced if it's been used. I went to Fedco to purchase a new one but found they now sell Cannon brand blankets in that same kind of fluffy material. But they didn't have any in the beige color I wanted. I called West Point Pepperell to find another store that sells their blanket and found they no longer make the one I want. I called Cannon and got the name of a local supplier that may have the beige color I want. They are; Pillowtex at 3820 Union Pacific Ave. in East Los Angeles near Interstate 5 and Indiana St., (213) 260-7361. I went there and sure enough, they had the color of blanket in the full size I wanted. Now it may have been a slightly different shade of beige because it was from a different manufacturer but it was exact enough to what I wanted. The problem was that this place only sells to stores and not to the general public. The lady said to check Mervyn's department stores that sell it under the name of Celebration rather than Cannon. I went to Mervyn's upon Mervyn's (even a couple in Bakersfield when I was up there for court one day) and found only an ugly ivory color along with other colors I didn't want and they wouldn't special order my beige. I spent a lot of time checking other stores too for their own brands in a beige color but no luck. The closest I found was at Kmart. They have a Martha Stewart Vellux blanket in "stone" color for $24.99. Unfortunately, it's a lighter shade of beige than what I'm looking for. Hours and hours traveling around trying to find my blanket at $5.11 per hour all adds up. Although I haven't bought one yet, Fedco's current price for a full size blanket with tax is $27.03 and Kmart's is $27.05. On April 25, 1997 I spent .5 hours on the phone during my search. I raked up phone charges totaling $4.98 by calling long distance information and various relevant blanket companies. Calls were made to (704) 555-1212, (706) 555-1212, (704) 939-2869, (706) 275-6217, and (213) 260-7361. On May 13th I spent 1 hour shopping and spent $5.00 in gas. 2.25 hours and $3.00 in gas on the 16th. .7 hours on the 22nd. .8 hours on the 26th. .7 hours on the 31st. And .7 hours on June 5th. That adds up to 6.65 hours, all because I wasn't out on bail, as I *should* have been, which allowed one of my family members to steal my blanket from me. At $5.11 per hour I'm $33.98 in the hole and still don't have an acceptable blanket. With the phone calls and gas I spent along with assuming a blanket will cost me $27.03 all this mess adds up to: 73.99

Of course, if the stolen blanket is returned in unused condition, $27.03 will be deducted from the above $73.99 fee. That total assumes I have to purchase a blanket on my own and that I will be able to get it in beige, the color I *require*. Increasingly, this is seeming to be not possible. If I have to *settle* for the lighter "stone" color of blanket there should be some kind of "premium" charged. I'll assess half the cost of the stone blanket and add that here. Half of $27.05 is: 13.52

A portable hair dryer is missing. Even though it was old, it worked perfectly. There were no plastic parts on its case. It was all metal. I purchased a new one and it cost $14.97. It's interesting to note that the missing one was on the *same* closet shelf with the stolen boxes of photos mentioned above. I'm sure Myrtle and Florence are the guilty culprits here. On the same receipt I also purchased a toaster to replace the one that is missing so I'll include that in this same paragraph. Its cost was $9.97. It doesn't seem as well made as the old one we had since I was a child but that's the way they make them today. Total for both with tax was:. 27.00

I had a 2-cell AA Mini Maglite flashlight with batteries and holster in the upper right drawer of my bedroom desk that is missing. A new one with batteries and holster cost: 10.68

Also in my bedroom I had a Spartus digital alarm clock with large red

numerals. Its model number was 1183-61. After I got home all I found was its red face plate on the floor. It was on top of my dresser and, according to my father, things on the dresser fell off in the major earthquake we had on January 17, 1994. It's possible the face plate come off in the fall but my dad never mentioned it. My lava light fell to the carpeted floor but didn't break so I don't know what became of my clock. The thing is, if it was thrown out because the face plate come off that wouldn't have happened if I'd have been there, as I should have been, because I probably could have fixed it. That may not be it at all. It could have actually been stolen too. The Westclox Baby Ben battery powered alarm clock that my parents had in their bedroom is missing. I didn't buy one of those because I didn't need one but the replacement cost according to Fedco is $8.63 with tax. Now of course, if it had been left for the garage sale I plan to have, as it should have been, I wouldn't have gotten that price. But because it was stolen, I charge full price. If you don't like it — tough shit! Jack up the person who stole it then. I purchased a Westclox model 22705 digital alarm clock with large red numerals to replace the thrown out/stolen one. It was the only one I could find with a similar style I liked to the missing one. It cost $17.31. Together both clocks cost: 25.94

My mother regularly checked her blood pressure with a battery-operated blood pressure meter that digitally displayed and printed out the results. It too is missing. I also used it every week or so but have not purchased a new one yet. I check my blood pressure with a meter a local drug store has for public use when I am grocery shopping in the area. This is a nuisance I shouldn't have to do because our meter shouldn't have been stolen. In checking, I find that Fedco sells an Omron brand "automatic blood pressure monitor with print-out." Of the several models they had, this is the one with the features most like the one we had. Its model number is HEM-703CP and cost with tax: 96.22

We have shelves and shelves of pots and pans at home but I notice a few of the newer non-stick ones are missing. I purchased a Wearever 8" skillet for $14.82 and a Wearever 2 quart sauce pan for $24.99 as a make up. That totals up to:. 39.81

There is an electric blender missing also. Although I don't use it and don't intend to purchase one, it should have been left for the yard sale. The cost of a similar-featured replacement with tax at Fedco is: 32.12

One small item I noticed is missing was the refrigerator thermometer out of the refrigerator. I purchased a Cooper brand model number 330 for: 4.28

We had a number of AA, C, and D carbon-zinc and alkaline batteries in the desk in the hall that are missing. I'm not going to set a dollar amount on them because most were old and had been recharged over and over again. There were a lot of other things in the drawers of that desk that are no longer there and I'm not sure what all of it was. Most of it was old stuff so I'm going to just let that slide. In another desk in the den and on a shelf under the phone we had a number of maps. Most of these were city maps of many of the various cities in Southern California and some were county and state maps. We had gotten them free from the Auto Club where my dad was a member. These all come up missing. One particular map was a United States map book dating back to around 1953 when we took a trip to Nebraska to visit relatives. We didn't use it but it was kind of a keep sake. The other newer maps were all usable. I too am now a member of the Auto Club so I was able to replace them for free but it cost me time to do it. One can only ask for a few maps at a time so I made numerous trips over there to get my supply back up to the before-theft level. I spent a total of 3.4 hours doing so which at $5.11 per hour adds up to: 17.37

Out in the garage I had a grease gun and a new cartridge of grease for it. I discovered it was missing when I went to lube my Chevy van. A new grease gun cost $7.79, a hose for it cost $3.99, and a Stalube Moly 3 grease cartridge cost $2.99 for a total with tax of: 15.99

When I went to trim some tree branches I found our tree branch cutter called a lopper is missing. I haven't purchased a new one because I'm using other less efficient tools to do the job but I priced one at Fedco and a comparable model costs: 16.23

A ratchet pruner is also missing and cost:. 6.05

Also out in the garage my mother had some stainless steel measuring cups which were used to measure laundry detergent and bleach. These too are missing. I'm using some other measuring devices I found in a drawer so didn't repurchase anything. I did like those particular measuring cups better so I should charge for them but I'll let that slide too. I guess I'm feeling a little more generous at this very moment. Don't think I'm weakening though. I'm still very mad about them; and all of these thefts. They wouldn't have happened if I'd have been out on bail if I should have been.

When I was in prison in 1989 my parents sent me a Radio Shack AM/FM stereo cassette player and stereo earphones. I chose these two items out of a catalog because I liked their style. They too are now missing. I found a faded receipt dated 3-3-89 that lists the prices for these items. I do not have a model number for the cassette player but the receipt shows a stock number from their catalog. I believe Radio Shack considers them one-in-the-same. Unfortunately, I can only make out the numbers after the dash. They are 1039. Its cost was $39.95. The cell mate I had in January 1990 stole the motor out of it to pay off a drug debt he had acquired before I got there. Inmates use these motors to make tattoo guns to tattoo each other. He put it back together and the radio part worked perfectly. Due to the missing motor I will only charge half the price we paid, $19.97. The earphones were model Nova-35 stock number 33-1035 and cost $13.95. I still have the AC adapter but without the radio it is totally useless so you get stuck for the cost of it too. Its stock number is either 273-16?? or 773-16?? and cost 12.95. Tax back then was 6.5% so with half price on the radio that adds up to: 49.92

As an added note of information, I replaced the radio with a Sony AM/FM stereo model SRF-M32 which cost $43.09 and the earphones with a Sony model MDR-85 which cost $71.44. The reason I'm not charging the price I paid to replace the stolen items like I did with the 10x50 binoculars is because, unlike them, where I had to step up to that price range in order to get the style I liked in a quality range that was acceptable to me, here there were cheaper models that fit the style and quality that matched the stolen items. I chose to step up higher in style and quality and will bear the burden of the increased costs.

I remember another battery-operated radio my parents had that is also missing. It was AM/FM and TV sound for the VHF stations. I don't need a radio with TV sound. When I'm away from home I've got my Casio pocket TV. I purchased a battery operated radio by Grundig (model number Yacht Boy 400) for $191.90 with an AC adapter. I will not charge this amount for the stolen radio because this one has a number of short wave bands and is a much more expensive radio. The other one probably only cost $20.00 or $30.00. I'll split the estimated difference and charge: 25.00

With so much stuff we have, it's hard to know if I'll ever be aware of everything that was stolen. There may be some smaller little-used thing that I won't be aware of for years that it is gone. If only I could have been out on bail. Just missing that alone added greatly to the punishment and distress I suffered in this case. Because of my parents' passing, being out on bail on *this* criminal case was more important than being out on any of the other criminal cases I've had in the past. And on this one, unlike my past cases, I caused no real damage to anyone; either physically, mentally, financially, or property wise. Now I know you're going to say that the government spent money investigating me and that individuals who received the letters probably felt some distress when they read them; but that's a far cry from sexually interacting with children, intentionally spraying acid on numerous cars or accidentally on a few people, or even printing up thousands of dollars in counterfeit money. And on all of those cases I was granted bail and *never* committed any new crimes while going through court proceedings either. And that should have counted for something. Too bad Hupp and Jessner couldn't see that. If so, they possibly could have been sitting pretty well right about now with *real* arsonists behind bars instead of just little ol' letter sender me! Well, that's how the cookie crumbles when they choose less than ethical or fair practices. They can't snivel and say I didn't try to steer them toward proper conduct. I've been openly speaking and

writing encouraging words of promoting ethical and fair practices by the judicial system for years.

Within the pages discussing this case I thoroughly cover what *extra* trauma was caused to me by not being able to be out on bail for those few months as a pre-trial person. If only I could have gotten my personal affairs in order. I can't emphasize how *awfully* important that would have been. I would have gladly given up being out on bail on all my past cases just to be out on this one. It's only a little bit of a consolation that I was able to return some of that favor by making the government also wait right along with me before they could even think about resolving the actual arsons which is what they should have been concentrating on back on day one. Anyone who reads this will see just how badly they screwed up and I'm glad that it's out in the open. I've never tried to cover up my admonishments that bad behavior on the part of judicial personnel will *not* be tolerated in the slightest and that there are side effects for such misconduct. I hope that in the future they can be as honest as I have been.

In a couple paragraphs above I said, "With so much stuff we have it's hard to know if I'll ever be aware of everything that was stolen. There may be some smaller little-used thing that I won't be aware of for years that it is gone." Well, sure enough; that prediction came true. After all this was added up I found *another* item missing. My 10-inch vice grip pliers. Although I didn't purchase them yet, I did price them at Fedco and found they cost $10.87 plus tax for a total of: 11.77

For missing the annular eclipse of the Sun on May 10, 1994 I also should not have missed, I add this amount as a make up for travel and other expenses to view another future annular eclipse in another part of the world that won't be visible here in any way and therefore wouldn't have been seen. Such eclipses are rare in a given part of the world. I missed the annular eclipse January 4, 1992, which was visible in L.A., due to clouds and was looking forward to seeing this one. I would have only needed to travel as far as New Mexico to see it too, not way off to some other distant part of the world which I've always declined doing due to cost. So now you can pay to send me to wherever one will be to make up for this one I *shouldn't* have missed. (I'm still fuming *FCI Terminal Island* wouldn't let me out on a furlough so I could see the total solar eclipse on February 26, 1979 from a reasonably close location, Washington state. Others were getting furloughs quite freely back then but I couldn't get one because I was a "child molester." I have yet to see such an eclipse because all of those since have only been visible from far off, costly to travel to, lands. All except one that is. It was visible in Mexico on July 11, 1991 but I didn't go because I was on state parole. I should have gone anyway.): 3,000.00x

For missing the annual *Riverside Telescope Makers Conference* on Memorial Day weekend at Big Bear, California, which I could have attended if I'd have been out on bail, I add this amount for transportation and expenses to and from the *Stellafane* convention in Springfield, Vermont or the *Texas Star Party* in Fort Davis, Texas (two other major annual astronomy conventions I don't normally attend but which are equal in proportions to *RTMC*) to make up for the *RTMC* one I should not have missed: 700.00x

For missing the annual local *MacFair,* put on by the *Los Angeles Macintosh Group,* which I could have attended if I'd have been out on bail, I add this amount for transportation and expenses to and from the *MacWorld* expo (another Macintosh convention I don't normally attend) held in San Francisco, California every January to make up for the *MacFair* I should not have missed. (Don't snivel now! Just be glad I'm not asking for transportation and expenses to and from the *MacWorld* expo held on the east coast every July or August.): 300.00x

As far as putting a monetary value over not being out on bail for my parents' last days, the funerals etc. I don't have enough paper for that many zeroes. I am especially mad at the U.S. Marshals for refusing to take me to my father's funeral after Judge Hupp ordered it. They are way back in the dog house and will *never* ever get out, EVER!!! They will never have anything coming from me, no matter what! (As I mentioned, that lifetime proclamation has since been expanded out to include

all law-enforcement personnel — *every* last one of them; secretaries and janitors included. And there's nothing that will *ever* change that.)

What is so anger provoking is that they make *such* an issue out of a mere threat I made, yet when I received much worse threats from inmates aware of my child molesting conviction I couldn't get anyone to do anything about that. And when I took matters into my own hands (see "extortion" '89 case above) out of concern for my safety and advised them of my motivation for it I still got screwed. Yes, my threats were bad, but so was what I was put through. Threats of injury, rape, and death over and over again day after day for years along with every harassment after harassment imaginable was surely worse than my *single* day of levied threats. Why weren't they outraged about that as fervently? Where were they when *I* needed protection?

On June 13, 1994 I was sentenced to 40 months in custody and ordered to pay a Special Assessment of $300.00. Doctor Benjamin Hulkower, Ph.D., a psychologist who interviewed me before sentencing, suggested to the court that it would be therapeutically beneficial to me if the court would acknowledge that I had been victimized by judicial system personnel in the past. Instead of doing so, Judge Hupp seemed to put the blame on me for not following proper procedures in asking for compensation in the past for those wrongdoings. If he would have done his homework properly he would have known that I had done so *long* before my August 1993 threats were ever put down upon paper. The threatening letters themselves even detail that I went through legitimate methods of complaint but got no reply in any form. Basically they have been on refusal status for all these years and it's high time they make those amends I keep suggesting.

On top of that, Assistant U.S. Attorney Jessner, fully aware of what unfairly being cost money led to over and over again in the past, tried his darnest to get a stiff fine imposed. He even went overboard harping on it repeatedly *after* Judge Hupp waived the fine and all costs except the $300.00. It reminded me of Rappe's 1978 overly harping to Judge Hauk during trial about my past sex offense. Although Jessner didn't have the benefit of reading this *Statement* or the latest edition of *Revenge,* he surely knows how Rappe's actions along with others he did contributed to him coming out the goat and costing the government and society big time. Surely Jessner should have known he could have easily come out the goat 10 or 100 times over with big time egg on his face. Fortunately, Judge Hupp — with the advantage of hindsight — knew my hyper-sensitivity to money violations and the problems it would cause. He knew Jessner best not be allowed to prevail and wisely waived all other fines. (The Special Assessment was not allowed by law to be waived.) If anything, Jessner should have been *more* concerned about getting the other debtors listed within this *Statement* off of refusal status. After all, interest on their debt is increasing astronomically year after year as I clearly indicate.

Unlike the state prison and parole people back in '87-'90 who knew it was better to not try to collect the $1,000.00 fine that Judge Fratianne imposed, the Bureau of Prisons was not as enlightened. Even though they knew of my *extreme* hyper-sensitivity to receiving threats of *any* kind, they threatened me with sanctions if I wouldn't sign my money over to them; i.e. wouldn't "participate" in their "Financial Responsibility Program" (FRP). (The latest incarnation of a form, known as "Inmate Financial Contract," which I was "requested" to sign even shamelessly quotes their threat in all capitals, "A STAFF MEMBER HAS PROVIDED ME WITH INFORMATION REGARDING THE POTENTIAL CONSEQUENCES OF A REFUSAL ON MY PART TO PARTICIPATE IN THE INMATE FINANCIAL RESPONSIBILITY PROGRAM.") Even when I openly provided pages upon pages of clearly worded admonishments relating the danger of such a practice, and outlined the typical ways I've resolved such unfairnesses in the past, I could not get them to listen. I thought outlining specific remedies I'd ordinarily invoked would bend their ear just a bit but they just could not see the possible "predicament" they could be getting themselves into and they flat out refused to relent. They said it was a "court order" that I had to pay it. Well, it was also a court order that I be taken to

my father's funeral too, but they disregarded that and Judge Hupp didn't as much as chastise them for their contempt. I figured that if I had to wait until I get released in order to, visit their graves, put all my property back in pre-vandalism condition, get my cracked tooth fixed right, and get my attackers brought to justice, then they can wait too. They didn't see it that way though. To me, such threats of sanctions is much the same as when I previously told various perpetrators what would happen if they didn't pay back what they owed me. In my case I got charged with threatening communications or even extortion. Why isn't the Bureau of Prisons held to the same standard? I'll hold them to it and make them accountable. It would be my pleasure. If my threats are not excused in the slightest, then neither should anyone else's be. Rather than being so concerned about getting 300 bucks out of me, there are higher priority things they should be more concerned about. But because of their lack of prioritizing, I grudgingly bowed to the threats knowing I'd get it back at the other end. That end is listed here. Besides, Special Assessments are suppose to be directed to victims of crime anyway. That's what the law says. Or don't you think I was a victim of assault at the *United States Penitentiary* (USP) at Lompoc, California as detailed below? (Fixing my cracked tooth alone cost more than 300 bucks!) You know I was, and you know I was sent there negligently. So fess up; it's <u>your</u> fault! If anything, it owes *me* — <u>NOT</u> I owe it! Return *my* money!!! (But, let me emphasize; I'm making no threat to do so though. I don't do that no more. There's no need to.): 300.00

One piece of documentation I gave them was a draft copy of *Revenge*. (This was done through the Bureau of Prisons' official administrative remedy process which included filling out a BP-9 form.) I asked them to wait until I was ready to publish it before they ask me for my money. As I've previously mentioned in the section on the Fratianne fine:

> A fine was the impetus for writing *Revenge* in the first place. I knew my breaking point when it comes to money violations and what such misconduct can and does lead to. I needed to make sure that if they were going to insist that I pay off that fine, that it was going to come from the profits of something that, although legal, they wouldn't like — i.e. the teachings and preaching in my book.
>
> I solemnly vowed to *never* again be forced by way of pressure, threats, or extortion to pay for an attorney out of *my* pocket and *never* pay a fine or suffer an unnecessary or unfair judicial caused expense without returning a punishment comparable in nature back upon them with enhancements as reoffenders get. [I will personally do nothing to bring on an attack of symptoms. And at the same time, I will not allow symptom-producing behavior to be done to me without first advising the instigator of likely side effects.] There will be *no more* income-funneling judicial related expenses out of *my* pocket <u>*ever*</u> again! And that they can take to the bank — <u>my</u> bank! And that includes traffic or parking tickets. If I get one I'll choose to do the few days in county jail rather than pay the fine. I won't run out on a promise to appear mind you; I just won't pay a fine. I don't mind doing the brief county jail time as long as it costs them and not me — after all; I <u>*do*</u> love to cost the judicial system money; to monkey wrench as I put it. That *is* a pet hobby of mine. Some people like cats or dogs or collecting stamps. I like monkey wrenching. (Did you catch the pun there? Pet and Hobby?) I am *especially* adamant about this vow because I have been punished for the *very* same thing, [twice on one case alone]; making threats. I'm <u>*not*</u> about to accept them from somebody else! Double-standard violations are one thing I don't tolerate no more. Don't expect me to. I'm far, *far* to close to the edge on this topic.

But true to form of those judicial personnel not the most honest of folks

around, this was not the only major screw up Jessner made. In Rappe-like misleading fashion, both in his Position papers filed with the court shortly before I was sentenced and verbally to Judge Hupp at my sentencing hearing, he tried to leave Judge Hupp and the news media present with the false impression that I had 4 child molesting convictions on my record when in fact I had only one. My 1971 felony conviction contained 2 counts of Penal Code 288 that were consolidated in Superior Court for guilty pleas and sentencing. According to *U.S. v. Smith* 991 F.2d 1468 (9th Cir. 1993) at page 1473 we find, "all prosecutions combined for trial or sentencing [count] as a single conviction." A *single* conviction Jessner — not 2. *Smith* further clarifies that even separate cases with different case numbers, like mine had, are related where the defendant was sentenced in one proceeding by the same court, as I was. And my other convictions were for merely soliciting a sex act of a minor — one happening when I was a 16-year-old juvenile myself. Although the misdemeanor vagrancy statute contains the words "annoy or molesting child under 18" it is misleading to put a conviction for this statute (647a PC, later renumbered to 647.6 PC) into the same category as the *actual* completed act of child molesting felony statute of 288 of the Penal Code. Technically, I have 3 convictions for child molesting — not 4 — but 2 of those are misdemeanor soliciting only! To claim even 3 without clarifying the *true* nature of 2 of them is improperly misleading and worthy of correction. Absent putting them in the proper context, it's clearly deceit flat out and should not go unchecked. If I would have lied or provided false information to the Court Jessner would have accused me of obstruction of justice real quick. So I should be able to accuse him of the same thing without any problem — right? Besides the Court hearing the lies, the ubiquitous news media picked up on it too and really played it up. They reported over and over my "multiple" sex offense convictions. I blame Jessner for that. I once got punished with extra time when I lied to Judge Hauk back in 1978. Jessner should also be held culpable and punished for lying and deceiving Judge Hupp. And an apology goes without saying, ya know I got that coming.

And on top of that, Jessner made it clear to the court that I was continuing to engage in child molesting activities right up to the time of my arrest. Yet he knows this is another lie. One of the things agents seized from my bedroom was my diary which covers my sexual escapades with other men. Much like Senator Bob Packwood does, I wrote down pleasurable experiences I've had in bed with sexual partners. While I often covered how good the sex was and the various things we did, nothing was as kinky as what sportscaster Marv Alpert would have included in his diary if he were to write one. Just traditional good ol' gay sex. But I did include the ages of the men I made love to and all were 18-years-old or older. The feds' search warrant included language to authorize a search for any "documents concerning pedophilia" so I'm sure they read my diary to see if anyone under 18 was mentioned.

In his Position papers, Jessner was quick to point out such things as how I "kept a file on Judge Hauk" (newspaper articles detailing his uncommon courtroom demeanor and anti-gay remarks over the years), how agents "recovered blank identification documents" in the house (birth certificates, social security cards, and high school graduation diplomas which they later returned; probably by mistake), and how I am "an expert counterfeiter…adept at disguising [my] handwriting, as a cursory review of [my] writings illustrates." First off, I don't think printing money on Cranes Crest 20 lb. 100% White Wove cotton paper using a Multi 1250 offset press, aluminum plates presensitized to light, and Kodak Kodalith ortho type 3 Estar thick base film, items easily purchases by anyone at graphics arts and paper supply stores, classifies me as an "expert." I would reserve that designation for one who has mastered the art of intaglio (engraved) printing; the method used to print genuine currency. And second, in his "cursory review," Jessner may have thought all those different handwritings on the letters and envelopes were mine; but if he would have just read the FBI's *own* findings from their laboratory he would have known they aren't. But did he know? And if so, was it an accidental omission or a purposeful

deceit?

What is known is that he conveniently left out them finding and reading my diary because I could use that to prove my lovers were all of legal age and he didn't want anything to dissuade him from his point of view that I was an active child molester. Just because my van has "curtains over the van's windows, and in the back [there] was a pristine white mattress" does not mean it was "outfitted for child molesting." Such talk like this went on and on, sentence after sentence placing emphasis upon angry emphasis that I was *actively* involved with child molesting and had been doing so continuously for a number of years. Yes, I have sex in my van — and previously it was a station wagon with curtains and a bed in the back. So what. It's with legal-age men, and I don't hide that fact. To this day, even though I live alone and could bring someone home; those I meet in Hollywood or West Hollywood we do it down there in the privacy of my van. There's no need to drag 'em on home to make love. (For your information, it's registered as a housecar; just like a large motorhome. I don't see anybody sniveling about old retired husbands and wives possibly having sex in their vehicles as they travel our beautiful country. Just try it and you'll have the *Good Sam Club* bitching at ya' — or maybe the *American Association of Retired Persons*.) And I did too sleep "in the back of [my] van." Interviewed neighbors told news reporters how they saw me put my telescopes in it to take out of town to areas that have darker night sky viewing condition. I usually slept overnight in it after I was up much of the night observing the wonders of the universe. And Jessner knew damn well that it was my adult sexual encounters that initiated this whole mess. Just recall my evening spent with Steven; getting gonorrhea; suspicion of AIDS, etc. etc. You know the rest. And Jessner knew limited pieces of it.

He should also know that when I was driving around early on the morning of my arrest I was not making an "attempt to pick up juveniles for sex" and that it is not true to emphasize the place I was as "an area known for juvenile male prostitutes." While the area is known for male prostitutes, someone under 18 is uncommon and to *emphasize* that is deceitful. If I wanted children there are other places one is more likely to find them such as video arcades and playgrounds — places I do not go to. As I cover in *Fedbuster,* I was looking for Danny that morning who was a part-time *adult* prostitute. Now I know that Jessner's job is to make me look as bad as possible to the court, but it ain't right to be dishonest while doing so. Apparently the modern-day snake-oil salesman is alive and well and the poisoned product he was selling was a dishonest version of me. Shame on Jessner in the *sternest* of ways for stooping to Rappe-like tactics! Rappe come out like a goat in that mess and it cost society a bundle. Does Jessner want his issue? Shouldn't he have learned by Rappe's mistakes; which he was very well aware of? Hmmm.

Just why *do* they feel so compelled to stoop to these tactics? It seems like we have honest folks on one side with a proper understanding of how truth is acquired and respected, and how it is to be administered. And then on the other side we have judicial abusers wearing honest-appearing attire. These folks believe that the truth is less important than their public image and how it might be enhanced. The worst offenders live by the idea that the truth matters less than the utility of an action in serving a political agenda. Could this be Jessner?

You say people wouldn't sink into the sewer of deceit on account of a political agenda? Imagine for a moment a fictitious Mr. X. Mr. X is an anonymous, faceless little man who, in the outside world, would be of very little consequence to anybody's life. But Mr. X, as a bureaucrat, is suddenly draped with the power of the whole United Stated Government, and people act as if he is a person with the judgment, intelligence, and maturity to be taken seriously. Just food for thought folks. It's been said before that our justice system is sometimes like a maze constructed of elaborate and impenetrable barriers to the truth. That definition sure fit in this "Fedbuster" case. How many other cases have fingerprints of prosecutorial misconduct all over them? Hmmm.

In *Revenge* one statement I make is, "If they make decisions on the basis of

what's politically acceptable, rather than what's right, make sure they get some bad press. See to it they get the opposite of what they're trying to accomplish." Need more be said?

I am so awfully glad I was in a self-imposed silence at the time and vowed to stay there until *I* was ready to end it. If there was anything I was going to have power over, that was it. I held the key to the whole thing — the whole shit-and-caboodle, and they weren't gettin' it; not for a damn good deal of time. And I felt good about that. The hell with those arson victims; I was feeling at the time. I know that's cold; but Jessner's deceit coldened my heart. Now I know you're not going to find colden in the dictionary; but trust me folks — that word fits here. And so does reading these last few sentences aloud in a raised a n g r y voice (while waving a shaking scolding finger at the computer monitor) to simulate my own speech as I read it back to myself during proofreading.

I think for each over-mention — meaning each mention of it beyond saying it once — of my child-molest history, Snake and his minions should enjoy one extra month of freedom. By that I mean my self-imposed silence should be e x t e n d e d by one month per each "Jessner mention." What do you thing? Hmmm! Actually, that thought was on my mind on the morning of June 13, 1994, the day I was sentenced. Knowing how Jessner overly-harped on it in his Position papers filed with the court days earlier, I expected a repeat performance verbally to Judge Hupp when it came time for him to give his spiel. I made it my pet project that day to note each time he committed that offense with the express idea in mind of delaying my speaking out by one month per "Jessner mention." I just like that term. It's so fitting. Actually, "Rappe violation" sounds better; seeing that Jessner *merely* repeated the same performance that his comrade did so long ago. The legal community has a way of naming things after individuals. We have "Miranda rights," "Marsden motion," "Morrissey Hearing," and "Megan's Law" to name just a few. What's wrong with a "Rappe violation"? Hereafter, such an offense will be called "Rappe violation," in honor of the first person to commit the misdeed — against me anyway. If anyone would like to inform him of his newest "honor" or voice any criticism, as of January 1998, Curt Rappe was a Superior Court Judge in the downtown Los Angeles *Criminal Courts Building* at 210 W. Temple St., Los Angeles, CA 90012-3210. (213) 974-5726.

After the case in the next section came to the surface and put everything on hold until early 1998, I decided to withdraw this project. *Fedbuster* will publish as soon after that case is resolved as I can include last minute details and get it to print. Just for the record, Jessner committed his namesake violation only two times verbally to Judge Hupp on the day I was sentenced. With no other problems coming to the surface, I fully expected to publish *Fedbuster* three months after my release from confinement; October 3, 1996 (one month was on account of waiting one extra month to attend my first Wednesday of the month computer user group meeting I missed because I got out one day too late on account of being cheated out of the day I was taken into custody.). Too bad other flies got in the ointment. Oh well!

Jessner also still insisted he thinks I did set one or more of the fires even though they know I didn't. After his big mouth lies I now sort of wish I really would have; after all, I'm getting accused of it. In reality, I'm not that kind of person though. My revenge has always been intentionally non-violent. (Now I know you're going to say that assault is automatically a violent crime by its very definition and that I have a conviction for assault. Well, first of all, I *shouldn't* have a conviction for assault. As is covered thoroughly in earlier pages, my criminal behavior did not meet all of the elements in order to sustain a conviction of that statute. And second, it was non-intentional. My intentional act of vandalism *on property* is a <u>non</u>-violent crime.)

Jessner even harped that I wasn't apologizing to past victims I violated like those who I passed counterfeit money to. Of all the nerve! For one thing, my conversation with the probation officer in preparation to him doing a Probation Sentence Investigation report for the court was limited to the current offense

conviction only at my attorney's request. Past letters to judges available to Jessner apologized for those past crimes. It is a lie to say I didn't apologize for them. (In some cases I withdrew apologies in this *Statement* but he didn't have this document to reference.) ***NOW*** he needs to apologize for deceit to Judge Hupp. It's also a lot of nerve to criticize me for failing to make an apology I had in fact made when they still refuse to make any they *know* they never have made.

While I'm real quick to criticize, I am just as adamant about praising those that do something beyond the ordinary. Jessner did make some extra efforts to try to get me taken to my father's funeral. I'm not going to go as far as suggest that he was having some guilt feelings about being a primary reason why I wasn't out on bail to begin with — which is the reason I was missing the whole thing — but I did detect some sympathy, and some effort beyond his usual job description. And that's worth a bit of praise and thanks. I'll let slide my trying to analyze his remark to the court in his sentencing papers, "Defendant's parents had lived to old age, and rather than being tragic, their deaths were a natural part of life's cycle." Technically that's true; but it's cold to say. And it contributed to keeping my heart in a chilled state — exactly the opposite temperature they should have been trying to achieve.

The individual worthy of the greatest praise though was my Deputy Federal Public Defender, Mr. Paul L. Abrams. If Maginnis would have performed at 1/10 the level that Mr. Abrams did, this whole mess would have never come about. I went into this case with no thought of beating it. I was seen mailing a letter and there was no way to convince a jury that I was innocent of that. My stance was to work at getting as little time as possible. While I did my own foot work in the prison law library to research my options, Mr. Abrams handled things from his end in a very extraordinary way. To position me to the court to the greatest advantage he put a lot of research time into avenues that never even entered my layman's mind. Because they were new strategies to me I would have had no complaint if he did not perform them. But by performing them I knew they were praiseworthy acts.

Separate from his legal performance, he went way beyond the call of duty to help me at the time of my mother's death, and later at my father's. If it wasn't for him I wouldn't have been able to see my mother that last time at the funeral home. Unfortunately, I wasn't able to see my father but it wasn't for a lack of effort on his part. On this one thing he and Jessner worked together on. And when I was attacked at *USP Lompoc* he come to my aid again and was instrumental in getting me transferred as soon as I was. Normally transfers take much longer to process.

And at *MDC-LA* I had Dr. Hennig, Ms. Anderson, Mr. Fry, Mr. Munoz, Mr. Bustamonte, and Mr. Lingowski who were helpful and supportive at the time of my parents' deaths. I was lucky I had them at that difficult time. Please forgive me if I botched the spelling of any of these names. O.K., that's it for praise. There's no one else left in this particular federal case that's worthy — unfortunately. It's time to continue our story.

Separate from Jessner's sins, Judge Hupp would not grant me jail credit for November 7, 1993 because I was not "officially" arrested until shortly after midnight, meaning my time begins on the 8th. They claim I went voluntarily with the FBI and ATF agents when I was taken from my house for questioning at about 11:00 a.m. on the 7th. While that is true, questioning was such that I soon realized I would not be allowed to leave if I desired. I was even escorted by 2 agents every time I needed to use the restroom. Plus it was *before* midnight when I called my father to see if things were being respected at home. I wanted to ascertain the status of my property before I gave up Snake and his minions which I was seriously considering doing at the time. In this conversation my dad told me that the agents told him that I would be taken downtown to a federal detention center. So even though I wasn't "officially" arrested yet, it was in the works and I was going to be. For all practical purposes, I was "in custody." I would not have been free to leave and this was before midnight. If they are going to be that dirty and consider that day as something I volunteered to them they've got another thing coming! I will charge them a "consultation fee" of $5.11 (a *very* generous bargain rate) for 24 hours (1 full

day) because I did one extra day on my sentence I shouldn't have done. That's one *full* day (24 hours); not 13 hours — as would be indicated from being taken in "voluntarily" at around 11:00 a.m. — because I did one FULL day on my sentence; not just 13 hours. For the one day they cheated me out of the total is:. 122.64

And then beyond that they increased my sentence length for sexual solicitation of 16-year-old Michael Reeves back in 1984, the accidental assaults in 1986, and the supposed threat to disclose the wrongs of Mrs. Reeves back in 1988. If they're making such a deal about those offenses, then why couldn't I get officials to do something about the extra severe sexual solicitations that were directed at me as a young looking inmate in prison in the early 1970s? Why couldn't I get them to make a deal about it when I was threatened in prison over and over again by inmates aware of my sex offense not only in the early '70s, but to a lesser extent in 1987 through 1990 also? And beyond any of that, if my 1986 accidental minor assault (where no one even sought medical attention as per the police report and probation report prepared for this case) was such a big deal to warrant more time in custody and more points on my Bureau of Prisons' "Security Designation Form" to put me in a higher custody prison than I needed to be in, why then wouldn't staff take it serious enough when I was purposely and viciously assaulted to want to bring my 3 attackers to justice? (I told them I could point out pictures of 2 of them in a photospread yet they refuse to do anything about it.)

Before sentencing I calculated that my security level was such that I should be eligible for housing at a low Federal Correctional Institution (FCI) facility. Lompoc has a facility of this level along with a maximum custody United States Penitentiary (USP) and a minimum custody Federal Prison Camp (FPC). I had also looked up in the law library that this institution has a vocational computer class which I was very interested in attending. At sentencing, I asked Judge Hupp to recommend *FCI Lompoc* because of the computer class and he did. Unfortunately, his court clerk left off the FCI part and just wrote down "Lompoc" on the Judgement and Commitment Order, which is the paper work that the Bureau of Prisons gets after a person is sentenced.

And unfortunately further, I did not anticipate the Bureau of Prisons elevating my custody score higher than their *own* instructions call for. The probation report prepared for the Court, which took every opportunity it could to emphasize all my bad points, said this about the most seriously injured victim in the 1986 accidental assaults, "one victim…sustained temporary injury, but was not treated by a physician." Even though that should clearly classify it as a "minor" assault, according to their form's instructions, I was given extra points equivalent to the "aggravated" assault category, the same as if there would have been serious injuries. And to top that off, for my current threatening letters' offense I was given points equivalent to the "greatest" severity, the same as if I had committed a heinous offense, even though Judge Hupp classified my crime as *not* a "crime of violence" and the U.S. Sentencing Guidelines assign the crime a "Base Offense Level" of 12 on a scale of 1 to 43, with 43 being the most severe crime. Even with this, my score was 1 security point below the USP level and, absent any other unforeseen circumstances, I would have gotten designated to a high FCI level institution — maybe *FCI Phoenix* — right from the start. (FCI institutions come in 2 security levels, high FCI and low FCI.)

And this is where the court clerk's screw up enters the equation. On the transcript, Judge Hupp recommended "Lompoc FCI" but his clerk wrote just "Lompoc" on the Judgement and Commitment Order. Once the Bureau gets that paper they then calculate the inmate's custody score and then designate him to an institution within that range. 18 points and above calls for a USP level institution. I had 17 points, still within a high FCI level, but because the judge recommended *Lompoc* and the Bureau tries to honor judges' recommendations as much as possible and because my score was nearer the USP level than the low FCI level they "flexed up" my point score and designated me to the maximum custody *USP Lompoc*.

Here I was, a widely known sex offender, the worst looked down upon crime

among prison inmates, being sent to one of the most violent prisons in the United States, where stabbings happen with considerable regularity and where a good number of the inmates will not see the streets for a long long time, if ever. I was attacked at *USP Lompoc* on July 2, 1994, the day after I got there, by 3 C-Unit inmates (where I was housed) who were told by inmate Beverly that I was a child molester. Beverly, who lived way down the hall in J-Unit, and I saw each other the day before in the dining room. For this assault I hold staff members at *MDC-LA* totally responsible.

On June 20, 1994 I was put in protective custody in administrative detention (the "hole") by Special Investigative Agent (SIA) Lieutenant Parr when staff became aware of a threat on my life by inmate Beverly. But Beverly lived in a different housing unit than me so there's no way he personally could have gotten to me. I was let out of PC on June 23rd because Beverly had already transferred elsewhere. The thing is, he transferred to *USP Lompoc,* the place where they sent *me* on July 1, 1994. The anger provoking thing is that he went to *Lompoc* before I was *even* put in the hole. I shouldn't have even been put in there. When staff learns about a threat to an inmate their first thought is to lock the victim up in protective custody first and figure out the details later. For 3 days I missed my TV shows, especially my "visit" I got daily from my "electronic friends" — the only ones I had — on my soap opera, *One Life to Live,* which they knew *is* very important to me, and I never even got the courtesy of an apology.

After I got out of the hole I found out from inmate Doug Hoskinson (spelling unsure) that Beverly somehow knew Mrs. Reeves and he was out to get me for that. Doug, who now lived in my housing unit but previously lived in Beverly's, relayed information that only someone intimately aware of my Reeves' family involvement would know so I know it is true. The thing is, the anger provoking thing — and the blameworthy thing on *MDC-LA* officials' part — is that if I was in *such* a danger to be placed in protective custody at *MDC-LA* when we didn't even have physical contact with inmates in the housing unit Beverly was on (except shared law library and chapel times) then surely I shouldn't have been put in a prison — one of the most violent ones at that — where we do have physical contact with inmates in *all* the different housing units.

After the attack (which left me with a small scar on my forehead [not quite as visible as one I got back in 1974 from an attack by inmates aware of my sex offense then], a very sore jaw several weeks, a bite that is different than before the attack, a cracked tooth which required a crown to fix, a black eye, and various other facial cuts) I — instead of Beverly and the 3 attackers — was put in the hole for 6½ weeks until I got transferred to the *Federal Correctional Institution* (FCI) at Phoenix, Arizona. That meant that besides not being able to watch TV, which is so important to me (especially my soap opera at 1 p.m.) I had to wait twice for my property and money to be sent to me.

As soon as I got to *Lompoc* on July 1st I brought my concerns about Beverly forward to a Correctional Officer in Receiving & Discharge. He checked the computer and found that Beverly lives in J-Unit, which is all the way at the end of a long corridor from where I will be living in C-Unit. He did give me the option of checking myself into the hole, but told me that this institution has a policy of making self-check ins wait a year before they can get transferred somewhere else. Apparently, so many inmates are wanting to get out of this particular institution that they make up stories that they have an enemy out on the yard and then check themselves into the hole in order to get transferred elsewhere. When staff finally caught onto this shenanigan they made it a policy that the self-check ins will have to wait for a year before the transfer will be processed. They couldn't force the inmate back into the general population because then they would be liable if the guy really did get attacked from an enemy, but they also wanted to dissuade the inmates from manipulating a transfer from staff. This was their way; let the guy sit it out a year in the absolute safety of the hole — 24 hours a day locked in a tiny (with emphasis on tiny) 2-man cell other than 5 hours a week in a small exercise cage and showers 3

times a week. The officer suggested I stay in the general population and work on a transfer with my "Unit Team," the staff members in charge of the housing unit I'll be living on. By not leaving the housing unit other than for chow there was no chance of running into Beverly. Because C- and J-Units are widely separated, I didn't figure I'd run into him even in the dining room. I figured wrong. We did see each other in the dining room my first day and the rest is history. Apparently he told his friends in C-Unit and they are the ones who attacked me. Although the attackers never mentioned Beverly by name, one of the them mentioned that they heard from someone in the dining room that I was a child molester and they couldn't stand for that.

I did not realize my tooth was cracked until a minor tooth ache developed about 4 months after the attack. It was then that the dentist at *FCI Phoenix,* Dr. Johnston, advised me that a lower jaw tooth is cracked. He acknowledged the hit in the mouth — which happened at the same part of the jaw — could have cracked the tooth. He told me I needed a crown. They would grind the tooth down to a stub and glue a false tooth on it. Unfortunately, they use silver color metal crowns rather than the better real tooth color looking porcelain crowns. Dr. Johnston said that if it was his tooth and if the pain was not getting worse, he'd wait until after release to get a proper porcelain crown. I chose that option because I wanted it done right. It only hurt slightly when I would bite down on that side on something hard like almonds. Sweets never affected it but ice water did a little bit. I don't drink coffee so don't take hot drinks. It remained this way until I got released in October 1996, and that's when I got it fixed.

I went to the dental offices of Doctor Alain G. Gabbay to get my porcelain crown and a general checkup. I noticed another minor tooth ache a short time before my release from prison but when I went to dental sick call they said there was nothing wrong. The dentist recommended using Sensodyne tooth paste for sensitive teeth but I was already doing that, and had been for years upon the recommendation of a previous dentist. At this visit in Dr. Gabbay's office they found 4 old fillings that needed replacing. I'm charging here for not only the crown's cost of $445.00, but also the cost to replace these fillings because all our medical needs are suppose to be taken care of in prison and they obviously didn't give me proper dental care. These things should have been fixed on their tab; *not* mine. And the cracked tooth should have been fixed right way back then in a timely manner and not with a temporary jury-rigged job to where I have to pay out of *my* pocket to get it done right after I get out. Also I'm charging them for the cleaning Dr. Gabbay's office did. I had been on the waiting list at *FCI Phoenix* to get my teeth cleaned but they transferred me from there in a dirty move as explained below. When I got to my new location at *FCI Sheridan,* Oregon I was told they have their own waiting list for routine dental care and don't honor the long wait I already put in back at *Phoenix*. I lost the opportunity to get them cleaned in 1996 at their cost so I'm charging them here. Costs for porcelain crown, 4 fillings, cleaning, and tax is: 813.00

The FBI and ATF should share some of the responsibility for the attack also. If they would have reported that I was merely a threatening letter sender and not an arsonist I wouldn't have been a newsworthy person and wouldn't have been known by all the inmates. Beverly wouldn't have even known me by sight — I would have just been another unknown criminal/inmate in the crowd.

One thing I preach over and over again is that I won't stand for being treated in a double-standard kind of way *ever* again. If you make a big stink about my 1986 minor assault as being such a "serious" thing then make sure you make a comparable stink about a major assault when *I'm* the victim. And be as vigilant in finding out the identity of my attackers as you would be if it was a staff member that got attacked — as I'm sure you would be — or even if it was an inmate who wasn't a sex offender that was attacked for some other reason.

One of my hostile letters to staff went as such:

> I have a sneaking hunch that bringing my attackers to justice is a low priority in your book mainly because I'm a sex offender who was attacked for that very reason and you're probably glad of it. You may hide your gladness or you may not, but I bet you're glad anyway. I listen to talk radio. I hear all the hostility toward sex offenders and how we are at the bottom of the barrel. And I hear so many saying how they could care less if and when we are attacked in prison. Well I hope you realize how turn about can be fair play. Bringing your arsonists to justice is not a priority of mine. It's at the bottom of my list just like I'm at the bottom of yours. And I don't care whether you like my attitude this way. You want arsonists in custody; I want attackers in custody! Are we going to remain at a stand off forever or are you going to give an inch?

They sure wouldn't give up the hunt for the murderer of Julie Y. Cross, the only female Secret Service agent killed in the line of duty. I remember seeing flyers prominently displayed at various *Los Angeles County Jail* facilities back in the mid-1980s asking for assistance on that case, and that case alone. Now, I don't expect that level of energy to be expended on bringing my attackers to justice; but I surely don't expect it to be forgotten either. And I *won't* let it be! You can *trust* me on that!!!

I also have a sneaking hunch about something more sinister. Most times, inmates know a day or two before they transfer which institution they are going to. For those going to the higher security United States Penitentiaries, staff often don't give the inmate any advance notice of his pending transfer. They know inmates going to those institutions usually don't like the idea of it and have therefore been known to misbehave in some way before the actual transfer. To stop that from happening, staff wakes them up early on the day of transfer without any advance notice and gets them on their way. That happened to me. In fact, one of the officers driving the van transporting us that morning, Officer Peltier, told me he didn't know where I was going even though he had my central file with him. He even got mad at me for trying to sneak a look at my file over his shoulder when he was reading it.

As I thought about all this later on, it seemed to becoming clearer that they could have conspired to purposely send me into a life-threatening situation, where they knew an enemy of mine was at, simply because I would not divulge any of the information they knew by now that I was holding onto regarding the likely identity of the real arsonists. During my entire stay at *MDC-LA* I was kept in 8-South Annex, a small housing unit reserved specifically for those needing protection from general population inmates for various reasons, along with those inmates having physical disabilities or mental disabilities. Three inmates housed there during my 8-month stay were former Los Angeles County Sheriff's Deputies now charged with federal crimes, and one of them was cooperating with the government by testifying against others. Russell Pena was not a former sheriff deputy, but he was a fellow inmate in need of protection because he too was testifying against others. Russ is a repeat offender with a current offense conviction for robbery, a "crime of violence" according to the U.S. Sentencing Guidelines. A person with his record would surely score high on the Bureau's Security Designation Form. But instead of shipping him off to a high-security institution after he was sentenced, he was transferred instead to the unfenced *Federal Prison Camp* at Boron, California. I believe they figured that because he testified and helped them they would bend over backwards to be as sure as possible that he isn't at a place where more violent-prone inmates, who could

especially hate snitches, are at. With me having child molesting on my record, something hated by inmates more than being a snitch, I get sent not only to a violent-prone penitentiary level prison, but to the *very* penitentiary where I had a known enemy who wanted me dead. And staff seemed perfectly willing to keep me in the dark until the *very* minute I was unloaded off of the van. There *is* a rat to be smelled here. We just haven't found it yet.

When I got to *FCI Phoenix* I continued my desire to get justice by telling my Unit Manager, Mr. David L. Wisehart, during my initial "Team" meeting of my desire to prosecute the guilty culprits. He told me to hire an attorney and that's bullshit. Victims of crime don't hire attorneys; that's what prosecuting attorneys are for. I bet he'd make a stink if he was a victim and someone told him to pay money out of *his* pocket to get justice. Well, I'm making a stink too. I want justice and I *don't* intend to pay out of my pocket to get it. "Surely you could send for photographs of white inmates that were living in C-Unit back in July 1994" I told him.

I let Wisehart know how awful it is to keep my one *single* day of mailed threats in the "greatest" category custody level wise which in turn subjected me to some of the worst God awful threats imaginable on a *continuing* basis at such a high-security level institution, where more hardened and hostile inmates are housed, and then do nothing to alleviate or protect me from daily victimization and attack on one instance. Where are the laws that are suppose to protect *me* from harm? If my threatening letters warrant such a level because threats are wrong then why aren't worse threats I'm subjected to treated seriously? Why isn't there the same outrage at what I am subjected to as there is at what I mailed out? Why aren't I protected from threats the same as society is protected from ones I lodged? Wisehart or anyone else declined to answer these questions and all attempts to recalculate my point score on the current offense category and on that one prior conviction failed throughout my stay in the Bureau of Prisons. I never got to go to a much safer low-custody camp or even a lower-custody FCI.

I filed a Tort Claim in a timely manner soon after I arrived at *FCI Phoenix* asking for $5,000.00 in compensation for their negligence which led to the attack, plus I emphasized my desire to bring my attackers to justice. My claim was denied by Mr. Harlan W. Penn, the Regional Counsel for the Western Regional Office in Dublin, California. Not only wouldn't he accept any responsibility for their actions by saying, "There is no evidence of negligence on the part of staff," but they *still* refuse to refer the case to the United states Attorney for prosecution, or even write the culprits an incident report in which they could punish them according to prison rules. And worse than any of that, they don't even care about knowing their identity. Penn had the nerve to say, "Investigation conducted afterwards failed to determine either the motivation for the attack or the identities of the assailants. The individual that you had expressed concern about [Beverly] was not conclusively linked to the incident." Of course they didn't get their identities because they never showed me a photospread of all white inmates living in C-Unit so I could pick them out. I told them I could pick out two of the three. And I bet they never interviewed Beverly. I wrote a follow-up letter to Mr. Penn stating that I had no intention of dropping the issue ever. All Penn did was refer it back down to Warden C.E. Floyd, the warden at *FCI Phoenix,* and he didn't even do anything about it other than acknowledge receipt of Penn's letter. I then wrote a letter a little more forcefully to Mr. O. Ivan White, Jr., the Western Regional Director for the Bureau of Prisons, and then to Kathleen Hawk, the Director of the Bureau of Prisons in Washington D.C. I covered some of the same ground the paragraph above does regarding attacks upon sex offenders as being a not important case to solve and how that is very anger provoking. I re-emphasized my insistence about getting justice and hinted that we need to work at solving the assault *before* we can work at solving the arsons. Even though they knew I only *believed* they did it, rather than knowing for sure, I never heard a word from them. I wonder if they would have been as unconcerned if I would have lied and said I knew for sure that they were the arsonists? We'll never

know because I'm not into lying. If anyone was going to be a beacon of honesty in this growing filthy cloud of spiked dishonesty and outright lies, it was going to be me. Anyway, I'm still asking for $5,000.00 in compensation for the attack, pain and suffering and whatever else they call it *provided* my attackers get punished. And that's really a bargain. Some people have won *much* more than this in law suits that involved only a bit of mental anguish, a minor push maybe, or even just unnecessary aggravation caused by somebody's improper actions.

In reality, because of the passage of time though and the statute of limitations probably prohibiting their punishments in court, I'm quadrupling my compensatory damage claim as an *exchange* for them not being brought to justice. (In other words, the judicial system is being punished for mishandling the whole affair from day one to where they lost jurisdiction in being able to legally punish the guilty culprits.) And that's even a bargain. I did *many* extra months in prison for an accidental minor assault I was legally not guilty of back in '87 through '90 plus some number of months added to this federal sentence for that illegal conviction because it was considered a prior. It's not right to let an intentional serious assault against me slide by and then turn around and punish me for an accidental minor assault not only back in '87, but using that invalid conviction to enhance my federal sentence in '94. If you're going to play that game I should charge you for every extra day I did that I shouldn't have done. So $20,000.00 if you don't bring my attackers to justice is a *real* bargain. Take it and run while I feel generous. Of course, if you want to prosecute my attackers, as you *should* do, I'll gladly accept my original settlement request of $5,000.00. Just get me a photospread; I can get you 2 of the 3 — as I've been saying all along.: . . . . . 20,000.00[x]

(As an interesting sideline, in July 1995 I asked Lieutenant B. Barton, the Special Investigative Supervisor at *FCI Phoenix,* why they won't send over pictures of all white inmates that lived in *Lompoc's* C-Unit where I was attacked. He told me that my word alone would not be enough to write the attackers an incident report. I suggested then that at least a notation could be written in their central files so staff will know about their violent nature. But they weren't even concerned about that. I'm sure if it would have been a staff member that was attacked they would be though. And I was told something similar by Lt. R. S. Truchsess at *USP Lompoc* a year earlier. He refused my request to see a photospread because my ID alone would not be enough to convict if there were no other witnesses. The double-standard victimization here is overwhelming. They only need a "preponderance of the evidence" to convict an inmate of a prison rule violation. It's not like in court where they need "beyond a reasonable doubt"; so it doesn't take much. As far as I'm concerned, if they want the arsonists brought to justice, they best get me my attackers. What's extra angering is that when it comes to me, I get thrown in the hole for weeks on the word of *just* some inmate that told staff that I was fiddling with a door as explained below. Why is his word good enough for a piddly-ass thing like I did but my word isn't good enough when it comes to identifying my aggravated assault attackers? You think you want the arsonists don't you? Let's talk about my attackers <u>first</u>! And when you approach me about the arsonists you *best* have news about my attackers getting their just punishment!)

I also filed a Tort claim asking for $5,000.00 in compensation for a box of property *MDC-LA* lost when I transferred from there on July 1, 1994. Most times inmates have their personal property inventoried a day or two before they transfer. That's when they find out where they're going. But, as I said above, those of us going to Penitentiaries usually aren't given advance notice of our pending transfer. I was awoken early that morning and escorted down to Receiving & Discharge (R&D) for processing out of *MDC-LA*. (From papers I have in my possession from my Central File I know I was designated to *USP Lompoc* on June 24th, so they can't come back and say that they *just* found out I was going there.)

I had two boxes of paperwork I wanted sent to my cousin, Mark, who was looking after my house after my parents passed away. Another box contained the property I wanted sent to me at *Lompoc*. Staff in R&D said they didn't have time to

inventory everything because they were running behind so I just left a piece of paper in each box as to what I wanted done and where to send them. Staff sends them registered mail at their expense and this requires the person receiving it to sign for it. When I was in the hole for 6½ weeks at *Lompoc* I couldn't get in touch with Mark. I arrived there with no property and no money. It took more than a week to just see the counselor to get some stamps so I could mail him a letter. And it took a few weeks to get my money from *MDC-LA*. After I got it I filled out the paperwork with the phone numbers I wanted to be able to call. Inmates can only call people whose phone numbers have been entered into the Inmate Telephone System (ITS) computer. Of the several phone numbers I had requested access to, Mark's number somehow didn't get into the system. Days later, after I refused to eat until I got a phone call, I finally was able to call him through staff's telephone but only got through to his teen-age daughter.

It wasn't until I got to *FCI Phoenix* that I was able to talk to Mark. I found out that he only got one of the boxes. According to him, apparently each one arrived on a different day and on one of the days no one was home to sign for it. The postal carrier left a notice saying that he had to pick it up at the post office. Apparently Mark never got around to it and by the time he did, the box had been sent back to the sender; *MDC-LA*. Mark didn't give me any indication that the other box had been sent back but I notice that it has two rubber stamps imprinted in red on it. One says 1st NOTICE_____, 2nd NOTICE_____, and RETURN_____. And written in each blank space are the dates; 7-9, 7-14, and 7-24. The other rubber stamp says RETURN TO SENDER along with a finger pointing to the return address. A checkmark is by the word, Unclaimed. Indications are that Mark lied to me. Apparently not one, but two notices were left at Mark's house and he paid neither of them any mind. Luckily *MDC-LA* I guess, I'm really not too sure about the chain of events here, resent the box back to Mark so he did get it. As far as the other box though; no one seems to know. My suspicions are that Mark was negligent with it a *second* time and *MDC-LA* just threw it out.

I put most of the blame on Hupp and Jessner. If they would have let me out on bail, as they should have done, I could have hired a reputable person or firm to look after my house and affairs while I was going to be incarcerated. And secondly, being in the hole all that time and out of touch contributed to the loss. Those very dates Mark kept getting notices are when I was in the hole and couldn't get stamps or phone calls. If I'd have been in general population during that time, with freer access to the phones, I'd have been in touch and keeping him on his toes.

During this month and a half out of touch Mark apparently stopped checking the house and mail that was arriving was piling up. It eventually got sent back to senders and was a problem for both Mark and me to get straightened out. He didn't tell me he had stopped checking the house though or that the mail had piled up. He claimed a neighbor told the postal carrier that I was in prison and the parents are dead and the postal carrier then started sending all mail back to the senders. After I got home I talked to Pat, the postal carrier we have had for several years, and she said that she began sending mail back because it was piling up. No one told her about me being in prison. The mail went into a slot and into a big cardboard box in the garage which would easily hold two week's worth of mail. Mark was suppose to check the house every couple weeks but apparently didn't. (He did live around 50 miles away.) All this apparently happened because I wasn't regularly checking up on him. Once I was back in regular touch with him within days of arriving at *FCI Phoenix* he was back to regularly checking the house and proceeded to straighten up the mess of all the mail being returned to the senders.

I wrote letters to *MDC-LA* about the missing box and had staff at *Phoenix* check into it. Mark then did receive a box but in it was only the personal clothes I was wearing on the day I was arrested. The day I left *MDC-LA* I indicated on my note to include them in one of the boxes they were to send to Mark. Somehow though, they were stored separately and weren't included. Now with all my writing letters about the lost box of papers they find my clothes there and send them to

Mark. A staff member at *Phoenix* contacted the department at *MDC-LA* responsible for my property and apparently there is no record of this other box.

The main important items that were in this box, besides some legal papers pertaining to my current case, were the last birthday and Christmas cards I will ever receive from my parents. There were also keepsakes from their funeral services which were sent to me by out-of-town relatives who were able to attend their services. I also had a computer program I had written from scratch in the BASIC programming language when I was in state prison back in the late 1980s. It was a word processing program and although not as advanced as a professionally written program, it was an exercise in programming that I wanted to enter into my computer and make it operational. I had spend many, many hours writing it and could not redo it without the books on programming I had access to at the time.

This particular program, which had been in a box in my bedroom closet, was one of the things seized by the feds on the day of my arrest. One box from the attic they took had legal papers from my past two state cases. All this stuff was returned shortly before my father went into the hospital and passed away. When my aunts Myrtle and Florence got to the house papers were spread out all over the place as my dad was in the process of sorting out the ones I needed. Myrtle and Florence got everything together and gave it to my Public Defender, Mr. Abrams, and my BASIC program got stuck in there too. The box of papers that wasn't lost was the one with the past two state cases. I put my computer program in the box that was lost. It would have never gotten lost if I was at home on bail as I should have been.

This Tort claim, like my last one, was denied by Mr. Penn. He claimed, "There is no evidence of negligence on the part of staff in this matter" because "all three of the parcels were signed for and received by the addressees." But we are talking about a total of *four* boxes when you include the clothes — which I previously expected to be packed in one of the original 3 boxes — being sent in their own box. That follow-up letter I wrote to Mr. Penn about denying my claim for compensation due to the attack upon me included this denial too. When I told him that I had *no* intention of dropping these things *ever,* I was clear that I was talking about *both* issues. All Penn did was refer my letter back down to Warden C.E. Floyd and he didn't even do anything about it other than acknowledge receipt of the letter. Although money can't make up for some of the irreplaceable items lost in this box, it is a start. Tort claim reimbursement request is: . . . . . 5,000.00[x]

I subscribe to 4 monthly magazines; *Sky & Telescope* (S&T), *Astronomy* (Ast), *Popular Mechanics* (PM), and *Popular Science* (PS). I read and keep every issue. I have not missed any issues since I began these subscriptions in the 1960s (1973 for Ast at its first issue of publication). When I was stuck in the hole, due to their negligence, for 6½ weeks at *USP Lompoc* there was no use having the publishers change the address to there as I would be leaving. As soon as I got to *FCI Phoenix* and got my property I promptly notified the publishers of my new address. In the meantime, the others with *MDC-LA's* address should have been forwarded to me by their mail room staff. Some were, some weren't — they were stolen. The missing issues I had to repurchase are: August, September, and October 1994 S&T at $3.50 per issue; October and November 1994 Ast at $3.50 per issue; August, September, and October 1994 PM at $2.50 per issue; and September, October, and November 1994 PS at $2.50 per issue. All other issues were properly forwarded to either *USP Lompoc* or to *FCI Phoenix* after I got there until the change of addresses went through for them all to come directly there. All of my first class mail got transferred to me O.K. to wherever I was at. Of the various mail room staff members, obviously *MDC-LA* has a thief among them; or in the very least, somebody too lazy to do the extra paperwork to reroute my magazines. Maybe they think that the class of postage used to send magazines doesn't have to be forwarded. (Maybe they use that excuse so they can read them themselves.) But the thing is, if *I* pay for it, then *I* expect it — and I'm *not* about to take *no* excuses. Total cost for all the missing magazines is: 32.50

As far as putting a monetary value on missing Comet Shoemaker-Levy 9 smashing into Jupiter in July 1994 — something that also can *never* be made up —

where do I even begin to calculate. For a serious amateur astronomer since 1965, missing the biggest, greatest — once in a lifetime — astronomical event in the *entire* history of the world to date can barely be put into words without exploding in the fiercest of rages imaginable. For this alone they owe me big time!!!!!!! (I couldn't even get the Supervisor of Recreation at *FCI Phoenix,* Mr. Epi Rodriguez, to purchase a small telescope so we could see the lingering spots that were easily visible in even small telescopes for months. Yet he would spend thousands of dollars on musical instruments so a small number of musically-inclined inmates can have that form of recreation. Well, astronomy is a recreation too for some of us. Some of us aren't into the "regular" things most other inmates are into like sports or weight lifting — which they spend thousands of dollars on — and there's no reason we should be left out in the cold.) (If they hadn't of jacked my security points way up by claiming my minor accidental assault in 1986, where no one even sought medical attention, was in the "aggravated" assault category on their point score sheet or put my current offense's severity in the "greatest" category, I could have qualified for the lower custody FCI at Tucson, Arizona which has an institution-sponsored astronomy club and I could have seen the comet impact spots. They also have a telescope, purchased with recreation-department funds, worth somewhat over $2,000.00 as mentioned in *Sky & Telescope* magazine for July 1993, page 101.) If I'd have been out on bail, as I *should* have been, I could have postponed sentencing for another month and a half so I could see the impacts on Jupiter. But no; I was too "dangerous" to let out. Well, how the fuck you think I am now mentally; now that I missed the biggest event in astronomical history? I should be quiet and refuse to give up the people who I believe to be the real arsonists until I see another event *just* like it. That's what the judicial system *really* deserves. But if I did that, seeing that it's very unlikely that there will ever be such an event in my lifetime, I couldn't make back any of the compensation I'm owed which I can do by selling my story. Basically it all boils down to being *somewhat* reasonable. I can't make up fully what I shouldn't have lost, but I can get at least a monetary chunk. While money can't make up some of the loses I've suffered, it can take some of the sting out of the anger; and with that we *all* win in the long run!

For missing the Shoemaker-Levy 9 events I add this amount for travel and other expenses to view another major astronomical event (possibly a total solar eclipse which I have yet to see) in another part of the world that won't be visible here in any way and which I wouldn't have otherwise seen. (As far as I'm concerned, if I've got to wait to see another comet collision, then they can wait to find out from me the identity of those who I believe to be the real arsonists. That's what they *really* deserve. I had no business missing that event just like the real arsonists have no business remaining unpunished. But I've got to be realistic somewhat here. If I hope to make back *any* of these unnecessary loses I've got coming I best not refuse to sell my story until I see another comet collision. More than likely, there won't be anything like it in my lifetime and if I waited 30 or 40 years no one would give a shit who set the fires and my story would be unsellable. Unlike other rare astronomical events that happen at infrequent intervals, this one will be much more infrequent. I'll just have to accept travel and other expenses to another major astronomical event I wouldn't have otherwise seen such as something visible only in another part of the world. Such a fee could fairly be.):. . . . . 3,000.00[x]

I was working in the education department as an orderly (janitor) at the time of this next incident. When our work assignments were done we could go to any part of the education department we wanted to as long as we didn't leave the area without permission. My little sweeping and moping job took me no longer than half an hour to do on most days. In recent days I had been typing up my *Fedbuster* book in order to have it mostly ready to publish when I got home. I needed to have it in that form so I could quickly scan it into my computer, do my final editing and formatting, and get it out the door in a timely manner. This case was long overdue and with its publication we could hopefully bring it to a conclusion — and, of course, get my attackers the punishment they had been escaping for far, far too long. (At the time, I

had no idea so many other situations would enter the equation to contribute to the delay we've ended up having in getting it published. Thanks to Orange County and Bakersfield for that. But all that story will be coming folks; trust me!) On July 26, 1995 I was typing up the part where I was showing Snake and his minions the OATH (some fellow inmates and myself created in state prison a few years earlier as a part of VOCAL). One problem though. Unlike having a copy of *Revenge* fall into my lap, courtesy of the government (Jessner included *Revenge* in his Position papers to Judge Hupp in order to make me look as bad as possible at sentencing and I got a copy of it through my attorney), they never had the OATH to give me, so I was outa' luck there. I typed it up the best as I remembered it, and when missing parts come to me throughout the morning I jotted them down. Of course, since Wisehart and the bunch started their money-grabbing routine (making me pay $50.00 per quarter instead of $25.00 on my FRP), I became active real quick in my promotion of VOCAL. And that was obviously going to include getting new members who would be taking the OATH, so I clearly needed a current and complete version ready to administer anyway.

Every 10 or 20 inmates leaving the dining room after meals gets searched to see if they are taking any food out with them. We were only permitted to take one piece of fresh fruit back to our cells, but inmates often hid other leftovers under their clothing. When I was coming out of the dining room after lunch on this particular day Senior Officer Specialist M. Amaro motioned me aside so he could conduct a routine pat down search. Unlike most officers, usually just concentrating on food items, Amaro read some of the papers I had with me, paying specific attention to my OATH.

Amaro turned it in to Lt. Barton. A short time later he called me into his office and after talking to me for a few minutes he placed me in the hole. Officer Amaro wrote me an incident report, also known as a "shot," accusing me of violating rule 299, "Conduct disruptive to security or orderly running of BOP [Bureau of Prisons] facility Most Like: Engaging in or encouraging group demonstration." After being heard by the Unit Disciplinary Committee, consisting of Mr. Wisehart and I believe our Case Manager, Mr. Hall, the shot was next scheduled to be heard by the Disciplinary Hearing Officer, Mr. Michael Strahl. He promptly found me not guilty of the charge and expunged the shot. They made me agree to not pass copies of the OATH around to other inmates or to administer any oaths to anyone. Oddly, they never objected to my *Revenge* book despite the fact I previously expressed my openness of it's content to other inmates. Strahl said I would be getting out of the hole that day, Friday, but because no open bunks were available I had to wait until after the weekend, 3 days away.

On Monday, after 6 days in the hole (and 4 days missed from my computer technology class), I was released to "Yuma," the Admissions & Orientation housing unit where new inmates go when they first arrive. I spent a week there while waiting for room to open up in "Mojave-B," the housing unit I was living in at the time of the incident. The day I was scheduled to leave Yuma, Lt. Barton called me into his office again to accuse me ripping up nearly 100 pieces of inmate clothing. He based his suspicions on the fact that I had been seen "loitering" around the clothing bins, plus ripped up clothing was piled up in the hallway near my cell. Of course, he also knew I was a proud revenger who speaks favorably about such actions. Fortunately, he did not know that I had engaged in that very same score settlement activity in the state prison system some years earlier. He could have put me in the hole for "investigation" but didn't. Possibly he knew I was the wrong person to screw over a second time and that the prison system would be better off if they just backed off and didn't commit another offense against me. I was surprised at his wisdom, but glad of it. I had been very open to prison staff in my views about how extra caution should be shown toward those of us who are extra sensitive to always expecting fairness. No one had paid it any attention — at a great cost to them — but it was nice to see someone heading the admonishment. "Now I'm not going to see any more clothing ripped up in Yuma am I?" Lt. Barton inquired. Without admitting to that

score settlement process, I told him I promised I would not. And with that, I was on my way back to my computer class. The thing is, my promise was limited to Yuma and I was scheduled to move out of there later that afternoon which I already knew. Therefore, if I did it back over at Mojave, I wouldn't have been breaking a promise. In reality, I had vented enough and brought enough suspicion upon myself so it was time to back off. (Besides I didn't want to risk missing any more of my computer class.) At least he got some idea that I'm the wrong person to fuck over and I looked on that as a "win" of sorts.

When I expressed my extreme anger over the inconvenience and aggravation one is subjected to *just* by going to the hole and how punishing it is even when the person is not guilty of anything and not handed down a punishment, Barton promptly responded back by saying that rather than punishment it is really, "just a part of the process." "But it's still punishing though," I said. What I didn't say though is the philosophy I teach in *Revenge* — if something isn't considered as part of the official punishment, it should not be accepted and should be returned back upon the perpetrator. I'm glad I settled that injustice; except for my stolen property though (which is discussed below) — that's still outstanding. Although I honored my promise to not administer my OATH until after I left *FCI Phoenix,* I stepped up my teaching activities as outlined in *Revenge* — which they never objected to before or since — to correspond with them stepping up my FRP payments from 25 to 50 bucks.

When an inmate goes to the hole the Correctional Officer on duty in his housing unit gets all of his personal property together and lists everything on an inventory form. After that, it is sent over to the hole where it is stored until the inmate gets released back into the general population. That evening, after I got settled in my cell, I checked over my stuff and noticed that some things were missing. After making a list I went over to Mojave to speak with the officer to see where the rest of my stuff was. Of the two officers on duty in Mojave, only one, Correctional Officer T.D. Hibbard, was on duty there the day I went to the hole. He said Correctional Officer L. Schmidt, who was working days, got my property from my cell and put it in the office. Because it was near her time to go home she did not inventory it. When Officer Hibbard got on duty and settled in he and the other officer assigned to Mojave that night, Correctional Officer Rule, inventoried my property and sent it over to the hole for storage.

When I questioned Hibbard about the missing items he remembered some of them and even had a half-ass excuse as to why I didn't get them. I had 2 boxes of Tide laundry detergent which I purchased in the commissary. One was open and nearly full and the other one was still sealed. I got the sealed box back but not the open box. Hibbard remembered spilling some of it so that places him in possession of that *particular* box because the other one obviously can't spill. He remembered my bag of almonds, bag of pecans, and bag of walnuts. (He remembered 2 for sure but questioned a total of 3.) All 3 were in their original factory bags but then placed inside of tennis ball containers so they can be sealed for freshness. He said he remembered the tennis ball containers. His reason for taking them was because they were outside of their original containers. Commissary items are subject to seizure if they are not in their original factory containers. Knowing that some staff are extra picky about this particular rule violation I left the nuts in their original plastic bags, but then put the bags inside transparent plastic tennis ball containers which could be sealed with a lid in order to help keep them fresh longer. When I reminded Hibbard of that fact he then said he also had a concern for their freshness. Now that's a real lame excuse. They do not spoil and if that was a valid reason then why did someone who got out of the hole the same day I got out not have his fresh fruit taken? That *is* a spoilage problem item, not nuts. Three other sealed bags of the 3 kinds of nuts I got back O.K. Some other missing items he didn't remember are: 2 small shampoo and conditioner bottles, 2 commissary purchased pens (he gave me some out of his desk to replace them so those are made up), a new tube of Aquafresh tooth paste (I got 2 of my other tubes of tooth paste back O.K.), a full sealed bottle of Tussex

cough syrup, a nearly full bottle of allergy tablets with antihistamine, a nearly full bottle of Pseudoval allergy tablets without antihistamine, about 6 used AA batteries (I'm letting them slide because I'm not sure how much life they had left), 1/3 box of graham crackers, 1/4 left in a bottle of Quinsana foot powder, 1 dictionary, and 2 computer books (1 of them, a dBase IV operator's manual, was borrowed from another inmate). Hibbard said he remembered the books but stated the reason he took them was because they didn't have my name in them. The thing is, one of them I borrowed from another inmate in Mojave-B and *his* name was in it but it was not given back to him either. A near empty container of hi-protein was also missing which I'm letting slide by. That adds up to $3.50 for Tide, $2.60 for almonds, $3.10 for pecans, $2.30 for walnuts, $4.35 for Aquafresh, $2.15 for Tussex, $0.75 for allergy tablets, $1.50 for Pseudoval, $0.90 (1/3 of $2.70) for 1/3 box of graham crackers, $0.81 (1/4 of $3.25) for Quinsana, $3.45 for dictionary, $25.00 for the computer book that belonged to the other inmate (this is the amount I reimbursed to him), and $20.00 for the other computer book (it was given to me by another inmate so this price is an estimate but it is still owed to me because the book had a lot of valuable information which I now can't have unless I buy another book) for a total of: 70.41

In talking to other inmates who have been to the hole before, I found that it is standard operating procedure that you will lose something when you go to the hole. Either it will be because of carelessness with your property by the staff member who is inventorying it or it will be because they will look for the slightest reason to confiscate something. One inmate lost the headset to his walkman radio because he had repaired them with tape. They therefore became "altered" and we are not allowed to have anything altered even if it is our own property. Basically what you have is a staff member who is pissed off that some inmate went to the hole and caused him to do all this extra work taking care of his property. His thought is to mess with him, or in this case, his property, in return. And the staff in the hole are noticeably less gracious to inmates in there for rule violations than they are to those in there for their own protection unrelated to some misbehavior they did. For instance, a couple inmates were housed in the hole while they were testifying against some other defendants in federal court in downtown Phoenix. For their "cooperation" with law enforcement they had an extra easy stay in the hole. In exchange for mopping some floors they were seldom locked in their cells throughout the day. The rest of us couldn't even begin to get that amount of freedom.

Clearly, revenge runs both ways; inmates to staff, and staff back to inmates. They sure don't like the inmate to staff variety, but when it is directed back to us — like in messing with our personal property — the higher mucky-mucks let it slide by. I complained about the theft to higher-level staff at *FCI Phoenix* and even up to the Western Regional Office. No one seemed to be concerned at all. They suggested filing a Tort claim which is basically a big joke. I did that after being attacked at *Lompoc* and even with evidence of the assault they refused to accept responsibility. They had the nerve to say there was, "no evidence of mistreatment." Beside, a Tort is a civil action. That wouldn't get Hibbard held accountable. He was the *actual* thief; he even admitted it to me. And he had no shame about it. That's what *really* pissed me off. It's like, I'm just an inmate and he has staff backing him up — as if to mean that I'm shit out of luck. Well first of all, he didn't realize he picked the wrong person to rip off; and second, my OATH, which got me in the hole to begin with, was, and is, very solemn to me. I honor it always!

For one thing, I used the money that I was saving toward my next FRP payment to repurchase the stolen merchandise and repay the inmate for his computer book. (I was only paid around $20.00 per month on my prison job.) I pay legitimate debts I have in a *timely* manner, unlike those-so-many judicial system people who refuse to do likewise to me. I then went on what they call "refusal status," meaning I was refusing to make any more FRP payments. They said I owe them money, I said they owe me money. As far as I was concerned, my debt's paid in full if they're letting Hibbard slide by unscathed. The thing is, when one is on refusal status one of

the sanctions he faces is not being allowed to get a cell when one becomes available. I would be stuck sleeping in the overcrowded TV room for the duration, or until I resumed payments. And when I moved from Yuma back to Mojave-B that's where I lived. (Other sanctions include: never getting paid above the $5.25 maintenance pay no matter what job you have, being denied working in Federal Prison Industries, being denied participation in various prison programs, being denied a half-way house placement for the last few months of your sentence, being denied the around $100.00 the government gives to released inmates, and possibly denial of some phone privileges.)

In March 1998 I came into possession of some additional documentation I did not have before that date. The public defender I had in my Costa Mesa vandalism case listed below put off my speedy-trial motion hearing until she received various documents she requested from the Bureau of Prisons. While much of what they sent was of no benefit to that case, a number of pages enlightened me, not only on the attack upon me at *USP Lompoc,* but on some of my troubled dealings with Wisehart and Barton.

Inmates are allowed to review their central file periodically, but there is a part labeled "FOI Exempt" which we could not see. FOI stands for the Freedom of Information Act, which dictates what can and cannot be disclosed to an inmate. It is some of these documents I got ahold of and will be quoting from when the need arises.

Before I got ahold of those FOI Exempt papers I had Barton pegged as the primary culprit for putting me in the hole repeatedly and setting my transfer in motion. After reading a number of memorandums from Wisehart, I now know *he* is the instigator. As our story progresses I will be quoting from those memorandums.

On November 2, 1995 Lt. Barton put me in the hole once again, this time for, "investigation into your possible involvement in damaging government property." On October 20, 1995 a nation-wide lock down was ordered for all federal prisons after riots broke out at several institutions across the country. The uprisings were set off when Congress refused to correct the sentencing disparity in the amounts of powder and crack cocaine required to receive a given sentence. According to the U.S. Sentencing Guidelines, one could receive the same sentence if caught with 100 grams of powder cocaine as he would receive if caught with just 1 gram of crack cocaine. Crack cocaine is just a cooked down version from the powder. This 100 to 1 disparity is particularly angering to black inmates who were more apt to deal in the crack version of cocaine out on the streets than powder. If a white person got busted with cocaine it was more than likely the powder variety he was dealing in. As a result, whites get much less time for getting busted with the *same* amount that the black person got busted with. Congress in letting that law stand set off the riots.

Since I got out of the hole last time for my "OATH incident," as I term it, I'd been living in the Mojave-B TV room (called also the cot room). Due to overcrowding, each housing unit converted one of their TV rooms into a small dormitory and the one I was assigned to had room for 12 inmates. (The TV from that room was then placed in a common area for viewing. Sort of like the living room of the housing unit.) One nearby cell that would normally house 2 inmates was left vacant so the 12 of us could have a toilet and sink to share. All other inmates living in 2-man cells had their own private toilet and sink. At night they were locked in their cells. Because those of us living in the TV room had to have access to the bathroom throughout the night our door was never locked. In fact, it couldn't be locked. It was defective. All of a sudden when the nation-wide lock down was ordered, panicky staff members realized they have to hurry up and get that door fixed so they can lock us in. Within an hour or so staff members from the (Central Mechanical Services) CMS department had a used door installed and in operating order — sort of. They did get a door installed, and they were able to lock it; but they installed it so haphazardly in their rushed manner that it was left sticking at the top and had to be slammed to shut it all the way. At the time they didn't care about that though so long as they could lock it. This is the first time in U.S. history that there's

ever been a nation-wide lockdown of all federal prisons. Staff was rather panicky, and in turn, a bit more careless than they should have been. While we were on this full lock down, staff came up semi-regularly to unlock it so we could use the bathroom. After a few days we were off of full lock down status and were in the process of getting back to normal. We were still confined to our housing units, we just weren't locked in our cells throughout the day, as we never are. During this time I took it on my own to try to fix the sticking door by wedging something by the bottom hinge as I closed it in hopes that it would spring the top hinge into place. Unfortunately, I made it stick more so I quit before I made it even more worse.

I had previously argued with a heavily-smoking Cuban inmate with a bunk next to mine who always wanted the door shut in order to keep the noise from the common area out of our TV room. Several other Mexican inmates, who were also smokers living in the TV room, originally didn't care one way or the other about the door, but rallied around their Cuban "comrade" because he was *their* friend.

This particular TV room is the only one that has no fresh air inlet vent. It has only an exhaust vent, as weak as it was. All the other TV rooms in both Mojave A and B, which are used for TV viewing only, have both kinds of vents for proper air flow even when the door is shut. None had windows that could be opened. I asked the smokers, which was nearly every single inmate in there, to leave the door open a little while smoking as there is a flow that enters from the blowers out in the common area but they complained about noise and wanted to keep it shut. I admit that noise is a problem too, but still I asked to leave it open at least while they're smoking. They can always close it later after the air clears out. I suffer from chronic sinusitis, a condition which gives me a constant post-nasal drip and the nuisance of clearing my throat often. Besides second-hand smoke being a health hazard to everyone in general, it is particularly bothersome to those of us with this condition.

There are 3 TVs in Mojave-B. The inmates have designated one for white inmates, another for blacks, and the other one for Mexicans or Hispanics in general. Mojave-A has the same set up for their 3 TVs and the other housing units also fallow the same procedure. In fact, other federal and state prisons I've been in throughout the years had similar procedures. This segregation is set up by the inmates, staff knows about it but accepts it. Although different races can view any TV they want to, some racially-motivated inmates let their feelings be known very clearly to the "intruder" that he is not a welcome "visitor" and make him as uncomfortable as possible.

Blacks often were watching either shows with predominately black actors (often the cable *Black Entertainment Television* channel, one of many cable channels we had access to) or sports, neither of which interested me. Whites smoked heavily in their TV room. Despite the fact that the TV rooms were suppose to be non-smoking areas, staff never seemed to enforce their policy. (Mr. Wisehart did try to enforce it when he first moved from Yuma to Mojave back in January 1995 but gave up the battle in short order as a lost cause.) While Hispanics often watched spanish-speaking programs, they also happened to watch shows that I liked. Before my squabbles with the Cuban and his buddies I was welcomed in the Mexican TV room as much as anybody else in the unit. The problem really surfaced one day when I was discussing the smoking problem with a friend of mine. Some Mexican overheard me saying that the Cuban isn't even a citizen so he shouldn't even have any say in the matter. Once word of that got around I was on the Mexicans' shit list. (It also didn't help when I voiced my opinion that I didn't need to learn how to speak spanish because this is the United States of America where the primary language of *our* country is <u>English</u>.) The Mexican TV room was right next door to my sleeping quarters. That meant congregating in that whole general area were the majority of Mexicans living in the B side of Mojave, and they all had me pegged as anti-Mexican.

Now I've never been a prejudice person before, or now. I didn't like that particular Cuban, not because he was a Cuban; but because he was an inconsiderate heavy smoker who didn't care at all about my feelings or my health. Unfortunately,

my overheard remark (along with saying that "smokers' rights *end* where my nose begins" and openly proclaiming smoking as "a filthy disgusting habit") branded me as being prejudice against them. Absent that, they probably would have cared less when they saw me messing with the door. But now, they saw an opportunity to get me out of there. By several of them snitching on me they could be assured that staff would take action, and take action they did.

From a memorandum dated November 2, 1995 from Wisehart to Barton, I was able to confirm all of my suspicions mentioned in the above several paragraphs which were written beforehand. One mexican inmate, whose name was blacked out on the memo, but who I know by the last name of Orta, who happens to be a good friend of the Cuban, was one of two snitches. Orta was one of the inmates assigned to clean up the area outside of our living quarters and he and I had exchanged words over my brushing my teeth in the drinking fountain already by this time. Our arguments become more intense weeks later and are covered farther along in the story. But until I got those exempt papers, I did not know I was put in the hole this particular time for anything more than tampering with the door. A couple quotes from page 2 of Wisehart's memo are quite revealing and infuriating. "It is also suspicious that he has requested to remain in the cot room, which is highly unusual. When asked why he desires to remain there, he refuses to answer.…Most inmates move in and out, except the FRP refusal inmates." He knew damn well I refused to pay on account of the Hibbard thefts and that my previously-scheduled September FRP payment went to repurchase the commissary items Hibbard stole. But does he mention that? No — all he says is, "Larson also refuses to pay his FRP obligation, although he has much money. He will not pay the government, as part of his resentment." (Throughout the memo he misspells my name, despite hating to have his *own* name misspelled as we'll be seeing an example of later on. That, to him, is apparently more important than bringing the arsonists to justice so you can see where this guy's priorities are at.) I bet he'd be a little resentful if somebody stole from him — and even more so if he couldn't get anybody to hold the thief accountable and make restitution. He ends the memo by asking Barton to put me in the hole. I'll continue my story now with the below paragraphs that were previously written, and make additions learned from the memos where necessary.

Lt. Barton, already mad at me over the views I'd expressed in my OATH, slammed me in the hole without even talking to me first. I guess one's got to expect a few arrows in the back whenever they accept the role of "pioneer," but the fact that they screw with inmates more than average once they learn of your "standing" is deplorable. One of those things I <u>actively</u> denounce in the *strongest* of terms in *Revenge*. Once you appropriately respond back though, they'll surely know they picked the wrong person to treat in such a way and, if they're smart, they'll mind their P's and Q's a little better from that point forward — or wish they had. Unfortunately for all of us, they weren't too smart. It took me several days just to get the paperwork addressing the reason why I was even in the hole, and that only said it was for, "investigation into your possible involvement in damaging government property." I kept asking officers *what* property were they talking about. The door didn't even occur to me. Surely it wouldn't have been the clothing in Yuma back in July would it? When my request to see Lt. Barton went unanswered I refused to eat for a couple days. That brought the staff psychologist to see me and with his help, Lt. Barton finally saw me. When he explained to me what it was about I promptly admitted my culpability in the door-"tampering" fiasco and what led up to it. I also agreed to leave all future repairs up to staff or to the inmates assigned to make such repairs. Barton said he would write me a shot and at that point I expected to get out of the hole very shortly once the paperwork was processed. I figured they would give me some extra duty or some such punishment like that. A shot never come. Days; weeks went by. Then on December 5th I was released back to my housing unit into the same TV room dormitory. (They changed their policy so inmates no longer had to go through Yuma.) No shot or nothing. I believe that Lt. Barton realized that if he would write me a shot that it would get expunged by the Disciplinary Hearing

Officer once it got in front of him to determine guilt. By just keeping me in the hole under "investigation" status he could drag it out for weeks. By doing that, just being in the hole all that time turns out to be the punishment. He may not have a conviction of a prison rule violation on my record but he still got me punished, and that's what his whole plan apparently was. The thing is, that amount of time was way out of line for what I did. Bear in mind, the door did stick worse after I tried to fix it. But they could still lock it if they wanted to. (We were off of full lock down status by then so they weren't doing that any more.) I had stopped before I make it worse. I'm firmly convinced that Barton still had anger over the opinions I expressed in my OATH and that this was his way to stick it to me more than would happen to any other inmate that was never a trouble maker to staff. Staff has a way of screwing with someone — even in minor ways — if they don't like him, and it's not just this institution. I've seen such misbehavior committed quite regularly by sheriff deputies in both the *Los Angeles* and *Orange County Jail* system, and to a lesser extent by staff members in the California prison system.

By being in the hole, I missed the triple conjunction of Venus, Jupiter, and Mars along with the interactions the three were having throughout November. And on the 23rd the thin crescent Moon joined the trio to make a very beautiful naked-eye sight that I missed. According to *Astronomy* magazine, November 1995, page 79, these three planets "won't cluster as closely…for more than a century." I missed a biggie and I'm really pissed. On top of that, I missed the Thanksgiving festivities the institution had for us.

It is extra angering to be put in the hole for a piddly-ass thing when a serious attack was committed against me and no one cares about bringing my attackers to justice. Or to be held accountable for a minor, not on purpose, door mishap — which wouldn't have happened if staff would have installed it properly — when they aren't holding Hibbard accountable for the shameless, *and* purposeful, theft of my property. That is a double-standard violation about as bad as it gets. Don't you dare put over emphasis on your property while at the same time you totally disregard mine. I'm not about to accept judicial banditry. For each day in the hole I shouldn't have been there I'm charging them $25.00 per day for 21 days for pain, suffering, and unnecessary aggravation — call it "inconvenience compensation" if you will. (And that doesn't include the weekly plus extra holiday movies I missed while being in the hole and 20 days missed from my computer class. And what do you think I should add for missing yet another rare astronomical event I shouldn't of missed?) For days within the "holiday zone," the time span between Thanksgiving and New Years, one of the times of year when it is extra difficult to be locked up, I double their penalty to $50.00 per day for those 13 days. (Such doubling of penalties is not without precedent either. In construction zones, traffic fines are doubled.) All this adds up to: . . . . . 1,175.00[x]

The correctional officers inventorying my property this time were King and Morton. I had two combination locks I purchased in the commissary. One was used to lock my locker and the other was a spare. (I bought one at *MDC-LA* right after I was sentenced in June 1994 so I would have it to lock up my property as soon as it got shipped to me at my new institution. My money arrived at *FCI Phoenix* before my property did and because I needed some commissary items and didn't want to risk leaving them in an unlocked locker I bought a second lock.) One come up missing and its cost is $5.15. My Panasonic walk-man radio was also badly scratched on the back. It was apparently in the bottom of my nylon-mesh laundry bag which was used to put my property in when they got it out of my locker. I've seen officers drag these bags along the floor rather than carry them when they are going from the inmate's cell to their office where they do the actual inventory paperwork on everything. Clearly the radio just happened to be in the bottom of the bag as they dragged it to their office. The radio cost $21.25. Because it was still working and about half way through its useful life (I'd had it for a year at the time of the damage and had a year left on my sentence before I went home) I'm only charging them half price; $10.62. (In reality, I'm still using it during my evening

walks in early 1998 as I write this so clearly it was far from half way through its useful life, but we'll let that slide by.) My notes show that King was the culprit here and I accept that he was just careless. He didn't purposely set out to damage my radio. But neither did I purposely set out to damage their door. Yet it cost me a lot of aggravation, punishment, and missed TV shows and weekend movies so I'm sure you can see that I'm *not* about to let these theft/vandalism violations slide by unpunished. Cost for these two items is: 15.77

While I was still in the hole for the above mentioned incident I put my formal request in to my Unit Team for a half-way house, officially now called a Community Correctional Center or CCC. Inmates can get placed in a half-way house 6 months before their release dates if they have "programmed" satisfactorily and kept out of trouble while in prison. I would be 6 months short to release in April 1996, so putting in at this scheduled Team meeting was the proper time to do so considering the amount of lag time they needed to process the paper work. I had completed a 3-month half-way house placement back in 1979 without breaking any of the rules or getting in any trouble so I expected no problem in getting a referral to one this time. Both the psychiatrist and a psychologist who examined me for the Court before sentencing back in 1994 even recommended a community-type of placement instead of prison. Even though my criminal record is longer this time, there are no intentional acts of violence on it. And even if there were, that shouldn't matter that much. I see other inmates with robberies or burglaries on their record go to half-way houses and all robberies and residential burglaries are considered "crimes of violence," even if no gun was present or no one was home.

Mr. Wisehart chaired my Unit Team meeting that November day in 1995. (I just couldn't shake loose of this culprit.) Also present were my Case Manager, Ms. G. Tunder, and my Correctional Counselor, Mr. Davenport. I was flat out turned down by Mr. Wisehart strictly because of my 1971 child molesting conviction. "But it was on my record back in 1979 and you guys let me go to a half-way house then," I told him. Without shame he admitted there's politics behind half-way house denials for molesters. He told me, "the political climate has changed since then. They don't want people like you out on the streets now." With thoughts of Willie Horton or Richard Allen Davis surely on his mind, Mr. Wisehart then said "if we let you out early [to a half-way house] and you re-offended it would look bad on us as to why we let you out early." I guess he figures their ass is covered in that if I re-offended *after* my "mandatory" release date, they wouldn't look bad to the news media because they didn't let me out early before they legally had to. They had no empathy for me. They never cared about my feelings or the extra trauma I had suffered beyond what a "normal" inmate suffers in a prison setting. They were out just for #1; themselves. Cover *their* asses — be damned about any damage it causes to me. That's their way it seems.

"Well, you should be wanting me out there as *soon* as possible" I told him. "Need I remind you that I've been holding back who I believe set the fires 'cause I wanna' make sure I got all my stuff back first that the feds took. By holding me back an extra 6 months that gives the real culprits and extra 6 months to disappear into the framework of society forever. And that *could* bring you guys bad media coverage once my other book covering the fires hits the streets and explains how *you* contributed to a delay in bringing the likely culprits to justice." I should have added, "Now are you after just screwing me over even if it brings you bad publicity or would you rather avoid such media attention?" but didn't. I wonder how they'll deal with it once the shit hits the fan. At least they can't come back and snivel that I didn't try tell them so.

I filed an administrative remedy with the warden (a BP-9) and continued on up the line through the regional director (BP-10) and then to the General Counsel of National Inmate Appeals in Washington D.C. (BP-11). I begged them to put their priorities on the right things for a change — things that were a more pressing issue — rather than continuing to revert back to an ancient out-of-date sex offense that was buried in my past a long time ago. I was denied at all levels of the appeal strictly

because of my sexual history. They claimed that Bureau policy *prohibits* sending sex offenders to half-way houses yet that is in error. Program Statement 7310.01 (which they quoted from) says that sex offenders "whether in current offense or history…will not ordinarily" be permitted to participate in a half-way house program. Will not ordinarily is different from are prohibited from. These last three words are *not* there which I brought to their attention as I appealed up the line. Some weeks earlier I had spoken to Mr. Leonard Lipsutz, the Community Corrections Manager from Phoenix, during a pre-release class I attended about my case in particular and was told my 1971 felony conviction does *not* disqualify me from participation. Those I appealed to tried to throw their own interpretation into the Program Statement. "Although the policy does say 'ordinarily', the intent of the policy is to clearly prohibit sex offenders from such placement." I would sure like to hear from the authors of the Program Statement what their interpretation was. If they intended to prohibit all sex offenders from participating in a half-way house program it would have been the simplest thing in the world to merely word it as such.

It's interesting to note that in my administrative remedies I said:

> On a totally separate issue regarding avoiding bad publicity I should mention that in another book I'm writing about the Southern California wildfires of 1993. Because FBI & ATF agents had me under surveillance since before the first fire ever started they know I set none of the fires the letters I mailed 2 months earlier threatened. In my book I plan to disclose & detail how deceit & misconduct by FBI & ATF agents possibly lost them their best chance at more than likely solving many, if not all, of those arson fires. Because they resorted to behavior they knew by past experience I don't stand for I shut down & wouldn't tell them who I think set all the fires & what set off the crime spree. I planned to disclose names, details, & motives for the first time in my book figuring that because I had to wait so many months to get out (longer than a proper guideline sentence should have been) then they can wait to find out who the culprits might be. After all, turn about is fair play. Whether they are the real arsonists I don't know for sure as I never saw them after I mailed the letters but I do know that the longer it takes to track them down the less chance they still live at the same places I know about. Surely anyone who delays my release, which delays my book publication & disclosure, would receive bad press if the culprits were missed by just that time frame when I could have gotten out earlier but was denied. Their (FBI & ATF) botched activities may not bring the level of embarrassment as Ruby Ridge or Waco has done to them, but I'm estimating it will be #3 once all the details are out there. Surely someone will say, 'knowing he was holding onto information why did you resort to the misconduct & deceit you did knowing he was hyper-sensitive about it?' The main misconduct was tearing up the house in a very vandalous search after strong admonishments

not to. Being I wasn't allowed out on bail I have to wait until I get out to put it in pre-vandalism condition &, in return, so can they wait for my information. Surely anyone delaying that release & resultant information outflow could receive bad press right along with the original guilty culprits; the FBI & ATF. Enough said?

Further on I told them:

You may want to review the case of an inmate I heard about from [USP] Atlanta that got over a million dollars after he was attacked because he was a child molester. Didn't sound like he had as strong of a case of negligence than I do. And you should be aware how much more determined I am to get justice for that attack after being put in the hole for trying to fix a door that was improperly installed by CMS staff to begin with. What is so especially angering is that I am put in the hole on just the word of an inmate who turned me in yet when I offer to ID my attackers I'm told my word alone isn't good enough to write an incident report. Yet they could surely put them in the hole for weeks for 'investigation' without a shot as you guys are prone to doing. But no, you just want them to slide by because they didn't damage anything of yours. Well I'm bound & determined to <u>not</u> let Lompoc get away with it!

I then offered a gracious out. "I am open to discussion if an offer of a 6 month half-way house…was placed on the table in exchange for: my clearing any & all BOP staff of accountability of <u>any</u> kind for the vicious attack upon me," along with "my agreement to not settle the matter either in court or out." I also let it be known that I was, "open to discussion" on the Hibbard theft "with no punishment on the culprit other than a reprimand."

With all that — with that amount of graciousness and amnesty, they still wouldn't let me go to a half-way house. The only conclusion that can foreseeably be reached is that all levels on up through Washington D.C. accept accountability for all the violations I was willing to pardon them on here. Well, I have no problem with that; not a bit. It's cool with me. And I also have no problem whatsoever justifying to myself allowing the real arsonists, my former friends, an *extra* 6 months of freedom to make up for the *extra* 6 months of freedom I got cheated out of. And if anybody's got a problem with my attitude; well tough shit. I tried to tell them so!!! Yuc, yuc!

By not being at a half-way house between April 3, 1996 through my release date of October 3, 1996 I missed some events that I wouldn't have otherwise missed. These are listed below along with the compensation requested to make them up.

The brightest comet to appear in the sky in over 20 years appeared in the evening sky during March through early April 1996. I mention in later pages how being in the hole during that time I missed Comet Hyakutake which I could have seen from the prison exercise yard. If I'd have gotten out to a half-way house on April 3rd I'd have been able to go to a dark-sky location to see it *even* better than in a prison yard. On those later pages I add an amount as a make up for travel and other expenses to view another major astronomical event in another part of the world that

won't be visible here in any way and therefore wouldn't have been seen. Because of that I won't add any more compensation here.

I have been an active member of the *Los Angeles Astronomical Society* for years and regularly attend their meetings and star parities. Meetings are held at Griffith Observatory monthly except for July and August. Star parties are held monthly on the weekend nearest New Moon on their beautiful property in Lockwood Valley in the northern part of Ventura County. Although they are scheduled throughout the year, I only attend those from early spring on through early fall when it is not as cold. By not being at a half-way house I missed 4 monthly meetings and 6 star parties. Rather than charge transportation and expenses to and from another club's meetings and star parties I wouldn't normally attend, I'll merely charge $25.00 per each event I shouldn't have missed. If I'd have gotten out in April, as I should have, I could have attended *that* month's star party. Instead; by getting out in October, I had to wait all the way until the warmer month of April 1997 to attend a star party. April is the month I usually make my first star party of the year because previous ones were too cold. You deserve to be charged for the extra unnecessary wait, but I won't. 10 missed events costs you: 250.00x

For missing the annual *Riverside Telescope Makers Conference* on Memorial Day weekend at Big Bear, California, which I could have attended if I'd have been at a half-way house, I add this amount for transportation and expenses to and from the *Stellafane* convention in Springfield, Vermont or the *Texas Star Party* in Fort Davis, Texas (two other major annual astronomy conventions I don't normally attend but which are equal in proportions to *RTMC*) to make up for the *RTMC* one I should not have missed: 700.00x

For missing the annual local *MacFair,* put on by the *Los Angeles Macintosh Group,* which I could have attended if I'd have been at a half-way house, I add this amount for transportation and expenses to and from the *MacWorld* expo (another Macintosh convention I don't normally attend) held in San Francisco, California every January to make up for the *MacFair* I should not have missed. (Don't snivel now! Just be glad I'm not asking for transportation and expenses to and from the *MacWorld* expo held on the east coast every July or August.): 300.00x

In June of every year I attend the *Gay Pride Parade & Festival* in West Hollywood, California in celebration of National Gay Pride month. By not being at a half-way house I missed the event in 1996 and therefore add this amount for transportation and expenses to and from the *Gay Pride Parade & Festival* in San Francisco, California (the closest city which puts on a similar event equal in proportions to West Hollywood's and which I don't normally attend) to make up for the West Hollywood one I should not have missed: 300.00x

Every year in August I view the annual Perseid Meteor Shower. On some years the Moon interferes with viewing during at least some part of the night. This year there was a New Moon within 2 days of peak activity on the 12th so it would not interfere for the *entire* night. Although this event isn't as major as missing a bright comet or even an eclipse, missing it is worth at least *some* compensation. Rather than charging travel and other expenses to another event as a make up I'll graciously charge only: 500.00x

It was bad enough missing the total eclipse of the Moon within the *very* same month I was arrested in 1993. Now here, because I was not at a half-way house, I couldn't view another total lunar eclipse with a telescope which happened just *one* week before my release date. Although I saw it with the naked eye at *FCI Sheridan,* it was nowhere near as spectacular as it would have been to see in a telescope or even in binoculars. For missing a proper view of the total eclipse of the Moon on September 26th, 1996 I add this amount as a make up for travel and other expenses to view another future total lunar eclipse in another part of the world that won't be visible here in any way and therefore wouldn't have been seen: 3,000.00x

During my incarceration I had to have gardeners mow and water the lawn. They charged me $60.00 per month. If I would have been at a half-way house I wouldn't have needed their services for that 6-month period because I could have

done everything myself. Those 6-month costs amounted to: 360.00

Also during my incarceration, I had to have someone watch after the house. After my cousin Mark allegedly got a job promotion out of town I hired Craig Smith, an employee with the law offices of Maria Bezaire, to handle those duties. He charged me $75.00 per month. If I would have been at a half-way house I wouldn't have needed his services for that 6-month period because I could have taken care of the house myself. Those 6-month costs amounted to: 450.00

On June 25, 1991 my father purchased a 27" Sony TV and on July 28, 1991 he purchased a Whirlpool washer from Adray's department store in Van Nuys. For both items he bought an in-home service contract. This contract states, "If no claims have been filed during the 5 year term, upon presentation of this contract and original Adray's receipt, one half of the Service Plan purchase price will be refunded in the form of an Adray's merchandise credit, for up to 90 days after maturity." After I got out of prison I went to claim my half of the contract cost back because 5 years had passed and we never needed any service on the two items. Unfortunately, Adray's was in the process of going out of business and the closest store still open was way over in West Los Angeles. (These Adray's stores are not affiliated with Adray's in Orange County in any way which are still open.) Even though the "up to 90 days after maturity" time limit had expired on the TV's service contract the lady gave me a merchandise credit for both items which added up to $124.85. Unfortunately, by this time the remaining merchandise in the store had been pretty well picked over and there was nothing I really wanted. When one of the employees heard my dilemma he offered to buy my credit for $.50 on the dollar. I assume he had the things he wanted stashed away for himself and with my credit certificate he literally got them for half price. He ended up giving me a few cents shy of half price and with that I was minimally satisfied. If I'd have been out at a half-way house, as I should have been, I could have been shopping at the store as soon as the 5-year contracts expired — on June 25, 1996 and July 28, 1996 respectively — before they were in the process of closing down. Then I wouldn't have been there when practically nothing was left to buy and I wouldn't have lost half the price of my merchandise credit because I wouldn't have needed to sell it. I'm not charging for time and gas to drive *way* down to the West L.A. store because it's possible I would have shopped from store to store even if I could have done everything in a timely manner back in June and July. (I'm known to do that if one store doesn't have a model or style of something I want.) In all, on this selling it at half price deal I lost: 62.60

On December 14, 1995 Lt. Barton put me in the hole for talking to another inmate's wife on the phone. Now this time he had a legitimate right to punish me. I did break a prison rule; minor as it was. A day or two into the nation-wide lock down the previous October, staff were in the process of taking selected black inmates out of the general population and putting them in the hole if they had any suspicion they would be apt to cause trouble. Bear in mind, none of them had done so; we didn't have any troubles at our institution over the crack/powder cocaine disparity issue. They just wanted to make sure there would be no trouble when we get released off of lockdown. "Cricket," a black inmate locked in the TV room dormitory with me was telling us that he knew that they would be coming to take him to the hole. In fact, he was looking forward to it. I believe he wanted to transfer from this institution. In recent days before the lock down he had been having some rather close-friendship-like talks with our counselor, Mr. Davenport. In remembering back to conversations I heard between Cricket and friends of his, I believe he had been asking Davenport for help on something and I think it was to get a transfer. Before the lock down come about, Cricket had borrowed some personal property from other friends of his and was now in the process of leaving it with a couple of the black inmates in the TV room with instructions as to who gets what. He previously asked me if he could borrow 2 AAA batteries for his radio when he saw me opening a new 4-pack in order to get 2 out for my radio. I usually don't make a habit of loaning things out but, not wanting any hard feelings with someone living in the same room with me, I gave him 2 batteries and he said he would pay me

back when he goes to the store. The very night of the lockdown staff, in an attempt to placate us, let us fill out requests to purchase items from the commissary. Our purchases were delivered to us the next day and although Cricket got goodies for himself and his friends to eat, he made no attempt to get me my batteries; nor did he offer an excuse or apology. (Even before the lock down went into effect, he neglected to pay me back when he shopped twice at the store that I know of.) Because we were locked down I kept my feelings of disgust to myself, after all they were only worth about a dollar. Still, tight with money me didn't like it; and besides, it was the principle of it. A day or so later Cricket was taken to the hole and I assumed that any chance of him paying off his debt was over.

When I was in the hole for the above-mentioned door-tampering incident I overheard Cricket speaking loudly to a friend in an adjoining general population housing unit and asking him to call his wife to let her know his situation about the hole and pending transfer. General population inmates have access to telephones most of the time, whereas those of us in the hole get to use it once a week for one brief call. I heard Cricket yelling out his Phone Access Code, a PIN like number each inmate is assigned, and his wife's phone number. The thought occurred to me that by taking down the number I could call her and make a little waves in their relationship as sort of a return for him refusing to make good on his debt when he fully had the chance to do so. After I got out of the hole last time I anonymously called her and told her that Cricket was regularly corresponding with another woman. And I didn't even have to exaggerate the events. Cricket openly spoke of the letters he was exchanging with her when he was talking with his friends in the TV room. It may have only been a little over a dollar that he gypped me out of, but it was the principle of it. Money is a hot-button issue to me when it's unfairly taken from me. Despite what some thought, it had *absolutely* nothing to do with him being black. It sure felt good to throw a monkey wrench into their relationship — as it always does when non-violently avenging wrongs (within the Guidelines of VOCAL) — knowing he'd feel some emotional upset just as I felt over what he did to me. Being a firm believer in turn about is fair play, I was especially joyous that evening as I took my evening walk in the yard while listening to my usual talk-radio shows. I made the mistake though of telling her that the reason I was calling was because Cricket owed me money and refused to pay me back. At the time I said it I didn't think Cricket would tie it to me because he owed other inmates money on gambling debts he often had. He regularly bet on sporting events in some of the pools run by inmates but he was known to make good on those bets he lost.

Apparently, Cricket gave my name to Lt. Barton as the likely "suspect" calling his wife. Barton called me in and I stupidly admitted it and explained the reason why. Technically, it's a violation of prison rules to call a person not on one's approved phone list, but it's hardly ever enforced. Often inmates will tell a friend right out in plain view of staff to call such and such and give out the phone number without hesitation. In fact, Cricket was out in the hole's exercise yard and under direct supervision by an officer when he yelled out his wife's phone number and his Phone Access Code number to a general population inmate on the other side of a wall. And this happens daily. The window of my cell in the hole overlooked the small exercise yard we used. When inmates are out in the yard there is always an officer present supervising. Very seldom did an officer tell an inmate to stop communicating with one of the inmates on the other side of the wall. Quite often, an inmate in the hole asked someone to make a call for them because using the phone in the hole was very limited. So if staff regularly disregards the rule why then is Barton being so nit-picky when I broke it? Could he be holding a grudge against me because he doesn't like my attitude about the judicial system? In another memo to staff I said, "Don't you dare selectively enforce a rule on day for 1 person & then disregard it for a multitude of others. That's a double standard I *won't* stand for!!!" And I won't.

Lt. Barton was debating among some other staff members present in the room whether to lock me in the hole for my misdeed or not. What clinched it though was

when I reminded him of Officer Hibbard's theft of my property and that if they are going to be extra picky about a minor rule I broke then why don't they be just as picky about a prison violation committed against me by one of their own. I think I also threw in the fact that I'm still waiting to ID my attackers from *Lompoc*. With that I was handcuffed and led off to the hole. Surprisingly, he didn't give me a shot though. It would have even been a valid one. I was let back out on December 22nd, just in time for Christmas. In view of the fact that my offense was less serious than Hibbard's, I shouldn't be held accountable if he isn't. If he was going to get by with it and me not I would charge Barton for these days in the hole, but as mentioned above, Hibbard and the Bureau *are* being held accountable and they are paying for their thefts. Therefore, I'll accept punishment of the hole on my "phone crime" as long as Hibbard is being held accountable for his misbehavior which I am doing as indicated above. No fees are charged on this double-standard violation; and that's *damn* generous of me seeing that I was held accountable when a multitude of others commit the *very* same offense daily from the hole under staff supervision with no objections, and it's *damn* generous of me seeing that I missed *9* more days from my computer class plus two special Christmas programs put on by performers who had come in from the outside. (In reality, I should at least make them pay my way to two Christmas presentations now to make up for those two missed. It wouldn't take much to add that requirement. A grumble out of them in the wrong way would do it real quick!)

Officially it was Lt. G. Jacquez who signed the Detention Order, but Barton was the culprit behind the misdeed. This is goin' on *his* "rap sheet." Jacquez was merely one of the staff members in the room at the time I was talking to Barton. And officially I was locked up, "for his own safety since a threat against him is perceived." Lt. Barton's reasoning apparently being that Cricket would be mad at me and want to get me. Well first of all, he didn't know for a fact it was me. And second, he was in the hole and up for transfer so he couldn't get me anyway. And if Barton was concerned Cricket would get word to an inmate on the yard to get me then that's on them for letting inmates in the hole yell over to general population inmates against prison rules. So basically, that reason for locking me up was a big farce. They should pay big time for this hole injustice but, as I said above, as long as Hibbard is being held accountable — as I'm seeing to it that he *will* be — I'll accept accountability for my "phone crime," even though others who commit the offense can slither off scot-free with no reprimand whatsoever. Don't ask me why I'm being this generous — they *truly* don't deserve it. But if it gets Hibbard the proper punishment I guess it's worth it! He *mustn't* remain an unpunished thief forever.

As 1995 turned into 1996 I was hoping Lt. Barton would stay out of my face unless I *actually* did something wrong. Unfortunately for all of us, that was not the case. Becoming like a turd that wouldn't flush, he did it *yet* again. I guess once that OATH incident come to the surface he was bound and determined to get me one way or another. They just don't like it when inmates express views that are unpopular with prison officials.

The above paragraph was written before I got those exempt memos. Now I see Wisehart is the turd that wouldn't flush. Barton was just a little shit that was just clinging on. If his name was Worf, would that make him a Klingon? Oh, that's bad — really bad! Sorry 'bout that folks, couldn't pass it up. A Wisehart to Barton memo (which got my name spelled correctly this time) dated January 15, 1996 really confirms the problems I had been having with the Hispanic inmates which is covered in the paragraphs below. I never seen it in writing before how they wanted me out of the unit so bad, but now I know. And you have to know that the blood trail leads *right* back to Hibbard's doorstep — it was <u>his</u> thefts that were responsible for me being in the cot/TV room for all this time. Besides the below-listed "offenses" I was accused of doing, Wisehart addresses another one I was unaware of; "The microwave [oven] cord in that area has been spliced down and is bald." He also mentioned, "There have been reports that the mops kept in the cot room rest room has been cut and flushed down the toilet." Despite improper English, he told me they

were thrown out the window. After telling Barton of my "offenses" he then says, "Several inmates have become upset with this action. A 3:00 PM inmate [whose name and number is blacked out] entered my office to inform me that there is going to be trouble if something isn't done." Wisehart then continues his single page by again mentioning that I, "continue to refuse to pay his financial responsibility" without mentioning Hibbard as the responsible party. They just want to hush that up don't they? And the last paragraph is the nail in my coffin, "We need him removed from the unit and need to take a serious look at moving him to an institution where closer supervision is possible." He's the one that comes out the big goat in all this mess about cheating me out of my computer class — and, in return, keeping the arsonists out among us free people a while longer. Keep all this stuff in mind when we figure up his "goat level" in chapter 21. You're going to see real shortly how that tactic to solve the problem was akin to calling the fire department to put out a small camp fire.

On January 16, 1996 Barton put me in the hole, this time for; spitting in the water faucet, kicking the water faucet, cutting a power cord, flushing cleaning supplies down the toilet, and throwing things out a window. (The Detention Order was officially signed by Lt. G. Germaine and the lock up reason stated I was, "pending further investigation and review of the inmate's CIM assignment." CIM stands for Central Inmate Monitoring, a status I was on since being attacked at *USP Lompoc*. Before staff transfers a CIM inmate they need to make sure the place he goes to does not have a known enemy which would also be on CIM status. But in my case, they don't know my attackers. Maybe Beverly is on the status so we're not housed together, but that's it. (From those FOI Exempt papers we got I know Beverly *is* on it. His name, along with other selected parts on some pages, were blacked out, but I could still make out his last name, and even his first name, James, which I never knew before this.) The CIM form stated, "You[r] require separation from individual(s) currently confined in the Federal Prison System for the mutual protection of all concerned.") Although they never wrote me a shot for these things, they apparently come to the conclusion that I wore out my welcome. They put me in for a transfer using the official excuse that my life was in danger. As indicated above, I had exchanged words with some of the Hispanic inmates living in Mojave-B's TV room regarding excess smoke and wanting to leave the door open so we could get some fresh air while they are smoking.

Friends of some of those who I'd had disputes with told staff that I did those particular deeds mentioned above. I told staff I did not do those things and provided them with a more likely scenario as to what did happen. Someone cut the power cord on the TV in the Mexican TV room. Although no one saw the culprit, they suggested I was him. (In another Wisehart to Barton 1-page memo dated January 16, 1996 it says I was seen cutting the TV cord. It ends by saying, "he [the inmate snitch whose name is blacked out] indicated it is common knowledge amongst all the Hispanic population that Larsen has cut cords, kicked coolers, flushed cleaning supplies down the toilet and damaged other property." *All* the Hispanics huh? Remember that when I talk a bit later about sharing a cell in the hole with a Hispanic who lived in Mojave-B that didn't know me at all, other than seeing me around. And if I'm supposedly guilty of all these things, then why is it *only* the Hispanics that are snitching? Wouldn't it anger whites and blacks too? Could the Hispanics all be conspiring together to get me out of the unit? Hmmm. I believed so before, and even more so since I saw all these exempt memos.) In reality, I believe the Mexicans themselves cut their cord so they could get a new TV. The channel changing and sound level push buttons were no longer working due to long-time overuse and carelessness on that particular set. The only way to change them was with the remote control so staff let one of the Mexican inmates keep the remote in his cell for that purpose. The blacks were in the same boat with their TV and, like the Mexicans, they were also allowed to retain one of the remotes on a permanent basis. When their set went out totally the recreation department brought them a brand new TV right out of the box rather than fixing the old one. I believe the Mexicans thought

they could get a new TV too if theirs were to become defective. They had already complained about the broken buttons but as long as it was usable staff did nothing about it. With it totally out staff would be there right away with another set while theirs was in the shop. Either they'd get a brand new one or they'd get theirs fixed right. As it turns out, they did get a brand new set.

As far as flushing cleaning supplies down the toilet here's the scoop on that. A 5-gallon container of floor wax or stripper, along with other janitorial supplies, is often stored in that cell which is left vacant so those of us sleeping in the converted TV room can use as a restroom. Inmates that are into drinking alcoholic beverages will, on occasion, cook up their own brew. This concoction, known as "pruno," is made by mixing fresh fruit, sugar, and (if they can steal it from the kitchen) yeast together in a plastic trash bag. (I understand the kitchen no longer bakes with yeast for that reason.) After mixing it all together they tie the bag into a knot in order to seal it and then set it aside in a dark place so it can ferment for a few days and turn into alcohol or "wine" as they call it. Most cleaning supplies are stored behind locked doors, but small quantities are left out so we can get to them when needed. When I was living in a cell I would often go to that container of wax to get some so I could wax our floor. Sometimes, instead of finding liquid wax, I'd run into a sealed up plastic bag containing pruno hidden inside with the lid snapped back on so staff will not suspect anything is amiss. Whoever makes this stuff doesn't hide it in their own cell just in case staff conducts one of their random searches. If it is found in this room open to everyone all they lose is the pruno; no one gets caught and no one goes to the hole. If in fact someone did dump 5 gallons of wax or stripper down the toilet I believe they did so in order to have a place to hide their pruno.

As far as spitting in the water faucet, here's the story on that one. That particular water faucet is a refrigerated unit. Mounted above it is a hot water faucet valve. One thing inmates can purchase in the commissary is dehydrated soups and dinners. They merely add water and then heat them up in one of the microwave ovens which are provided for our use. Somehow, the guys got to the water heater supplying that particular faucet valve and set the temperature so hot that when they add this water to their soups they don't have to use the microwave. Often in the bottom of the drinking fountain's basin one will find food items left behind which apparently spilled over from somebody carelessly filling their container with water.

The particular cell bathroom the 12 of us living in the converted TV room used had one toilet and one sink with no partition between the two. Therefore both could not be used at the same time. If inmates are late for work they are subject to going to the hole. Inmates are released to chow on a rotation schedule based on how well the housing unit scored on its weekly cleanliness inspection. If we scored farther down the line and ate breakfast later, as has happened, there was not too much time between breakfast and 7:30 a.m. work call. Time how long it takes you to wash up, brush your teeth, and shit and then multiply that by 12 and you can see that we were on a tight schedule. (In reality, not all inmates had to be at work at that time so the load was lessened.) Now add another complication. Because some inmates weren't working, and were in fact sleeping at the time, some people that lived in cells didn't want to wake up their cell partner by flushing the toilet so they would use *our* bathroom to shit. So now, we were sharing the bathroom not only among ourselves, but among some inconsiderate inmates that had their *own* cell's bathroom to use. I had already been late for work once and warned. I was also very fussy about brushing my teeth after meals, especially since I had a cracked tooth I didn't want to get food trapped in.

I would use that particular drinking fountain to brush my teeth in if the bathroom was in use. And sometimes I would use it even if the bathroom wasn't in use if I knew several inmates were in need of the toilet. One day, the Mexican inmate assigned to clean that particular faucet, who's also a buddy of that heavy-smoking Cuban alien, got on my case about brushing my teeth in it and warned me not to. It just so happens that on that day there was part of a jalapeño and a few noodles in the bottom of the basin. I showed them to my argumentative "friend" and

he acknowledged what they were. Then I said, "it was a Mexican who left that behind 'cause whites and blacks don't eat those things [referring to the jalapeños]. If you're gonna' get on my case, why don't you jack up some of your buddies about making a mess *first*. I don't leave anything behind in the sink when I'm done. I always see food in here and I've never heard you saying anything to anybody else." I never bought those particular foods so I never left any food particles behind — and you can verify that from the records kept of all the purchases I made.

From the exempt memos I learned they complained about my water-faucet "crime" way back in November. It's a fact, I had been having words with inmate Orta for some time about brushing my teeth in "his" water fountain that he cleans and he had warned me to stop. Well I didn't, and the fact that he sniveled more about *me* than he did about others who actually did leave food particles behind, clearly shows it was a personal vendetta against me. How else to explain his lack of anger for the ones who *really* dirty up "his" faucet? Hmmm.

The only thing I changed after that day was limiting my teeth brushing in the faucet if the bathroom was already full. If it was empty I used it, even if I knew others would be needing it soon. If the hot water temperature was set too high for hand washing, as it usually was, I would unplug the refrigeration unit and let the cold water run while I brushed my teeth so it would be room temperature by the time I was ready to rinse my mouth out. I avoided cold water mainly on account of the minor pain it caused to my cracked tooth. One particular day I was walking to the bathroom to brush my teeth when another inmate who lives in a cell rushed ahead of me so he could beat me to it. I was pissed. I went over to my old standby water faucet, but instead of reaching down and unplugging the unit like I normally did, I wrapped my foot around its short cord and yanked it out of the wall socket. In the process, the cord partially come lose from the plug and sparked with a loud sound which sort of sounded like a kick. Troublesome Orta just happened to be there to see it and said, "what did you do, break it?" As it turned out, I did. But all one had to do was refasten the plug. In any event, that was one of the things I was accused of.

In Wisehart's January 16th memo an inmate whose name is blacked out, but was clearly Orta, gave him the broken plug.

As far as throwing things out a window, I have no explanation for that. More than likely that was a total fabrication just to add to the other things they were reporting. I am convinced the Mexicans conspired to get me removed from the housing unit, or in the very least, the TV room. (Needless to say, even more so after seeing the memos.)

Before continuing on, let me fill you in on another of Wisehart's infamous memos, this two pager dated January 19, 1996 to S.H. Houston, the Associate Warden of Programs. Once again, my name is misspelled. Boy, for a guy <u>more</u> concerned about spelling *his* name correctly (you'll see what I'm talking about shortly) than resolving the arson cases, he sure can't get others right. After filling Houston in on my past history he continues, "However, on January 16, 1996, an excited, Hispanic inmate entered my office and told me that he had just seen Larson remove the false ceiling and attempt to cut the cable wire to the Hispanic television. [That's one I never heard before.] The inmate reported that within the past few days, Larson was seen spitting in their drinking fountain [notice how they claim it as *theirs,* even though it is for <u>everyone's</u> use and how they neglect to add that I was brushing my teeth or that their <u>own</u> people leave food particles behind], flushing wax and stripper down the cot room bathroom toilet, slicing the electrical cord to the Hispanic television and kicking the water fountain cord with enough force to break it. This inmate stated that he did not want to get involved in any problems, but that the Hispanic population of Mojave B had taken all they were going to take and if Larson continued to damage what they considered theirs, somebody was going to get hurt." After telling Houston how he notified Barton, who then put me in the hole, he went on to add, "It is common knowledge in the unit that Larson has consistently destroyed their [there's that word *their* again, never is it the whites' property, or the blacks' property, I'm only a vandal to the Hispanics' property. Do you smell the

Hispanic conspiracy here?] property and there is going to be trouble if Larson returns to the unit. Recognizing the fact that Larson is ten months from release, the Unit Team feels that it is in the best interest of the security of this institution that Larson not return to this compound. We are convinced that if he does, an incident will occurr. [His misspelling here] We are therefore recommending that he be transferred to another medium security facility." What is especially angering also is that Wisehart told Houston I admitted that I "had sprung the door" but he didn't finish the story that it was accidental after their *own* staff installed in improperly. Here, all this time I had been holding Barton culpable for cheating me out of my computer class when it's all Wisehart's doing. Well, at least I know the truth. He alone has the responsibility for making the arrangements that are necessary so I can complete it.

Staff's solution to all this was to transfer me out of the institution for my own "safety." Was this the same Bureau of Prisons that only a year and a half earlier sent me to one of the most violent prisons there is where I had a *known* enemy that now all of a sudden is *so* concerned about my safety after I exchanged a few words with some inmates? If they really were concerned, they could have just moved me to the non-smoking "Pima" housing unit and that would have solved everything. But no, they needed a reason to get me out of the place and this was their pass key. I could have moved to Pima a year ago when Mojave-B changed from a non-smoking unit to a smoking unit, but chose to stay because I had a very compatible non-smoking cell mate who wanted to stay in this unit where his friends were. Now that I was in a smoke-filled TV room, the idea of moving to Pima was the most logical choice. Both A and B sides of Pima house only non-smoking inmates. No one over there was mad at me. On the contrary, they would have fully understood my disgust with living in a poorly-ventilated smoke-filled room. And the inmates in smoke-infested Mojave-B surely wouldn't be out to get me on the yard for merely exchanging some angry words with them. (They just wanted me away from them.) Although sometimes inmates do have a serious grudge with somebody where it is necessary to get that person out of the general population for good, that was not the case here. Saying my life was in danger over those particular exchanges of words was just a phony excuse to get me out of the institution because I had become a nuisance to them with all my complaining and filing administrative remedies. These things were over; FRP payments, the attack upon me and why my attackers weren't being brought to justice, a box of property lost by *MDC-LA,* stolen magazines, the infamous OATH, stolen personal property by Officer Hibbard, my routine and open reference about him as *Criminal* Officer Hibbard rather than by his prison-given title of *Correctional* Officer Hibbard, and even a request to allow inmates to have personal pocket TVs.

Staff has a way of transferring inmates away, it's not just this institution. It's commonly known that they will transfer trouble making or even merely nuisance inmates around and won't hesitate to exaggerate a reason in order to get the powers that be to authorize the transfer if they don't have a reason that is legitimately strong enough. (They call it "diesel therapy" — Putting you on a bus and sending you elsewhere.) And that's basically what they did here. This was confirmed by Mr. Crawford, the Correctional Counselor I had at *FCI Sheridan,* Oregon, the institution I got sent to. I reviewed my Central File before I went home in hopes of ascertaining the real reason I was sent off. There is an exempt part of my file that I wasn't allowed to see so I asked Mr. Crawford to review it and confirm my suspicions that they basically just wanted to get rid of me. Although he wasn't allowed to disclose the contents of this exempt part, he did confirm my suspicions. (Of course, now that I saw those parts it just confirms it even more.)

And here's another thing. Shortly before my transfer from *Phoenix,* I shared a cell in the hole with a Mexican inmate from Mojave-B. Although we were only together for a few hours — possibly staff realized it would look bad for them seeing I was getting along with a Mexican from my own housing unit when, according to staff, they are all suppose to be mad at me — we spoke about my reason for being in

the hole. He didn't even know me, other than previously seeing me in the housing unit, and didn't know why I was in the hole. If I was on all the Mexicans' shit list, as staff alleges, I would have been talked about widely among them and this cell mate surely would have known about me. Moving me to Pima would have satisfied everything. But no; staff wanted me out of the institution — and now they have to pay for that!

On January 28, 1996 I wrote a letter to Mr. Wisehart and Lt. Barton offering them certain information and asking if it, "is worth letting me out of the hole very soon." I told them how, "I stumbled onto several inmates preparing 2 devices in order to wire tap staff in order to overhear something in hopes of blackmailing someone to bring in drugs." I explained further how I later overheard, "they had someone in mind," and that someone was apparently, "a woman." I offered to provide them with more details but neither asked for any. It's really not part of Mr. Wisehart's job description to ask for any, but Lt. Barton is another matter. As the institution's Special Investigative Supervisor, this is his territory but he apparently decided to remain silent on the matter.

What the inmates had was one of the FM transmitters which are used in the TVs that are located in the common areas. Due to overcrowding, each housing unit converted one of their TV rooms into a dormitory and the one I was assigned to had room for 12 inmates. To make up for the loss of a TV room, staff mounted a TV in the common area. This area is used for playing cards, dominoes, table games, pool, and even letter writing or having conversations. In order to keep noise levels down, this particular TV had its speaker disabled and a low-power FM transmitter installed. Inmates are allowed to have only walk-man style radios that don't have speakers. They tune their radios to the FM frequency transmitting the TV sound and hear it in their earphones.

The wire-tapping inmates got either a new transmitter out of the electronic communications shop or a used one out of a broken TV. Inmates work in this shop along with adjoining shops so getting such items is no problem. They rigged it up to be battery powered and pick up and transmit the sound from a microphone. They planned to overhear some kind of dirt on a staff member and then blackmail that person to bring drugs into the institution or they would divulge the dirt.

Drugs have been problems in every prison I've ever been in, and I'm sure they're probably in all the others too. They'll go as far as have someone who comes to visit them bring drugs wrapped up in balloons. They will swallow these balloons and shit them out days later thereby retrieving their "stash." If an inmate is suspected of doing this he is locked in a cell with just a bucket — and no toilet so he can't flush the evidence — and stays there until he takes a dump. This is unofficially called putting the inmate on "potty watch." Shoving things up their ass is another way to get things into the institution. To "keister (pronounced keys tur, as in the first syllable to the word turkey) it" is what they call it. One cell mate I had one time referred to his ass as "the vault" because that's where he hid things in a hurry when staff was coming to search the cell.

When I was the institution's yard photographer at *FCI Terminal Island* back in the early '80s, one of the perks of the job was getting two free pictures for myself for each 35mm roll of film I turned in for staff to get developed. I could also get two extra shots per roll by using the leader at the beginning and end of each roll (frame 0 and 37 on a 36-exposure roll). At $1.50 per shot I'd make six bucks a roll and usually go through three or four rolls a week. We were allowed to have up to $20.00 in coins in our possession for spending in the vending machines located on the yard and in the visiting room. Some inmates wanted more money to spend than they were permitted to withdraw from their accounts, so they would smuggle paper money (referred to as "green" by us inmates) in during visits. They then looked for inmates with excess coins that were willing to trade. After I got too much with all the pictures I was taking, I'd trade it off for green and give that to my parents when they'd come to visit me. Every time I'd get a twenty from someone it would be damp and smell a bit like shit. That's because it had been washed after being up the

guy's ass so he could pass by the strip search coming in off of his visit. I didn't need to do that though when I was taking money back *out* to my parents because we weren't stripped searched going out to a visit.

The point of all this being, that inmates have inventive ways of getting things into institutions, so when an opportunity presents itself to get staff to bring something in, that is a *valued* thing to possess. Obviously, it was a lot better to have a staff member bring drugs or whatever in, and that was these inmates' plan. Thanks to Lt. Barton's decision to keep me in the hole rather than find out the identity of these culprits, they may still be doing it. Chalk it up to another one of those "misplaced priorities" or "penny wise, pound foolish" situations.

And if drugs aren't a concern, what about weapons? A few years before I was there some inmates arranged to get a piece of equipment sent out to a certain place to get fixed. A person at that place put guns inside and when it reentered the institution no one opened it to inspect it. The inmates attempted to shoot their way out of the institution and were killed in the process. I'm sure steps have been taken to prevent a repeat of something like that. But staff aren't searched coming into the institution. Can you see the danger here? It seems Barton didn't!

In my letter of January 28th I also advised them of a breach of security with the computers inmates have access to. The computers in the class I was in had a program called *WatchDog* that kept us out of DOS or files other than the ones we were permitted to access for classroom work. Some inmates use computers as a part of their work assignments. I advised Wisehart and Barton that, "some inmate accessible computers do not have *WatchDog* set up to the same tight level of security as the ones in our computer class have." I then went on to tell him about what the inmates who work in the Federal Prison Industries section of the prison are able to do. Supervising staff members can override *WatchDog* with a password if they need to get to the DOS prompt to fix a problem with a computer an inmate is using. "In a moment of distraction, possibly planned, the inmate then types in, or maybe had a pre-written macro do it, C:\ATTRIB -H AUTOEXEC.BAT <enter>." This makes the Autoexec file, which runs at start up and launches *WatchDog,* no longer a hidden file. This step is necessary before the next one. The inmate then types, or lets a macro type, C:\ATTRIB -R AUTOEXEC.BAT <enter>. This takes off the read-only status of the Autoexec file so the inmate can write to it and save his changes. When the staff member is done he or she reactivates *WatchDog* unaware of the breach of security. One program the inmate has legitimate access to is a word processor called WordPerfect. With this he can go in and REM out the *WatchDog* Logon line in the Autoexec file, thereby deactivating it, save his changes and on reboot the computer will be a regular computer without security features present leaving the inmate with access at the DOS level and to any files he wants or any on the network that computer is attached to. When he's done he can take out the REM statement, save the change, and on reboot *WatchDog* launches normally leaving staff unaware of the breach of security. And it is my understanding that there are some very sensitive areas he can really get into.

One separate housing unit of the prison known as "Mesa" housed high-level snitches who testified in some big-time criminal cases. Those of us in the general population never associated with or even saw these inmates, nor did we even know their names; except… Before I ever learned about the above mentioned breach of computer security, one inmate told me how his supervisor inadvertently left his computer at the DOS prompt. This particular inmate worked on the payroll files for inmates who worked in the Federal Prison Industries. Mesa has their own smaller industries set up where some of the inmates housed over there worked. He, of course, saw the names of those general-population inmates who worked for industries, but when he came to those workers who were housed in the witness security Mesa all he saw was a coded prison number. For a short time before he reactivated *WatchDog* he went nosing around on his own to see what he could see. Somewhere along the line he saw the actual names for these inmates he once only saw numbers for. Now I wonder what such information would be worth to a big time

mobster who lost millions on account of a snitch? And to think, it was more important to get me out of the institution than it was to find out what I knew about breaches of security. Are you thinking misplaced priorities like I am? Hmmm.

I also told them how inmates would work on their own personal work, which they weren't suppose to do, and then hide their files as a macro which they would then embed within another macro. Another way to hide something is to reset the system clock in the CMOS setting temporarily to a date near the time many of the system files were saved. One could then save a personal file into the DOS directory with a cryptic system looking name and no one would suspect it. These two hiding techniques didn't even require bypassing *WatchDog,* but if you have defeated it you can then type, C:\ATTRIB +H <filename> <enter> to make it invisible. These things aren't really a breach of security, but I was doing whatever I could do to stay there so I could complete my computer class.

I let them know how I had been in the class since May 2, 1995 and had put a lot of work in it to earn a certificate from Central Texas College. This course contained 5 terms with each term teaching us how to use a new computer program or about something relative to computer technology. The last term's study contained Office Accounting and Automated Office Management. I was part way through my last term and would have graduated in about 3 weeks. Astronomy and bird watching are 2 serious hobbies I've had for years. Computers is a more recent hobby, but it is just as serious of an interest. Early in 1983 I noticed the staff at *FCI Terminal Island* made an error on my release date which would have gotten me out about 50 some days sooner and home for Thanksgiving and my parents' 40th wedding anniversary on December 10th. I originally planned to keep quiet about it and hope they don't catch it. As it turned out, they didn't. But I was in a computer class that would not end until shortly before my correct release date on December 22nd and I was enjoying it too much and learning too much to go home early. (I was learning programming in BASIC and took to it like it was second nature.) I advised my Case Manager, Ms. Lynda Croasmun, of the error and went home on my proper release date after she had the records department correct it. I had previously turned down the offer she made to send me to a half-way house. That's how important learning about my hobby of computers is to me. And now they want to cheat me out of the rest of my class I'm almost done with. Obviously I am *extremely* mad.

I wrote a letter to Associate Warden of Programs Houston addressing much of what I have here and said the same thing in an administrative remedy which was answered by Associate Warden of Operations Cannon who was acting warden at the time. I even said I would resume my FRP payments so I could get a cell in order to be out of the TV room, which was the center of all this problem. I would have preferred resolving the stolen-property issue first, seeing that it was legitimate property to have, but I was going out of my way to resolve everything in a way we could all live with. I wanted to complete my computer class and that was too important to miss. Letting Hibbard slide by unpunished was a concession I was willing to accept at the time.

And to show you even *further* just how important my computer class was to me, I told the associate wardens, "I have harped repeatedly about wanting to see a photo spread so I could ID the 2 attackers I saw but no one seems to care. Now I'm willing to drop the issue if I could just get out of the hole & return to the yard. I would be willing to sign a statement I will not hold the BOP [Bureau of Prisons] responsible for transferring me to where a known enemy was & I will not pursue the case in court by way of a suit as I planned. I'm trying to make a peace offering, a compromise, where we each give something in return. Please let me stay & return to the yard. I'll be sure I will remain out of trouble for the rest of my stay here. Thank you." I had previously reminded them that an inmate at a prison in Atlanta, Georgia got over a million dollars after being attacked because he was a child molester. (See also the United States Supreme Court case: *Farmer v. Brennan* (1994) 128 L Ed 2d 811, regarding prison staff responsibility for a homosexual who got attacked.) And I previously wrote letter after letter and memo after memo — including mentioning it

in several of my anger-venting administrative remedy appeals — to various Bureau of Prisons' people proclaiming I had no intention of letting my attackers slither by unpunished. So this was a damn, *damn* generous offer — all because my computer class was *so* important to me. But would they accept my "out" and still save face? No; they wouldn't *even* consider it. So obviously they *will* be held accountable for the attack upon me, along with the theft of my property as is indicated in this *Statement*. But my resolution offer is still *real* cheap.

One thing that was particularly angering was when I offered to purchase my accounting class textbook so I could finish the course from right in the hole. For this term's study we didn't even need the computer. We basically used a spreadsheet program just as a calculator to add our columns of numbers which were a part of our accounting homework. I could have added up everything the old fashioned way — manually — and completed the course if I could have just gotten my book. The hard-cover textbook in question was just loaned to us until we finished with the class. We each got a soft-cover workbook to enter our class assignments in and this one we would be allowed to keep. Inmates aren't allowed to have hard-cover books in the hole. Staff thinks they are a security risk, although I'm not sure what their concern is. There was no problem having soft-cover books though. I asked if I could purchase the hard-cover book and then let them cut the covers off so it would have no hard covers. I figured that's a reasonable request. It would then be a soft-cover book and I could have it with no problem to finish my class. But "no," they said, "having 'altered' property is against prison rules." "But that doesn't stop you from breaking them if it fits your needs; like stealing an inmate's property, if you know what I mean." And I know they did.

They say they were so concerned about my safety that they wouldn't let me out on the yard. But the thing is, the disputes I was having were centering around living in the TV room, a room I wouldn't have been in if I didn't use the money I was saving for FRP payments to repurchase the things Officer Hibbard stole. Seeing that it was *their* fault, they should have given somewhat. With my books I could have completed my class in the hole and if they would have done that I would have quietly accepted the transfer. But not now! I even asked Captain M. Sandels and Warden Floyd to help me out when they would pass by my cell on their periodic rounds but they wouldn't even lift a finger.

So now I'm charging them whatever Central Texas College charges for the class, the cost for an apartment in Killeen, Texas for one month (where Central Texas College is located), any other living expenses which I would incur above whatever I would be dishing out if I was at home, airline costs to and from the nearest airport to Killeen, Texas weekly so I can take care of things at home when I'm out of school on weekends, and the costs of a rental car needed to get around. (I won't pad the bill with a luxury car either; an economy model is O.K.) I won't accept taking an accounting class in some local college either. I was in Central Texas College, I was working toward *their* certificate, and I want to complete *their* course. I should make you pay for a trip to *FCI Phoenix* when they have their next graduation ceremonies in the inmate visiting room because I should have been a part of that too — but I'll let you slide on that one. If you don't want to do the right thing and make the arrangements for me to complete my class I'll charge you a flat fee somewhat above what your actual expenses would be if you arranged my stay in Killeen, Texas. This fee reflects a punishment added to whatever the actual costs would be. Assuming you'll take the easy but more expensive route I'll reflect your flat fee here. This fee includes our soft-cover workbook that we would have been allowed to keep. When I went to the hole the officer bagging my property up thought it was a school book and sent it back to them so I never got it. Written requests to the education department for it went unanswered. My flat fee is: 5,000.00

(While the above figure is not an actual out-of-pocket expense, and therefore subject to a superscript designation, readers must know that Wisehart, Barton, and their cohorts are not getting off the hook that easy. There's *too* much anger over this issue. I was *purposely* cheated out of completing my course and they must *not*

prevail on that. The very last time I saw Wisehart was when he come to my cell in the hole and told me that I had been designated to another institution, but he refused to tell me which one. Right after that I asked, "you know, I'm the only one in the entire world who knows the identity of the real arsonists. I was planning to disclose that information in my book. Do you have any objection to me naming you as the reason it is being delayed because I won't let it out until *you* arrange for me to complete my computer class you're cheating me out of?" In a big pompous attitude he responded back, "as long as you spell my name correctly, I hate it when people misspell my name." O.K., that's David L. Wisehart, W-I-S-E-H-A-R-T, Wisehart. There I got it right Dave ol' buddy. And that's where we're at right now. We're waiting for Mr. Wisehart and his co-conspirator, SIS Lt. B. Barton, to make arrangements with Central Texas College so I can complete my last semester and get my graduation certificate. [After seeing the exempt memos, I gotta' remove Barton from the requirement. He was merely one of Wisehart's many tools in this transfer fiasco. While Wisehart is welcome to use any of his available tools to get me enrolled, the buck really stops at him. Be rest assured though — I will *always* spell your name correctly. Don't wanna' get ya mad. I see how you treat people you're mad at.] Barring that, the above figure remains in effect, without a superscript, and a part of the selling price. Would you like me to get you a Kleenex so you can snivel? Actually, there is a fairly easy and inexpensive out. That accounting text book we had was very good and explained everything very well. The class I was in only went through the first part of the book anyway and it wasn't all that hard. I could easily complete the course requirements right here at home without any teacher assistance. Just get me the hard-cover text book, its soft-cover workbook, and the other automated office management text book used in that final semester and I'll do it all right here. Surely the teacher could let me send assignments and periodic tests in the mail for grading. All you'll be out then is book costs, my course fees, postage, and my standard hourly rate, $5.11, for study time. [That's because I have to spend my more valuable time *now* to do it when it *should* have all been done when I was in prison on a less valuable-time schedule.]. That's not bad considering what you stand to gain in the end. See, you didn't need a Kleenex after all. :-))

Two more exempt memos are interesting to bring up in this transfer conspiracy. And I say conspiracy with the utmost confidence, because there is no way anybody could arrive at any other conclusion. You see what you think at the end of this. Wisehart told me ahead of time that the Western Regional Office may decline to transfer me because my release date is so near. There was another inmate in the hole because he had an enemy in the general population, and he ended up doing all of his last several months right there because the Region declined his transfer him strictly because he was getting out so soon. While my release date was a little farther off than his, staff had to "sell" a good reason to the Region so they could get rid of me.

Back when I was attacked at *USP Lompoc,* their request to the Region was "Transfer Code 323," a "Close Supervision" transfer. The warden there filled the Region in on the extensive publicity my arrest made, along with the fact that the media exposed my child molesting conviction. They even amplified it by saying I had six prior convictions of child molesting. It also mentioned James Beverly as knowing a 16-year-old girl I molested, when, in fact, it was a 16-year-old boy, Michael Reeves, and I only solicited him. Anyway, staff had discussed it with me ahead of time that they thought it would be better to transfer me back east, where there had been less media coverage about me, which would mean there was less of a chance that I would be known by the other inmates. I completely agreed with that. With my parents dead, I wasn't going to be getting visits from anyone, so being close to home didn't matter at all. The warden said, "Based on this information, we believe that Larsen's life would be in jeopardy if he were in general population at any facility in the Western Region. Therefore, we are recommending that he receive a close supervision transfer to another Bureau of Prisons facility commensurate with

his security needs." Knowing that the Region doesn't like sending inmates outside of their home region, they tried to sell the move even further by saying, "Subject indicates that he cannot return to Los Angeles, California. He will relocate to another area…." Where they got that I have no idea, but the bottom line was that they recommended I go to *FCI Allenwood* in Pennsylvania. With all that, including mentioning my concurrence to go outside of the region, the powers-that-be declined and sent me to *FCI Phoenix,* which is in the Western Region.

Now fast forward ahead to a memo dated January 25, 1996 from *FCI Phoenix* Warden Floyd to Mr. White, the Western Regional Director, and to the attention of R. English, the Regional Designator. If my life was *really* in danger from other inmates, and if those allegations the Hispanics made about me were true, another 323 close supervision transfer would have been an appropriate request to the Region. But for whatever reason, maybe because they knew it was all a bunch of bull shit, they tried to sell the Region on a transfer another way. I say above how *USP Lompoc* embellished things in order to sell a transfer *out* of the region. Now here, *FCI Phoenix* tries the goody-good approach. I'm someone "deserving" of a transfer to a prison near home, which is something inmates far from home actively try to get — and something the Bureau tries to grant. (And that's probably why they thought they could sell it.) First off, they recommend that I be sent to *FCI Terminal Island,* which is only an hour drive from my home, and then they had the nerve to tell the Region that I, "AGREE WITH THE PLACEMENT OR TRANSFER." (This exempt memo, unlike all the others, was computer generated on a dot-matrix printer and is in all capitals.) Oh, and by the way, this is a "TRANSFER CODE 313," a "NEARER RELEASE" transfer. Continuing on in their line of deception, they play it off by mentioning *twice* that I have received no "INCIDENT REPORTS AT THIS FACILITY," while conveniently leaving out that I got a minor one back at *MDC-LA* in 1994. While they mention that I'm refusing to pay my $300.00 Special Assessment, they proudly say, "HE HAS MADE PROGRESS TOWARD COMPLETING THIS OBLIGATION" and, "HAS A BALANCE OF $175.00 REMAINING." And their "RATIONALE FOR REFERRAL"? "HE HAS INDICATED TO HIS UNIT TEAM THAT HE WILL BE RELEASING TO VAN NUYS, CALIFORNIA. A REDESIGNATION TO A FACILITY IN CENTRAL CALIFORNIA WOULD ALLOW MR. LARSEN [they're getting my name spelled right again] TO BETTER PREPARE FOR HIS RELEASE." Excuse me here people, wasn't it just a few months earlier that another institution thought my life would be in *such* a danger locally, where I made the most publicity, that they thought getting me clear across the country was the best thing to do? Now here, staff who is supposedly — at least according to all those Wisehart to Barton memos — concerned my life is in too much of a danger from Hispanic inmates to stay any longer, wants to move me to a *more* dangerous institution where undoubtedly I would be endangered by inmates who heard *so* much publicity about me on the local news. Pause a moment while we all scratch our heads in puzzlement here. Scratch, scratch, scratch, scratch…. You'll recall how the various Wisehart to Barton memos put *all* the emphasis on my Hispanic-inmate problem and even quoted other inmates as saying, "somebody was going to get hurt." So how do they address these concerns that took *such* prominence in the memos? "IN ADDITION [as if it was just another little thing to add in], SEVERAL HISPANIC INMATES SUSPECT MR. LARSEN OF CUTTING THE CORD TO THE HISPANIC TELEVISION. [Now get this.] ALTHOUGH HE HAS NOT RECEIVED ANY DIRECT THREATS FROM OTHER INMATES, TENSION EXISTS IN THE HOUSING UNIT TOWARD MR. LARSEN. THE UNIT TEAM FEELS A NEARER RELEASE IS APPROPRIATE AND NEEDED AT THIS TIME."

(And keeping things hidden from those higher up on the judicial totem pole is not limited to this institution mind you. Because officials like to abide by judges' recommendations, along with the fact that Judge Hupp recommended *Lompoc* at the time of sentencing, *Lompoc's* warden, Mr. P.W. Keohane, wrote to Judge Hupp to advise him that I would be unable to remain at *Lompoc*. Surely one would expect

Keohane to explain the vicious attack upon me wouldn't one? Well here's what he said. "Due to the extensive media coverage that Mr. Larsen received in Southern California which exposed Mr. Larsen's criminal history as a pedophile, he is not able to function in the general population at this facility. He has requested that he be transferred to another Bureau of Prisons facility away from this region. Subsequently, for Mr. Larsen's safety, he is being referred for a close supervision transfer to another federal facility commensurate with his security needs." Do you think they wanted to keep it hidden that they sent me to a place where they *knew* I had a known enemy? Hmmm. Seems the Bureau is rife with deception. Do you have a picture of people trampling all over the Constitution like I do here?)

One day after I'd already been told that staff decided to put me in for a transfer, Wisehart asked me, "Other than *Terminal Island,* which isn't accepting any inmates, where would you like to go?" In hindsight, it seems clear this question was asked after their *Terminal Island* request was denied. I never even knew they put me in for it, but was aware, from hearing other inmates talk, that *Terminal Island* was too crowded to accept any new inmates. I told Wisehart my choice was *FCI Tucson,* Arizona, remembering that they have an astronomy club there.

In another Floyd to White memo, this one dated February 20, 1996, but this time to the attention of the Correctional Services Administrator (who is not named), their "RATIONALE FOR RESIGNATION" is no longer in the context of a "good-guy" transfer. Right off the bat they start off, "Inmate Larsen was placed in the Special Housing Unit on January 16, 1996, after several inmates reported to the Unit Manager that Larsen had been involved in an argument with several Hispanic inmates. According to the Hispanic inmates, Larsen was seen vandalizing their television and water fountain. Although Larsen denies such allegations, Unit Staff feels it is in the best interest of all inmates' safety that Larsen be transferred."

"This is not the first time Larsen has been placed into the Special Housing Unit due to disputes with inmates housed in the Mojave B cot room. There has been ongoing problems for six months and the Unit Staff feels the problem has escalated to the point where Larsen must be removed from the institution. Although he is not seen as a serious danger to others, his continued presence in the unit may cause the problem to escalate from a verbal altercation to a physical one."

"The Unit Team feels a Closer Supervision transfer is needed at this time. Larsen's presence at FCI, Phoenix would be disruptive to staff, inmates, and the orderly running of this institution." Quite a different sales approach than the previous Floyd to White memo isn't it? Do you now smell a deceitful rat among the bunch? And what do you suppose the "TRANSFER CODE" was? Why 323, of course. They also made a point <u>this time</u> of mentioning my "CIM ASSIGNMENT" in that I need "Separation" from another inmate (although they didn't mention James Beverly by name or relate details of that incident) and that I needed "Special Supervision." But I do have to hand it to Wisehart, he did recommend *FCI Tucson* to the Region. The Region sent me to *FCI Sheridan,* Oregon instead, but he still did honor my choice. As mad as he was at me, I would have expected anything but my choice, so there was one tiny pleasant surprise out of him. Seeing that he asked for my choice ahead of time and then honored it, I found it surprising when I saw it mentioned in the memo, "DOES THE INMATE CONCUR WITH TRANSFER:" and the response was, "Due to the nature of this transfer, the inmate was not consulted." Now when you rewind to the previous Floyd to White memo it said I "AGREED WITH THE PLACEMENT OR TRANSFER" to *FCI Terminal Island* when they never asked me ahead of time. So go figure.

Before I saw all these exempt memos I had envisioned a vast conspiracy to get me out of the institution at all cost. While there's no doubt they wanted me gone no matter what, the conspiracy has shrunk to the point where the majority of conspirators were given biased or deceptive information about me. While Floyd, Houston, Canon, Sandels, and every other high-ranking prison official were against me staying, they were being fed by the prejudice tongue of Wisehart. While Barton would score second in the culpability factor, he was quite a bit farther down the line

from Wisehart than I previously believed. Wisehart was the only one I expressed my intent to remain silent until they made arrangements for me to complete my computer class, and as I know now, that's as it should be — the blood trail leads back to him, and *nowhere* else.

When I went to the hole this final time the officer inventorying my personal property failed to include my combination lock with it. This is the last one I had. You'll recall I had two at one time, but they lost one when I went to the hole a previous time. Now I had none. Mr. Wisehart let me purchase one and have it put in with my property so I'd have it when I got to wherever I was going. The thing is, they made *me* pay for it rather than buy it for me with their money as they should have done. I'm charging them for the cost of it which is: 5.25

Also for each day in the hole I shouldn't have been there I'm charging them $50.00 (double the punishment of last time to account of being a repeat offender) per day as inconvenience compensation. I was locked in the hole on January 16th but didn't get out until April 3rd. That's 79 days for a total of: 3,950.00x

And this doesn't include having to wait 8 days to get the limited property I was allowed to have in the hole like my radio and study materials because the property room officer was not there and no other staff member would get it for me. Normally it only takes a day or two to get one's property. Nor does it include being without my property for 12 *more* days between the time they took it from me, in order to ship it to my next location, until the day I left *Phoenix* on April 18th. Usually an inmate's property is not packed up more than a couple days before he transfers, and sometimes it's packed the very day he leaves — that happened to two of my cell mates. And when I got to my next location, *FCI Sheridan,* I was in the hole until April 3rd so that's another 16 days without my property while in the hole. And after I got out of the hole I was without it another 5 days until I was allowed to pick it up. For all the times I was in the hole at *Phoenix* I couldn't have dental floss because they wouldn't allow it, but it was allowed in *Sheridan's* hole. And last but not least; from the day I went into the hole on January 16th until the last day of my computer class, which ended while I was in there, I lost 33 *more* days of class time. Grrr!

The brightest comet to appear in the sky in over 20 years appeared in the evening sky during March through early April 1996. By being in the hole during that time I missed Comet Hyakutake. I add this amount as a make up for travel and other expenses to view another major astronomical event in another part of the world that won't be visible here in any way and therefore wouldn't have been seen. (If I would have decided to wait before divulging any further details about Snake and his minions until I saw another comet of equal beauty and brightness to the missed Hyakutake, as would have been the *fair* thing to do, that wait would play no part here because Comet Hale-Bopp filled the bill quite well in the spring of 1997. Although Hyakutake was more beautiful with its longer straighter tail, according to those who saw both comets, Hale-Bopp was still very pleasing. Unfortunately, other things are delaying the telling of the story, along with getting me the compensation I've got coming, and they are listed in the December 1996 arrest detailed below. Unlike with my computer class, where they *clearly* conspired to cheat me out of it — how else to explain why they wouldn't let me complete it in the hole which would have been *so* easy to do — Hyakutake was different. It came so fast and brightened so fast that not even me, regularly reading my astronomy magazines, realized the brightness it would achieve. Yes, they caused me to miss it; but no, they didn't conspire to do so. They're not quite as far back in the dog house on this matter as one could reasonable assume.): 3,000.00x

When inmates transfer they have to wait for the money from their account to get transferred from one prison to the next. In order to get spending money sooner they usually have someone from the outside send them money. Personal checks have a hold placed on them until they clear. Postal Money Orders do not. I had Craig send me a Postal Money Order and its cost was: 85

By transferring once again, all four of my magazines for May 1996 didn't get forwarded to me. From *FCI Sheridan* I twice called a bookstore in Phoenix where I

had ordered other magazines in the past and ordered the missing issues. The store proprietor damaged his last copy of *Popular Mechanics* so to make up for not having my complete order he didn't charge me shipping. The three magazines cost $10.85. (I was able to read my cell mate's May issue and did receive my issue at home so I do have the issue to keep.) I failed to log the cost for my two calls. We paid $.25 per minute for long distance calls so I'm sure $5.00 will cover it. This adds up to: 15.85

It wasn't until after I got home that I had a chance to go over my financial records of the last nearly 3 years. As I previously mentioned, my cousin Mark Prochaska was looking after my affairs until the spring of 1995. From then on, Craig Smith took over for the duration of my stay in prison. Mark was suppose to keep all of my *Sky & Telescope, Astronomy, Popular Mechanics,* and *Popular Science* magazines for me but he didn't. That subject will be discussed below. He was also suppose to keep all of the bills and various financial statements that come in the mail but failed there too. Craig kept everything but in reviewing over all the bills I found some utility and credit card bills had accumulated finance and/or late charges because he was late in paying them. The water apparently got shut off one time and there was a reconnection charge I saw on one bill. There was plenty of money in the checking account so this need not have happened. Mark was guilty of this offense too but because I didn't get many of the bills, and never ordered duplicates, I may be more in the hole than I'm aware of. (I did reorder some bank statements and their costs are listed below.) In going through the available DWP, Pacific Bell, Gas Company, AT&T Master Card, and GM Master Card bills I found late and/or finance charges for the following amounts; $.56, $15.00 five times, $28.00, $.50 twice, $.96, $1.70, $.83, $1.08, $.51 twice, $.77, $15.00, and $1.26 for a total of: 127.18

When Myrtle and Florence visited me at *MDC-LA* that one time after my dad died they brought the Bank of America checkbook so I could sign all of the remaining checks. Because there weren't too many left I had Mark make out a large check and put it in his own checking account so he could use his own checks to pay my bills. Because he left me no records of my expenses I don't have any idea what amount he could have pilfered for himself beyond a legitimate fee for his services. (Considering he was using both vehicles that fee shouldn't have been too high.) I do have bills from Maria Bezaire along with bills from Tapp, Tapp & Chu who were doing my taxes, but they all seem to have been paid after Craig took over in the spring of 1995. On April 4, 1994 Mark made out check number 1088 to himself for $5,000.00, on October 21 check number 1091 to himself for $4,000.00, on October 25 check number 1092 to himself for $2,000.00, on January 13, 1995 check number 1093 to himself for $2,000.00, and on February 3 check number 1095 to himself for $1,700.00 for a total of $14,700.00. He also made a number of cash withdrawals with my ATM card too. (I did give him permission to use it but I do expect accountability for all transactions.) On March 13, 1994 he withdrew $100.00, on April 3 he withdrew $100.00, on December 17 he withdrew $500.00, on December 18 he withdrew $500.00, and on February 13, 1995 he withdrew $500.00 for a total of $1,700.00.On April 3, 1994 he had a quick look fee for $1.00 and then later on the same day he sustained another quick look fee for $1.00. All this adds up to $16,402.00. Now I know there were legitimate expenses in here which need to be subtracted. I'll do the best I can to reconcile them, but for anything beyond that I'll consider it as stolen until it can be proven otherwise. Among Mark's above check writings to himself I saw that on January 19, 1995 he made out check number 1094 to the Internal Revenue Service (IRS) for $4,000.00. I assume that was for federal estimated taxes all paid in one lump sum. There was no check made out to the Franchise Tax Board for state estimated taxes though. He probably paid that from his own checking account. According to the 1994 state tax form, $400.00 was paid in estimated taxes so I will subtract that amount from the above mentioned $16,402.00. By adding up the 10 DWP bills I had available (not including late fees or charges) — those from the service period beginning on December 29, 1994 and extending through August 26, 1996 (they each include a two month period) — and

then dividing by 10 I arrived at an average for each two month period. By dividing by 2 again I ended up with a monthly average of $19.34. There are six bills that would date from about December 29, 1993 through December 28, 1994 covering 12 months that are missing. $19.34 times 12 months equals $232.08 and that amount will be subtracted from the $16,402.00 that Mark deposited into his personal account. I used that same methodology for Pacific Bell's bills. For the service period from April 11, 1995 through October 10, 1996 I had 18 monthly bills available. By adding them up, without including late fees or charges, and dividing by 18 I arrived at a monthly average of $16.96. Multiplying that by the 12 months Mark was on duty I get $203.52 which will be subtracted from the $16,402.00. It was interesting to note that on the very first Pacific Bell bill I got, which obviously arrived just after Craig took over, there was a "credit for service removed" for "AT&T REACH OUT (R) America 24 Hour" which was costing $9.50 a month. In checking I found out that this gave my phone a discount on long distance calls made *from* it. Apparently, Mark was making long distance calls from my home and I got stuck paying for them. Clearly, those missing bills carried higher charges than the average I found above, but because they weren't suppose to be there to begin with I'm only subtracting what the monthly average *should* have been with no usage. For The Gas Company I had 18 bills for the service period from February 21, 1995 through September 18, 1996. Their monthly average was $5.08 so for the 12 months Mark was on duty that means $60.96 gets subtracted from the $16,402.00. In reality, more gas was used than that, but that's on them; not me. The available bills show how many therms of gas were used for that month in the previous year. It turned out that instead of using 0 therms per month, like when Craig was manning the operation, Mark's failure to turn the gas off resulted in a monthly average of 17.42 therms; a figure consistent with leaving the pilot lights lit on the hot water heater, furnace, and stove. Right after my dad died I wrote a letter to Myrtle and Florence with instructions as to what to do at home before they turned everything over to Mark. One of the things I mentioned was to turn the main gas valve off at the meter. Even with clear instructions on how to proceed they failed to do it. Suspecting they may have, I wrote the same instructions to Mark soon after he took over and, as it turns out, he failed too. What I subtract here is the monthly charges at 0 therm usage, not the actual costs for those months. I'm not paying for gas usage that I instructed *twice* to be shut off. Soon after my father died I ordered 1-year subscriptions to my magazines to come to the prison and put them on my credit card. These are fees to subtract from the $16,402.00. *Sky & Telescope* cost $27.00 plus another $27.00 to renew the subscription coming to the home. *Astronomy* cost $27.00. *Popular Mechanics* cost $15.94, and *Popular Science* cost $13.94. I also ordered the *Observer's Handbook* for 1995 for $16.95 plus $4.75 for shipping and handling but Mark never kept it for me as he was suppose to do so that one doesn't get subtracted. (I order that publication every year and have since 1967. And I have kept every one of them. Now I'm missing one out of my complete collection and I'm *very* mad about it. Besides making him pay its cost, I should also add a premium charge for not keeping it because I can't buy one to replace it.) I also ordered some replacement magazines that never got to me when I transferred from *MDC-LA* to *USP Lompoc* to *FCI Phoenix* and charged them to my credit card. These were tallied up earlier and their cost was $32.50 so that figure is subtracted off of the $16,402.00. I also need to subtract the $60.00 per month gardener's fees for 12 months which amounts to $720.00. (I don't know if it was him or Craig who paid the last few bills before the Mark-to-Craig transition but I'll give Mark the benefit of the doubt and assume he did.) I have no idea if Mark paid the insurance on the house or not. I do know that it had expired by the time I got home but it could be that Craig just missed the final year's payment. Records show he made no insurance payments. I'll give Mark credit for paying the home insurance during his tenure. Not knowing what the cost was I will estimate. I found a 1993 bill where my dad paid $366.00. In 1997 I paid $392.00 so I'll split the difference and credit Mark with paying $379.00. The property tax bill would have been due in December 1994 during mark's watch. My

1993 tax bill was $345.05 and my 1995 bill was $362.07. Splitting the difference gives $353.56 to credit Mark with. The insurance on the Ford van and Buick Regal had also expired by the time I got home. If Mark paid them on his watch that should be on his tab, seeing that he was using the vehicles. Even though it was with my permission, that expense shouldn't fall to me. I contacted a company to see what they would charge to look after the house and do what I needed done. They quoted me $75.00 per month; the same fee Craig charged me when he took over. Now Mark and I never agreed upon a fee he should get. Mistakenly, I sort of left it up to him to pay himself what he thought was fair. Clearly there is a discrepancy here as to what we each think was fair. I'm going to judge $75.00 per month as a proper fee and multiply that by 12 to arrive at his total fees to become $900.00. That too will be subtracted. Also to be subtracted is $447.82, the remaining payment for my headstone. Mark made out a check from the BofA checking account to pay for my parents' headstones. That check included one small payment for my headstone and the receipt I have gave the total that was due and what amount is suppose to be paid on it monthly. He left me no records of any payments being made so I checked with the cemetery and found out he paid it off in full in one payment for this amount in April 1994. Because it wasn't out of the BofA account I assume it was from his account. $447.82 is to be subtracted. I had Mark send me money three times and the total come to $360.00. This will be subtracted. One of the checks was a Postal Money Order which probably cost $.85. This too will be subtracted. When I was at *MDC-LA* the only way I could call him on the phone was by making it collect. Once I got to *FCI Phoenix* all calls were paid for out of the money in my inmate account. I'll roughly estimate the collect calls to him at $200.00 and subtract that amount. I found one receipt for a check to Maria Bezaire for $1,500.00 so that will be subtracted. So we have $16,402.00-400.00-232.08-203.52-60.96-27.00-27.00-27.00-15.94-13.94-32.50-720.00-379.00-353.56-900.00-447.82-360.00-.85-200.00-1,500.00 and what is left is what I suspect he pilfered because I can't recall any other expenses I would have had. That pilfered amount is: 10,500.83

(I find it hard to believe that he stole this much of my money, but until he provides me documentation to the contrary, this figure stands. Whoever gets stuck with paying *Fedbuster's* selling price may want to interrogate Mark in order to get that cost down a bit.)

To get a better idea of what Mark may have paid to Maria Bezaire and to Tapp, Tapp & Chu out of his checking account I wrote a letter to Craig to ask for dates and amounts of such fees. I spent .9 hours on 1-7-98 and .8 hours on 1-15-98. I spent $.15 on copies and $.32 on a stamp. At $5.11 per hour this all adds up to: 9.16

(I have yet to receive an answer from Craig.)

And while we're on the subject of DWP, just let me add that if I'd have been out on bail, as I should have been, I could have had the power disconnected while I was in prison. Even with no power being used, I was still billed a "minimum charge" of $7.00 per month plus $.70 for "city utility tax" because everything was still hooked up. For 35 months that equals $269.50. When I called to inquire, DWP told me that there is no charge to disconnect service, but they do charge $13.00 to reconnect; therefore that amount is deducted here. And when power is disconnected there is no "sanitation equipment charge" added to the bill. For the first 32 months of my incarceration they charged me $4.50 per month, and for the last 3 months, $6.00 per month. That equals $162.00. For the 35 months I was in prison all this comes out to: 418.50

And for the phone, I could have had it disconnected while I was in prison. As mentioned above, it cost an average of $16.96 per month just to have it hooked up. For the 35 months I was in prison that adds up to $593.60. Disconnecting is free. For reconnecting, they charge $34.75. Deducting this fee leaves: 558.85

And for the gas, I could have also had it disconnected the whole time. As mentioned above, it cost an average of $5.08 per month just to have it hooked up. For the 35 months I was in prison that adds up to $177.80. Disconnecting is free. For reconnecting, they charge $25.00. Deducting this fee leaves: 152.80

When my Honda motorcycle license was due in June 1994 I told Mark to pay the $5.00 fee as non-operational rather than paying the full license fees I'd been paying all though the years. He didn't do it and because of that DMV required me to pay *all* back fees. They did waive penalties though when I explained the circumstances why we were late. Cost I had to pay was $39.00. Subtracting the $5.00 fee, which I would have been charged at the time, leaves: 34.00

The same story goes for my Chevy van which was due in September 1994. I ended up paying $104.00 and $69.00 for a total of $173.00. Subtracting $5.00 gives: 168.00

As I mentioned above, Mark was suppose to keep all my *Sky & Telescope, Astronomy, Popular Mechanics,* and *Popular Science* magazines which I receive every month and keep but he didn't. From the time Craig took over watching the house I have all those issues.

I ordered the following replacement issues of *Sky & Telescope:* December 1993; January through July, October, and December 1994; April, May, and September 1995. These cost:. 58.50

I ordered the following issues of *Astronomy:* April through October 1994. Their cost was: 23.65

On another invoice I ordered the following issues of *Astronomy:* January through March, November, and December 1994; January, March, and September 1995. Their cost equals: 30.65

I ordered the following issues of *Popular Mechanics:* January, March, and April 1994; May, June, July, and October 1995 for a total cost of: 15.85

I was missing nine issues of *Popular Science* from 1994, 1995, and 1996. To replace them it cost me: 26.55

I did not have a toll free number to call when I ordered the above mentioned missing issues of *Popular Science* in January 1997. The phone charges were: 3.10

Some of my issues of the *Griffith Observer* were missing and I had to order replacements. I later found some of these but by then I had already received the replacements. For December 1993 and January 1994 Griffith Observatory charged $8.00. On a separate order for the February 1994 issue they charged $4.00. That totals:. 12.00

Unfortunately, I wasn't able to replace all of the issues I'm missing because the publishers were already out of some of them. The *Los Angeles Astronomical Society,* which I am a member of, announced they had extra copies of back issues for sale. But in order to get them I had to go to where they had them stored in Monterey Park. Of the several issues I wanted, they only had the December 1993 Sky & Telescope. They sold it for only $.10 but I had 3.2 hours of time invested in the purchase. At $5.11 per hour that adds up to $16.35. Gas was about $5.64. The total for *just* this one issue was:. 22.09

At 1997's *Riverside Telescope Makers Conference* I purchased used copies of the August and September 1994 issues of *Sky & Telescope* for $2.00 each for a total of: 4.00

By being stuck with used issues, I at least have a complete set of *Sky & Telescope* and *Astronomy*. I'm not so lucky with *Popular Mechanics* and *Popular Science*. In the former I need August 1994 and in the later I need March, June, and September 1994. Keep that in mind when you want to talk to me about the arsonists.

And as I also mentioned above, Mark was suppose to keep all of the bills and various financial statements that come in the mail for me but failed there too. It cost me $40.00 to order copies of monthly statements from Bank of America so I could verify the comings and goings of my money from the checking account. To get copies from Great Western Bank they charged me $21.00 and Bank of America charged me $6.00 for copies of some checks I ordered. I suspected some suspicious activity and needed to see who these checks were made out to. That adds up to: 67.00

And Mark's screw ups continue. Once a month I received two interest checks from Countrywide Funding for two Ginnie Mae investments my father had purchased. Because of my suspicions of Mark's activities along with having no available records to verify what he did or didn't do, I decided to contact Countrywide to see if any of the checks he was suppose to deposit didn't get

deposited. Sure enough, several checks totaling $1,344.25 never got deposited. They reissued the checks but that 2 years 9 months delay means I lost interest from the bank during the time they weren't in my account. That lost 1% interest is calculated here and is: 37.30

Just as an added point of information, if that money would have been earning 6% interest, as it would have been if I'd have been there to reinvest it into such an investment, I'd have made $234.12 instead of *just* $37.30. By depositing all my other interest and dividend checks into the checking account paying only around 1% I lost a ton of money and I'm very very mad. Just keep that in mind the next time you try to squeeze me for more of my money in the slightest of ways.

Mark failed to deposit another check too. At the time I was receiving a $166.66 check from Crowell, Weedon & Co. every month for an investment I have. C, W & Co. informed me that a check issued on February 28, 1995 was never deposited. They reissued it and I got it deposited to my account on June 23, 1997. Although about 28 months of interest was lost, calculating a dollar amount is a little more complicated. On November 12, 1996 I reinvested most of my money that was earning low interest for the last 3 years into higher-earning investments. The lowest interest earner at that time was a state and federal tax exempt investment paying 5.5% annually. As mentioned above, I lost interest for 28 months on account of Mark's screw up. For the last 7 of those 28 months that money would have been a part of that 5.5% investment rather than the 1% checking account. Lost interest here is calculated at 1% for 21 months (1.75 years) and 5.5% for 7 months (.58333 years). That figure equals: 8.37

I drove down to the law office of Mr. Abrams, my Federal Public Defender, to get replacement copies of the legal papers that were in that box which was lost due to Mark's negligence back in 1994. On my first trip I spent 4.5 hours which included driving time and time to sort through numerous boxes Mr. Abrams has. I chose what I wanted copies of and he had them made up at no cost to me. There were pages I originally had gotten from him as part of the Discovery that I skipped over, but I got the most important ones. My second trip was to pick up my copies and it was 1.5 hours long. A total of 6 hours @ $5.11 per hour = $30.66. Gas for both trips cost $10.00. The total expense here is: 40.66

My parents' 1990 Buick Regal was appraised for estate-tax purposes at $6,000.00 but I couldn't sell it until I got out of prison, nearly 3 years later, and then only got $4,000.00. Mark and Craig can both verify my desire to sell it because I asked both of them if they were interested or knew anybody who was. Neither was nor knew anybody who was. The amount I lost by not being out on bail and therefore needing to wait to sell it was: 2,000.00

And the above figure doesn't include interest I lost for 3 years if I could have sold it then for $6,000.00. I'll even give you a break here. I'll figure I would have gotten *only* $5,000.00 for it. By that amount not being reinvested at 6% for 3 years I lost: 955.08

And on the subject of the Buick, Mark was using it on February 3, 1995 when he was hit in the rear by somebody. He reported it to the Auto Club, the insurance company it was insured with, but never told me about it. After I got home I found a letter dated April 28, 1995 to my dad from an Auto Club claims representative asking him to get them estimates for the damage and bring the vehicle in for inspection. I ended up doing it myself and the insurance company paid me $377.38 which was $250.00 less than the actual damage because of the deductible. Between May 1997 and January 1998 I received $50.00 every two months from the guilty party through the insurance company to pay off that deductible. Because that is done I had no out-of-pocket expenses other than the time I put in running around getting estimates and meeting with the insurance company. I have 3.2 hours involved with that. At $5.11 per hour that equals: 16.35

Now that I'm done with the paragraphs that were included in the 19-page letter of inquiry that was sent to Myrtle, Florence, and Mark I'll quote the letter Mark, the

only one to respond, sent me on May 20, 1998.

Dear Tom:

I wanted to get this off to you as you appear to have some feelings that I betrayed you or did not do as well as you had hoped for in your absence. I hope we can communicate further if indeed you feel any malice towards me as none was ever intended from my end. I did the best I could in watching over the Larsen affairs without making it a second job on my behalf.

I kept together all magazines that came in and left them in your bedroom; forwarded them to you or discarded them as some literature you did tell me you did not intend to keep. I apologize for those that were not there that you had hoped for.

No one other than my father-in-law once (as he helped me drive the 2 vehicles to my house for safe-keeping) and Shirley [Mark's wife] twice ever went into your house. And I can recall only making 2 or 3 calls to Shirley to let her know when I was coming back home. So, for any long distance phone calls other than the ones just mentioned (that should not have been a dollar each -if that much-) I have no knowledge of.

The one item I did take with me when I moved - and I can return it as we usually visit L.A. during Thanksgiving- was your tree limb pruner. In my move I realized it was with my garage items and I failed to return it to your house. That is the only item I took from your residence. Anything else missing I have no knowledge of nor claim to know of its whereabouts.

And again I restate that I was never in receipt of that box of belongings that was to be sent to me on your behalf. All monies that I withdrew from the Larsen account was used for/on your behalf. I do admit to reimbursing myself over the time span in the amount of $2,000.00

I wish you well in regards to all the troubles you have been through. Again, I thought I was doing what was right in regards to helping you out as you requested (which was totally unexpected and all came so sudden with the deaths of you mother and father). A professional care taker and administrator I am not nor did I hope you had expected.

I hope this clears up some concerns of yours.
Sincerely,

Mark
5-20-98

Well there you have it. Only some items addressed, but at least he responded. That's more than anyone else did. I wonder why I gotta' wait all the way until Thanksgiving to get my tree pruner back though. Hasn't he heard of United Parcel Service or FedEx? Hmmm. I realize it was a burden for him to handle my affairs — what with a full-time job, 3 kids to raise, and living an hour and a half to two hours away — but he's the one who told me on the phone shortly after my father passed away, "Oh don't worry about anything, we're family." Given the reverse situation, I sure wouldn't have wanted to handle a family member's affairs like this, especially one I wasn't too close to. But I would have done it long enough to find a professional administrator to take over. Mark never led on he would have rather not had to do it. In fact, when I found out as early as August 1994 that he may be moving I asked Craig if he knew of anyone who could take over and he offered to do it himself. Mark had an opportunity to bow out long before he moved but opted to stay on. He admitted to not being a professional care taker and administrator, and I know that, but he seemed to think that I didn't expect him to act like one. I would expect someone to speak up if they can't handle a job assignment right so a proper individual can take over. He could have sought out a professional or even turned it over to Craig who already accepted. While he made some mistakes too, they were nowhere the caliber of Mark's. It really all boils down to the damn government not letting me out on bail as they should have. I could have easily gotten somebody lined up for the job before I had to enter into custody. Heck, I did that in 1997 when it looked like my Orange County and Bakersfield vandalism cases would get me locked up.

Right before publication of *Fedbuster* in early July 1998 I contacted Myrtle on the phone to see if she had any comments she'd like to make regarding the stuff missing from my house. Besides being critical of me and thinking that I should just "forget it," considering what money I inherited, she denied taking anything other than what my father gave her and Florence. Besides my mother's clothes and jewelry, he did give them that crochet piece their mother made and gave to us in the early '50s. Myrtle said my dad told them that he didn't think I'd be interested in it as much as they would because it was <u>their</u> mother that made it. That is a believable scenario and no polygraph examination will be necessary as I previously alluded to. We did discuss what happens to it upon their passing though and Myrtle indicated the "proper" thing to do would be to pass it down to <u>their</u> kids, mentioning Florence's daughter in particular (who is just adopted). I grumbled a bit about that but didn't press the issue seeing that my letter clearly explains how they give up any claim to my inheritance when they choose to not revert it back to me upon their deaths. Oh well, the family can't come back and snivel later. As you see, it's not just the judicial system that receives liabilities once I've been wronged. All violators face them. Myrtle also claimed my father gave them the blood pressure meter as he didn't intend to use it. That also tends to be believable because he really didn't use it. His blood pressure was lower than average if anything. Still, I used it; and if I would have been out on bail, as I should have been, they wouldn't have been out here to get ahold of it. (And then she couldn't complain how she lost a month off of work during their two trips out here which she surely reimbursed herself for with my father's permission.) Several times in our 45 plus minute conversation we discussed the boxes of photos. While they admit to looking at them, she denied taking any, claiming they already had their own copies of them. It's hard to know who to blame here, but another scenario has bubbled to the surface. From conversations with them and Mark way back in '94 I know that they left Mark a box of important papers that he would need in the management of my affairs. Although her memory has faded with the passage of time, Myrtle tended to indicate that she may have left the pictures in that box for Mark to look at. Now knowing how he let my magazines and

utility bills kind of slip away it's believable the same thing happened with the pictures over the course of time. They could be stashed away in his house and he's long forgotten about them just like he did with my tree pruner. Possible one of you arson hunter out there in readerdom would like to pursue this other clue. I NEED those pictures back!!! As far as the Radio Shack 5" color AC/DC TV/Monitor she claims seeing it in working condition on their first trip out at the time of my mother's passing but not working when they come out the second time. She said they took it to Radio Shack and was told that it's not worth fixing so they "dumped it." Well I beg to differ. While it may not be worth repair if paying a professional's high labor fees, doing it yourself for just the cost of parts would be well worth it. My first stereo and TV I had in my bedroom as a teenager was gotten this way. When people brought items into my father's TV radio repair shop and found repair costs with labor were so high they left them behind rather than pay the minimum checking charges. For just the cost of parts I fixed them real cheap and they worked great. Myrtle knew I was a trained TV repairman. There was no reason to dump it. Other things we discussed and she denied taking were the binoculars, blanket, two Norelco electric razors, baseball caps, walkie talkies, and maps. She remembers seeing the maps but not taking any. She admits to taking a few batteries though. During our conversation she questioned whether Craig could have taken some of this stuff. Well in a phone inquiry to him he denied taking anything. All I know is this stuff's missing and it shouldn't be! None of it would have been if I'd of been out on bail as I should have been. Let's see the feds do some tracking on this stuff before they even talk to me about arsonists.

After Craig took over from Mark he was using the Buick also. A few days before I come home he had it serviced and I ended up paying for it. A notation in the checkbook register indicates that it needed tires and electrical work. When I sold the Buick I gave all service bills to the new owner. I'm sure there were others for routine work like oil changes and the like. Somewhere along the line, I recall a new electric antenna and power window motor needed to be replaced. This bill only, paid by check number 1382, is included here and its figure is: 931.25

As is widely known, I am *hyper*-critical about people merely touching my personal possessions, let along taking them. I'm charging them labor costs, the time I had to put in in order to clean, redo, repair, and/or replace everything that had been messed with (most particularly my bedroom — "Room E" in their terminology — and personal possessions plus the attic — the "loft" "Room I" — and what's up there) in order to put it all back in pre-vandalism condition. I calculated my time at $5.11 per hour and multiplied it times the number of hours it took me to finish the job. It all started as soon as I got home on October 3, 1996. I logged 1 hour that day. On the 5th I logged 4.5 hours. On the 6th I spent 7.5 hours checking and reinstalling my computer and all of its files. They had taken my computer and copies of my master disks. I have no idea if they corrupted any of my data or installed a virus on my hard disk just to be mean so to be on the safe side I retrieved the floppies I had stashed in the safe deposit box and reinstalled everything fresh. Just putting my computer back in pre-theft/mess with condition took me 7.5 hours that day. (Just for the record, before I reinstalled all my files I examined my data and files and did not detect any dirty shenanigans. On some of my files the "Modified" date was after they had it in their possession indicating they modified some of my data but I also noticed that the modem port was chosen in the Chooser rather than the printer port. I know from experience that if I merely choose a different printer driver in the Chooser and merely launch a *WriteNow* 2.2 document the modify date changes to that time even if I make no changes in the document. It's possible those modified dates merely indicate them launching those particular documents and not actually changing them in any way to screw up my data. Now I didn't read everything word for word to see if they changed anything, like maybe purposely misspelling words or some such spiteful thing such as that, but I believe they did at least respect my data. In any event, it was all reinstalled fresh from disks I know were unmolested.) I

didn't get around to scrubbing my bedroom until January 1997. And by scrubbing I mean literally washing the walls including inside the closet. I scrubbed out all my drawers, the possessions inside them, and washed all the clothes in my closet. Now I know I put in a lot more time than an average person would put in after a law-enforcement search but I'm extra fussy. To put it back to *MY* specifications took this amount of work and I'm billing it accordingly. Dates and times in hours are listed as follows; 1-27-97 = 1.8, 1-28-97 = 7, 1-29-97 = 3.5, 1-30-97 = 5, 1-31-97 = 8.5, 2-1-97 = 3, 2-2-97 = 2, 2-4-97 = 9.5, 2-6-97 = 7.5, 2-7-97 = 8, 2-8-97 = 2, 2-9-97 = 11, 2-10-97 = 2, 2-12-97 = 5.5, 2-13-97 = 10, 2-16-97 = .7, 2-17-97 = 2.6, 3-14-97 = 6.2, 3-15-97 = 3, 3-16-97 = 8.5, and 3-17-97 = 1.5. We store a lot of stuff in our attic and it was all neatly arranged until the feds and Bakersfield police got to it. Attic clean up dates and times in hours are listed as follows; 3-26-97 = 2.8, 3-27-97 = 5.8, and 3-28-97 = 1.2. A total of 131.6 hours @ $5.11 per hour equals: 672.48

To clean my personal possessions and return them back to my higher-than-average specifications of cleanliness I purchased various cleaning supplies. They are; Sponges = $4.93, Simple Green = $8.65, sponges again for $4.93, and Simple Green again for $8.65. Supplies total for returning everything to pre-offense condition equals: 27.16

In order to try to get a lower sentence we attempted to play the "psych card." In other words, we tried to suggest that the court give me therapy rather than prison. Well, Judge Hupp saw right through our ploy and sent me to prison anyway without any reduction in my sentence because of my supposed "diminished capacity." He still *stuck* me with a "psychological/psychiatric counseling or treatment program" after my release though. Because the below mentioned case come up, my United States Probation Officer, Mr. Frank J. Gulla, put that requirement on the back burner for some time. (That's the only good thing that has come out of that case.) I had one appointment with a psychiatrist, whose name escapes me (I tend to remember Rothberg or something like that), at the Hillview Mental Health Center, 11500 Eldridge Ave. in Lake View Terrace on December 3, 1996 at their cost — which is a *major* point. Making me pay could trigger a relapse *big time*. Even though it's no cost to me, I'm still paying. From the time I left home until I arrived back at my front door I was down 2.4 hours. I also gave him a copy of this *Statement* in the version it was in at that time along with a lot of other copied material about me. All told, I paid $9.77 for copies. (Somewhere along the line I failed to log travel time to Kinko's to get the copies plus the time actually copying them so they're a bit ahead there.) On March 12, 1997 I had an interview with psychologist Dr. Tony Alfano. My away from home down time was 1.7 hours. The mileage was 21 miles round trip. Although I didn't fill up with gas immediately before and after, I'd say $2.50 per trip for gas is in the ball park. On April 23, 1997 I had another appointment with Dr. Alfano where he gave me the MMPI-2 psychological test (which I never did get the results of). My down time was 2.8 hours. Therefore gas total so far is $7.50, 6.9 hours @ $5.11 per hour is $35.26, and copies total is $9.77 for a total of $52.53. But there's more figuring to do on this crap. By January 1998 Mr. Gulla decided that the below mentioned case won't delay getting into "therapy" any longer. On the 29th he sent me a letter with instructions to call a particular therapy clinic. When I did, I found out that they want the money (25 bucks) up front before they do *anything* for a patient. I briefly explained my hyper-sensitivity to being pressured out of money and asked them to wait until I publish *Fedbuster* which will be calculating these fees into my story selling price. They refused that, along with billing the probation department. I then went to the *Gay & Lesbian Community Center* in Hollywood which conducts a group called *Sexual Compulsives Anonymous* (SCA). I went to them after I was released from prison after my first counterfeiting case back in '79 because the U.S. Parole Commission stuck me with required therapy. Even though I didn't have a sex problem at that point, that was their reason for sticking me with it so this group, even though no professional runs it, was very acceptable to Mr. Gulla, who happened to be my PO back then too. I liked it solely because they didn't charge anything. It's basically run the same way *Alcoholics Anonymous* is run —

you know, the 12 Steps and Traditions; all that bull cocky. Anyway, I started going there again, making my first meeting on February 10th. Because the groups last for nearly two hours, rather than a psychiatrist's 50 minutes to an hour, I figure going every other week will give me the same time coverage. Plus, it cuts my gas expenses down, and anything that keeps money from being pressured out of me is a *tremendous* benefit to society in the long run. And no one can question that with the track record I've accumulated over the years. Figuring a half hour driving to the meeting, two hours in it, and another half hour driving home adds up to three hours down time every other week. I'll figure gas at $3.00. I get off of Supervised Release on October 2, 1999, so that means 43 meetings I'm stuck going to. At three hours each, I'll waste a total of 129 hours. At $5.11 per hour that adds up to $659.19. Gas at $3.00 per meeting for 43 meetings equals $129.00. With the above $52.53 the total is: 840.72

If we're lucky, Judge Hupp will take this requirement off of me and the story buyer won't get stuck paying for "therapy" sessions I have yet to attend. Possibly he could be prompted to do so. Hint, hint! Or at least let me attend AA meetings instead — which Gulla wouldn't allow — because there are nearby ones where I wouldn't have to spend gas money and extra drive time to go to. They should allow that anyway. This crime involved getting high rather than doing illegal sex.

(LATE ADDITION: In June 1998, shortly before Mr. Gulla was set to retire, he unexpectedly, and without explanation, switched me over to Dr. Lynne S. Weinberg, Ph.D., a licensed psychologist in North Hollywood. While she wants to see me weekly, the "sessions" are for only an hour and the travel time and gas expense is half of what I'd expend in going way down to Hollywood every other week. Therefore, my total accumulated costs at the end of my supervised release should be about the same as to what is calculated above had I of continued going to SCA. But the thing is though, the government has to pay this gal 50 bucks per session (a reduced rate for the government), whereas they paid nothing to SCA. Now seeing that costing the government money has been a pet hobby of mine for a number of years, you've gotta' realize it brings a chuckle to my belly when I can accomplish it without even breaking the law. Too bad they can't realize that it would do me more good — in that it would lower my anger level — if they'd take the "therapy" requirement off of me and give me the money they pay her so I could apply it to the debt they've accumulated on just this one case alone. Oh well, fat chance of that happening. Just shows where their priorities are. We can all just be glad they saw the wisdom in not trying to stick me with the tab. They *know* that's a dark tunnel no one wants to go down <u>again</u>! I am puzzled though. The reason Hillview was unwilling to see me after the initial evaluation was because they felt group therapy was best for me but they didn't have a suitable group at the time. I get into SCA which is a group, but then Mr. Gulla switches me over to Dr. Weinberg who has me in individual therapy, so go figure. When I speak of all this being just a dog and pony routine I know from where I speak. Of all the psychs who have evaluated me over the years and made recommendations to courts, in 9 times out of 10 they always seem to recommend *just* the form of therapy they specialize in. Those who conduct individual sessions recommended individual therapy, those who did groups recommended group therapy, those who do family counseling wanted my parents present, one who conducted hypnosis felt including that in therapy would be good, and psychs who worked for the prison system felt a prison sentence was the best option to choose. Like I always say, each brings their own personal biases to the table when they work on their patient slash victim.)

The Department of Justice sent a letter to me at the home address in late October or early November 1995. I don't have the envelope it was in so I don't know the postmark date but the letter's "NOTIFICATION DATE" is October 23, 1995. This letter, titled "TAX REFUND OFFSET NOTICE," stated that I owed $300.00 — the "Special Assessment" — and that I should pay it "within 65 calendar days from the date of this notice." It goes on to warn me that if I don't pay it they will notify the IRS to "offset [my] Federal income tax refund" by this amount and

charge me a "servicing fee" to do so. On the back side of the letter it says that, "Within 65 calendar days from the date of this notice" I could "present evidence…that all or part of the civil or criminal judgment debt is not past due" and "that the amount of the civil or criminal judgment debt reported to the IRS, is greater than the amount currently owed." I was making quarterly payments toward this debt as set up by Bureau of Prisons staff members so I wouldn't suffer certain "sanctions" they impose to those inmates who are on "refusal status." As outlined on earlier pages, I bitched and bellered about having to pay this money; but I was grudgingly paying it and it was according to a payment schedule *they* established. To do so, they took into account the amount of money I had in my prison account and the amount of pay I would receive on my prison job. Also, the amount, $300.00, they were reporting to the IRS *was* greater than the amount I owed in October 1995. I paid $25.00 in September 1994, $25.00 in December 1994, $25.00 in March 1995, and $50.00 (Mr. Wisehart raised my payment schedule against my strong opposition) in June 1995. I was on refusal status when the September 1995 payment was due on account of the Officer Hibbard thefts detailed on earlier pages. So in October 1995, the date of the letter, I had paid $125.00. Them saying I owed $300.00 means their records were out of date. I wrote to them at the address in the letter — U.S. Department of Justice, U.S. Attorney California - Central, Attn: Financial Litigation Unit, 300 N. Los Angeles St. Room 2315, Los Angeles CA 90012 — and advised them of this. I never heard any more from them. The back of the letter quotes Title 31 United States Code § 3720A to say that "before notifying the IRS [they] must…notify the taxpayer who is responsible for the debt that the agency plans to refer the taxpayer's debt to the IRS for offset of any Federal tax refund… after providing the taxpayer at least 65 days in which to present evidence to the contrary." Additionally they must "make reasonable efforts to collect the debt." First off, they know I was in prison and not at home. The letter says, "The purpose of this notice is to meet these [U.S. Code] requirements." How can they be meeting the requirements by sending a notice to a place they *know* the person is not at? If it wouldn't have been for Craig forwarding the letter to me I would not have gotten it. Luckily Mark wasn't handling my affairs at that time. And another thing, "reasonable efforts" were being made "to collect the debt." I was paying up according to a schedule set up *by* the Bureau of Prisons which is a part of the Department of Justice. Well, I had no tax refund coming for that year, but not so for the next year. (Just for the record, I resumed payments at *FCI Sheridan* and paid $25.00 in May 1996, $25.00 in June 1996, and $25.00 in September 1996. Altogether, I paid $200.00 of the Special Assessment. As discussed in pages above, I was considering the final $100.00 also paid off by way of Hibbard's thefts and they knew that.) On or about November 22, 1996, after I was back at home, I received another letter exactly like the one a year earlier except this one, dated October 30, 1996, said I owed $200.00. It seems they were *still* behind in their bookwork. Minus the Hibbard crap, I only owed $100.00. Well, I didn't even respond to this one. I made my position on the Hibbard theft very well known when I was in prison so there's no doubt they knew where we stand on the status of this "debt." Well, as it turns out, on April 26, 1997 I received a letter from the IRS stating that they "applied" $210.92 of my "overpaid tax" "to a debt another government agency says [I] owe." That government agency being the Financial Litigation Unit of the U.S. Attorney's Office. Why $210.92 and not $200.00? Well the $10.92 part of it is the "servicing fee" their Notice speaks about. The IRS letter gave two phone numbers to call for information: (213) 894-2470, which I was already familiar with from the original Notice, and a "nationwide" number, (800) 255-3545. Well knowing me, I called the toll free number first. I'd rather it be on *their* bill rather than mine. All I got was a recording but I left a message. After getting no call back, on April 28, 1997 I called the toll number and talked to Wanda Belvin. She left it up to me to get all my records together to prove that $200.00 had been paid, and when I do I would get $100.00 back. I'd still lose the $10.92 though. On the 28th I spent 1.1 hours on this crap plus spent $.32 on a stamp to mail her a letter and $.37 for the phone call.

On May 1st I spent .5 hours on this deal and made another call to her for $.08. On May 2nd I invested .5 hours and $.16 for two calls. May 9th one call at $.08 with too short a time to log. Another short $.08 call on the 12th. On the 13th I called three times — $.08, $.10, and $.10 — put in 1.5 hours, spent $.32 on a stamp, and $.30 on xerox copies. And on the 27th I made one short $.15 call. On June 30th I received a check for $100.00 and spent .4 hours to travel to and from the bank and wait in line to deposit it. When Wanda told me I wouldn't get my $10.92 servicing fee back I called the nationwide number and left a message every day until they called me back. Daryl (he refused to give me his last name) from the Executive Office of the U.S. Attorney in Washington D.C. called me back on June 12th. I explained briefly what is outlined in this paragraph, including the Hibbard fiasco, but he refused to return MY $10.92. I kind of said that I hope they don't mind if I hold back on the identity of the culprits in my case until I get my $10.92 back and his response seemed to be ambivalent. Knowing what an unfair cost to me did back in '86 it's surprising they'd resort to such risky behavior again. But I guess you don't have to be a rocket scientist to be one of these people. I do the best I can do to advise them; that's all I can do I guess. Altogether I have 4 hours invested in this theft. At $5.11 per hour that equals $20.44. Add to that the $10.92 "servicing fee" and $1.99 in other costs and we have a total of: 33.35

Do I have a right to be mad? You bet! Am I mad? Madder than shit! Read my *Medical Advisory/Information: Statement of Facts*. I truly don't suggest committing another traumatic stressor again — even in the slightest of ways!!! If one thing is very apparent in this whole mess, it's how much extra distress can be added by *merely* denying a defendant bail. Those mucky mucks with the power to be need to know how much this can end up costing society in the long run. In just this one case alone, it adds in delaying solving one of the biggest crimes in Los Angeles history, as far as number of direct and indirect victims are concerned. And who knows if it can ever be solved at this late date? The obvious lesson here is to avoid looking at only the short term "protection of society" philosophy, as Jessner and Hupp were doing. Think of the long-term protection down the line — after someone gets out of prison. Is your ex-offender going to be a happy camper on that day of release or will he or she be embittered more than ever? Far, far too many of us are getting out with a grudge to settle up all because a select number of individuals involved in some way with the judicial system chose to act in not the fairest of ways. When you make decisions, look at *both* sides and ask yourself this; is it best for both the defendant *and* society if I make this decision? Do this and society will be safer — trust me!

Total owed me on this case equals: $116,666.95

Calculating interest posed a little more complicated than in past cases. Some things, like the money Myrtle and Florence pilfered out of the checking account, clearly should calculate from the day of the thefts. But for things they and Mark stole, they were not replaced until after I got out of prison. Therefore then, does that interest start on the day of the thefts, or on the day I actually incurred out of pocket expenses to repurchase them about three years later? For fixing my cracked tooth; do I calculate from the day I was attacked, or the day I paid the dentist to get it fixed more than two years later? And how about for things that there were no out of pocket expenses on? Penalties for tearing up the house, putting me in the hole, making me miss my computer class, projected costs I'll incur to make up various events I missed? For simplicity sake, I'll begin calculating interest on January 1, 1996, a time when I was more than 2/3 of the way through my sentence. I'd say that's a fair time to begin calculating. If anyone has a gripe, speak up and we'll discuss it. Total owed me by the FBI, ATF, Bakersfield Police Department (relating to vandalous/thievish search by BPD only, not to the state vandalism cases listed below), Federal Court system, Bureau of Prisons, Aunts Myrtle & Florence, and Cousin Mark with interest calculated from January 1, 1996 through end of current year equals: . . . . . (+*) $131,086.97

(The figures with ^{x} in superscript all add up to $70,631.50. This amount is

subtracted from the above $116,666.95 total and the result is $46,035.45. By adding interest to this amount, calculated from January 1, 1996 through the end of 1997 we have $51,725.43. This amount is added to a comparable figure in the next section to arrive at *Fedbuster's* full selling price. Need another Kleenex? Trust me folks, this is bare rock-bottom price — my *mere* expenses — along with computer class make up on account of Wisehart's arrogance.)

On December 3, 1996, after I'd been home for two months, a psychiatrist interviewed me regarding participation in a court-ordered therapy program (which I didn't want). He happened to ask if I had any empathy for the innocent people I had previously victimized. Before I address that further I want to refresh your memory as to what I said back on page 19 & 20:

> After suffering so many unfair, improper, and unnecessary abuses and monetary loses over the years by various members of the judicial system — especially how the Secret Service very maliciously ransacked and vandalized our house, and particularly my bedroom on January 11, 1980 — this action [making me pay the $48.00 cost of the public defender] by [Judge] Willett was the straw that broke the camel's back and led to the [car] vandalisms listed [above]. I was mad about losing *MY* money I, as an innocent victim, shouldn't have lost, and I wanted to cost other innocent people and make them mad in return. I wanted to violate other innocent people's property as my innocent property was violated. For that I am *not* sorry at all even though I said so at the time to appease judicial personnel and possibly lower the punishment I could receive.…
>
> The thing I am *very* sorry for though is the minor injuries that happened to a few people when some of the overspray mist blew onto their skin. My MO is one of a non-violent property offender (revenge tactics that merely cost, inconvenience, embarrass, and/or aggravate others as a response to violations committed against me as outlined in my OATH), *not* someone to injure others — that is *not* my way, despite the fact DA Lee Harris later put more emphasis on this part of my behavior.… I am also sorry I didn't let the individual car splashing victims know who *really* should be blamed for my responding and why. Who *really* are the misbehaving culprits. I truly wish I would have made the *real* guilty culprits get a ton of bad media coverage and a ton of complaints from car splash victims.
>
> And just so the record is straight; no, it wasn't *just* a $48.00 fee that led to the estimated half a million dollars in vandalism. That was just the final straw. Every other impropriety about this case, which I've already addressed, along with the anger over vandalizing Secret Service agents on January 11, 1980 was already brewing. Being pressured out of this 48 bucks just raised the flame a notch higher and the tea kettle burst. Let that be a lesson to those prone to misbehaving — keep the flame low.

In asking about empathy for those I'd victimized, the psychiatrist particularly made note of those who were chosen totally at random, those who were not personally guilty of any wrong doing against me. People who were passed a counterfeit $20.00 bill or who had their cars sprayed with battery acid. I boldly answered, "nope, not at all." No one to this day feels empathy for the victimization (detailed within these pages) that I've suffered. No one is attempting to make amends — yet — or even offer apologies; as I keep reminding them of. And no judge, except U.S. District Judge Robert J. Kelleher, for my second counterfeiting case, ever considered past injustices I suffered and took them into consideration to hand down a lesser-than-average sentence. (*All* the others enhanced my sentences.) Rather than being so concerned that I victimized innocent people in non-violent

ways, you all should be more concerned that our *own* government is killing and maiming innocent people, including children, when they do things like send a missile into a milk factory in Iraq or bomb a city block in Panama. I'd say those are bigger priorities to be concerned about.

And what about all the emotional (and three times physical) abuse I've suffered at the hands of inmates who were aware I'd sexually interacted with or merely solicited boys. This became known to others at county, state, and federal institutions I've been in more often than not due to either hostile staff telling other inmates or merely "letting it slip", carelessness of staff with my records left out in open view, nosy inmate clerks with access to records, or news media coverage blabbing it around. It's hard to put into words the trauma one feels about being constantly belittled, berated, threatened, and hated all because you're considered a "baby raper." Even for those of us who never used physical force in the sexual activity, being labeled one of "them people" carries with it the stigma that physical force and physical injury is always an element as far as fellow inmates see it. Ironically, the worst offenders are white, muscular, loud, tattooed, doper/biker kinds of guys who will watch old reruns — the ones on weekdays early in the evenings before prime time shows — of *Married With Children* and lust over Kelly Bundy, played by Christina Applegate.

Out of curiosity, I checked the show's and her Web sites on the internet and found out she was 15-years-old on the dates of original airing for all 13 episodes of the 1st season and 11 episodes of the 2nd; 16-years-old during 11 episodes of the 2nd season and 2 of the 3rd; 17-years-old during 20 episodes of the 3rd season and 9 in the 4th. And the longer that the lag time was between taping and air dates would mean that her real age in each episode was younger than these figures indicate. The way these inmates openly expressed their desire for her among themselves, I'd bet not too many of them would turn her down if they had a consenting opportunity to do so even though that would make them a "child molester" in the eyes of the law too — unless, of course, the age of consent is lower in that location — it's 16 in some states. I confronted one of the inmates prone to harassing me about her *real* age in the shows and he justified his lust by saying, "well she's an adult today." "But she wasn't in the pictures you're lusting after" I felt like saying but didn't want to press my luck. Actress Jodie Foster was on TV and in movies when she was 10- or 11-years-old. Just because she's an adult now does that make it O.K. to lust over her pre-teen-age pictures? Clearly these doper/bikers don't have the best of priorities either. I'd classify them as "closet" child molesters, but I dared not say that to their faces though. What do you think? And what about you people reading this? Have you ever had sexual fantasies for a sexy-looking performer in a movie that appears to be an adult but is in reality a tad under 18? Think about that the next time you are tempted to harass an ex-sex offender like me.

I can also remember that when I was in prison back in 1987 these same kinds of rowdy inmates were watching old reruns of *Family Ties* and lusting over Justine Bateman. A check on the internet finds that she was 16-years-old during the show's 1st season. Clearly there are a lot of closet molesters that will be released out among you that no one seems to be worried about. Hmmm — haven't thought much about that have you? I welcome your thoughts on the subject.

Now continuing on; prison staff are as uncaring as anyone else about people like me. After I got to *FCI Sheridan* I again put in a request for a half-way house and once again was denied because of my 1971 child molesting conviction. When I told Karen Angus, the Case Manager I had at *Sheridan,* that turning me down for a half-way house places me in danger that much longer from inmates aware of me her response was, "I'm surprised you don't get jumped on more often than you do." Well nothing happened there, but I did suffer more taunting as the "new kid in town" so to speak. (As you already know, I shouldn't have even been sent there to begin with, so this is just another anger-intensifying part of the story covered within these pages.) Much of the taunting died down at *FCI Phoenix* as time progressed (an inmate who knew me from *USP Lompoc* recognized me when he got to *Phoenix* and

spread it around) but now at a new prison, thanks to an inmate whose first name is Ray (who was transferred to *Sheridan* after he attacked an inmate at *Phoenix* in the spring of 1995), who knew of me, it started all over again worse than ever. I had to put up with that for 6 months until I went home. That's 6 months I *should* have been at a half-way house. But no, they didn't want to put people like me out on the streets any sooner than they legally had to. O.K. fine, I didn't want to put people like arsonists in off the streets any sooner than I logically had to either. Now if you don't like that statement, imagine how I feel about the previous one. Hmmm. And hmmm again, because it's worth a second thought — or even a third; hmmm! Just like with Wisehart's denial of a half-way house, the Unit Team at *FCI Sheridan* had no empathy for me at all. They never cared about my feelings or the extra trauma I was suffering beyond what a "normal" inmate suffers in a prison setting. They were out just for #1; themselves. Cover *their* asses — be damned about any emotional, and up at *Sheridan,* potential physical damages it causes to me. That's their way it seems. It meant nothing that inmates who had sold drugs got approved for half-way houses, even though their crime could have done more harm to kids' lives than my non-violent offense ever did. Because my time was getting so short it would have been a moot issue to file an administrative remedy. Even if I had won it, I would have been due for release on my regular release date by then so it wasn't even worth bothering with. I did suggest that Ms. Angus familiarize herself with the side effects of such a denial as addressed in my previous administrative remedy because she is as culpable as the Wisehart team. We'll just see where those effects lead to.

(I should have asked Ms. Angus why an inmate with the words "NO REMORSE" and a Satanic pentagram tattooed on his back got a half-way house when I couldn't get one. And also, the inmate with a tattoo prominently visible on his neck saying, "211 — for the love of it" got to go to one. 211 is the Penal Code for robbery in California. Oh well, I guess I'll never know her response. But it just angers me more and more why I was denied *just* because of that ancient non-violent misdeed I did way back in 1971. At least I had a chance to give the arsonists an extra 6 months of freedom to replace the 6 months I lost. And that lowered my anger a tad bit.)

And it's the same way with the denial of bail. They were looking out for themselves. How to make *themselves* look good. On all my other crimes when I *actually* did something against someone, rather than merely benignly threaten to do something, I was let out on bail. But now, all because of the media publicity (which shouldn't have been there if they'd have reported it properly that they knew I wasn't an arsonist) I was considered too "dangerous" to let out on bail. As if keeping me in — where I couldn't: be with my parents for their 50th (and final) wedding anniversary; be with them for our last Christmas together; attend their funerals; get my personal affairs together before going to prison; and couldn't secure the house up *properly* (so I wouldn't be ripped off by family members with access to it) and hire someone *reputable* to look after it during my incarceration — would somehow "magically" make me a less "dangerous" or nuisance provoking person later down the line.

If they were *really* concerned about making me less "dangerous," as they should have been, they wouldn't have tore up our house again in their search on November 7th. They would have showed proper respect for my property as they were *strongly* admonished to do. I've widely said and written, "more caution needs to be shown so that a person not otherwise 'dangerous' — or just merely a nuisance like me — is not actually made so."

I don't hide the fact that I'm much angrier today than I was before November 7, 1993; the *true* day of my arrest, despite their papers saying the 8th. The interviewing psych seemed surprised when I claimed to have empathy in years past but no longer have it. He appeared to be under the belief that if someone had it in the beginning, they always will, and if they never had it, they never will. I disagree with that. I believe people can gain or lose the quality. It's too bad I don't have it any longer; it's a nice quality to have. But I don't, and I accept it and work around it.

And so must those others who are responsible for its loss. All I can add is, after repeatedly being emotionally beaten down more and more so I've become more narcissistic, more looking out for #1, and less caring if someone is cost, inconvenienced, embarrassed, and/or aggravated in a non-physical injury kind of way. I agree, it's better to return the violation directly upon a guilty culprit's doorstep, and nowhere else, but if some other innocent bystander is cost, inconvenienced, embarrassed, and/or aggravated in a non-physical injury kind of way I'm not going to lose *any* sleep over it.

People will boldly speak out on talk radio and TV shows for leniency for those who injure and sometimes kill child molesters. (Ellie Nessler is just one example.) They will speak favorably for "throwing away the key" in order to keep even the non-forcible offender locked away forever. They will applaud when hearing how a molester was attacked by other inmates. They will express joy when hearing that molesters are treated badly by other inmates. And when he gets out of prison they themselves will be right there to harass him at his residence and run him out of town. They fail to differentiate a forcible act where injury was involved (which does deserve a severe sentence) from an encounter involving a sexually active younger person who desired to interact with someone older. (35-year-old Mary Kay Letourneau, who had a planned baby with her 13-year-old lover, who made it clear on television and in print that he was *not* a victim of sexual abuse in any way, was one of the fortunate few to get a light sentence in the beginning. She ended up getting sentenced to prison later on though when the two of them, going by the premise that true love should have no chronological boundaries, were not careful enough in keeping their ongoing relationship a secret.) I'll never forget how easily an inmate was accepted among others even though he was in jail for bruises he put on his 2-year-old daughter, while I was being harassed. He did more injury to that *one* kid than I did to all seven or so of those I interacted with. Yet I was the "scum," worthy of disrespect and whatever else, and he was *just* another inmate — a tattooed/doper/biker kind of inmate; but still, just an inmate. Not one to be treated like plankton in the sea of abuse to be fed upon at their will as all the other child abusers are. And in the free world, I'd bet there are a lot of neighbors who know of a father that overly slapped his child around and wouldn't even consider running him out of town or even harassing him for what he did.

And you can imagine my outrage when I saw the February 1, 1998 edition of CBS's *60 Minutes* which reported on the beliefs and teachings of the *Faith Tabernacle Church,* a church with 2000 members in the United States and thousands more worldwide. On that episode Ed Bradley began his report: "For most parents it is unthinkable not to take a sick child to a doctor or to deny that child medicine. But each year, thousands of parents do just that — don't seek medical attention for their children because their religion forbids it. They believe that God, and only God, has the power to heal. They claim the Constitution guarantees them the right to practice their religion as they see fit. One such group is the *Faith Tabernacle Church* which is practicing its religion as *it* sees fit, and so far, because of what they believe, 14 children have died — children who almost certainly would be alive today if they had seen a doctor." The story focused on one particular Pennsylvania family who first let their 8-year-old son die rather than take him to a doctor, and then a few years later, let their 16-year-old daughter also die in a similar fashion. Ed Bradley continued on in his report, "Under the law in nearly every state…parents like [those reported on in this story] do have the right to withhold medical care for their children on the basis of their religious beliefs, but only up to a point. If a child becomes seriously ill and dies then the parents, regardless of their religious beliefs, can be charged with involuntary manslaughter." And that's what happened to the family here. They ended up pleading no contest to involuntary manslaughter on the death of their first child and received no time in prison — the judge citing "because of their religion." After the death of their daughter they were convicted of involuntary manslaughter and received only a 5-year prison sentence. At the time the story was televised they were out on bail while appealing that conviction. The thing is, there was no public

outrage about the much more serious child abuse they committed — twice! And why were they *only* charged with involuntary manslaughter; even after the second death? Where are the priorities of prosecutors here? Or even of the general public? One of us will piddle around with a child in a sexual way a little bit and they're all ready to send us away forever and a day. And then do nothing to protect us from the much worse abuse we're subjected to from prison inmates — and later, to a lesser extent from irate neighbors. But go and let your child die of an illness you refused to treat — *just* because you believe that sickness is caused by the devil and that only God, meaning no medical doctors, has the power to heal — and you can ride off into the sunset practically unpunished, if at all. And you have the nerve to ask about my lack of empathy. Don't *even* think about it.

But if you do, go ahead — ask. My lack of empathy? You bet — a thousand times you bet!!! And I hope you don't like it! But I don't really care if you do or not. As far as I'm concerned, nobody's got anything comin' from me until they stop making excuses for those who attack molesters and stop giving these attackers lenient treatment just because the victim was a molester. That's for starters! If you can be so damn concerned about a teenage criminal receiving a legal caning in Singapore in May 1994, then ya best be as concerned about the illegal actions we're forced to put up with.

And, by the way, I do know that it's (non-violently avenging judicial system misbehavior) not the *right* thing to do. And I also know that two wrongs don't make a right. But I don't care! Nor do I care what you think about my beliefs. I'm not trying to justify that what I do or speak favorably about is right. I know it ain't! (Morally that is. Legally it's permitted. The First Amendment of our U.S. Constitution's Bill of Rights guarantees me that.) I just don't care. (And I don't care who knows my true feelings. I'm not trying to beat my way out of a prison sentence by playing the "therapy" card like I did several times before, unsuccessfully. I don't need to put a best foot forward as someone deserving of leniency. I'm already out of prison, I've done my time — 13 years of it! I'm not trying to get anything out of you, except just to be left alone and at peace unmolested.) No one cared about me or what was right. They looked out for #1. They covered their asses. The thing I do know is what I said in my book *Revenge,* "two wrongs may not make a right, but it can sure make some people *feel* better. [Non-violent] Revenge sure helps clean out the cobwebs — it considerably lowers the anger level, it levels the playing field, it puts us all on a more even keel. Seemingly powerless people are not so powerless any more. And I speak from personal experience on this." Revenge lets you sneak in the back door when the welcome mat is not out on justice's front porch. We all need to confront those who profess injustice and I'll proclaim that until the day I die.

And I'll go a little further on my narcissistic attitude on this subject. It doesn't bother me that families are struggling to put food on the table when I'm sitting financially secure with a guaranteed comfortable income for the rest of my life. They got nothing coming from me, especially those that keep plopping babies out over and over again when they can't afford the ones they've already got and then expect taxpayers — like me — to pay for them. It's too bad they're hungry, but I'm not going to lose *any* sleep over it. And going even further down my narcissistic lane of thought processes, it doesn't bother me that hundreds of people lost their homes in arson set fires. It's too bad they lost them. But their losses don't affect me (unless insurance companies raise *my* rates to make up for the claims they had to pay out). After all, I didn't lose a house in a fire. Bringing the arsonists to justice brings me no personal satisfaction — other than a chance to get my scanner back which I loaned the fellas. But it's probably all beat up by now anyway. I'm a bottom-line oriented kind of guy and helping law enforcement does nothing for my bottom line. I'm more concerned about what *I* lost over this case and how that's going to be resolved. Getting my house tore up in a search; getting badly embarrassed in the news media; being denied bail; missing my parents' 50th final wedding anniversary; not spending a last Christmas together; not being able to attend their funerals; not being allowed to get my personal affairs together before going to prison or secure the house up

properly so no one would rip it off; getting attacked and then experiencing lack of empathy — there's that word again — or concern to bring my attackers to justice; missing the once in a lifetime opportunity to see the impact of comet Shoemaker-Levy 9 on Jupiter in July 1994; being shuffled against my will out of *FCI Phoenix* so I couldn't finish the last term of my computer class or see Hyakutake, the brightest comet of my *entire* life as a serious amateur astronomer; having my personal property negligently lost, and in some cases stolen, by Bureau of Prisons staff members; getting cheated out of a half-way house which I should have been able to go to; and last but not least, coming home and finding out my own family members stole things out of my house when I was in prison. These are the things *I* care about. The things *I* was a victim of. Be damned about all the hundreds who lost their homes in the fires. That didn't impact me! My priorities are on ME. Now chew on that awhile.

(And just so you know, it is *extra* angering to be made to miss a Christmas I shouldn't have missed because this is the second time a judge made me miss one that he didn't need to. I was out on bail while going through court proceedings in 1971, and on November 11th I entered a plea of guilty to two counts of Penal Code 288. Superior Court Judge William H. Rosenthal wanted two psychiatrists to examine me before making a final determination on my case. According to transcripts, he asked my attorney, Sidney W. Bishop, "Do you want this matter to be disposed of in December, or do you want it to go over until after the first of the year?" "In December, if it can be done, Your Honor" was Mr. Bishop's response. From their meeting in chambers, I already knew Rosenthal was offering me the choice of either before or after Christmas. Against my dad's recommendation, I chose December because I wanted to get all this over with before. Even though I wasn't expecting to go into custody, I was worried and too impatient to have to wait *all* through the Christmas holidays in order to have peace of mind as to whether I would be going in. When I found out the psychs were recommending *Atascadero State Hospital* rather than probation with out-patient therapy, I asked to postpone it until the January court date. "Could this matter be held over until after the holidays, your Honor?" Mr. Bishop asked Rosenthal on my December 15th court date. "I don't think so. Motion denied" was Rosenthal's response and I was stuck in the *Los Angeles County Jail* right through the holidays waiting for transfer to *Atascadero*. Merry Christmas to me. Grrr!)

(And also, it is *extra* angering to be made to miss an anniversary I shouldn't have missed because this is the second time a judge made me miss one he didn't need to. Superior Court Judge Charles M. Hughes put me in county jail for two weeks pending a formal probation violation hearing. Now I legitimately violated probation by leaving the state without permission, but I didn't commit any crime. It was only a *technical* violation. There was no reason he couldn't postpone it. He didn't need to put me in at *this* particular time. I was reinstated on probation at that hearing, but not without missing the *Los Angeles Astronomical Society's* extravagant 50th anniversary celebration in November 1976. You already know I'm a serious amateur astronomer, so it goes without saying how *very* mad I was — and still am — at missing this event that can't be made up. Now this event was nowhere as important as being with my parents for their anniversary, but the fact that a judge made me miss one I shouldn't have missed, just makes missing a second one by a judge all that *more* anger provoking.)

You want to know about my empathy? Here's my final example. If I knew with *absolute* certainty — and I'm not "certain" mind you — the identity *and* whereabouts of the real arsonists and I was the only person in the *entire* world who could bring them to justice I could neglect to do anything about it *just* as easily as those judicial personnel who are neglecting: to see about the return all of my stolen property (both by family members and prison staff), to see I get my missed computer class made up, to see my attackers are brought to justice, and to see that some other provisions are made to alleviate the anger over *all* the other improprieties in this particular case. That's where my empathy is at — for me. Now chew on that awhile.

Narcissistic? Damn right; you bet! Nobody cared about me being victimized so I don't care. And I care less whether you like my attitude. Now chew on that some more!!!

Assume for a minute that Snake and his minions are really responsible for the fires. If I were asked whether I'm sorry they did it, my answer — when you consider all the thefts and vandalisms that have been committed against me and my property over the years by law-enforcement personnel who have always gotten off scot-free with not as much as a slap on the wrist — is a loud resounding NOT IN THE LEAST. If you ask me, it's high time somebody slammed them to the ground with no cushion. They were all put on notice what was required of them so they got no reason to bitch and bellyache they weren't told the corrective measures to follow. Although I could never do something like that myself (nor even speak favorably about it); I'm not going to lose sleep that somebody else did. Just remember — they drew first blood *first*! They provided that first opening. They knew I was the wrong person to screw over. O.K. now, go chew some more.

Now, if you want to do something *really* worthwhile for me why don't you go out and see about getting me those amends and apologies I keep reminding everyone of? This *Statement* puts everyone on notice as to what their offense is and what it will take to make it up so no one's got no excuse to say "I didn't know." If the IRS could apologize in September 1997 for the improprieties they committed against taxpayers in earlier years and if former Secretary of Defense, Robert S. McNamara, in his book, *In Retrospect: The Tragedy and Lessons of Vietnam,* could admit that Vietnam was wrong, then so can you admit *your* wrongs. That's the answer — GO FOR IT!!!

December 11, 1996: On this date at 2:35 p.m. Pacific Standard Time I was arrested by two officers or detectives from the Costa Mesa Police Department with assistance from the Los Angeles Police Department as backup. Federal agents along with the Bakersfield Police Department, led by Detective Roger D. Ott, and police officers from several other local police departments searched our house on November 7, 1993 (as outlined in the above section) looking for evidence of the threatening letters I mailed along with anything to implicate me in the vandalisms of a number of car dealerships in Kern County. Because some evidence was found, warrants were issued out of Bakersfield on December 2, 1993 and Costa Mesa on March 24, 1994, but they did not act upon them, nor did they even tell me about them until this date, over two months after my release from federal prison. This section includes all costs related to these two cases. These vandalisms occurred in conjunction with, and involved the same people as, my federal threatening letters crime as outlined briefly in the above section and more fully in my book; *Fedbuster: The Southern California Wildfires of '93*.

As in the above federal case, I will calculate my time on these two cases at the take home pay rate of my last full-time job in 1986: $230.03 per week, $46.01 per day, or $5.11 per hour. I originally planned to double my fees for time spent in custody within the "holiday zone" (between Thanksgiving and New Years), but because costs in the above case are already astronomically high I'm waiving that penalty this time. Every minute will count though because of their dirty practice of allegedly sitting on these warrants purposely until I got out of prison. If they hadn't of, I wouldn't have suffered *any* of these expenses (all of this would have been settled while I was doing my federal time); nor would I have done any extra time because I could have gotten the time to run concurrently with my federal sentence just like Heidi Fleiss did once she was already sentenced by the feds. And concurrent would have been *especially* appropriate in my case because all these crimes happened within the same time frame and were so closely intertwined together. At the end of this section, after all expenses are tallied up (gotta' get the money stuff out of the way first folks — that's number one priority), I cover in considerable detail what we learned from the Discovery and from the testimony that was given at the various court appearances I attended. Every indication is present

that they conspired to keep me in the dark until *after* my federal time was over with so they could give me consecutive time. And I suspect that Assistant United States Attorney Gregory W. Jessner was involved in the cover-up too.

One thing Ott and his cohorts took during their 1993 search was a nearly full 5-gallon container of battery electrolyte (acid) which I purchased in 1986 when I was vandalizing cars back then. I had already gone through one container of acid and had just started on this second one when I was arrested by police who had me under surveillance. They never took it during their search of our house back then because they never found it. Actually, they didn't search much at all because I admitted my guilt on day one. It belonged to that crime, not this one. It wasn't up to these guys to take it. If police didn't take it last time, then they lost jurisdiction of it. Approximate cost of that acid was: 7.00

As mentioned in *Fedbuster,* I took what I thought were all the letters that claimed responsibility for the vandalisms from Snake and his minions. Before I threw them out I tore off the corners of the envelopes that contained the $.29 stamps and saved them. All these stamped envelope corners were taken during the search and all but those with circus scenes on them were mistakenly returned when the feds returned all my property to my father on January 28, 1994. I would say there are 50 outstanding circus scene stamps for a total of: 14.50

These cases originated when the Costa Mesa Police Department sent me a letter as a sting in order to get me to come down there. It was postmarked May 7, 1996 but I didn't read it until about a month after I got out of federal prison when I was going through all the back mail that was saved for me. The return address on the envelope is: Southern Cal, Department of Lottery/Lotto, P.O. Box 11771, Costa Mesa, CA 92627, and is printed in black. In the lower left-hand corner of the envelope there is a logo consisting of the outline of California in red with the word Lotto written within it in green. To its right, along the bottom, the words: IMPORTANT: Winning Contestant Information, appear in black with the first word in bold. A rubber stamp appears at top center in red saying: IMPORTANT: READ, AND RESPOND, IMMEDIATELY. My name and address is typed on a stick on label and in bold is typed: VALIDATION# 01917641. Below that is a postal bar code. The red postmark indicates Presorted First Class where they paid only 27.4 cents in postage so apparently they sent a bunch of these hoax letters out to unsuspecting victims they had warrants out on.

The letter has a double-line green border ¾- to 1-inch inside each edge of the paper. All printing on the letter is inside this border. The upper left contains the same logo as is on the envelope. The upper right contains the same return address as is on the envelope except that it is printed in red and adds a telephone number: (714) 754-5357. The body of the letter is as such:

Dear Winning Lottery/Lotto Contestant:

CONGRATULATIONS-- from the Marketing and Advertising Services of the Southern Cal Department of Lottery and Lotto!

To promote interest in our newest LOTTERY contest (California Adventures), you, along with only 75 other Southern Cal area residents have been randomly chosen by computer as automatic WINNERS! Your guaranteed prize includes 100 free Lottery Scratch-Off tickets. This, of course, means $$ CASH $$ for you and a possible trip to the Big Spin. Your guaranteed prize also includes your choice of a year's worth of season tickets for two, to either the L.A. Dodgers or the Anaheim Ducks!

Again, both of these are already guaranteed you! No sales person and no secret strings attached whatsoever! Last year over 400 million dollars were given away to lucky California Lottery and Lotto winners. Additionally, 34% of this was made available to our public schools. To keep Lotto/Lottery interest at its peak and for the continued benefit of our schools this random give-away has been planned.

Your immediate response, upon receiving this notification, is required to avoid expiration of limited designated prizes. Simply call our Lottery/Lotto Hotline number at (714) 754-5357 as-soon-as possible for confirmation of your scratchers and season tickets. After your call, immediate arrangements shall be made for you to receive your winnings.

These tickets are being held in your name ONLY and valid identification must be presented so that you can claim them. Again, CALL (714) 754-5357 Monday through Friday, 8:00 a.m. to 4:00 p.m. to confirm your tickets.

Congratulations!!

J.A. Smith
State Marketing Director
1035 Indiana Avenue, Suite F
Sacramento, CA 95877

J.A. Smith's signature is printed on the page — not actually signed — in green ink.

On November 4, 1996 at 8:39 a.m. (according to my phone bill) I made my first call to the above listed phone number (which, according to my phone bill, was in Santa Ana) and was asked my name and validation number. The lady that answered the phone criticized me for waiting so long to call them, but then asked if I could come down to Costa Mesa to claim my scratchers and Dodger or Ducks tickets. When I said I could, she gave me the name of the person I would be dealing with, a Mr. Craig Stevens, and then took my phone number and said that he would get back to me. She mentioned that at this late date, probably only the Ducks tickets are available. Knowing now the kind of sting operation it was, I'm guessing they had a phony office set up as the location where us victims were suppose to go to claim our "prizes." If I would have called them back in May, when everything was operational, they probably would have had me go down there to be arrested. The cost of this 1 minute phone call was: 15

After hearing nothing from them, I called them again on December 6th at 9:54 a.m. Memory has faded as to who I talked to or even if it was a man or woman. I believe they told me that the person I needed to talk to wasn't available but that they would get back to me. Cost for this 1 minute call was:. 15

I was contacted on the morning of December 11th and asked if I would be at home that day because someone is going to deliver my prizes to me. On either this day or on my last phone call to them I found out that Dodger tickets, which is what I

wanted, *are* available. At exactly 2:35 p.m. (I know because I was working on my computer at the time and this is the time indicated that I quickly saved the file I was working on) a Costa Mesa police officer called me on his cell phone to tell me to come to the front door because they had a warrant for me. And so this mess began.

I was in jail from that moment until I was released on bail on the evening of December 18th. We have 9.4 hours on the 11th. 24 hours per day from the 12th through the 17th. And 23.6 hours on the 18th. (I took 3 city buses home from the *Orange County Jail* and arrived at my front door at 11:38 p.m.) At $5.11 per hour (don't bitch, rather thank me for graciously not assessing you the 2x rate on account of being within the "holiday zone," plus some extra penalty for screwing up my birthday on the 18th) for 177 hours plus $6.20 for the 3 city busses all adds up to:. 910.67

In jail I purchased a toothbrush and toothpaste for:. 2.16

Because I was promised 100 scratcher tickets and season tickets for two to the Dodgers or Ducks I'm not about to let them slide by without fulfilling *their* promise. Because this is not an *actual* out of pocket expense though, I will assign this amount a superscript ^{x}. As indicated in the above section, this designation means that this amount is not included in the selling price of the complete story of *Fedbuster*. Remembering what little my dad used to win on scratcher tickets, I would say that 100 tickets would yield a *minimum* of $20.00 in winnings. Who knows whether one ticket would have been a big winner or not, but giving you the benefit of the doubt, the law of averages would say no, so only $20.00 will be added here. Costa Mesa police told me that season tickets for the Dodgers *are* available. I called Dodger stadium at (213) 224-1400 and found out that ticket prices vary from $648.00 per person for seats in the outer reserved section, on up to $891.00 and then $972.00 for seats in better sections. I confirmed the cheapest seat price quote I got for the upcoming 1998 season is the same as it was for the 1997 season when I was suppose to get my season tickets. For the toll call I used a pre-paid calling card I got free as a promotional thing with some free minutes on it so you don't get pegged with phone charges this time. Double the $648.00 price for two people and add the $20.00 scratcher winnings and we have:. . . . . 1,316.00^{x}

On December 12th, while still in custody, I made one court appearance in front of Newport Beach Municipal Court Judge Christopher W. Strople in Division 2, Department 90. He appointed a public defender to represent me and also lowered Orange County's bail to $10,000.00. (It was originally set at $25,000.00 back in '94.) Unfortunately, he had no jurisdiction to lower Kern County's $50,000.00 though. I had Craig Smith post $60,000.00 to bail me out. To do so, he had to close one of my parents' high-interest-earning savings accounts. The interest I lost by not having the bail money invested, where it should have been, will be figured up later. Craig and an attorney had to visit me at the *Orange County Jail* to get my notarized signature on some papers so the savings account could be closed by him. He advised me his fees for all this would be substantial, but I had no choice. He actually never got around to billing me until after he had to bail me out a second time in July 1997, and then made one bill for both times. That amount will be included farther down the line in its proper chronological space.

I had a court appearance in Newport Beach on December 19th, the day after I got released on bail. Judge Strople offered me 16 months in state prison and the deputy DA went along with it. I originally considered it, but then decided to fight it. I invested 12.6 hours this day for court and some legal research in the law library. Additionally I spent $10.00 in gas and $.20 on a phone call. This totals: 74.59

I had my first court appearance in Bakersfield on January 15, 1997. My bail was lowered to $40,000.00 but I was also turned down for a public defender. It didn't matter to them that I was indigent at the time of the crime. They go by what I have *now* and that makes me mad — and you know how I am when I'm mad! (I ultimately hired Nancy S. Blanton of the law firm, Blanton and Blanton, who I was referred to from a toll-free lawyer referral telephone number.) On this day I invested 18 hours in time and spent $38.17 for gas along with $2.46 and $2.67 for food. (I drove up the night before and slept in the van due to bad weather and expecting

Interstate 5 to be closed the next day.) This totals: 135.28

I had a court appearance in Newport Beach on January 21st. While still in Div. 2/90, Municipal Court Judge Susanne S. Shaw was on the bench this time. I invested 9 hours in time on this date and spent $12.00 for gas. This totals: 57.99

I had a court appearance in Bakersfield on February 5th. I invested 8.5 hours in time and spent $24.33 for gas. This totals: 67.77

I had a court appearance in Newport Beach on February 10th. Municipal Court Judge Margaret R. Anderson was on the bench this day, and remained so for all my remaining Div. 2/90 appearances unless otherwise noted. I invested 5.5 hours in time and spent $14.00 for gas. This totals: 42.11

I had a court appearance in Bakersfield on February 19th in front of Municipal Court Judge Charles P. McNutt. He heard our first speedy-trial motion and ultimately denied our request for dismissal. On the 20th I had a court appearance in Shafter. Ms. Blanton found another warrant on me from this Kern County city located about 10 miles north of Bakersfield. We got it consolidated with Bakersfield. I stayed overnight in the van but all told, from leaving home to arriving back at home, I invested 34 hours in time, $28.50 for gas, $7.66 for food, and $3.22 for copies. This totals: 213.12

I had a court appearance in Newport Beach on February 25th. I invested 8.5 hours in time and spent $19.75 for gas. This totals: 63.19

I had a court appearance in Newport Beach on March 4th. I invested 15.5 hours in time (court was running late into the afternoon) and spent $30.00 for gas. (Part of the time and gas expense here includes what was involved to find and purchase a pair of Celestron 10x50 binoculars. They were stolen from the house when I was in federal prison as is detailed in the above section.) This totals: 109.21

I had a court appearance in Bakersfield on March 5th. I invested 7 hours in time and spent $23.00 for gas and $1.08 for copies. This totals: 59.85

I had a court appearance in Newport Beach on March 18th. I invested 9 hours in time and spent $20.00 for gas and $.20 for copies. This totals: 66.19

I had a court appearance in Bakersfield on April 1st. What complicated matters on this appearance was that Ms. Blanton called me on the morning of March 31st to inform me that she just received a Motion from Cynthia Zimmer, the Deputy District Attorney, requesting the court to revoke my $40,000.00 bail and put me in custody. At the time, I had only partially gotten my personal affairs in order to prepare for a prison sentence that was seeming to be likely. Now it was a mad rush to get everything done because it looked like this would be the last day I would see home for some time. I have 37 hours invested for this court appearance because I received the call from Ms. Blanton at 9:00 a.m. on the 31st and immediately began my preparations. The entire rest of the day was spent in that endeavor right on up to catching the bus for Bakersfield. I did not want to have my van stuck up there for Craig to retrieve so I took the Greyhound bus. But because the earliest bus arrives in Bakersfield too late for me to make it in time for my 8:30 a.m. court appearance, I had to go up there the night before. I spent $1.35 on an MTA city bus from home to the Greyhound depot, $12.00 for the Greyhound ticket to Bakersfield, $28.00 for a room at the *Padre* hotel, $9.81 for dinner and breakfast (breakfast was fruit I got the night before at the restaurant), $4.65 for lunch (the long preliminary hearing lasted from morning on into the afternoon), and, because Municipal Court Commissioner Louie L. Vega declined to put me in custody, or even raise my bail, $12.00 for the Greyhound bus home and $1.35 for the MTA bus the rest of the way. I got home at 10:00 p.m. — 37 hours after Ms. Blanton's distressing phone call. Also included in this appearance's costs is $4.82 for dropcloths. My bedroom was already squeaky clean from the work I did in putting it back in pre-vandalism condition after being trashed on the day of my arrest in 1993 and I wanted it to stay that way during my absence. I covered everything with dropcloths that I purchased that day. All this totals: 263.05

I had a court appearance in Bakersfield on April 10th. I invested 6.5 hours in time and spent $23.50 for gas and $.87 for copies. This totals: 57.59

I had a court appearance in Newport Beach on April 11th. Judge Anderson exonerated the bail on her *own* motion and gave me an O.R. release. She noted how I had made all court appearances on time. The deputy DA had no objection. After Bakersfield's attempt to revoke my bail last week I never expected this. My preliminary hearing was scheduled for this day but the DA wasn't ready. In chambers they agreed to put everything off until after Bakersfield was finished. I invested 9 hours in time and spent $12.00 for gas. This totals:. 57.99

I had a court appearance in Bakersfield on May 8th. I invested 8.5 hours in time and spent $24.00 for gas. This totals: 67.44

I had another court appearance in Bakersfield on the very next day, May 9th. I drove home between the times though and did not stay over night. I invested 7.75 hours in time and spent $24.00 for gas. This totals: 63.60

I had my final court appearance in Bakersfield on May 16th where the case was dismissed by Superior Court Judge John I. Kelly because we won last-week's (May 9th) speedy-trial motion hearing. (Superior Court Judge Lee P. Felice granted our motion to dismiss.) I invested 9 hours in time and spent $24.00 for gas. This totals:. 69.99

I had a court appearance in Newport Beach on June 13th. I invested 10.5 hours in time and spent $12.00 for gas and $9.02 for phone calls. This totals:. 74.68

I had a court appearance in Newport Beach on July 3rd. Judge Strople was on the bench this day. I invested 9.75 hours in time and spent $12.56 for gas. This totals: 62.38

I had a court appearance in Newport Beach on July 11th. I invested 9.5 hours in time and spent $13.00 for gas. This totals: 61.55

I had a court appearance in Newport Beach on July 24th. For all my Newport Beach appearances since February 10th, I was in front of Judge Anderson, except once on July 3rd when Judge Strople sat in. Now, because they were expecting a lengthy preliminary hearing, Judge Anderson shuffled it off across the hall to Municipal Court Judge Susanne S. Shaw — her regular courtroom. At the last minute my Public Defender, Mr. Jim Spellman, suggested I waive the preliminary hearing and I reluctantly agreed to after some thought. Unfortunately, the Deputy District Attorney, Mr. Marc G. LaBreche, declined our offer as he had all the witnesses there. After Detective Ott's inflammatory testimony and Judge Shaw binding me over to Superior Court, she expressed concern that I was out on O.R., but apparently considered continuing it with "some conditions." In discussion with Spellman, she stated that I "could certainly be a danger to the community" and then had the idea to reset my "bail back where it was, 10,000." It was then that LaBreche stuck his nose into it and said "People ask for a higher amount." He expressed how I was a "very, very dangerous person." Shaw agreed, emphasized my priors after LaBreche said "Two of them are 288 (a)s", and then set bail at $50,000.00. (First off, I had two counts of a *single* conviction. And second, they were for 288, not 288a; all with no force mind you. Third, the conviction was reversed by the sentencing judge on a technicality after I did 3 years and 1 month in custody. I entered a new guilty plea and was given probation. Therefore, that particular "prior prison term" enhancement doesn't even count according to Penal Code § 667.5(b). And as far as the others; well some of them aren't valid. And some of them shouldn't be valid, on account that their convictions shouldn't be considered valid.) After some discussion between Spellman, me, and her, she then said I was "a major danger," but decided to lower my bail down to $25,000.00. I was put in custody until Craig bailed me out. It was after this that he got around to billing me for his services for bailing me out both times. Those charges are itemized below.

What is so extra angering is that Judge Strople lowered my bail to $10,000.00 with no objection in the slightest from the deputy DA. Then Judge Anderson exonerated it without us even asking her to, again, with no objection from, this time a different, deputy DA. And all this time I had gotten in no trouble at all and made all my court appearances on time, plus I kept my federal probation officer informed of everything. Yet that didn't matter to Shaw. She justified herself by saying that she's "got to protect society" because I have "a lot of rage inside," as if costing me money and unnecessarily aggravating me is *suppose* to magically protect society *so*

much better or make me less rageful. (Can't they think these things through better? Hmmm.) Clearly, her becoming aware of the draft version of *Revenge* contributed to her decision to put me in custody. Apparently she thought Strople and Anderson didn't know about it when they lowered and then exonerated my bail respectively. Well if they didn't, that's on them. I shouldn't get screwed over for them not doing *their* homework. *Revenge's* existence was widely known about; even by state parole officials who let me off of parole 1 year and 1 month into the 3 year parole term Judges Fratianne and Mills proscribed. Surely, if they thought I was *such* a danger to society, they would have made me do all 3 years. I never applied to get off of parole early. They did it on their own. Unfortunately, Shaw and LaBreche did just enough homework to pick out and emphasize all my bad points. Why couldn't they have done just a little bit more to find out that costing me money is a *major* hot-button violation that should *never* again be committed? Surely they knew that because Shaw read aloud from the "Corcoran" letter, "They picked the wrong…dude to 'F'" and only a few sentences later she would have found, "They new I dont let no one take MY money" and "You dont take my money and think you can get by with it." All the cards were on the table and *well* displayed. Apparently, she didn't mind me being out of custody though. She acknowledged that I "could post" the $25,000.00 and indicated she lowered it to that *because* I could. She just wanted to grab more of my money it seems, and for that there should be some returned costs. Fortunately, this time I can achieve them without breaking the law. Before we tally everything up though, I need to chastise LaBreche for something he said: "If the Court were to read People's Exhibit 3 [the draft version of *Revenge*] they would find numerous ways of the defendant's contempt for the judicial system." In reality, if they were to read my *Medical Advisory/Information: Statement of Facts,* which they had a copy of, they would see that, "I do not resent authority figures — only those who abuse their authority, and today, abuse it in even minor ways." Make no mistake about it folks, my "contempt for the judicial system" is *limited* to those individuals who practice deceit, thievery, or various other misbehaviors. For them, I got the strongest condemnation. Come to think of it, they shouldn't hold *Revenge* against me at all. The last time I checked, we were living in a democratic society that allows such free speech and expression of opinions which are contained within its pages. You know about that First Amendment thing don't you?

Truly, the in-custody hours — from about 11:00 a.m. on the 24th through 8:10 p.m. on the 25th — deserve double my $5.11 hourly rate, if not *way* more, but because costs are already so high, and I don't want to price my story too far out of range, I'll graciously charge only "straight" time. And I should give Snake and his minions one extra month of freedom for each day I was in custody *this* time, but I'll be gracious there too. Too much time has already elapsed. It's time to get those arson victims their long-over-due justice. (Now it's not that I'm so overly concerned about that mind you. I've got my *own* selfish agenda for wanting to get this behind me at this particular time, and it has nothing to do with helping anyone else out. My reasons are totally narcissistic. You just fortuitously fall into *my* time-line plans. [I want to buy a new vehicle in mid-1998 and I want this out of the way first. There; that's my reason, it's as simple as that — narcissistic all the way! And no, it's not a Dodge *Avenger*. It's a Winnebago 24 ft. class-C mini-motorhome.]) Also I'm not charging for missing my monthly meeting of the *Los Angeles Macintosh Group* which was held on the 24th. It wasn't going to be a regular meeting with a presenter anyway like it usually is. They only planned an informal get together at their "Resource Center." Despite that, I was still going to go to it and I surely would have learned things, like I always do. I got up at 4:30 a.m. on the 24th and didn't get home until 2:00 a.m. on the 26th. That's a total of 45.5 hours. I also spent $13.05 for gas.
This totals: 245.56

I had a court appearance in Santa Ana on August 5th. I invested 9.5 hours in time and spent $11.69 for gas. This totals: 60.24

I had a court appearance in Newport Beach on August 15th. I invested 7.5 hours in time and spent $13.95 for gas. This totals: 52.28

I had a court appearance in Newport Beach on October 3rd. I invested 6 hours in time and spent $16.16 for gas and $.20 on a pay phone call to Ms. Allyn Jaffrey, the Public Defender assigned to handle the speedy-trial motion, to find out why she never told me the court date was changed. This totals: 47.02

I had a court appearance in Newport Beach on October 17th. I invested 7 hours in time and spent $15.96 for gas. This totals: 51.73

I had a court appearance in Newport Beach on January 16, 1998. I invested 7.5 hours in time and spent $12.63 for gas. This totals: 50.96

I had a court appearance in Newport Beach on March 20th where the case was dismissed by Superior Court Judge James K. Turner who granted our speedy-trial motion. I invested 7.6 in time (which included going to Ms. Jaffrey's office after court to pick up a box of papers she no longer needed along with going to the clerk in the Santa Ana Courthouse to change the address from Craig's office to my home for the return of bail) and spent $14.73 for gas. This totals: 53.57

I had a great deal of time invested in legal research and preparation. This time included trips to the law library, reading legal books and pages I copied from them, preparing letters for my attorneys, and preparing and updating a letter of instructions for Craig Smith to follow in the event I am put into custody. (He agreed to watch after my affairs at home once again.) Other logged times include that involved in purchasing magazines I would want sent to me in prison and copying legal pages. Dates and times in hours are listed as follows; 12-21-96 = 2, 12-23-96 = 1, 12-24-96 = 5.6, 12-25-96 = .8, 12-26-96 = 4.4, 12-27-96 = 1, 1-4-97 = 4, 1-6-97 = 1, 1-7-97 = 6, 1-13-97 = 2.5, 1-14-97 = 12.25 (plus $10.00 gas), 1-20-97 = .5, 1-22-97 = 2, 2-18-97 = .5, 3-19-97 = 1, 3-20-97 = 2 (plus $4.00 gas for drive to *MDC-LA* to see if they had any record of warrants on me), 4-4-97 = 6.2, 4-5-97 = .5, 4-6-97 = 2.2, 4-7-97 = 9.1, 4-8-97 = 9.3, 4-9-97 = 8.8, 4-15-97 = 9.5, 4-26-97 = 2.8, 4-27-97 = 4.4, 4-28-97 = 4.8, 5-5-97 = 2.7, 5-6-97 = 4, 5-7-97 = 1.7, 5-11-97 = 4, 5-13-97 = .5, 5-15-97 = 2.1, 5-17-97 = 8.6, 5-28-97 = 3.8, 5-29-97 = 5.8, 6-10-97 = .7, 6-14-97 = 8.2, 6-15-97 = 12.5, 6-16-97 = 2.3, 6-18-97 = .6, 6-20-97 = .5, 6-23-97 = .5, 6-28-97 = 3.4, 6-30-97 = 1.4, 7-1-97 = 9, 7-2-97 = 5.3, 7-10-97 = 1.4, 7-14-97 = .8, 7-31-97 = .5 (to pick up checkbook and papers from Craig after he bailed me out), 8-4-97 = 1.2, 8-14-97 = 1.2, 9-16-97 = 8, 9-17-97 = 6.5 (plus $12.07 gas for interviews with Public Defenders Ms. Jaffrey, assigned to handle the speedy-trial motion, Mr. David J. Scharf, assigned to handle a trial if the motion is unsuccessful), 9-18-97 = 7.3, 9-29-97 = 1, 10-29-97 = 4 (plus $11.25 gas for drive to Mr. Scharf to sign papers authorizing the Bureau of Prisons to release parts of my file showing I had no detainers), 10-30-97 = 2.6, 11-10-97 = 1.7 (plus $3.65 gas for drive to downtown L.A. library to view microfilm copies of the *Orange County Register* to see if I am mentioned in regards to the vandalisms and if my father told them I was not involved as he did to a Bakersfield reporter), 12-23-97 = 3.2, 12-24-97 = .5, 12-31-97 = 6 (plus $10.52 gas for drive to Mr. Dennis M. Nolan, my new trial lawyer, to discuss my defense and fill him in on what is basically in *Fedbuster*), 3-5-98 = 7.1 (plus $9.78 gas for drive to Ms. Jaffrey to put finishing touches on speedy-trial motion). All this time, plus mentioned gas costs, adds up to: 1,260.84

Copy charges (other than ones tallied up on court appearance dates) included the following; $1.20, $5.70, $14.23, $4.92, $4.75, $2.25, $2.55, $3.72 (copies for probation officer Gulla), $.70, $3.30, $3.51, $.35, $1.43, $7.44, $.17. All this adds up to: 56.22

Besides the two toll phone calls listed above, I didn't tally up the charges daily during the first few months of this mess. This paragraph includes monthly totals for calls pertaining to these cases. They are as follows; $6.54 on the January 1997 bill, $.42 on February, $.15 on March, $11.85 on April, $1.32 on May, and $3.10 on the June bill. All this adds up to:. 23.38

From now on phone charges are tallied up daily; 6-16-97 = $2.76, 6-23-97 = $.11, 6-24-97 = $.15, 7-24-97 = $3.65 (3 calling card calls), 7-28-97 = $.15, 8-8-97 = $.27 and $.65, 8-11-97 = $.15, $.15, and $.52, 8-12-97 = $.27, 8-13-97 = $.15, 9-15-97 = $.40, 10-6-97 = $.27, 10-7-97 = $.52, 12-19-97 = $.27 and $.40, 12-22-97 =

$.15 and $.27, 12-23-97 = $.15, $1.15, and $.15, 12-26-97 = $.15 and $.27, 12-29-97 = $.15. All this adds up to: 13.28

For postage to mail various letters related to the cases we have; $.32, $.32, $3.00, $3.00, $.32, $.32. All this adds up to: 7.28

As mentioned in the last section, I subscribe to 4 monthly magazines; *Sky & Telescope* (S&T), *Astronomy* (Ast), *Popular Mechanics* (PM), and *Popular Science* (PS). I read and keep every issue. Because I was involved in other chores at home in late-1996 through mid-1997 I was not reading my magazines as they were coming in. If I was going to go to prison — which seemed rather likely until the Bakersfield case was dismissed in May 1997 — I did not want my only copies sent to me because they could get lost. I purchased new duplicate copies from the publisher in some cases (who charged shipping & handling) or bookstores in most cases to have for this purpose. As it turned out, I got around to reading all my back issues at home and never needed these extras, but I wouldn't have bought them if these cases weren't in effect so their cost is passed on. I paid $7.61 for Dec '96 Ast. (This was for the magazine and shipping & handling from the publisher because bookstores were already sold out.) $14.95 for Dec '96 and Jan '97 S&T from the publisher. $10.71 for Jan Ast, PM, and PS from a bookstore. $14.98 for all 4 February magazines from a bookstore. $14.98 for all 4 March magazines. $14.98 for all 4 April magazines. $8.55 for May S&T and Ast. $6.43 for May PM and PS. All this adds up to: 93.19

As mentioned above, I was denied a public defender in Bakersfield and basically forced to hire an attorney. You may recall from some of my other writings that I vowed years ago to never pay a fine again or be forced by way of pressure, threats, or extortion to pay for an attorney out of my pocket without returning that expense back upon them in some way. Fortunately, I have a book to sell — actually two if you count *Revenge* — so this proclamation can be accomplished without breaking the law in any way. And the fact that it could irritate the money-grabber in the process is just icing on the cake. I hired Nancy S. Blanton of the law firm Blanton and Blanton. On January 16, 1997 I paid her $1,500.00 for handling the speedy-trial motion and preliminary hearing. On March 14th I paid her $500.00 to appeal the speedy-trial motion Judge McNutt denied. On April 1st, right after I was bound over at the preliminary hearing, I paid her $6,000.00 for trial. Ultimately we didn't need a trial because she presented the speedy-trial motion in Superior Court with new evidence we didn't have the first time and it was successful. On May 27th she returned the unused $3,020.46 to me. Besides her fees, I paid all costs she incurred. These included: hiring private investigator Tom Meek of THM Investigations and another individual, Robert C. Wall; purchasing a transcript; getting copies made; paying for the Discovery, and paying L.A. courts for some papers relating to me. In all it cost me: 4,979.54

While we're on the subject of Ms. Blanton, I should mention that her qualities approach those of Mr. Abrams. Like him, she put everything she had into this case. After we lost the first speedy-trial motion, she hired a private investigator to delve into other evidence she became aware of that would benefit my case. Just when I thought the speedy-trial issue was dead she found what we needed, repackaged it, and presented it to a higher court. Many average attorneys would have probably moved on to the next step after the first denial and my fate, and ultimately society's, would have backed up many steps.

On June 18th I ordered the transcript for the speedy-trial motion hearing we had in Bakersfield on May 9th from the Official Reporter, Ms. Edyne Frassinelli. Its cost was $130.00 and mailing the check to her cost $.32 for a total of: 130.32

As mentioned earlier, I had Craig Smith bail me out both times. After my July incarceration he provided me with an itemized statement of his fees. That statement is reproduced below:

Law Offices of Maria Bezaire
3780 Kilroy Airport Way, Suite 200

Long Beach, CA 90806
(562) 497-2700

STATEMENT

THOMAS L. LARSEN
XXXXX Xxxxxxxxx
Xxx Xxxx, CA 91XXX

ARRANGE BAIL 12/18/96 and 7/15/97

Paralegal Time billed at $85.00 per hour. Attorney Time billed at $175.00 per hour.

Craig Smith, Paralegal
(7) Seven hours.
(includes: telephone conferences with client and banks, travel time to banks and County Jail, notarizing documents,)

Jolene Roux, Paralegal
(4) Four hours.
(includes: telephone conferences with client and banks, travel time and expenses to banks to obtain cashiers check)

Danielle Miller, Attorney
(3) hours
(includes: travel time and being present at client signing documents at Orange County Jail,)

$595.00	Craig
$340.00	Jolene
$525.00	Danielle
$1460.00	
<$730.00>	Family Discount
$730.00	Total hours.
$300.00	Attorney Service Messenger ($150.00 each delivery to County Jail)
$6.00	Service Charge (Cashiers Check)
$1036.00	**TOTAL DUE**

One can only see the hourly rate *I* was charged here to appreciate the fact that I'm only charging you the take home pay I was receiving *way* back in 1986. I shouldn't even be going that low, so I hope you appreciate it. Totals to get out on bail both times are: 1,036.00

Just like in the above case, calculating interest posed a little more complicated than in all the others. Different losses happened at different times, and dates that interest calculations start need to take that into account. In this paragraph, I'll calculate all interest on these two cases through December 31, 1997. For interest that needs to be calculated from there forward, those calculations will be included in the below paragraph indicated with (+*). To post the original $60,000.00 bail, a 5-year

CD savings account earning 6.61% and not maturing until February 5, 1997 was closed. It's remaining $39,075.73 was then deposited in the Bank of America checking account, earning only 1%, in anticipation that I would be needing it for legal expenses, which I did. After the judge in Bakersfield lowered my bail from $50,000.00 to $40,000.00 on January 15th, it took until May 9th to get the $10,000.00. It actually arrived around April 3rd or 4th but Craig failed to give it to me until May 9th. (The check come to him as he was the one who posted it.) After Judge Anderson exonerated the $10,000.00 Orange County bail on April 11th it took until May 7th to get it. After the Bakersfield case was dismissed on May 16th it took until June 23rd to get the remaining $40,000.00 back. And from July 25th on through the rest of 1997 they once again had $25,000.00. For simplicity sake, I'll graciously overlook the loss of interest I sustained by transferring that $39,075.73 from a high-interest savings account to the low-interest checking account and then keeping it there for most of 1997 rather than reinvesting it to where it belonged. I'll also skip over *all* the extra money that was *purposely* kept available in the checking account and two money market accounts which were paying lower interest than I would have gotten otherwise. Likewise, I'll skip over how some, and then all of the bail was returned on different dates. I'll figure lost interest on $60,000.00 for 6 months and on $25,000.00 for 6 months. That should be a rather close approximation to what I actually lost in interest from day one through the end of 1997. If whoever ultimately pays this cost figures it up more accurately and finds that I am overcharging, please feel free to speak up and I will adjust my figures accordingly. In reality, I'd bet I'm cheating myself a bit though. Lost interest amounts to: $2,250.00. Calculating interest lost to money I paid to Ms. Blanton also poses some difficulties. Three separate checks went out to her and one came back as a refund when a trial was not needed. For nearly two months she was drawing interest on that $3,020.46 rather than me. A total of $4,979.54 went out to her. I will calculate interest on that amount for the last 8 months of 1997. Lost interest equals: $199.18. Calculating interest lost to Craig Smith's 1,036.00 fee was easy. For the last 5 months of 1997 it is: $25.90. By adding up all the remaining figures in the column to the right we have $6,064.07. I will figure their interest for the last 6 months of 1997 and that total is: $181.92. For the total of lost interest through December 31, 1997 we therefore have:

$2,250.00+$199.18+$25.90+$181.92. All this adds up to: 2,657.00

Total owed me on these two cases equals: $14,736.61

Judge Shaw's $25,000.00 bail was returned on April 21, 1998. Lost interest for 111 days at the 5% annual rate I'm using in 1998 is: $380.14. Total owed me on these two vandalism cases (including the $380.14) with interest calculated from January 1, 1998 through end of current year equals (there is no interest to add until 1998 figures are calculated): . . . . . (+*) $14,736.61

(The figure with ^{x} in superscript equals $1,316.00. This amount, along with its 6-months worth of interest, $39.48, are subtracted from $15,423.76 [the total owed me on these two vandalism cases (including the $380.14) with interest calculated from January 1, 1998 through *Fedbuster's* publication date (established as June 1st 1998 for calculation purposes)] leaving $14,068.28. This amount is added to a comparable figure near the end of the above section [$51,725.43] to arrive at *Fedbuster's* selling price as of the publication date. As in the above case, this is bare rock-bottom price — my *mere* expenses — so don't snivel too much.)

(The June 1st publication date was arrived at as follows: Three days after I got Shaw's bail back I sent letters of inquiry to 15 people and asked for them to respond to various allegations I'm making. I told them they had one month to respond if they wished to, but would grant a reasonable extension if they wanted one. Even though publication was delayed longer than the one month, only my cousin, Mark Prochaska, responded.)

On August 25, 1993 Detective Ott and his partner, Detective R. Buckles, came to my parents' house in Van Nuys where I was living. They asked me questions about vandalisms of cars and I denied them. Although Ott states in his police report

that, "I intentionally did not mention any of the other cities which had sustained the same type of crime in their area," one of the detectives did. While one of them was searching inside my Chevy van with my permission, and out of range of our voices, the other detective mentioned several cities in the San Diego area by name, along with cities far to the north such as Shafter and Tulare, which had also sustained damage. If Ott was the one searching my van he is truthful here. Along with searching the van, they conducted a cursory search in the garage and found nothing.

From Ott's police report I found out an article about the vandalisms appeared in the August 24th edition of *The Bakersfield Californian*. This front page article also offered a $5,000.00 reward for information on the perpetrator. Ott mentioned he received contact from Jim Newman, a correctional counselor I had when I was in prison at *Tehachapi* back in 1989. Mr. Newman remembered I was in prison for doing a similar vandalism and apparently thought there could be a connection. He contacted police which resulted in their visit to me the next day. As mentioned in *Fedbuster,* the letters claiming responsibility for the vandalisms were mailed after this interview.

On November 19, 1993 Detective Ott and another partner, Detective O'Rear, came to interview me at the *Metropolitan Detention Center* (MDC-LA) in downtown Los Angeles. They read me my Miranda rights and asked if I wished to answer any questions. I said no and they immediately up and left. I found it surprising at the time why, after driving all that distance and spending who knows how much time getting processed into the institution to an upstairs "visiting room" (I was in a semi-protective custody housing unit at the time due to my high-publicity case), that they would give up so soon. I would have expected at least a bit of disappointment to show through in their facial expressions or even some words of gentle enticement to get me to change my mind and talk. When I said no, they closed their thick folder of papers and motioned to the guard that they were done.

In hindsight, it all seems clear why. Four days after their visit, Ott filed his report requesting "that a warrant be issued for the arrest of Thomas Lee Larsen for 11 counts of felony vandalism." I believe that his reading me my rights and attempt to get a statement from me was a mere necessary formality in the process of getting a warrant. He surely knew that day that he would be submitting his report to the district attorney requesting that I be formally charged but didn't tell me — and probably wanted to hurry on out of there as quickly as possible before I asked. He knew that if I was aware of the charges, but couldn't get them to go forward with them at that time, that I could file a 1381 (actually a Penal Code § 1381.5 because I was in federal custody) and insist that the proceedings go forward then rather than at some later time. And he also surely knew that if I got them to prosecute then, I could quite likely plea bargain the state and federal time to run concurrently, and that's exactly what they didn't want. Obviously, they wanted to keep me in the dark to prevent this option from happening and there is other evidence to support my claim.

And one tidbit is what happened next. Before the guard opened the door to escort me back across the hall to my housing unit and the two officers back down stairs and out of the institution, I made a statement to Detective Ott. I mentioned that someone else, meaning some police, had come to talk to me about other vandalisms. Now no one had, but I was already projecting ahead to how I was going to explain them finding the letters in our attic which detailed the reasons for the vandalisms. I could always tell the truth about Snake and his minions, but they weren't gettin' that story. Not with me in jail and without the property they took out of our house. If I got brought up on charges, as I was beginning to suspect, and knowing that those letters were the proverbial "smoking gun," I needed to have some story concocted to cover my ass. At that instant it dawned upon me what it could be. Some detectives from one of the many cities where vandalisms happened paid me a visit at home just like Ott and Buckles had done some weeks earlier. The only difference being that this time, they confronted me about the letters. (You'll recall they weren't mailed until *after* Ott and Buckles' visit.) My "cover your ass" plan was to explain them away by saying that they were left behind, possibly inadvertently, by that *other*

detective, and I just put them away in a box. That sounded like it would work for me. The trouble is, I needed someone to "confirm" that someone else did "visit" me. And that's where Ott could have come in. I was going to use him to acknowledge that I told him that there was, in fact, someone. Well, as it turned out, I never did play that card. But, Ott's response to my statement is quite indicative that there was a cover up to keep me in the dark about charges I was facing. He knew that a number of other cities had been victimized; why he even mentions having contact with other detectives in some of those cities. If there was no cover up I wouldn't expect him to be *so* surprised that some other detectives had come to question me. If anything, considering how many cities were involved, he should show surprise that he was the only one. On the other hand, if they had already entered into a scheme to keep me in the dark, they would surely have agreed that no one else will contact me. The fact that Ott thought somebody did, and was so *very* surprised about it, indicates there is a rat to smell here. What do you think? Hmmm.

Little did Ott realize how his suspiciously shady practices were extending the freedom of some very bad dudes and delaying getting some justice for a number of arson victims. The one thing that held up the disclosure of Snake and his minions until part way into 1998 was waiting to resolve these vandalism cases in the courts. Besides having to wait until the story is completed so I could tell it all, along with getting a final total of all the costs involved; I figured that if I had all these extra months of agitated uncertainty as to whether I was going to go to prison or not, then others can wait in despair to get resolution as to who burned their houses down. One of those, turn about is fair play deals — you know how that works by now. Snivel, snivel. Ya, I know — snivel all you want. It's the way I am. Deal with it! And if it smarts, take 2 aspirin and get out of my face! Ott knew *damn* well he was going to get charges filed on me when he talked to me on November 19th. Heck, their own local newspaper, *The Bakersfield Californian,* even reported on November 9th (page A1) that, "Police 'in the near future' will seek a criminal complaint against Thomas Lee Larsen, 43, alleging he sprayed about 750 auto dealership cars with acid, according to police Sgt. Sid Unruh." Whoever Unruh is, I wonder if he would have told me. Hmmm.

And then On December 2nd (page B1) they told their readers that, "Ten counts of felony vandalism and two counts of misdemeanor vandalism will be filed today against Thomas Lee Larsen in connection with a $1 million acid-splashing spree that damaged hundreds of cars in Kern County." Now I didn't have these papers at the time folks. There were photostatic copies of the original articles among all the papers I picked up from Ms. Blanton after my Bakersfield case was dismissed in May 1997. I believe they were part of the Discovery handed over by the DA's office. It's interesting to note that the same article mentions that they interviewed my father on the phone about the vandalisms where he said he believed I did not commit them. I wonder if they told him that I was being charged on that day. Hmmm. If so, he never told me — nor did he even mention the interview.

December 3rd brings confirmation in the *Californian* (page B1) that charges were in fact filed the day before against me. So here we had the whole county — and wherever else this paper is distributed — being told about my legal status, but they failed to tell me. Wake up guys; I'm the one that's *suppose* to be told here. Well it's good they didn't. That's why the charges got dismissed. :-)

It's interesting that Costa Mesa police apparently don't consider getting a statement from a defendant a necessary formality before they request a warrant. Detective Timothy John Schennum just sidestepped the whole issue by saying in his report, "Due to him being in the Federal Facility and him already being signed council, I will be unable to interview him in regards to the vandalism cases on file at our police department." Being assigned council in my federal case would not have prevented them from questioning me in an *unrelated* case. And if they were concerned about it, they could have easily contacted my deputy federal public defender and asked for his permission to question me, or even that he be present. The fact that they never did bolsters my theory even more that they were conspiring

to keep me in the dark about these charges.

On January 4, 1994, a month *after* the Bakersfield warrant was filed, I was visited by Mr. David L Perry, an investigator for the Bakersfield district attorney's office. He never asked me any questions about the vandalisms. All he wanted was handwriting samples. I freely gave them to him as my writing was not on any of the letters or envelopes. I asked him if they were going to file charges against me and he said he did not know. I asked him to please let me know if they are and I never heard anything from anyone.

Superior Court Judge Lee P Felice, who granted my speedy-trial motion after our second hearing on May 9th, made special note of this that there wasn't due diligence to notify me of the warrant. In a conversation between Judge Felice and Deputy District Attorney Orlando Gutierrez, Mr. Gutierrez confirmed that this conversation between Mr. Perry and me did take place. Before that, it was just my word. In fact, at the first speedy-trial motion hearing on February 19th, Mr. Gutierrez questioned whether there was even any handwriting samples taken. At the time they didn't know of their existence. They were lost somewhere, only to show up later. The results of the samples were "inconclusive" as to whether I was the writer of the letter. Even though charges had already been filed on me a month before Perry's visit, Mr. Gutierrez tried to play it off that Perry was "merely a mule" or "almost an errand boy" who was *only* sent to get the handwriting samples. Therefore, he wouldn't be aware if charges had been filed on me and was then truthful when he responded to my inquiry by saying that he didn't know. Judge Felice felt that my inquiry about whether charges were being filed should have triggered something for them to determine the status of the hold that was suppose to be on me, because if it was, I would have been notified about it and obviously already be aware of the charges I was facing.

At my first speedy-trial motion hearing on February 19th, Detective Ott testified that he, "had a meeting with the district attorney two or three months" after he submitted his report to the district attorney's office requesting that a complaint be filed against me. When Ms. Blanton questioned him at my preliminary hearing on April 1st about that meeting, Cynthia Zimmer, the Deputy District Attorney, objected and we were not allowed to get an answer. Ms. Blanton voiced her suspicions that, "I believe at this time that it's possible that this officer obtained information that prosecutor was not going to prosecute this case until after Mr. Larsen completed his time, and I just need to find out if that occurred." "But that's completely irrelevant to the hearing" Ms. Zimmer said, and Municipal Court Commissioner Louie L. Vega agreed. Like a sneaky dog with a big bone, one has to wonder what these characters had to hide. I feel they all got together from each jurisdiction to make sure I was not notified. Ott testified that when he went "from detective to sergeant" he "kept this case knowing that it was pending." Yet if he knew this, why didn't he inquire as to why I wasn't being brought in to answer to the charges? Obviously, if he knew of a plan to get me *after* I got released from federal prison he would be quiet and hold on to the paperwork until that time.

And then we have Bakersfield Detective Arnold (Ray) Kennemer of the warrant-fugitive detail. He is the detective that was in charge of notifying the federal prison where I was at of the warrant so they could put a detainer on me. He testified at both of my speedy-trial motion hearings and from them we found out that on the morning of November 4, 1996 (you'll recall that it was on this very day at 8:39 a.m. that I made my first call to Costa Mesa to claim my "prizes") he received a telephone call from an Orange County investigator asking if Bakersfield's warrant was still active. Kennemer checked and told him — or her, that wasn't clarified — "yes, it was" and when asked if they "want this guy?" Kennemer said, "Yes, we do." Also in their conversation, Kennemer told him that I "still should be in federal prison." Mr. Gutierrez made a comment in court during my second speedy-trial motion hearing that, "Mr. Kennemer thought he was still in federal custody because, according to him, he had to serve his time completely." Apparently Kennemer figured that with a 40 month sentence, that I'd do all 40 months. But according to

law, we get 54 days per year of good time off of our sentence so I did just a few days shy of 35 months. (I never lost any good days by misbehaving in prison.) This is where they miscalculated. It seems clear today that their intention was to keep me in the dark and then get me right before I get released. I can't prove it to an *absolute* certainty (just like I can't prove Snake and the fellas are guilty), but all the indications are there. Why, Kennemer's own testimony lends support to my suspicions. When asked, "What is it that you are seeking to do when you place a detainer on a prisoner?" his response was, "Place a hold so when that subject is through at that facility we can bring him back for trial on the charges that we have on the warrant." It's as if I was on their minds all along; they knew where I was at, and they were just waiting — waiting for me to get released. Those dirty, sneaky SOBs.

Kennemer testified that he entered the warrant against me in C-L-E-T-S, the California Law Enforcement Telecommunications System. As part of the Discovery, we got a computer-generated warrant history printout titled "DISPLAY SERVICE HISTORY" (the printout prints only in capital letters). For December 3, 1993 at 16:30 (4:30 p.m.) it states "ABSTRACT SENT TO FCI LOS ANGELES FROM BPMAI KENNEMER, ARNOLD R." (I understand this is an abstract copy of the warrant.) And on the very day Kennemer received his call from Orange County, he sent out two teletypes which are indicated on the history printout as follows: At 14:04 (2:04 p.m.) two entries state that a "WARRANT INFORMATION SHEET" was sent both "VIA NCIC" and "VIA MAIL." Although it didn't say where, I assume it was to Costa Mesa. At 17:02 (5:02 p.m.) on December 11th, the day of my arrest, it states "ABSTRACT SENT TO COSTA MESA PD FROM BPMAI TOLBERT, TAMIA NASHAY."

Kennemer testified that after he sent out the abstract on December 3, 1993 he took no further steps to verify if a detainer was in fact lodged against me and said he received no word back from *MDC-LA* requesting a certified copy of the warrant. He stated policy back in 1993 was that the federal prison didn't always require a certified copy of the warrant in order to put a detainer on an inmate. He admitted though that this was the first one he had ever done in the federal system and that he had been at this job for only a few months. Judge McNutt, at my first speedy-trial hearing, ruled he did use due diligence. After this, Ms. Blanton hired a private investigator, Mr. Tom Meek of THM Investigations, to check into things further and he found out the federal prison now — and back in 1993 — *does* require a certified copy after 5 days to keep a detainer on an inmate. They will put a detainer on an inmate after receiving a request, but only hold it for 5 days and will drop it if they don't get a certified copy. Ms. Blanton got a signed sworn Declaration from Mr. Art Moore, the Inmate Systems Manager. He is the staff member in charge of the records' department overseeing such inmate matters at *MDC-LA*. Mr. Moore's signed sworn Declaration spells out the Bureau of Prisons' requirement very clearly: "Detainers require both a letter of request and a certified copy of the warrant. If either document is not received, the issuing agency is contacted by mail and informed of this requirement." Ms. Blanton presented his statement to the court at my second hearing and Judge Felice ruled there was not due diligence.

Before Ms. Blanton got her private investigator on the case I contacted *MDC-LA* myself and was inquiring about the policy they follow. I wanted to find out if there was any record of a detainer being placed on me. I spoke to a woman in the records' office but did not get her title or name. She run my name and prison number (20121-148) through the computer and when she saw that I was released from the federal prison in Sheridan, Oregon she said that all my paper work is up there. I called there and spoke to someone in the records' department and he went and got my file. As I was on the phone with him he was thumbing through various sections of my file and said there was nothing at all about a detainer. The thing is, if they put one on an inmate for 5 days before they get a certified copy, there should be a written notation of it. Yet there was nothing in my file. And as I said before, Kennemer testified that he heard nothing from them about wanting a certified copy.

Somewhere along the line that teletype he sent never got there. Was it sent but an error prevented it being received? Kennemer testified that "if the abstract does not go through, I get an error statement on my screen verifying that it did not go through." Was it then, a phony teletype? A fake message sent out just so they could have documentation to cover their asses if questioned about it later? Possibly — it's sure something to think about folks. Was there some kind of clandestine plan to purposely keep me in the dark? Likely — very likely. Actually, almost certainly I believe. Beyond a conviction, was a consecutive sentence their ultimate goal? That's where I'm placing my money.

After I was released on bail in December 1996, and surely after Costa Mesa checked for any other warrants on me, Ms. Blanton found there was another one. This one from the Shafter Police Department filed on December 8, 1993. Shafter is a small town 10 miles or so north of Bakersfield and she just happened to find it while working on a computer hooked up to Kern County cases. We promptly appeared in Shafter and consolidated it with the other counts from Bakersfield and it was obviously dismissed along with the others due to the successful motion. The thing is, the handwritten Shafter police report states that:

> *When first reported, Det. S. Griffith and Det. Ott told me because of their department's resources they would conduct their investigation and keep us (SPD) [Shafter Police Department] informed of their progress. On 11-29-93 Det. Ott told me based on specific evidence that they found on Larsen, they were filing charges on him with their D.A.'s office. For further information regarding their findings, refer to their attached report. It is S.P.D.'s intention to also file charges of PC 594(b)(2) against Larsen. Case closed per arrest via B.P.D [Bakersfield Police Department].*

Per arrest via B.P.D.? Looks like they were leaving everything up to Bakersfield who did all the original footwork. They just filed their complaint in hopes of tolling all statute of limitation time limits and apparently let it sit silently in the background while I did my federal time. Did Costa Mesa do this too? Hmmm.

While the answer to that question isn't known with certainty, we do know that on September 23, 1993 — more than a month before my arrest by the feds — Sergeant Ellen D. Rhodes of the *California Institution for Men* at Chino faxed Detective Schennum information about me. Included in that information was a handwritten note with my former state parole officer's name and phone number suggesting that he could be called "for a profile on" me. Schennum apparently never followed up which was confirmed at my March 20, 1998 speedy-trial motion hearing. With the DA filing no rebuttal to our motion, both sides went into chambers with the judge for about 10 minutes and after that the extent of the hearing was that both sides submitted the case with no testimony from anyone. Back on the record, the DA admitted Schennum never followed through with anything, even though he knew I was in federal prison. All the DA added in open court, as far as an objection, was his concern as to what my father could have added as far as an alibi if he would have been questioned about my whereabouts on the dates in which the vandalisms happened in Orange County, along with stating that receiving concurrent time with my federal sentence would have been an optional thing. Superior Court Judge James K. Turner ruled that there was not due diligence and that I had been prejudiced. He then thanked the DA for his candor and dismissed the case. And with that, it opened the way to *finally* bring this book to publication. (Boy, it's been a long time coming hasn't it?)

One closing thought. While I've been very critical of Detective Ott, he does have one redeeming quality — honesty. He may try to hide certain things from you if it's to their advantage, but when asked directly about something, he seems to tell the truth. When he interviewed my father on August 25, 1993 he asked him "If he could account for [my] whereabouts…In the evening hours of August 20, 1993, to

the early morning hours of August 21, 1993," the days of the vandalisms in Kern County. He testified that my father told him that I was at home when he went to bed at between eight and nine o'clock on the night of the 20th and again when he arose at seven or eight o'clock on the morning of the 21st. Our whole angle here was to show that by delaying prosecution until after my father died, I no longer had an alibi witness to testify that I was not at the scenes of the crimes during the times they were happening. As it turns out, my dad's memory failure, rather than intentionally lying, caused him to vouch for my presence at home. (I was, in reality, with Snake and his minions at the time as indicated in *Fedbuster*.) After Ott and Buckles left I confronted him about his statement and he promptly remembered that I had been gone. But, like they say, you can't unring the bell. Once it was said and put on the record I was going to use it to the max. If Ott would have "conveniently" not remembered all of the conversation he had with my father so long ago and left out these important details — as I'm sure some law-enforcement people who I've known throughout my travails within the judicial system would do — I possibly would be putting off *Fedbuster* for awhile longer until after I finished a state prison sentence. For Ott's honesty here, he gets my thanks and appreciation. He's not without a lot of faults in this case — but he is partially redeemed. Actually, his honesty helps society as much as it helped me. With me not going to prison again, law enforcement has a chance to bring the real arsonists to justice all that much sooner. There's nothing left to hold up *Fedbuster*.

And then, we have Mr. Perry's taking of handwriting samples from me and, more importantly, acknowledging the conversation we had about me asking if they were going to file charges against me and to let me know if they are. That was quite instrumental in Judge Felice's decision to grant our motion for dismissal. A less honorable person could have easily said that they had no recollection of that conversation ever taking place. And in the beginning, they even questioned my claim that handwriting samples were ever taken from me. They possibly could have continued to deny their existence for some time. But I'm sure that once we scoured visiting records from *MDC-LA* of anyone who visited me, that at least would have come to the surface. Still, Perry's truthfulness was the key I needed and he come through. Much thanks there.

Of course, I need to thank Ms. Jaffrey. Like Ms. Blanton did up in Bakersfield, she put together one hell of a motion. It's nice to have the law on your side and win for a change.

Detective Schennum deserves some thanks for his honesty too. Although it would have been hard to do, he could have covered his ass somewhat rather than admit openly that he failed to follow through with the information he had in a timely manner.

The Newport Beach deputy district attorney, whose name I didn't get, also needs thanks for his candor. He got it from Judge Turner, now me.

If some law-enforcement people I'd dealt with in past years had been as honest and forthright with me, a lot of grief being returned upon society could have been avoided. Let that be a lesson to those who interact with those of us who break the law. Treat us with fairness and honesty and everyone will be benefited; you, society, and the offender. That's the ultimate lesson of *Revenge*. Heed it!

December 8, 1997: I never expected another section would be added here, but on this date I found out another one is needed to track another unnecessary ongoing expense in both time and money and, according to my OATH, return it back upon them. When I got out of state prison in 1975 I registered as an ex-sex offender as required by California Penal Code § 290. For all these years my only requirement was to notify them in writing of a new address if I change my residence. Because I never changed my residence we never had any contact again. Now the law has been changed to require registered sex offenders to report in person yearly within 5 days of their birthday to update their status, and it unfairly includes those of us from years ago who fell under the old law's less demanding requirement.

On this date two detectives from the Registration Enforcement and Compliance Team of the Los Angeles Police Department came to my house to notify me of this change in the law. They mentioned they spoke to my United States Probation Officer, Mr. Frank J. Gulla, and I got the impression that he notified them, but Mr. Gulla says that they notified him to inquire whether I was in compliance. In any event, Mr. Gulla and I had previously discussed the registration issue and both him and I reviewed an older version of 290 which said I only need to notify them in writing if I change my residence. He seemed to think that going to prison constituted a "change of residence" and I disagreed because DMV and tax records retained my Van Nuys address and because I never told 290 people that I moved *from* that address — temporary as it was while in prison — there was no need to change it back *to* that address. He seemed to drop it and I thought the issue was over with until this day. I inquired about how to go about it when I'm off full-timing it in my motorhome for a number of years; which I plan to do when I get off of Supervised Release. Surely they wouldn't expect me to drive back to L.A. from across the country every year if that's where I happen to be at around the time of my birthday. They suggested I call Janet Neeley at the Attorney General's office in Sacramento. Calling around and researching the law on this date cost me .8 hours. At $5.11 per hour (my take home [net] pay on my last full-time [45 hours per week] job in 1986 was $230.03 per week which equaled $46.01 per day or $5.11 per hour) that equals $4.09. Two phone calls added up to $3.37. On December 10, 1997 I appeared in person at the Van Nuys Division of the Los Angeles Police Department at 6240 Sylmar Ave., Van Nuys and re-registered with Detective Toth. From leaving home to arriving back at home took 1.7 hours for a total @ $5.11 per hour of $8.69. I'd estimate gas at $.75. Total for both days is: $16.90

Total owed me by police for this unnecessary cost with interest calculated from days of occurrence through end of current year equals (at the current time there is no interest to add): . . . . . (+*) $16.90

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Total judicial debt	$1,038,314.71
Less: Payments/restitution, profits, & donations	(3,265.72)
Current outstanding balance	**$1,035,048.99**

OATH

I_____am a member of a growing legion of disgruntled people unwilling to *ever* again, under *any* circumstances, give up *any* of my rights for fair, just, and equal treatment as guaranteed by our Constitution of the United States of America and the Bill of Rights. I pledge to closely adhere to VOCAL's Prime Directive in not allowing *any* violation of person, property, or money to go by unchecked or unpunished – no matter how minor, or regardless of the time span between offense and resolution. Nor will I allow myself to be unnecessarily aggravated or treated as a second class citizen in *any* double-standard kind of way.

As a follower of VOCAL, I promise to abide by its Guidelines and goals and agree to protect, first myself, and then other deserving individuals against *all* judicial system enemies, foreign and domestic, to the best of my abilities.

In responding to misdeeds, I will be ever mindful of the violator's original offense level, lest I be tempted to engage in over-behavior which I am actively protecting against. Whenever possible, I will first advise a prospective perpetrator of my zero tolerance status and suggest more benign avenues of behavior, or corrective measures if the misdeed has already been done. Under no circumstances will I purposely trick an abuse-inclined person into action if he or she is naive to possible side effects or consequences. Nor will I intentionally hide the fact that I am the *wrong* person to mistreat in *any* way. At all times, no matter what, I will continue to stand up for the things I believe in!

While it is preferable to return the violation personally upon the guilty culprit's doorstep in a timely manner – and nowhere else – I understand that some indirect, wider-reaching, methods of response designed to cost, inconvenience, embarrass, and/or aggravate a perpetrator, or organization he or she represents, are quite acceptable; even if years pass between the offense and resolution. But I accept VOCAL's <u>firm</u> position that any intentional response that physically hurts or injures another animal or person is not. I agree to abstain from such behavior to the best of my abilities and understand that if I falter, VOCAL will disavow any knowledge of my membership.

I take this OATH freely without any mental reservations or purpose of evasion.

Instructions

+ = Add this number to Total judicial debt at end.
* = A yearly figure to update for interest.
^ = Add numbers with only an * here. Don't
multiply yearly interest.

To calculate interest with Casio SL-807LB calculator enter current figure to update then press <M+>, <AC>, <MRC>, <X>, <percent rate>, <%>, <M+>, <MRC>,
<X>, <percent rate>, <%>, <M+>, <MRC>,
etc.