

## Military Resistance 12L16



**Being A Cop Showed Me Just  
How Racist And Violent The  
Police Are:**

**“Too Many Times, Officers Saw  
Young Black And Brown Men As  
Targets”**

**“The Number Of People In Uniform  
Who Will Knowingly And Maliciously  
Violate Your Human Rights Is Huge”**

# **“A Profoundly Corrupt Criminal Justice System” “Intentionally Unfair And Racist”**

December 6, 2014 by Redditt Hudson, Washington Post

As a kid, I got used to being stopped by the police. I grew up in an inner-ring suburb of St. Louis.

It was the kind of place where officers routinely roughed up my friends and family for no good reason.

I hated the way cops treated me.

But I knew police weren't all bad. One of my father's closest friends was a cop. He became a mentor to me and encouraged me to join the force. He told me that I could use the police's power and resources to help my community.

**So in 1994, I joined the St. Louis Police Department. I quickly realized how naive I'd been. I was floored by the dysfunctional culture I encountered.**

**I won't say all, but many of my peers were deeply racist.**

One example: A couple of officers ran a Web site called St. Louis Coptalk, where officers could post about their experience and opinions. At some point during my career, it became so full of racist rants that the site administrator temporarily shut it down.

Cops routinely called anyone of color a “thug,” whether they were the victim or just a bystander.

This attitude corrodes the way policing is done.

As a cop, it shouldn't surprise you that people will curse at you, or be disappointed by your arrival. That's part of the job.

But too many times, officers saw young black and brown men as targets. They would respond with force to even minor offenses.

And because cops are rarely held accountable for their actions, they didn't think too hard about the consequences.

Once, I accompanied an officer on a call.

**At one home, a teenage boy answered the door. That officer accused him of harboring a robbery suspect, and demanded that he let her inside. When he refused, the officer yanked him onto the porch by his throat and began punching him.**

**Another officer met us and told the boy to stand. He replied that he couldn't. So the officer slammed him against the house and cuffed him.**

**When the boy again said he couldn't walk, the officer grabbed him by his ankles and dragged him to the car.**

**It turned out the boy had been on crutches when he answered the door, and couldn't walk.**

**Back at the department, I complained to the sergeant. I wanted to report the misconduct. But my manager squashed the whole thing and told me to get back to work.**

I, too, have faced mortal danger. I've been shot at and attacked. But I know it's almost always possible to defuse a situation.

Once, a sergeant and I got a call about someone wielding a weapon in an apartment. When we showed up, we found someone sitting on the bed with a very large butcher knife. Rather than storming him and screaming "put the knife down" like my colleagues would have done, we kept our distance. We talked to him, tried to calm him down.

It became clear to us that he was dealing with mental illness. So eventually, we convinced him to come to the hospital with us. I'm certain many other officers in the department would have escalated the situation fast. They would have screamed at him, gotten close to him, threatened him.

And then, any movement from him, even an effort to drop the knife, would have been treated as an excuse to shoot until their clips were empty.

I liked my job, and I was good at it.

But more and more, I felt like I couldn't do the work I set out to do. I was participating in a profoundly corrupt criminal justice system. I could not, in good conscience, participate in a system that was so intentionally unfair and racist. So after five years on the job, I quit.

Since I left, I've thought a lot about how to change the system. I've worked on police abuse, racial justice and criminal justice reform at the Missouri ACLU and other organizations.

**Unfortunately, I don't think better training alone will reduce police brutality. My fellow officers and I took plenty of classes on racial sensitivity and on limiting the use of force.**

**The problem is that cops aren't held accountable for their actions, and they know it. These officers violate rights with impunity. They know there's a different criminal justice system for civilians and police.**

**Even when officers get caught, they know they'll be investigated by their friends, and put on paid leave. My colleagues would laughingly refer to this as a free vacation. It isn't a punishment.**

**And excessive force is almost always deemed acceptable in our courts and among our grand juries.**

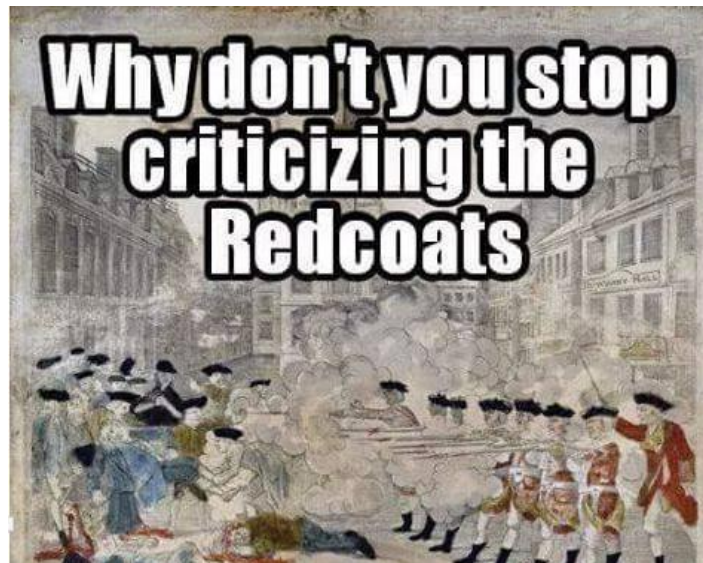
Prosecutors are tight with law enforcement, and share the same values and ideas.

We could start to change that by mandating that a special prosecutor be appointed to try excessive force cases. And we need more independent oversight, with teeth.

I have little confidence in internal investigations.

**The number of people in uniform who will knowingly and maliciously violate your human rights is huge.**

At the Ferguson protests, people are chanting, "The whole damn system is guilty as hell." I agree, and we have a lot of work to do.



---

## **AFGHANISTAN WAR REPORTS**

**Afghan Regime Soldier Killed By  
Madrasa Students;  
Government Helpless To Do Anything  
About IT**

The civil society activists in northern Balkh have strongly condemned the killing of an Afghan National Army (ANA) soldier by the Madrasa students in western Badghis province.

According to reports, a number of Madrasa (seminary) students killed an ANA soldier yesterday in Qadis district when he went to a Mosque to offer his prayers.

Strongly condemning soldier's murder, the activists in a gathering on Monday asked the government to ban all those unregistered seminaries that what they believe promote extremism. "We want the government to ban those centers that spread extremism and also the unregistered Madrasas," a participant said.

Meanwhile, the Balkh education director, Nasiruddin Ansari, admitted that the education ministry had no control over most of these schools.

**"We don't have control over many Madrasas that are not registered with the ministry of education," Ansari said.**

---

## THE ULTIMATE EXERCISE IN COMPLETE FUTILITY: PACK IT UP COME HOME



U.S. soldiers from D Troop of the 3rd Cavalry Regiment walk on a hill after finishing with a training exercise near forward operating base Gamberi in the Laghman province of Afghanistan December 30, 2014. (REUTERS/Lucas Jackson)

---

## MILITARY NEWS

**NOT ANOTHER DAY  
NOT ANOTHER DOLLAR  
NOT ANOTHER LIFE**



The remains of Sgt. Maj. Wardell B. Turner, Nov. 26, 2014 at Dover Air Force Base, Del. Turner, 48, of Nanticoke, Md., died Nov. 24, 2014 in Kabul, Afghanistan of wounds sustained when his vehicle was attacked with an improvised explosive device. (AP Photo/Steve Ruark)

---

**A Veteran's Chemical Burns  
Expanded Military Doctors'  
Knowledge, But His Care  
Vanished:  
"The Victims Had Been Kept  
Secret As Long As A Decade"**

**“A Well-Ingained Pattern Of Abuse  
And Neglect” Of The Human  
Subjects, Some Of Whom Had Been  
Duped Into Consent”  
“He Was Suffering A Cascade Of Health  
Problems. He Had Been Assured Of  
Long-Term Monitoring” “Instead The Air  
Force Never Contacted Me Again”**



Daniel Mould, a former member of an explosive ordnance disposal team, was wounded by a chemical round in Delaware in 2004. Credit Damon Winter/The New York Times

[Thanks to Clancy Sigal, who sent this in.]

DEC. 30, 2014 By C. J. CHIVERSDEC, New York Times

LORDS VALLEY, Pa. — Daniel Mould’s sense of abandonment was profound.

**An Air Force staff sergeant wounded in a chemical weapon accident in 2004, he willingly helped the military study his wounds.**

From his bed in a Philadelphia burn ward, as blisters from sulfur-mustard agent erupted on his skin, he signed a waiver allowing doctors to gather his body fluids to experiment with new laboratory methods for confirming chemical exposure.

Over the next 18 months, as the military gave him attentive care and doctors prepared peer-reviewed journal articles about his case, another branch of the service, the Army, concluded that it needed to be exhaustive in tracking troops exposed to chemical warfare agents: Citing Sergeant Mould's burns, it called for monitoring victims for life.

The case seemed a welcome example of the military's working closely with a patient to improve understanding of a rare battlefield risk and to develop practices to learn from patients' medical experiences.

Then came the shift.

**When Sergeant Mould accepted medical retirement in 2006, he was suffering a cascade of health problems, but he said he had been assured of long-term monitoring. Instead, he said, "the Air Force never contacted me again. I've never been tracked."**

In October, reacting to an investigation by The New York Times, the Army surgeon general's office announced that it would begin monitoring the long-term health of all veterans exposed to nerve or blister agents during the American occupation of Iraq.

**The victims had been kept secret as long as a decade, and the Army's treatment guidelines had not been followed.**

**For Mr. Mould, 45, who had never spoken publicly about the accident, the irony of the Army's announcement was startling.**

**Even the person whose wounds spurred one branch of the military to call for tracking exposed veterans had not been enrolled in long-term monitoring — by either the Pentagon or the Department of Veterans Affairs.**

The origins of his case span almost a century of American chemical-warfare policies, and like the experience of Iraq — where troops were wounded by abandoned chemical weapons — his example speaks to the persistent dangers presented by discarded or forgotten munitions.

### **"A Well-Ingained Pattern Of Abuse And Neglect" Of The Human Subjects"**

**Almost all of the military's previous chemical-exposure victims had been World War I veterans or human subjects in classified military tests during World War II and the Cold War.**

**The latter group, tens of thousands of enlisted men, were systematically exposed to nerve and blister agents in gas-chamber tests, field exercises or other efforts to evaluate protective equipment and human reactions to chemical-warfare agents.**

**Often the human subjects were sworn to silence.**

**The Pentagon denied their existence for decades, until victims came forward with medical claims, prompting a 1993 review of the military's conduct by the National**



**Academies' Institute of Medicine, which noted "a well-ingrained pattern of abuse and neglect" of the human subjects, some of whom had been duped into consent.**

**That review also found enduring negligence:**

**"No formal long-term follow-up medical care or monitoring was provided" for exposure victims, even though follow-up, the authors said, "could have provided a wealth of information on the effects of these war gases."**

Tracking exposure victims is important, military and health officials say, because blister and nerve agents can carry long-term effects. Sulfur mustard, for example, can cause lingering respiratory difficulties and is carcinogenic, although precise risks have proved hard to measure in the limited studies to date.

That legacy of squandered opportunities appeared to change by 2004, when Sergeant Mould was burned.

His wounding was like a case study in the long-lasting dangers of modern weapons.

In 1917 and 1918, the United States brewed chemical agents for use on Europe's front lines, only to find it had little storage capacity for thousands of tons of chemical artillery shells that had not been fired before the armistice in 1918.

**The Army found a solution: Dump them off the East Coast. "War Gas Dumped Far Out At Sea," read the headline on a New York Times article in 1919, which noted that one vessel dropped 200,000 shells overboard between 60 and 100 miles out.**

Little is known of the locations of many shells, which were scattered by multiple ships. But out of sight did not mean out of reach.

**One shell intersected with Sergeant Mould more than eight decades later, after the police found a rusted artillery projectile at a chicken farm in Delaware in the summer of 2004.**



The 75-millimeter shell retrieved by Sergeant Mould and his teammates, taken the day before they attempted to destroy the round. Credit Daniel Mould/United States Air Force

The projectile had been brought ashore by a fishing vessel and delivered to the farm with a load of crushed clamshells to be used as roadway fill.

Sergeant Mould, at the time assigned to an explosive ordnance disposal team on Dover Air Force Base, was dispatched to pick up the shell and bring it back the base.

There, he said, he and a more senior noncommissioned officer misidentified it as a conventional, high-explosive 75-millimeter round.

The next day, Sergeant Mould's team was assigned to destroy the shell. The plan was to breach it with a small shaped charge, causing its suspected contents to burn out and minimizing the risk of a larger blast or fragmentation.

After the team detonated the shaped charge, Mr. Mould recalled later, something was clearly wrong: The shell was leaking a "liquid about the consistency of vegetable oil and black as the ace of spades." The liquid, he said, smelled like hot asphalt.

A more senior disposal tech, he said, proposed that the shell was a tar-filled practice round. The three techs sealed it in garbage bags to contain the odor and planned to finish destroying it another day.

As the team packed the round, sticky liquid spilled onto Sergeant Mould's sleeve.

At 4 a.m. the next day, Mr. Mould recalled, he woke in pain. Blisters were rising on his left hand and arm. He understood immediately that what he had thought was tar had been a chemical warfare agent.



Blisters from sulfur-mustard agent erupted on Sergeant Mould's skin as he lay at a Philadelphia burn ward in 2004. Credit U.S. Army Medical Research Institute of Chemical Defense

Sergeant Mould drove to an emergency room. Two other techs suffered exposure in the incident, including one who had a small chemical burn above one knee, according to the Air Force incident report. One did not reply to requests for comment; the other could not be reached.

Sergeant Mould's wounds required 10 days of hospital care and two months of convalescing at home. From the start, he agreed to cooperate with military doctors who

used his blood, urine and blister fluid to develop laboratory tests that allowed them to confirm exposure as long as 41 days out.

One participating doctor praised Sergeant Mould's attitude. "He really was very public-spirited about it," said Dr. Jonathan Newmark, then an Army neurologist at the Army's Medical Research Institute of Chemical Defense.

As his burns healed, Sergeant Mould began suffering other medical problems, including post-traumatic stress disorder. He also became angry at what he saw as government shortsightedness and silence.

"It turned out that people knew those shells were dumped there," he said. "I can't tell you how that upset me."

In the years since, 15 more of the same type of mustard shells have come ashore in clam boats and been recovered from the Sea Watch International seafood plant in Delaware, said Dave Foster, an Army spokesman.

By then, prompted by Sergeant Mould's case, the procedures had changed. The shells were all destroyed in a specialized, sealed chamber known as an explosive destruction system, Mr. Foster said.

Another Air Force technician suffered mild chemical burns several years later retrieving one of the mustard shells from the clam-processing plant. Reached by telephone, that victim declined to comment, beyond saying that she remained on active duty and that the Air Force had handled her case well.

### **"I'd Love It They'd Just Do What They Said"**

Sergeant Mould was medically retired in 2006. His records show that he has suffered depression, reactive hypoglycemia and cardiac problems. He said he had been troubled by the military's lack of curiosity and follow-up.

"I can't tell you that my health problems were caused by mustard," he said, "but I can't be sure there is not a connection, either."

**As his health failed, he said, the Air Force ceased following his case, and the V.A.'s handling of his routine medical care was so inadequate that he stopped visiting the department's hospitals.**

The Air Force confirmed that it did not have a policy for long-term monitoring of its veterans exposed to chemical agents — like the one developed by the Army after Sergeant Mould was exposed — and that it stopped following him when he left active duty.

When his care was handed off to Veterans Affairs, doctors there said, Mr. Mould was treated through 2009 for a range of health problems, but he had not been enrolled in long-term surveillance and the department had not tried to reach him since 2011.

Dr. Paul Ciminera, director of the V.A.'s Post-9/11 Era Environmental Health Program, said that now that other mustard-exposure victims had become known from Iraq, the V.A. had begun working with the Department of Defense to decide how best to track victims over time.

After The Times inquired about Mr. Mould's case, the Army said it would enroll him in a regimen of lifelong health monitoring — a step Dr. Newmark said made sense.

"Going forward, it is pretty clear that what we ought to do for these people is have a long-term safety net in place," he said.

**Mr. Mould said this was all he had sought years ago.**

**"I'd love it," he said, "if they'd just do what they said."**

---

## **Feds Bar Companies' Long-Distance Lawsuits Against Soldiers: Move Against "Illegal Debt Collection Practices Against Service Members"**



A USA Discounters location in Virginia Beach on June 24, 2014. The company has since changed its name to USA Living. (Matt McClain/Washington Post via Getty Images)

28 December 2014 By Paul Kiel, ProPublica

In the latest move against companies targeting military customers, federal regulators prohibit two Virginia-based lenders from suing out-of-state debtors in Virginia courts.

Federal regulators reached a settlement last week with the owners of two high-priced lenders over what they alleged were illegal debt collection practices against service

members. The Virginia-based companies were featured in a ProPublica story last summer.

The action by the Consumer Financial Protection Bureau, which enforces federal consumer laws, is the latest move by regulators and the Department of Defense to curb predatory practices by companies that target members of the armed forces around the country.

In July, ProPublica published an investigation of USA Discounters, a retailer with stores outside each of the country's 11 largest military bases.

**The story, which was also published in the Washington Post, detailed how the company courted service members by guaranteeing them credit on marked-up appliances and electronics.**

**If they fell behind on their payments, USA Discounters often sued them, by the thousands, in Virginia, regardless of where they had made their purchases. After winning judgments, the company then frequently seized funds from debtors' pay or bank accounts.**

The story identified two other companies, Freedom Furniture and Electronics and Military Credit Services, which employed similar tactics. These companies, owned by a pair of brothers, settled with regulators last week.

As part of the agreement, they are barred from using Virginia courts to sue out-of-state customers. The companies also agreed to credit or repay customers \$2.5 million and pay a penalty of \$100,000.

In an emailed statement, a spokeswoman emphasized that the settlement did not include an admission that the companies had violated the law. The statement said the firms "intend to continue to set the standard for excellence in all we do. We are honored to meet the needs of those who serve."

**ProPublica's article focused on USA Discounters, which has seized the pay of more active-duty military than any company in the country by a wide margin, according to Defense Department payroll data.**

But the Consumer Financial Protection Bureau (CFPB) has not brought similar charges against USA Discounters (though it did reach a settlement earlier this year over an unrelated practice). A CFPB spokesman declined to discuss whether such charges are pending or its investigative strategies.

But the agency is under pressure to act. After the story ran, a group of U.S. senators sent letters to federal regulators urging them to crack down and forbid the practices.

And this fall USA Discounters announced it had changed its name to USA Living and modified its collection tactics. It still plans to file lawsuits in Virginia against out-of-state borrowers, but now will notify them that they can elect to be sued closer to home if they default on their payments.

**USA Living has also paid a Washington lobbying firm at least \$100,000 to lobby Congress over “issues regarding CFPB enforcement,” according to disclosures.**

A separate action by the Defense Department announced last month will likely have a major effect on military-focused retailers like Freedom, USA Living, and others. As ProPublica reported, service members taking out a loan from USA Discounters almost always voluntarily set up payments through the military’s allotment system. Part of the service member’s paycheck automatically went to the company every month.

**Last month, the Department announced that, starting Jan. 1, 2015, service members could no longer use allotments to purchase personal property.**

USA Living’s spokeswoman argued the change will not have a major impact on the company because it never required the use of allotments. In an email, the spokeswoman for Freedom and Military Credit said allotments were “just one option” for payment, although CFPB noted many of its customers paid via allotment.

The USA Discounters story was part of ProPublica’s broader investigation this year on the use of wage and bank garnishments — by debt collectors, creditors, even hospitals — to collect debts.

---

## **FORWARD OBSERVATIONS**



**“At a time like this, scorching irony, not convincing argument, is needed. Oh had I the ability, and could reach the nation’s ear, I would, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke.**

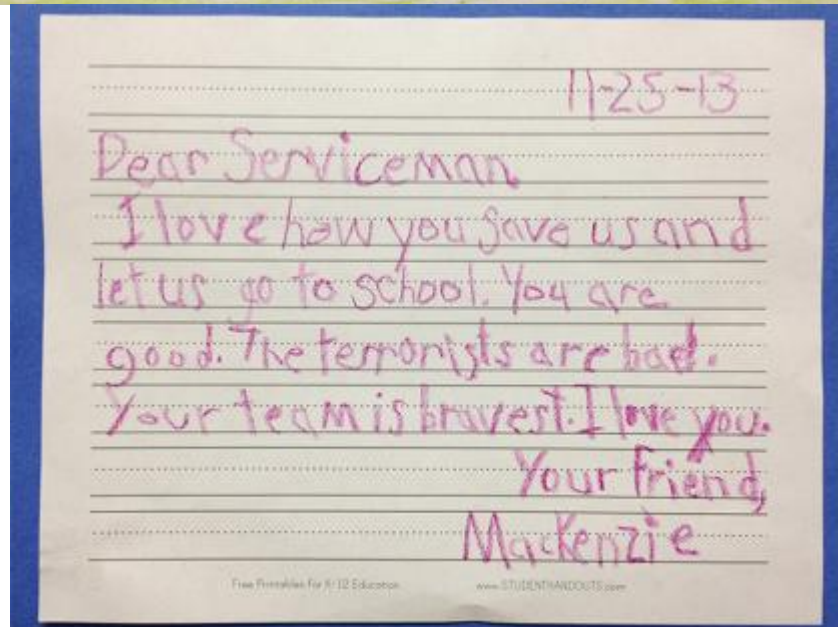
**“For it is not light that is needed, but fire; it is not the gentle shower, but thunder.**

**“We need the storm, the whirlwind, and the earthquake.”**

“The limits of tyrants are prescribed by the endurance of those whom they oppose.”

Frederick Douglass, 1852

## Soldier Responds To Letter From A First Grader



**Comment: T**

**The Duffle Blog publishes satire by and for members of the armed forces. The politics of this piece are significant, to put it mildly. They are biting, radical, and fresh. The politics currently expressed by leading organizations self-advertising as standing with troops and veterans within a no-longer-existent “anti-war movement” are cardboard in comparison.**

\*\*\*\*\*

Dec 16, 2013 By Juice Box, The Duffle Blog

Dear Mackenzie,

Thanks for your kind words. The support of young Americans like you makes everything we do feel at least marginally worthwhile.

But let's get a few things straight.

First of all, I'm not your friend. In fact, I specifically tried to avoid receiving this letter to save myself the burden of writing you back.

Second, your black-and-white characterization of this conflict grossly misunderstands the complexity of modern warfare and, indeed, the folly of declared war against any group as broadly unspecific as “the terrorists.”

This isn't World War II, and the extent to which I am “good” and the enemy is “bad” is subject to debate — just ask anyone who's ever woken up to a Hellfire landing in the backyard.

It's inaccurate, in any case, to suggest that we're here fighting any sort of unified adversary.

On a given day, I couldn't tell you if I'm being shot at by Taliban, Haqqani, Hezb-e Isalmi, Taj Mir Jawad, or the Afghan National Army.

At a certain point, when you're surrounded by people who hate you, there comes a time for looking inward.

The truth is I'm not a “hero,” and what I do has no bearing at all on your daily life.

Seriously, what am I “saving” you from?

Al-Qaeda abandoned its goal of a global caliphate years ago and has since retooled to source a collection of loosely affiliated regional insurgencies that, while dangerous, won't disrupt your flow of touch screens and high fructose corn syrup anytime soon.

Frankly, it's this very sort of half-baked, yellow-ribbon-car-magnet, support-the-troops bullshit that has made the perpetuation of America's commitment in Afghanistan as palatable as it's been to a country of binge consumers unanimously ignorant to what's actually going on out here.



Despite my distaste for limp platitudes, I am, by all rights, a patriot. For this reason, I find your depiction of our nation's flag with six stars and five stripes particularly offensive. The United States flag has fifty stars, one for each state, and thirteen stripes to symbolize each of the original colonies.

Perhaps if even a fraction of the \$680 billion blown on this war had been reapportioned to public education you would know this.

If you really wanted to do something nice for me this Christmas, you might instead have written your congressman.

You might have said to him or her that you were fed up with the waste and disgusted by the endemic mismanagement of this so-called war.

Or you might have simply told that cloying, self-satisfied teacher of yours to shove it.

But don't let me harp. It's simply my hope that, somewhere in between Saturday morning cartoons and learning to add and subtract, you'll stop and apply a dose of critical thinking to your assessment of our military's role abroad.

Thanks again for the letter and happy holidays. Punk.

Very Respectfully,  
Sergeant First Class Patrick Fenway  
Logar Province, Afghanistan

P.S. The butterfly in your picture is wildly out of proportion.

### **YOUR INVITATION:**

**Comments, arguments, articles, and letters from service men and women, and veterans, are especially welcome. Write to Box 126, 2576 Broadway, New York, N.Y. 10025-5657 or email [contact@militaryproject.org](mailto:contact@militaryproject.org): Name, I.D., withheld unless you request publication. Same address to unsubscribe.**

## **CLASS WAR REPORTS**

**Costa Mesa Police Wanted  
Detectives To Target  
Councilmen, Emails Show:  
Also Go To His Home To Arrest  
Him On Faked Drunk Driving  
Charge:  
One Of The Conspirators Calls 911  
To Claim Councilman Is “Driving  
Erratically And Appeared To Be  
Intoxicated”  
Plan Flops When He Passes Sobriety  
Test**



Jim Rigeimer was one of three Costa Mesa City Council members targeted in 2012 by private detectives working for the police association; in emails, police officers discussed trying to catch the three men in compromising positions. (Scott Smeltzer / Daily Pilot)

Dec. 16, 2014 By Jeremiah Dobruck, Los Angeles Times. Bradley Zint, a reporter for Times Community News, contributed to this report.

Police officers encouraged a law firm to monitor three Costa Mesa councilmen and suggested ways to catch the politicians in compromising positions, including tailing them to Las Vegas on a city-sponsored trip, according to emails contained in a criminal complaint..

The emails, which capture police mocking council members, were exchanged in the months leading up to the 2012 city election, when Costa Mesa's protracted city-union battle was at a full boil.

In one message, the police association's then-treasurer, Mitch Johnson, suggested the law firm keep an eye on two of the councilmen at a trade convention in Las Vegas in hopes they'd be caught violating California's open meeting law or behaving improperly.

"I could totally see him sniffing coke (off) a prostitute," Johnson says of one of the targeted councilmen. "Just a thought."

In the email, Johnson said he believed the council member was a "doper" and had "moral issues."

The emails are included in affidavits in a criminal case the Orange County district attorney's office has filed against two private detectives who were hired hands for the now-defunct law firm Lackie, Dammeier, McGill & Ethir, which was working for the police association at the time.

The private eyes were arrested last week on suspicion of calling in a false DUI report against one of the council members and placing a GPS device on another's car during the run-up to the 2012 election.

Police in the Orange County city, who have not been implicated in any alleged illegal activity, fired the law firm and have tried to distance themselves from the 2012 incidents.

But the emails appear to underscore the police union's contempt for council members Jim Righeimer, Steve Mensinger and Gary Monahan, who formed the council majority that at the time was trying to reduce police pensions and outsource City Hall jobs.

According to the affidavit, police intensified their campaign against the councilmen in March 2012, when the union's board voted to increase membership dues so it could triple the retainer it paid to Lackie, Dammeier, McGill & Ethir, then a powerful Los Angeles County law firm that represented more than 100 public safety agencies in California.

Some of that money, the D.A.'s office said, was specifically intended to yield "candidate research" that private investigators would compile through surveillance and other means. Soon after the increase, association board members started discussing ways to damage their political opponents, according to the court documents.

In one email, Johnson called then-Mayor Eric Bever an "idiot" and suggested it was "time to expose his buffoonery and paranoia" by releasing an internal investigation into a complaint the mayor had filed against police.

“I’m loving it,” Johnson wrote when the council appointed Bever as mayor. “There was no reason they put that idiot in that position. If they were smart or had common sense they could have made this a lot harder on us.”

Most of the affidavit centers around an August night in 2012 when Mensinger, Righeimer and Monahan where gathered at a sports tavern that Monahan owns in Costa Mesa.

According to surveillance video later handed over to county prosecutors, a woman wearing a “lace V-neck blouse exposing her cleavage” appears to flirt with Monahan. One of the private detectives, Scott Impola, was also at sitting at the bar, according to prosecutors.

“She is hooking Monaghan (sic) now,” Impola texts Christopher Lanzillo, the other private detective. “He is in love she has his cell #.”

The woman later told authorities that she knew Impola, but refused to provide further details without legal counsel. Monahan said the woman told him she was looking for work, and that’s why he handed her his business card.

**A short time later, Lanzillo placed a 911 call to report that Righeimer was driving erratically and appeared to be intoxicated.**

**A city police officer was dispatched to the councilman’s home, where he passed a sobriety test.**

**Righeimer later produced a receipt showing he’d only purchased two Diet Cokes at the bar.**

---

## **A Modern-Day Debtors’ Prison: “Driven By Profit, A Debt Cycle That Sends Offenders To Jail For Non-Payment Of Fines And Fees For Minor Offenses”**

**“A More Apt Description Of The  
Harpersville Municipal Court  
Practices Is That Of A Judicially  
Sanctioned Extortion Racket”**

# [The Police Are Only A Piece Of The Whole Rotten Criminal Injustice System]

07 June 2014 By Daniel Ross, Yes! Magazine. Daniel Ross is an LA based journalist who regularly contributes to the Guardian, Vice Magazine and the Huffington Post, among others. This article was produced in collaboration with Brave New Films

\*\*\*\*\*

Kathleen Hucks was almost a model parolee.

In 2006 she was convicted of driving under the influence, possession of marijuana, and driving with a suspended license in Columbia County, Alabama. She successfully completed her probation and paid all of her court-issued fines.

But Hucks failed to pay all of the additional supervision fees charged by the private probation company supervising her case.

Unaware of the oversight, she moved to Richmond County, Georgia. On Labor Day weekend—nearly six years later—a police officer asked for identification.

**“I was out walking my dogs when an officer came up to me asking who I was,” she said. After running her name through the system, he told her that there was a warrant out for her arrest—a hold on her back in Alabama.**

“I kept telling the officer, ‘I’m not on probation,’” said Hucks, who lives with her husband in a trailer in the town of Hephzibah, deep in the rural heartland of Georgia.

“But he said, ‘Ma’am, I have to take you in. It’s showing up on here that you’re in violation of probation.”

**Because she had failed to pay the additional private probation fees, an arrest warrant had been issued in 2010 — unbeknownst to Hucks.**

**“What they did was reinstate my probation without the judge’s signature,” she said.**

**This, despite the company’s ability to collect on the debt having expired when her original court ordered probation ended.**

**Still weak from a bout of pneumonia—she had only been released from hospital the day prior—Hucks was taken to jail.**

**“The first day I arrived in jail, they made me take a freezing cold shower,” she said. “When you take a shower, there’s not supposed to be a male officer in there. But there I am in a cold shower stark naked, and a male officer’s in there.”**

**Twenty days later, Hucks was finally released after Richmond County Superior Court Judge Daniel Craig ruled that she had been locked up illegally.**

According to Hucks, Judge Craig told Sentinel Offender Services, the private probation company, “Look here, I’m going to tell you right now: you don’t come into my court room acting like it’s McDonald’s or Burger King. You don’t get it your way.”

“And the court room laughed a little bit,” she added.

Hucks’ story is common in Georgia and other states where private probation companies are used to collect outstanding fines, debts, and court costs in misdemeanor cases.

### **“A Debt Cycle That Sends Offenders To Jail For Non-Payment Of Fines And Fees For Minor Offenses”**

**Driven by profit, some private probation companies place the nation’s very poorest on a debt cycle that sends offenders to jail for non-payment of fines and fees for minor offenses.**

Critics have been calling this a violation of a 1983 U.S. Supreme Court ruling making it illegal to jail the indigent simply because they’re too poor to pay their court fines.

Ordinarily, private probation works like this: When offenders convicted of a misdemeanor—a speeding ticket, for example, or driving under the influence—are unable to cover the fine in one swoop, they’re put on “private probation.” They make payments on their fine through a private probation company that also charges the offender a variety of its own fees, covering things like electronic monitoring.

The most common are monthly supervision fees, an administrative charge added to fines and court costs, typically in the region of \$35.

Pushback against some of the worst practices in private probation is sporadic but growing.

In September, Georgia’s Supreme Court is slated to hear an appeal of Judge Craig’s ruling that extending private probation sentences beyond their original date was against the law (as was the use of electronic monitoring in probation cases). Some believe the Supreme Court’s ruling has the potential to fundamentally shape the way in which private probation companies operate in Georgia.

Elsewhere, alternative solutions have already been found—like in Athens-Clark County, Georgia, where a government probation department that operates independently of taxpayers’ coffers was brought in to replace a broken private probation system.

Nevertheless, critics of private probation continue to draw parallels between problems in that industry and those associated with the broader privatization of the nation’s entire judicial system.

For most cash-starved municipalities unable to cope with the sheer volume of cases passing through their courts, private probation companies that operate at no alleged cost to courts offer an appealing alternative to publicly funded probation services—especially when companies like JCS say they successfully complete more than 70 percent of their

probation caseload. Without supervision, JCS says the success rate is under 35 percent.

**“Company Probation Officers Have Courts Jail Offenders In Order To Coerce Their Families Into Paying Some Of What They Owe In Exchange For Their Freedom”**

Private probation is also a lucrative business.

According to a Human Rights Watch report released earlier this year, companies in Georgia alone took in approximately \$40 million during 2013.

Their financial bedrock is built upon supervision fees. An offender who can afford to pay only \$85 per month on a \$1,200 fine will leave probation after 24 months having paid a total of \$2,040—\$840 of which goes to supervision fees.

For offenders who can barely scrape together a living, many can expect to pay fees well after their court-ordered probation period has expired.

As the report highlights, “To many outside observers, a \$35 monthly supervision fee might sound trivial. (But) many probationers are only on probation to begin with because they could not come up with a few hundred dollars to pay off their fines immediately at sentencing.”

Among the stories that litter the report are those of people, most of whom live well below the federal poverty line, who rack up jail time as a result of being unable to keep up with their monthly payments.

Over a period of seven years, Elvis Mann, from Childersburg, Alabama, had been diligently paying off nearly \$9,000 in fines and accumulated fees stemming from two traffic violations.

Mann, whose monthly income consists of \$800 in disability benefits, still had \$2,400 left to pay, but decided to stop making the payments through sheer disillusionment.

Summoned to court by JCS, the judge ordered that he pay \$500 before the end of the day to avoid prison. After going around to churches and friends with cap in hand, Mann’s wife only just managed to scrape the money together.

The report similarly shines a stark light on some of the more abusive tactics private probation officers use to collect fees, painting some agencies as glorified debt collectors.

The report describes how “in some cases, company probation officers have courts jail offenders in order to coerce their families into paying some of what they owe in exchange for their freedom.”

Hot on the heels of the Human Rights Watch report came another report, from the Georgia Department of Audits and Accounts Performance Audit Division. Equally as

critical of private probation services, this report finds “several case management issues, many resulting from a lack of clear written policies and procedures to guide the actions of probation officers.”

“It’s kind of a free-for-all at the moment, and that’s led to some of the worst excesses in the industry,” said Chris Albin-Lackey, a senior researcher at Human Rights Watch and author of that organization’s report. He believes the current private probation model is fundamentally flawed on two levels: a lack of meaningful state oversight of private probation companies; and second, limited understanding of what courts can do to monitor and reign in when necessary the behavior of private probation companies.

Albin-Lackey pointed, however, to a number of instances where the fallout from higher-level court rulings had trickled down into local municipalities.

A particular standout is Judge Craig’s 2013 ruling that restricts the use of electronic monitoring for misdemeanor probationers in Richmond County, as well as prohibiting the extension of a misdemeanor sentence beyond the original sentence’s expiration date. Judge Craig has stood behind his ruling, despite stirring dissent among other Richmond County State Court Judges.

High-profile rulings by the likes of Judges Craig and Harrington could and should prompt other judges to rule on the unconstitutionality of sending the very poorest to jail for their inability to pay court costs.

Earlier this month, U.S. District Judge Mark Fuller issued an injunction that blocked the City of Montgomery in Alabama from collecting further money from three indigent defendants who had been jailed for non-payment of accumulated traffic fines and fees totaling thousands of dollars.

### **“A More Apt Description Of The Harpersville Municipal Court Practices Is That Of A Judicially Sanctioned Extortion Racket”**

**In 2012, Shelby County Circuit Court Judge Hub Harrington issued a ruling on the *Burdette vs. Town of Harpersville* case, finding that “a more apt description of the Harpersville Municipal Court practices is that of a judicially sanctioned extortion racket.” Judge Harrington’s decision effectively prompted the Harpersville Town Council to later vote to abolish the court and transfer all cases to the county level.**

And the ink is still wet on Georgia Governor Nathan Deal’s veto of a state bill that would have given private probation companies in Georgia greater autonomy and less regulatory oversight.

According to Jack Long, an Augusta-based attorney, high-profile rulings by the likes of Judges Craig and Harrington could and should prompt other judges to rule on the unconstitutionality of sending the very poorest to jail for their inability to pay court costs.

“If the local governing authority or the judges will wake up and say this is bad policy, it could change automatically—and the only way they will wake up is to keep pointing out and make widespread just how bad the situation has got,” said Long, who added that in



Georgia, the local government has to seek approval by the chief judge of that court in order to use a private probation company.

What's more, rather than operating at no expense to the taxpayer, private probation companies end up costing the public each time they send an offender to jail, Long said.

"If other judges and governments would require financial disclosures by private, for-profit probation companies, they would see that they are badly used, and the public is paying," he said.

Certain municipalities have already eschewed the use of private probation firms in favor of a return to their own government-run departments. Of those, Athens-Clarke County has proven how a government-run probation service can operate financially independent of tax-dollar support.

"Rehabilitation isn't a dirty word for us, but neither is enforcement."

In 2007, a number of Athens-Clark County judges expressed concern that the private probation firms working in the area were more concerned with profits than successfully assisting offenders through probation—sentiments confirmed by a state audit that showed how 28 percent of one firm's clients violated the terms of their probation.

In September of 2008, an in-house probation service was brought in to replace private probation. Within a year, fines collected were up \$50,000 a month, while the number of community service hours metered out were up almost tenfold.

"We're very self-sufficient," said Dale Allen, chief probation officer for the Athens-Clarke County Probation Services. "As a matter of fact, last year we more than paid for ourselves. My numbers are open to everybody."

Allen estimates that in 2013 his department brought in \$1.07 million in revenue while spending just \$1.01.

He said that while his department does charge probation fees to cover operating costs, as a safeguard in minor offenses, like traffic tickets, it collects only one month's probation fee. He added that in all cases, he and his officers will look at an individual's financial standing as to whether they can afford to pay the fee or not, and look at alternatives to payments when they can't.

"I've never had judges or anyone from the government tell me that I've got to collect more fees," said Allen. "We charge probation fees, but we use common sense and we don't put people in prison for money. Money isn't what drives us."

Allen said his department approaches probation with a "holistic" attitude: "Rehabilitation isn't a dirty word for us, but neither is enforcement. Our whole goal is to successfully get you through probation."

While Allen is cautious about the ability of smaller municipalities with tighter budgets than Athens-Clark County to replicate what has been achieved there, he believes their in-house model has the potential to be serviceable nationwide.

“This model works for us, and I think you’ve got to start from the beginning and ask yourself: what’s the goal of probation?” he said. “Is it to punish, or to give second chance? And probation is by its definition a second chance.”

**Some see the problems that have emerged in the South as a consequence of private probation as exemplifying broader issues surrounding the privatization of the nation’s judicial system.**

With approximately one out of 31 Americans currently under correctional supervision, the judicial system has been stretched to snapping point.

“As more governments are cash strapped, we are seeing more and more situations where private companies are conducting governmental duties, and it all comes down to incentives,” said Lauren Brook-Eisen, counsel in the Brennan Center’s Justice Program.

“You have private companies that have a profit motive involved, and I think the most important thing when looking at something like private probation is the motive and profit structure,” she added.

Brook-Eisen said that with 2.3 million people currently in prison or jails in this country, and with approximately one out of 31 Americans currently under correctional supervision, the judicial system has been stretched to snapping point.

And while the temptation to privatize might seem like a tempting quick-fix, the long-term ramifications are all too often a poisoned chalice to those at the very bottom rungs of the income ladder.

“It’s difficult because our nation’s correctional population has grown so large, municipal and state governments don’t always have the capacity to provide adequate services and privatization is a natural outgrowth,” said Brooke-Eisen.

“The worry, however, is when incentives are not aligned, such as the profit motive in private probation.”

As for Hucks, she said that she’s keen to share her story and bring attention to the issue (watch her story below in Brave New Films’ documentary, *To Prison for Poverty*).

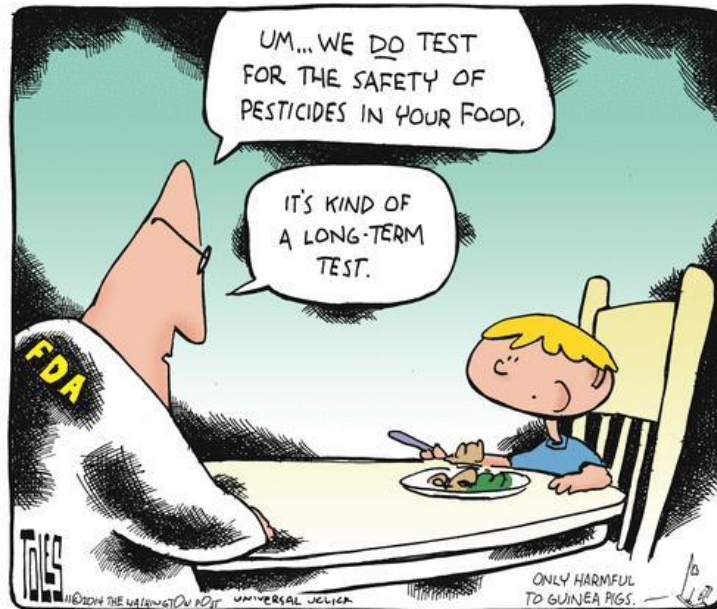
But what she said has brought her the greatest satisfaction is knowing that her lawsuit has played a part in placing a hold on the number of misdemeanor offenders going to jail through non-payment of fines and fees in Richmond County.

“A couple of police officers I know told me: ‘Boy Kathy, you’ve really been messing things up,’” she said. “And I go, ‘why’s that?’ And they go, ‘because of your lawsuit, we can’t arrest people for non-payment on their probation.’”

“And that’s ever since this started,” Hucks added. “And now, the most important thing for me is that I just want to see this through to the end—with the right ending, of course.”

---

## DANGER: CAPITALISTS AT WORK



## OCCUPATION PALESTINE

### **Two Palestinians Wounded When Occupation Troops Open Fire On Their Car**

December 30, 2014 by Saed Bannoura, IMEMC

Medical sources reported, on Monday at night, that two Palestinians have been injured, one seriously, after Israeli soldiers opened fire on their car, driving in Beit Ummar town, north of the southern West Bank city of Hebron.

Spokesperson of the Popular Committee against the Wall and Settlements in Beit Ummar, Mohammad Awad, said resident Ibrahim Sabri was shot in the head, and was moved to the al-Ahli hospital in Hebron suffering a serious injury.

Another Palestinian, identified as 'Ayesh Awad, suffered a moderate injury to the forehead.

Following the shooting, the soldiers sealed the main entrance of the town, stopped and searched dozens of cars, and interrogated the residents while inspecting their ID cards.

---

# Zionist Police Shoot Palestinian Child, As Usual:

## “Muhammad And His 14-Year-Old Sister Had Just Stepped Out Of A School Bus And Were Walking Home When Israeli Forces Shot Him”



December 25, 2014 [Freedetainees.org/](http://Freedetainees.org/)

Occupied Jerusalem – Israeli forces in occupied Jerusalem shot 5-year-old Muhammad Jamal Ubeid in the face with a rubber-coated steel bullet, Wednesday afternoon, as he was exiting a school bus on his way home.

“An Israeli soldier fired a black rubber-coated bullet at the child from a close distance, injuring him under the eye,” the boy’s uncle said.

The incident is said to have taken place in the Jerusalem village of al-Issawiya, where Muhammad’s family lives.

**The uncle stated that Muhammad and his 14-year-old sister had just stepped out of a school bus and were walking home when Israeli forces shot him. He also said that there had been no confrontations at all, in the area, at the time of the shooting.**

Muhammad was evacuated to Hadassah Medical Center, on Mount Scopus, where medical sources said the boy suffered a fracture in the bone just below his eye.

He was later transferred to Hadassah Medical Center in West Jerusalem, for treatment.

Jerusalem neighborhoods like al-Issawiya, in recent months, have seen the escalation of heavy police presence and widespread protests amid increasing outrage over Israeli occupation violations and discrimination.

Palestinians in Jerusalem have residency status but no citizenship since Israel occupied the city in 1967, despite the fact that the vast majority are born and raised in the city and trace their heritage back into the generations.

Israel captured Jerusalem from Jordan in 1967 and later annexed it, in a move never recognized by the international community. It is officially recognized as Palestinian territory, though Israeli violation continue unabated by powers that could intervene.

To check out what life is like under a murderous military occupation commanded by foreign terrorists, go to:

<http://www.maannews.net/eng/Default.aspx> and  
<http://www.palestinemonitor.org/list.php?id=ej898ra7yff0ukmf16>

The occupied nation is Palestine. The foreign terrorists call themselves "Israeli."

## DANGER: POLITICIANS AT WORK



QUOTES FROM JOHN BRENNAN, DICK CHENEY, MICHAEL HAYDEN AND FOX HOST ANDREA TANTAROS.

**Military Resistance Looks Even Better Printed Out**  
Military Resistance/GI Special are archived at website  
<http://www.militaryproject.org> .

Issues are also posted at: <http://www.uruknet.info/>



Military Resistance distributes and posts to our website copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available in an effort to advance understanding of the invasion and occupations of Iraq and Afghanistan. We believe this constitutes a "fair use" of any such copyrighted material as provided for in section 107 of the US Copyright Law since it is being distributed **without charge or profit** for educational purposes to those who have expressed a prior interest in receiving the included information for educational purposes, in accordance with Title 17 U.S.C. Section 107. **Military Resistance has no affiliation whatsoever with the originator of these articles nor is Military Resistance endorsed or sponsored by the originators. This attributed work is provided a non-profit basis to facilitate understanding, research, education, and the advancement of human rights and social justice.** Go to: [law.cornell.edu/uscode/17/107.shtml](http://law.cornell.edu/uscode/17/107.shtml) for more information. If you wish to use copyrighted material from this site for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.

---

**If printed out, a copy of this newsletter is your personal property and cannot legally be confiscated from you. "Possession of unauthorized material may not be prohibited." DoD Directive 1325.6 Section 3.5.1.2.**