

Law School, Prison Style: Too Little, Too Late, and a Farce to Boot

James Bauhaus

The more education, the more foresight.

– James Bauhaus

Prior to the torching of New York's World Trade Center, few would have believed that innocent people could be yanked up out of their seats, beaten and thrown in a cage merely because they were sitting next to a criminal. I was, and that is just the first step in an ongoing, thirty-year odyssey of tragedy, torture, harassment, and confinement based on fraud by hundreds of officials. One day soon even you might suddenly "fit the description" and be beaten and dragged away by grinning, sparkling-eyed detectives drunk on the chase and their power. By reading this, I hope you will be forewarned and able to scotch the process before it reaches its insane climax.

The skulduggery began with an uneducated, teenaged, paroled joyrider. He lived with six other teens when detectives broke in and ransacked the place at gunpoint seeking drugs. They found empty beer cans and the parolee instead. They made him choose between finishing his sentence or handing them all the dope dealers he could squeal on.

The detectives gave Joyrider marked money and drove him in their unmarked cars to all his friends and acquaintances, trying to buy dope. For this coup the detectives planned on getting the weekly bonus for their team, plus subsequent raises and promotions as they rode their snitches to fabled dope kingpins. Joyrider planned to spin fables of dope kingpins until he could engineer a chance to jackrabbit away. The unseen flaw in both plans was that no one would sell Joyrider and his beefy, furtive pals any dope. Eventually they gave up, planning to try again the next day. They gave Joyrider one of their business cards so he could call them immediately if he found any dealers.

As soon as that last promise passed his lips, Joyrider sprinted for his girlfriend with a new plan: he would rob some people for money to get out of town. He called another teenaged friend who had a car and a gun. They robbed an elderly couple whose lawn Joyrider had mowed years previously. They did not recognize him, but he handed them the detective's snitch card in order to sucker them into opening their door. He forgot to get the card back.

The crime was reported as soon as they left, and the detectives spent the rest of the night and most of the next day one step behind Joyrider's current

whereabouts. The six friends he lived with admitted to police that he had boasted of the robbery before leaving for his girlfriend's home. Her mother told police they had just left and that she was due at work at a restaurant by six o'clock p.m. I worked at that restaurant and my shift had just ended. I sat at the counter waiting for another cook to prepare my supper. A few minutes later Joyrider took the empty chair next to me. Shortly after that my life turned to shit, simply because I was a white teenager sitting next to a known criminal. Two suited men entered and grabbed Joyrider in a chokehold. One demanded of him, "Who's this with you?" Without pause, the other barked, "Take him too!" He choked me with one arm, pressed a gun to my spine, and dragged me out with Joyrider.

Though Joyrider's courtroom "defence" was mild retardation and illiteracy, he was again quick enough to deduce which way the detectives' thought processes were flowing and take advantage of it. When they got him hog-tied and out into the dark, they began pinching off his air and the blood supply to his brain. Instantly he croaked agreement to their speculation that I was indeed Robber Number Two. They quickly stopped torturing him and rallied to torture me.

Innocent people do not confess easily. They choked, poked, punched, and wrenched me as they demanded that I confess. They used their wrist shackles as torture devices that threatened to slice my hands off. This is standard practice, I learned later. I could not see my shrieking hands bleed and turn blue as I sat on them while the cop in the back seat periodically strangled me, but I knew they would never again work properly even if I survived. The cops promised to kill me, and each time I awoke it was the same nightmare. They were immune to reason. Like a vampire, one squeezed his thumb and fingers on my carotid artery every time I denied their accusations. My whole head tingled with the rush of blood returning, hurtful, like a numb limb getting fresh blood. This effect became more pronounced as they choked me closer and closer to death. Their eyes and teeth glinted with feral pleasure as they recounted how many "gooks" they had turned into vegetables with this technique. When I became unresponsive, they drove me to their lair.

Still I tried to reason with them. This non-confession tactic drove them mad. One officer finally bashed my face with his leather-gloved fists. My nose dribbled blood like a spigot. Just before he beat me unconscious, I saw it spill on his pants as his knee rushed up to slam into my testicles. I awoke with my head in their wastebasket. They threatened to start again. Two thoughts entered

my head: "What good is life without hands?" and "Civics books say forced confessions are not permitted." I slyly promised to confess just to save my hands.

They removed their torture devices and soon I was able to legibly sign their many papers, waiving all my rights and confessing to crimes unknown. I was able to do this because I possessed rock-solid knowledge from schoolbooks that this type of behaviour was not acceptable to the judiciary. I believed that our three branches of government have a system of checks and balances that prevent and correct such abuses of power.

They left me in a dim, cockroach-infested cage for two years. One lawyer actually found the room with blood splattered all over it. He tried to exit with a smear of it on paper, but the supervising cop said he would "beat his brains out." A public defender would not believe the facts until it leaked out from the police that even some of them believed their cronies had beaten an innocent boy. He was appalled when I demanded that he sue the cops for brutality.

He refused, of course, then fell back upon the technique that most public defenders use: delay, procrastinate, excuse, dither, ignore, and hinder all progress in hopes that it will simply go away somehow. After a thorough study of the legal process, the real reason for this technique became clear: to let paying customers to the front of the line. This self-clogging function occurs because legal services to paupers are paid for at the first of the fiscal year in one huge tax-gobble. Like a lamb to slaughter, I fell for each excuse and trick in turn. "Go to the nuthouse for a few months at taxpayer expense and enjoy hospital food while we verify your sanity." In reality, this meant: "We will be waiting for the news media to cool down." "I have not had time to investigate yet." "The depositions are not ready yet." "The hearing is delayed due to backlog." "Be smart and agree to numerous delays because the court reporter is too busy to type the hearing transcript; this is as good as gold because it is his fault they are not giving you a speedy trial." "I'm taking a job with the prosecution; you get another public defender. Take his advice, he's good!"

Meanwhile, the detectives were busy. They taught the elderly couple to salivate at my picture by telling them a known criminal would escape justice if they did not finger me in court. In reality, my worst crime was speeding. But elderly people do not trust their own senses and thus are easily duped by America's finest.

The first lawyer's testimony about my blood and their threats toward him scared the detectives badly. It came out years later that their violent ways were common knowledge in the judge and lawyer community. Their reign of

terror would eventually impinge upon several political boundaries, although a few years too late for my benefit. They sought a way to discredit me forever, which they apparently did in one last coup.

This involved steering a woman toward me. She and her husband had worked for the police, helping a famous, ambitious prosecutor grasp for the governor's seat. His campaign of sweeping out the human garbage involved having police and local media tools publicize, with much fanfare, his conviction of many pornography dealers for obscenity. The woman and her husband were porn dealers. They pointed detectives at fellow porn merchants who had the funkier inventory and tricked them into showing it to non-regular customers. In return, the detectives let them continue selling their own products.

After a series of arrests, the porn merchants realized it was not a good idea to let this couple vouch for strangers who wished to purchase their filthiest inventory. Police reports note that the husband began to check his car for bombs. Then the couple returned from work and found a teenager lurking inside their home. He killed the husband with one bullet as his wife watched. She began screaming. The teen threw the gun down and ran for the back exit. Bashing through the glass door, he slashed his wrist. He left a bloody palm print leaping the fence. Police followed his trail of blood five blocks to another witness. This witness, the wife, and a third witness all gave police matching descriptions separate in time and location. The police took twenty-one fingerprints belonging to the killer, as well as eight blood samples. The witnesses each helped a police artist draw the culprit they saw. All three drawings and all three descriptions agreed on four attributes: short, neat, light brown hair and no glasses.

This murder occurred October 17, 1972. The police arrested me for Joyrider's robbery and had their media friends showcase me as their trophy for two days of a feeding frenzy just seven days later. These three witnesses could not have missed this circus, and nobody called the police to name me as the man's killer. The killer's fingerprints led the police nowhere. His prints were not in their database for comparison.

For seventy-eight days the police plied the victim's wife with thousands of pictures drawn from high school yearbooks. Finally she agreed with the police that it must indeed have been me, despite the fact that the news photographs of me from October 22, 1972, prove I had very bushy, long black hair and glasses. She wanted to get the police out of her life. The detectives wanted to get me out of their lives, so they set me up for "life."

Police keep their evidence secret. This way it can vanish, appear, or change to fit their needs with no one the wiser. The wife's part in this new deal with them required her to sign a paper naming me as the killer. The detectives immediately called their media friends for a second feeding frenzy and backslapping party. They put my picture in newspapers and broadcast media, complete with grisly, anonymous, police-source accounts of the crime. This poisoned the skepticism and logic in the juror pool, as surely as an ice cream commercial causes a run on the dairy case.

The public defender came to the cage and showed me the lies in the newspaper. I sent him and the two other public defenders to get some of this blood from the detectives for testing. Only one public defender was successful. His mission alerted the police to the fact that a conviction would be impossible unless they found a way to lose the blood. They simply lied to each public defender in turn, claiming no blood samples were collected. Police and prosecutors paid lip service to physical evidence, but knew that in fact all they really needed for conviction was two pointing fingers and a glib spiel. The factors that caused this phenomenon are too numerous and diverse to list here, but television programming spawns many of them.

One of the detectives next took a picture of me and the murder victim's wife's sworn, official receipt for testimony to the woman who reported seeing the culprit nosing about the victim's home shortly before the murder. She knew their picture of me was not of the culprit she had seen. She told him so and refused to sign the detective's receipt for testimony against me. Ninety-four days after the crime, this detective took these props to their third witness. Despite the fact that the detectives had concocted this picture of me in black and white, with short hair and no glasses, she also refused to sign. She even told the detective that she remembered seeing me in the newspaper months ago and that my hair was too long to be the killer she saw. She excluded me on this basis back in October of 1972.

Stymied, the detective cogitated over this setback for twenty-eight days before typing into his "weekly" report the obvious solution. He simply lied, claiming she had indeed named me as the killer. Amazingly, he also typed her words into the report, remembering my too-long hair in the newspaper one week after the murder. These he garbled only slightly to slant them in his favour. These clever detectives concealed from the first witness all three drawings and all three of their descriptions of the actual culprit. The five

detectives who had collected the eight blood samples all forgot how many had been collected and who had collected them, but they were certain somebody had collected some at some time. We could not find out how many of the killer's prints they had either, or to see them, and had to take their word that they were smudged and thus useless.

The murder victim's wife pointed like a champion, but one of the other witnesses balked. The prosecutor had not needed her at the hearing, which is well known to be a farcical procedure. Only one pointing finger is enough "proof" for a judge to require trial. At trial, however, the minimum is *two* pointing fingers. During the pre-testimony rehearsal the prosecutor was stunned to hear this witness repeat her refusal to incriminate me, as she had already told my third public defender the previous Saturday.

The trial was delayed while police and prosecutors used their lying police report written fifteen months previously to threaten her with perjury. The police document said she had named me as the killer. "Was she calling the officer a liar?" "Did she want to go to jail for lying to the police?" "A known killer is going to escape justice because of you!" "You cannot change your mind now!" She quickly saw the virtue of agreeing with the police.

The police monopoly on decisions about which evidence is concealed, revealed, or manufactured leaves accused people who are innocent with no defence beyond our screams of indignation. Even these are cut off when the judge forces us to object by whispering in the public defender's ear. The public defender early on sells us the notion that the appeal judges will correct any "mistakes." This tactic permits him to exit with dignity after the verdict before the accused realizes the whole process was a fraud.

The appeal system demonstrated to be a farce only after four long years of having reason and logic triumphed by legal gibberish. Its primary function is to provide false hope until the wrongly convicted becomes inured to captivity. This prevents most suicides, escapes, and attacks upon guards. By the time you learn it is a farce, you are deep enough into your sentence to see a glimmer of parole, which performs the same exact function of false hope.

The killer was seen twice after the murder, first by my sister in her checkout line at work. He was startled to see her distinctive nametag. She was startled to see his similarity to me. He gave his name as "John Shelton." The second time he was seen by a fellow prisoner, who teased me with reports of how someone at the trustee building looked like me and claimed to know me. He would not reveal the guy's name, but I thought I already knew it. I wrote the

police, telling them that his prints were now in their database and to please match them with the crime scene prints.

The police ignored me, but called the warden. He sent an assistant to get my whole story. He promised to help, then vanished. Less than ten days later another prisoner murdered "John Shelton." Inexplicably, John was not at the trustee building from whence my observant friend had come. He was at the maximum-security cell-house. Two years later I was shown a picture of Shelton by a sympathetic guard. This prisoner did not resemble me, and he was ten years too old. The killer had not perished, only one of his criminal mentors had.

Three years after that, I managed to escape. For eleven years I sought the killer. Instead, I found forty police records that allowed me to piece this story together. With this proof of my innocence and their corruption, I returned to prison. My plan was to expose the facts, using the escape trial as my forum. Like an idiot, I revealed this strategy to the public defender, judge, and prosecutor. They cunningly stole my trial with an illegal ruse. They had the guards drag me past the loitering juror pool while wearing prison clothes. Then the judge claimed that had prejudiced the prospective jurors against me. He refused my request for delay until the next juror docket. Then he refused to cite me for contempt as he ran away from my angry shouts, calling him a "shit-eating maggot."¹

In five years of appeals and the use of legal gibberish, thirty-nine judges in eight courts all agreed that:

1. Wholesale evidence of police theft and perjury did not exist.
2. Two witnesses' in-court finger-pointing twenty-one months after the crime was more accurate than three witnesses' separate, independent, matching descriptions (and drawings) given shortly after the crime.
3. It was my fault that I could not force the detectives to reveal the blood they "forgot" they themselves collected.
4. There was nothing strange about five forensic experts making the same incompetent blunder eight times in a row by claiming to have gathered insufficient blood once they were caught with their signatures on blood reports twenty-six years too late.

¹ Pittsburgh County Courthouse, McAlester, Oklahoma, Case No. F-85-121.

5. Likewise, these judges could find nothing abnormal about my growing four to five inches of wrong-colour hair in only seven days.

Innocent convicts tend to continue demanding justice. We never accept captivity. We do not show remorse. This galls the authorities no end. They have thousands of techniques for silencing our screams. Our hordes become more numerous and harder to conceal every year. A recent invention to quash us was Clinton's accelerated *Death Penalty Act*.² This legal technology shoves the legal system's "mistakes" into the grave in only two years. The small print hacks off our right to appeal after only one year. It also allows judges to call our lawsuits "frivolous," and robs us of our junk-food money if we keep demanding justice with more lawsuits seeking an honest judge. Worse, it allows judges to snatch up our little dribbles of prison pay "savings" for filing fees, so even if we do eventually leave prison, we do so penniless.

Crying to the legislators about crooked cops and judges affords us a letter explaining that they are somehow prohibited from checking and balancing any abuse of power, despite any proof we have. With their watchdog bureaucracies, the legislators deliver excuses as to why they cannot help you in particular. Then they suggest that, "You may want to contact an attorney." No attorney answers your letters. Sometimes the politicians "help" by forwarding your proof of official corruption to the boss or successor of the official whose corruption you are decrying.

The prison bureaucrats "help" the most. They prevent or hinder your access to stamps, pens, envelopes, paper, addresses, and information. Mail theft is common. Their rights-stealing technologies surpass those of the legal profession and the police. Since no one sees what is done to you or even cares, they can get vicious, even lethal. Two of their most effective new policies currently spreading nationwide like a plague cleverly sic the captives onto each other. These policies are known as "random celling" and "level one." The first instigates racial violence by forcing incompatible persons to live in the same toilet-size cage. The other is sensory deprivation after the encouraged violence erupts. Typically the guards shove a black prisoner into a white prisoner's cage and scurry back to their control habitat. If the fight does not immediately ensue, it

² From the Antiterrorism and Effective Death Penalty Act, 1996. At http://usinfo.state.gov/usa/infousa/laws/majorlaw/s735_Bnr.htm.

is eventually instigated by the Hitlerist gangs, which are exempt from this policy. They tell the white to attack or get rat-packed by the Hitlerists. If that fails, the black gang leaders are asked to threaten their “brother” the same way. Fully 10 percent of Oklahoma State Penitentiary’s captives are thus intimidated out of shower and yard every day.

I personally withstood seventy days of urine flinging, fires, food contamination, et cetera, while the guards feigned ignorance every two hours, stepping over the mess that did not quite make it through the bars of my cage. Decrying this on the Internet³ and through letters resulted in my sites being taken down and my writing essentials taken away. Thinking beings can accomplish nothing when forced to put up curtains to stop missiles, and are forced to take them down every hour when the guard threatens you for blocking his vision. After investigating these fights, guards take each victim’s radio, arts, hobbies, and even books. Stamps are limited to two a week, but only if you beg with credible sincerity.

Nebraska prisoner-victims of this abuse “won” in court,⁴ only because the medical staff kept records too well, revealing the abrupt and appalling increase in stabbings, maimings, fractures, and contusions caused by these twin policies. The judge’s ruling is a roadmap teaching guards and administrators how to continue these atrocious policies in a way judges will approve. The American Correctional Association and guard unions nationwide study this ruling to learn how best to conceal the paper trails through creative mislabelling of events. By cleverly inducing the prisoners to gnaw on each other, they save themselves and other bureaucrats the trouble of addressing pesky things like innocence, corruption, humane treatment, etc. The guards fire up the microwave, eat popcorn, and watch their prisoner violence channel.

The Liebman study from Columbia Law School uncovered a conviction rate of innocent people in death row cases to be a whopping 7 percent.⁵ The rate is higher in all other cases because they are tried more sloppily than are death cases. This translates into a minimum of 40,950 innocent people convicted

³ Click on “James Bauhaus” at <http://bentburrito.tripod.com/>.

⁴ *Jensen v. Clarke*, 94 F. 3d 1191 (8th Cir. 1996).

⁵ *A Broken System: Error Rates in Capital Cases 1973–1995*, p. 5. By Jeffrey Liebman et al., *Columbia Law School*, June 12, 2000. At <http://www.law.columbia.edu/news/PressReleases/BrokenSystem2.htm>.

in America every year.⁶ Now that we are suffering undeclared martial law and our rights are being taken away wholesale, the number of innocent people convicted each year will explode to new heights. Do not be caught unaware, as I was. Educate yourself to your surroundings. Learn to read what is implied beneath the flowery, righteous, feel-good propaganda. Be alert! The sky can come crunching down on your head at any time.

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⁶ *Justice Watch*, Summer 2001 issue, p. 3: "In 2000, 585,000 ... prisoners were released [in America]." Since the prison population is not diminishing, at least this number were locked up. Seven percent of 585,000 is 40,950 innocents.