

EXILE

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by Janet C. Phelan

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To the ones who came before, in gratitude
And to the ones who will come after, so that you may know the
magnitude

PROLOGUE

This is a story that should never have been told. The two principals in this story—my mother, Amalie Phelan and I—should by all accounts be dead and the witnesses intimidated.

Two out of three—Amalie died at the hands of the United States of America and the horrified onlookers have indeed been cowed into silence.

This is a story which has repeated itself throughout human history. For reasons of demographics, of whose child you were, what ethnic or religious or economic group you were born into, people have been systematically slaughtered throughout recorded history.

The difference in this story is what happened to Amalie and to me happened in the country which holds its face up to the world as the bearer of light, of freedom and justice and democracy. This story unmask America at a time when her imperial efforts, all in the name of defending and spreading democracy, have resulted in a centralization of power on a global scale hitherto unknown in our history books.

When I first considered writing this book, many of my friends and advisers suggested I write it as fiction. They thought the nearly incredible accounts of covert savagery and brutality, of remote killing technologies, of the ease with which both friends and strangers were compromised and co-opted might be best translated into a kind of “The Net” meets the “Enemy of the State.” I declined their counsel for the following reason:

While I know very well that this book may incur a knee jerk reaction of denial in some of my readers, the fact remains that this is truth, not fiction. These events took place. The persons named are culpable. As a personal statement of what happened to Dr. Amalie Phelan and to her daughter--myself--this book stands as a piece of history at a time when the world is changing rapidly. It is my deepest hope that this testament will be taken as the strongest warning possible.

BEGINNINGS

I was at my desk at the Americans Bulletin, working on a story about the local water department falsifying records when Officer Scott Clauson called to inform me that he had made copies of the tape recordings I had furnished him and wanted to return the digital recorder to me.

We met in the lobby of the police department in the late afternoon. Clauson smiled, engagingly, as he pressed the recorder into my palm. "Have you listened to all those threats?" I asked.

"Oh yes," he told me. "I listened to them and copied them." He pulled an envelope out of his breast pocket and handed it to me. "We have subpoenaed the phone company for the source of those calls," he announced. "We'll get to the bottom of this, I promise you."

I thanked him and walked out into the late afternoon summer sun. A bicyclist almost rammed into me as I stepped onto the pavement, swerving at the last moment to avoid a collision. I leapt back into the bushes in front of City Hall as the cyclist sped off, without a backward glance.

It wasn't until a couple of days later, when reviewing again the subpoena Clauson had handed me, that I realized what he had done.

The story doesn't start with the bogus subpoena handed me by Officer Clauson, a subpoena which had no proof of service filled out and which I was soon to learn had not been served on the phone company. Someone unfamiliar with the elements of law might have missed the fact that the document was improperly executed and was, in fact, a fake. I was only able to exact from the phone company a couple of months later the confirmation that they had never been served with the subpoena.

T-mobile repeatedly protested that they do not give out

information about police subpoenas to account holders. It was only on the fourth go round with their customer service department that I was fortunate enough to speak with someone who did not know that she was not permitted to give me this information. Someone unfamiliar with the law might never have called T-mobile nor might she have been so persistent in the face of the initial refusals.

By the time I was able to obtain this information from the T-Mobile customer service agent, I was already in Canada.

No, the story doesn't actually start here. And this one pivotal incident—Officer Clauson's deception, which resulted in my flight out of the country--hangs in the air like an absurd and meaningless cipher unless the beginnings of the story are known. The meaning and impact of Clauson's deception and the reasons it filled me with wordless terror must wait while we travel back to the beginning of the millennium. That is when Agent Jack Leonard Smith first showed up at my door.

It was the year 2000—Y2K. Apocalyptic fever was running high, as the fringe pundits were predicting a total infrastructure meltdown. I wasn't paying any attention. To be truthful, I was more concerned about my love life—or lack thereof—than the fate of the world.

Actually, initially the agent didn't show up at my door, not physically anyway. He showed up in my voice mail. I was in my late forties, divorced and wondering if there were going to be another chance in my life for a happy ending. I had married while still in college and the union had been brief and troubled. It was now twenty years later and I was on disability. My hopes for a successful journalistic career had been derailed by ill health. I felt like the girl making one final, mad dash for the proverbial gold ring, the Last Chance for Happiness Arcade. And so I placed a personal ad in the *Los Angeles Weekly*.

The *Los Angeles Weekly* is a hip, progressive venue which specializes in entertainment articles and an occasional splash of in-depth investigative reporting—just the sort of paper, I reasoned, that someone I might like would pick up and read.

I worked on the ad carefully. I admittedly had some disqualifiers. I was forty-eight, hardly in the springtime of my youth. For another, I was a tad bit too “well rounded.” Not fat, not yet, but surveying myself in the mirror I had to admit I was definitely....plump. And to top it off, I wasn't working. Yes, I had just sold an article to the *L.A. Times*, I told myself defensively, But I wasn't working *much*. And to add to the overall dismal health picture, I was depressed.

Not a winning combination: middle-aged, chunky, unemployed and melancholic. I gritted my teeth and focused on the ad. I knew my weaknesses, and it was time to feature my strengths.

After some writing and rewriting, I arrived at the finished product. Into the paper it went, and I settled back and waited for the replies to start coming in.

It was late in the year 2000. Al Gore had been running for President against George Bush. Our country was perched on the edge of a grand deception, soon to take place on the world stage. I was confused and disheartened when Gore didn't win....and there were those rumors of election fraud. A lifelong Democrat, I voted more from reflex than anything else. While I wasn't happy when Gore lost, I hadn't been happy for some time. The thought that the world was on tilt, the idea that my unhappiness might be a product of a nearly imperceptible shift in the collective soul, the thought that I might be vibrating to a greater unease, never occurred to me.

I looked again at my profile in the mirror and sucked in my tummy. Something good is right around the corner, I told myself. Deep down, I didn't believe it.

Which is why I didn't answer the calls from the men who responded to my *L.A. Weekly* ad. Every few days I would call into the message center and listen as fellow after fellow described himself--all handsome, all in incredibly good shape, all promising me the ride of my life.

I recoiled from my project to find love in the classified. All that was available, it seemed, were guys strung out on Viagra and overdosing on the gym.

There was one respondent, however, of whom I took special note. His name was Jack Smith and he described himself in more moderate and-- frankly--appealing terms. He liked theater, ballet, he was into "left wing politics" and had a job doing digital imaging at a place he described as "the premiere digital imaging studio for Hollywood." I wasn't quite sure what that entailed but it sounded like honest work. He also described himself as "half Anglo and half Jewish"--just like me! He sounded possible.

But I didn't reply to Jack right away. Shortly after I pulled up the voice mail from the federal agent, posing as a prospective boyfriend, something happened which nearly knocked me out of the game for good.

I was driving home late one night, around 11 p.m. I was on Second Street driving through Cherry Park in Long Beach when my car was broadsided. My Saturn spun around and I went into the windshield. I caught a brief glimpse of a Volvo sedan and some guy in a hat before he gunned his engine and took off into the night.

There were a few people in the park that night and a couple of good Samaritans moved my car out of the intersection and over to the curb. Someone called 911. When the police came, I explained to them I was too injured to get out of the car. The officer took my ID and went back to the squad car.

A couple of minutes later, he came back. Peering into my window, he said, "Lady, this was obviously your fault. We checked the skid marks and this accident was your fault."

He returned to the squad car and they took off, leaving me sitting in my smashed up car with blood on my face.

The good Samaritans had left once the police showed up. I sat in the car for a good two hours, trying to find the strength to walk home. It was just a few blocks. I was hurt but I thought if I tried I could probably make it back to my apartment.

At long last, I heaved myself out of the car and wobbled the blocks, made it up the flight of stairs and collapsed onto my bed. I immediately fell into a deep, strange sleep. I dreamed that an earthquake had hit my house, indeed, *only* my house

and my mother's home, ninety miles away in Temecula. The earthquake had been so strong that my second story flat had collapsed and I was lying in rubble, below ground level.

I awoke at 6 a.m., my head throbbing. I picked up the phone on the bedside table and called my mother. Clearly disoriented, I asked her if she were okay, if she had survived the earthquake. Half asleep, she assured me that no earthquake had hit Southern California and she was just fine. She sounded worried. Had I hurt my head? Did I need to go to the emergency room?

I realized then that I was indeed hurt and quite confused. I hung up with Mom and called a friend, a nurse who worked home health care. He took me to the ER at Memorial Hospital.

I was X-rayed and was told that I had a concussion. The doctor urged me to see a neurologist right away. He also said that should I have difficulty getting in to see a neurologist, I could come back to the ER and get further help there.

On my return home, I called Dr. Jean Lake, who had treated me for migraines at one time. I was surprised to learn that there was no slot available for me. I kept on calling her. I kept being told there was no possible time she could see me.

Christmas came and went. I spent it with my mother and sister in Temecula. For the first time in my recollection, we had no Christmas tree. My sister Judy, who had been living with Mom for about a decade, was not going to be troubled with any semblance of festivity or ritual. Mom had strung some lights on an indoor plant and had taken out of storage a little plastic Christmas tree that I had made for her some years earlier. Never one to take up handicrafts, I was inordinately proud of that little green tree, with its blinking lights, small styrofoam multicolored balls and cranberry wreaths. That Christmas the little tree sat up on the mantle, our symbol for the season.

Not that we were religious. Mom was Jewish and my father had left the Catholic church while still a teenager. Christmas was celebrated in our household as an affirmation of our family life, a coming together for giving and sharing. Dad used to grumble some, hardly enthusiastic about the institutionalized

exchange of material gifts. "If you want to give me something," he used to say, "Just do it. You don't need a holiday to have a reason to be generous."

And at this last little family Christmas, before Jack blew our lights out, the ritual of affirmation of family ties was already floundering. "No tree," I pondered, looking at the little plastic mascot tree, blinking over the fireplace. It didn't seem like a good sign.

I did not actually return Jack Smith's call until late January. Dazed by the concussion, I found myself increasingly housebound. I was unsteady on my feet and afraid to drive, even to the supermarket. Instead, I would creep down to the corner store for bread and milk. When I returned to the notes I had made concerning the responses to the personal ad, I had almost forgotten that one fellow had distinguished himself from the buff boys and gym rats.

I knew I wasn't in very good shape. But with hopeful sophistry, I reasoned that I had nothing to lose by calling him.

Looking back, I realize that he was really, really good. I would never have guessed that the guy on the other end of the line was a master manipulator, a fisherman of sorts who had just gotten a bite from the very fish he had been angling for.

"Hi," I said. "My name is Janet. You answered my ad in the *L.A. Weekly*."

"Gee," he said, disingenuously. "Which one are you?"

We decided to meet. I suggested a Cajun restaurant, a neighborhood favorite of mine, and we set a date for dinner. I didn't like his voice, I thought. It wasn't anything I could pin down. There was just a small cry of protest inside me which I decided to try to ignore. When we hung up, I felt suddenly very tired. I didn't want to go out with a stranger. I didn't want to go through all the formal, awkward fumbling of new acquaintance, not again, not now.

What had happened to me? I wondered. Here I was, almost fifty, still vainly hoping for the right guy, the mythic blonde prince. And I would get dressed up, I would put goop on my hair and a touch of makeup and I would bravely go forth again, searching for the Holy Grail—true love in the classifieds.

The truth was I no longer believed I would find this. The alternative was to close up shop, in a manner of speaking, to admit to myself and to the world that I was officially, terminally single. This would be worse, I felt. It meant giving up, accepting a future of Saturday nights hunkered down with a good book, in perpetuity. I wasn't ready for that.

I showed up at the restaurant for our first date. It was closed. I waited outside a few minutes until Jack arrived.

I saw his car before I saw him. He had described the older, tan Volvo station wagon that came rumbling up the street. Classy car, I thought. When he got out of the car, I waved at him. I was wearing a long, melon colored dress with batiked fish on it. I thought it hid the extra weight. I suddenly wondered if it were a mistake.

The man getting out of the car looked up and quickly looked down again, as he carefully locked the car door. When our eyes met, I felt a sudden stab of sadness. "He doesn't like me," I thought. He didn't even smile. He looked very serious, as if he were concentrating very hard. A flash of something brutality

seemed to cross his face. I told myself I was imagining things.

He walked towards me, his face adjusting to a smile. He was medium height, medium weight, maybe even a tad heavier than normal. His curly hair was speckled with grey. He wore glasses. He was, like me, I thought, nothing special to look at.

Cheered by what appeared a level playing ground, I greeted him. We consulted briefly and decided on a nearby Thai restaurant.

He talked most of the meal. He was attractive enough, I decided, but strange, intense. He rambled on and on about Sudanese politics. I was bored. The bill came and we split it. "Another stupid night," I thought, and when he said, predictably, "I'll call you," I thought, grimly, "Sure."

So I was surprised, a week later, when he did call. He asked me out and I put him off. I wasn't interested. He called again. This time, he suggested we go to a party at his neighbor's. His neighbor, he announced, worked for CNN. My interest stirred a bit, vaguely, but I put him off again.

But he kept calling and finally I relented. We had dinner at a tiny, trendy Italian restaurant in Belmont Shores, just a few blocks from the beach. He seemed different from the first date, more lively and definitely more solicitous. He avoided the deep political rap and talked about his hobby, photography. Maybe he did have possibilities, I thought.

So when he called again I said yes. Yes, I will see you. He began to call every night. He worked the late shift at the digital shop, he explained, getting home after midnight. So when the phone would ring at 1, 1:30 in the morning, I would shake myself out of sleep and rise to take Jack's call.

He came down one evening for a museum opening at the Latin American Art Museum, a half mile from my house, and stayed the night. It was late and I offered him the couch. After bringing him sheets and a blanket, I bent down and on a sudden impulse, kissed him.

As I pulled away, I saw a strange light in his eyes. I thought it was desire. As it turned out, it was not desire—not for me, anyway. My new beau was being paid, and paid handsomely, to lure me into his world.

He had me up to his place in West Hollywood, an older apartment building that had been converted to condos. His unit was two story, two bedroom, with all kinds of Spanish-style porticoes and charm, but definitely dilapidated. The hardwood floors were badly in need of refurbishing and a seedy brown couch looked ready to be donated to the Salvation Army. A sole photograph graced the wall.

"I took this," Jack announced proudly. It was a good shot, I thought. The old barn was rustic and photographically interesting enough, but the angle made the shot. I could see why he was proud of it.

"I've got more upstairs," he said eagerly. He trooped up the stairs and soon came down with several folders. Dutifully, I began to leaf through the pages. Here were some photographs of a girl. "Pretty," I thought. "Her name is Linda," he mentioned. "Old girlfriend?" I asked.

"Sort of," he said. He sounded a bit uncomfortable and I flipped the page. Here were a number of sequential frames of the Santa Monica pier. People appeared to be wandering somewhat aimlessly through the series. "What were you doing here?" I asked. I thought they looked like surveillance pictures. "Just shooting film," he said casually and turned the page.

Then he brought out his guitar. He played a bit of classical, badly. "Out of practice," I thought. He was making a lot of errors and seemed to be getting irritated at himself. I thought I had better intervene.

I had with me a short story I had written recently. It was a story about my mother and her bout with cancer. The story focused on the family and how we dealt with her illness. I was surprised –and quite touched—when Jack began to weep at the conclusion. He is so sensitive, I thought gratefully. I hardly

even took note that his eyes were dry.

It was getting late. I picked up my purse and got ready to leave. "Don't go yet," he said. "I can make you some corn muffins. It will only take about fifteen minutes," he said persuasively.

Fifteen minutes later, he proudly pulled from the oven a batch of golden Pillsbury mix muffins. "Comfort food," he announced firmly. "I'm quite plump enough," I thought as I agreeably bit into a margarine smothered muffin.

His first attempt to consummate the affair was a failure. When he was unable to perform, he threw on his clothes, grabbed his leather bomber jacket and flounced out of my apartment. "I have blue balls," he announced accusingly, as he slammed the front door and left.

He had been dropping little hints about his "problem" for a couple of weeks. Intermittent equipment failure, to put it delicately. So when he did not perform, it came as no surprise to me. Looking back, it is now clear that he felt no desire for me and was paving the way for my understanding this in the context of a nonexistent sexual problem.

What did surprise me was his sudden display of anger, what I saw burning in his eyes as he left that night. It was not something that I could understand or rationalize. I began to feel uneasy.

His second effort met with success. The next morning, he seemed to transform before my eyes.

He seemed very distant and very much in charge. He had a strange, compelling intensity and I remember thinking that he behaved as if he had just moved his knight into a very commanding and threatening position on a virtual chessboard. And then thinking that was an odd thing for me to think.

After showering and dressing, he walked back into my bedroom. He took off his cap and threw it onto my bed.

Again, I felt uneasy. He was marking territory, he was making an unspoken statement, but what? And to whom?

We soon became an item. However, the closer we seemed to grow, the more uneasy I became. But I was fairly preoccupied with trying to cope with the blow-back from the concussion, and kept putting my questions about Jack on the back burner. My balance was bad, my memory was shot and I became prone to brief, intense crying jags, with no comprehension of what I

was crying about.

We were sitting on my bed after making love. He was naked, sitting in a cross-legged position, arms and legs open, the epitome of vulnerability.

Apropos of nothing, I started again to cry. I was frustrated with myself both for crying and for having no idea why. He smiled at me, his face radiant with understanding and concern.

“It’s about love,” he said softly.

Oh.

Knight to Queen.

In the middle of life
I lay down in honeysuckle
and rose up in squashed cigarette butts
and broken glass

In the middle of life
I shuffled the deck
and drew up the Jack of Hearts

I no longer wait
for the scrape of your hand
reaching across the broken bed
for my open neck

I no longer wait
for your step on the stair
as you burst in
with a bouquet of gunfire

The sound of my name
caressed by your split tongue
is no longer absinthe
to soothe my panicked heart

In the middle of life
I lay down in love/
or its pretense

I rise up in splintered water
My lungs scream for air

I kept calling Dr. Lake. Her office kept deferring my requests

for an appointment. I decided to take the hospital up on its offer and return.

I went into the emergency room at Long Beach Memorial Hospital and registered at the front desk. I waited for over ten hours, watching person after person walk in after me, register and promptly be seen by a doctor. I made several visits back to the front desk, inquiring when my name might come up and was told to sit down and wait. Having never waited in that ER more than three hours, I made an unprecedented decision to go above the heads of the triage team.

It was evening and there was only a skeleton crew upstairs in Administration. I pleaded my case to a token administrator and was promised she would look into it right away. I went down to the ER waiting room and quietly took my seat.

A large, overweight security guard stuck his head in the waiting room and looked me over, then left. Shortly thereafter I got up to use the restroom. I was halfway across the room when the guard tackled me.

He hit me with his full weight, 250 pounds easy, slamming me to the floor. He grabbed my forearms and yanked my arms behind me, nearly dislocating them. I heard someone say, "Hey, you are hurting her too much!" I looked up to see someone in a suit standing beside the guard. He made no further effort, however, to stop him.

I was placed onto a gurney and into a strait jacket. Another man, thin and swarthy, ostensibly a doctor, showed up. I started to explain to him how there had been some kind of mistake, I just wanted to be seen for a follow-up for my concussion. He smirked, looked at me with his dark and seemingly pupil-less eyes, and plunged a hypodermic needle into my arm.

I was taken by ambulance to a nearby psychiatric hospital, where I was admitted, on what pretext I do not know. I called my personal physician from a pay phone in the corridor, leaving a message about what had happened. An orderly saw me do this, and I was again grabbed and put into a rubber room, without even a cot, for the remainder of the night.

In the morning, I was brought in to see the attending

psychiatrist. Dr. Chiang hardly even looked at me. "Are you Janet Phelan?" he asked. I told him I was. "Apparently there has been a mistake," he said. "I spoke with your doctor this morning. You are free to go."

If I had been the slightest bit paranoid, I would have realized that something was afoot in my life, something dark and quite perilous. I had first been denied help by the police at the scene of an accident and then denied an appointment from my neurologist and then attacked at the very hospital which promised me assistance after the accident. A pattern was emerging which, in my naiveté, I could not comprehend.

The pattern was, in fact, systemic pull out. The normal supportive functions of society were being removed from my life. I not only failed to take proper note, but I had not even a glimmer of how bad this would get.

But I wasn't paranoid and I had no reason to think anyone would want to hurt me. I was a nobody. I had no reason to imagine that I had gotten onto some major radar and was on an assembly line for deprivation of all rights, including life itself.

I didn't tell Jack about what happened at the ER for quite awhile. I was too humiliated.

We were seeing each other several times a week by mid-May. He would call every night, when he got off work. Sometimes it was one a.m., sometimes two. I would put the phone by my bed so I would be sure to wake up when he called. Sometimes, we talked until the sun came up.

One night, he called with a project in mind. "Let's write a letter to the editor of the *Los Angeles Times*, together, about the Enron crisis," he suggested. He began to dictate a letter to me, over the phone.

"Okay," he said. "Read it back to me now." I had modified some of the language and he blew up at me. "I didn't say that!" he yelled.

I was taken aback at the suddenness and ferocity of his irritation. "It is stronger this way," I protested.

He palpably shifted, from automatic into manual. I clearly heard it happen, as he began to consciously mitigate his angry, dominant and quite obviously natural response. "Oh," he said carefully, his voice suddenly pleasant and agreeable. "Of course you are right."

And when he shared with me the details of his first romantic affair, I had the same experience of the two Jacks: Jack the decider, forceful and sure of himself, was telling the story of Jack the bumbler, Jack the tentative and unsure. Did the two Jacks ever coexist? I now know that I was being given a picture of someone whom Jack the decider thought I could identify with, someone who was a construct, not Jack, not then or ever.

His first lover, he confided, was a woman he had known from work. He was already in his late twenties and she had to take command and seduce him. Step by step, I heard the

details of how she cornered him in an unused office, how she brought him to her house when her husband was away on a business trip. The problem was, he had already told me a different story. His first lover, he had said, was an Oriental prostitute he went to after a shrink told him to just “get it over with.” He had, he told me, fallen in love with the pro.

At that point, I knew he was lying. Before we ever made love, he set me up for his potential failure to perform by telling me he had “problems.” Those purported problems soon vanished. In order to explain this, he confided, “I just needed to find the right girl.”

Now he was telling me two separate versions of what could only be one event. They couldn't both be true!

A couple of times, he veered dangerously close to confession. We had been wrestling on the couch, giggling about some silly thing, when suddenly he pulled back and stared at me. His face took on a gentle, almost inexplicably sad expression. He stroked my hair. “Just what I wanted,” he said, “A warm and wonderful girl friend. I just didn't expect you!”

“Expect...” I repeated. “What or who exactly were you “expecting?”

“Well, you know,” his voice faltered, “when I first met you, you were sort of...” his voice trailed off.

“Sort of what?” I said.

“You were sort of dumpy....”

“So why did you keep asking me out?” I demanded.

“I just wanted to get to know you better,” he said weakly.

The situation was beginning to unravel and Jack quickly moved into the driver's seat, with practiced command. “You really are quite attractive,” he announced.

I wasn't letting this go so easily, “What were you “expecting” exactly?”

He whirled around, eyes burning. “Someone who works,” he said forcefully. I retreated, stung.

There were other slip ups.

It was winter. We were in his kitchen and he was talking about his first love—the girl from work, not the whore. I was slicing onions and he was brewing coffee. “She guessed my

secret,” he said, almost as if he were talking to himself.

“What is your secret, Jack?” I asked.

My question was met by silence.

Again, I asked him, “What is your secret?”

He straightened up. “You know,” he said, “I like women's asses.”

Once again, his reply resonated like tin. Jack certainly did have a kink in his sexual psyche. But the sort of kinks he demonstrated in bed were the sort that developed over time. They did not spring into full form with one's first conquest. I considered this and said nothing, filing it in my growing folder of questions about this man.

So, Jack had a secret. I could not have guessed what a lethal secret it was.

In the summer, I moved in with Jack, not entirely through my own volition. Around June, my landlady had begun to demand that I move out. I did not understand why, but she was adamant. I began to look for another apartment but peculiarly, I couldn't get a bite. I couldn't even get an appointment to view, although I looked through the classifieds and other lists. The landlady was becoming insistent, calling every few days to inquire if I had found a place yet. Her husband had committed suicide earlier that year and I wondered if she were a bit unbalanced. Either way, I had to go.

But where? I didn't want to move in with Jack. I was seeing quite a bit of him but felt pulled in opposing directions. He was attractive, intelligent and engaging but I felt an unnamed sense of unease around him.

I told myself it was just for a little while. I explained my situation to him and he agreed. I moved in with him at the Norton Avenue condo in the summer of 2001 and took up residence with my mortal enemy.

BEFORE

I was accustomed to driving to Temecula several times a month to visit my mother. After my father's death in 1997, my mother and I, always close, had become even closer. She was becoming increasingly vulnerable, this strong and self-contained woman who had simply picked herself up and had gone into her office the day after she buried her husband. Work, my father used to say, heals all wounds. Suffering from bouts of melancholia, he had learned to drown himself in work. Mom, it appeared, was doing the same.

Amalie Phelan's resilience in the face of loss was well entrenched. She had been orphaned by the age of thirteen and had gone to live with an aunt, whom she delicately described to me as "unpleasant." The aunt did not approve of education for women and had told young Amalie that she was not going to college. Amalie decided otherwise.

Without telling her substitute parents, sixteen-year-old Amalie applied for admission and was accepted at Rutgers University. She made her quiet arrangements for housing and on the appointed day, walked into the living room with her bags packed. "I'm off to college," she told her speechless family, "and I'm not coming back."

She graduated at the age of nineteen, took a Master's degree in Medieval English at Cornell University at twenty-one and then entered a doctoral program at Syracuse University in upstate New York, where she married a professor in the medical school, Dr. Solomon Deren, who had fled Russia during Stalin's pogroms. He was much older than Amalie and died after seven years of marriage. Amalie, who had by then received her doctoral degree in Psychology, moved to Alton, Illinois, to take a job in a State Hospital. There she met and married my father, who was at that time a cub reporter for the *Alton Evening Telegraph*.

As a curious teenager, I once asked Amalie if she were worried by Dad's traveling. *The Saturday Evening Post* was sending him all over the world to cover stories and my father, brilliant, successful and quite dashing, would have been attractive to other women.

Amalie looked at me with obvious surprise. "Worried?" she echoed. "If I let myself be worried I would be unhappy," she said. "Why would I want to be unhappy?"

There began to be money questions after Dad died, in the fall of 1997. He had been in charge of the investments and had fruitlessly tried to impart his considerable knowledge of the market to his small family while on his death bed. Shortly, I began to realize, with growing alarm, that money was flying out of the accounts. I didn't figure out how until it was far too late. It wasn't until the summer of 2000 when I realized that my sister Judy was stealing. It wasn't until later I realized how much.

I was on one of my regular visits and Mom asked me to take her to Washington Mutual. Her social security check was due in that day and Mom wanted to withdraw some money. Walking into the bank's lobby, I was quite surprised to find my sister in line before us. She had sped to the bank upon realizing that we were on our way and had just beat us there.

I greeted her and she turned around, a wild and accusatory look in her eyes. "She's crazy!" she began to yell, pointing at me. There was a bit of a stir in the line and Judy finished her business with the teller and took off.

Mom and I stepped up to the teller. Right before our eyes, we saw the account balance go down from several thousand dollars to only a few pennies. The teller looked troubled. "Someone just withdrew the money," she murmured. "Who else has signing on this account?"

It turned out that Judith had persuaded Mom to put her onto all of the bank accounts. And Judy had just emptied this one out.

Mom and I walked out into the overheated Temecula afternoon, a troubled silence enveloping us. We decided to go

out for a soda and talk this over. “We can't file criminal charges against her,” said Mom. “We have to do something,” I countered. “She just stole from you.”

The decision was made to file an incident report but not to launch criminal charges. Mom wanted to talk this over with Judy and so we returned home.

Judy, we discovered, had called the police herself. She told them that she took the money to “protect it.” She wouldn't tell us where it was or return it. Looking back, with the benefit of hindsight, we should have pressed charges. Our disinclination to do so only emboldened her. But Judy had had a troubled history and we had become used to her peculiar and even aggressive behavior. Judy, we knew, was not bound by normal restraints.

The first family pet that my sister Judith killed was my cat, Fritz. My parents had been caring for both of my cats, Fritz and Colette, while I was away at grad school. I had returned to Long Beach but had not yet settled into permanent digs. Judy had been residing with our parents in the Naples Island family home for some time at that juncture.

Judy had experienced a complete breakdown of sorts, and her then-husband, Neil, had simply dropped her off at Mom and Dad's—dropped her off and washed his hands of her. It had not been a happy marriage and Neil was apparently all too glad to use this as an excuse to escape.

Years later, Neil recalled the day she “flipped.”

“I got up and there were checks all over the floor. She had written thousands and thousands of dollars of checks and I couldn't even get an answer what for. She wasn't making a whole lot of sense.”

Judith careened downhill rather quickly. Usually impeccably and fashionably dressed and groomed, she began to appear in mismatched clothing and with uncombed hair. Her weight, always a concern for her, shot up dramatically. An odor emanated from her room and I doubted she was even bathing. Even worse--she could barely put a sentence together.

At the point that she killed my cat, she had ostensibly pulled out of it. A toxic dose of Lithium, a psychiatric medication, was blamed, and when the dose was adjusted she seemed to improve. Her former wit and vivacity returned and she began to dress again like a fashion plate. But something had changed. She seemed to harbor a dark resentment towards the family, blaming us for her misfortunes. Other changes were to manifest soon.

I had stopped by the house to pick up some belongings. My parents were selling the house and had plans to move to

Riverside County. The housing market was booming and they figured to take the money and invest in a cheaper home in a less upscale location and to commence their retirement. Judith, who was a licensed clinical social worker, was trying to get back to work but was having trouble holding a job. She was moving with them. To her consternation, I was not.

I was picking up some things from what had at one time been my bedroom when Judith walked in. "I put your cat to sleep," she announced.

It took a moment for her words to register. I felt a cold horror wash over me.

"Why did you do that?" I managed to get out.

Her answer confirmed my worst suspicions. She had no reasons. "He was sleeping," was all she said.

Mom, Dad and Judy soon moved to Temecula, in Riverside County.

While Judith was purportedly out of the woods in terms of overt psychosis, her actions brought my father continued bewilderment and anguish. During my frequent visits to the family home on Gatewood Way, I repeatedly saw Judith baiting, confrontational, as her behavior began to evidence an utter hatred of our father. On a couple of occasions, during what was now an interminable and continuous argument, Judith threw back her head and screamed.

It couldn't have been a happy situation for her—forty-plus years old, twice divorced, with considerable academic achievements--to be living with her parents in a sleepy little town like Temecula. She had a new car, she indulged her desires for new clothes, new hairdos, pedicures and more, but nothing was mitigating the indignity she was apparently feeling for needing to live with her parents. She was brilliant, or so she repeatedly asserted. She should be on top of the game, not on the skids. And increasingly, she blamed us for her ill fortune.

One day, she drove up to see me in Long Beach. I had an apartment and was living with my boyfriend. She confessed to me that she "couldn't stand" living with the folks anymore. She asked if she could move in with me. She was desperate, she

said.

Looking at her pale, anguished face, I began to soften. We had never gotten along, but maybe we could make it work. I didn't want to see her suffer. And for a moment, I almost forgot what she had done to Fritz.

She must have seen the sympathy in my face, and moved quickly into the driver's seat. "Good," she said. "I'll go get my stuff. We are going to have to first of all develop some ground rules here. Rule one: No men."

"Judy," I said. "You know I am living here with John. I am not going to separate from him so that you can live here. I am sorry, this isn't going to work out." Her face froze into a mask of hatred.

Dad was feeling the pressure, too. He used to come up to Long Beach once a month, to lunch with his fellow journalists, an aging crew of salty reporters who called themselves "The Over-The-Hill Club." After their luncheon, he would typically drop by my apartment for a visit. Sometimes he would take a nap on my couch and I would fix him dinner.

During one visit, he was distinctly agitated. He was talking, as he often did, about my sister, how difficult she was and how living with her was destroying his golden years. But this time, he was also talking about the future. And he was worried.

"I am afraid to die and leave your mother alone with your sister," he stated bluntly. "Judy is capable of anything. I want to put her out," he continued, "but your mother won't allow it."

I pondered the implications of his statement. "Capable of anything?" As it turned out his concerns were all too real.

I picked up the phone around 4 p.m. Dad's lung cancer had taken a sudden turn for the worse. He wasn't expected to last more than a few days, Amalie said.

I hung up the phone and went to tell John. We started packing, throwing a few things into an overnight bag. I worried a bit about what to do with the cats, Zack and Bunkie. We were just getting ready to head out the door when suddenly I felt like I couldn't breathe. I sat down, gulping for air. The attack subsided in about ten minutes. I then called Mom, to let her know we were on our way.

"Oh Jannie," she said, her voice almost inaudible. "Your Dad just passed ten minutes ago."

After the burial, the small group of mourners headed back to the house. I felt hollowed out. The larger-than-life, brilliant and iconoclastic man who was my father was gone. At once flamboyant and shy, anti-authoritarian and diligently fair, he had been the centerpiece of our lives. Both an accomplished magazine journalist and a best-selling author, Dad had made inroads into the field of investigative reporting that had earned him a reputation for fearlessness. Along the way, he had also developed enemies.

Dad's article on the Nixon-Hughes loan had earned him a slot on Richard Nixon's enemies list. This article, published during the heated California gubernatorial contest between Nixon and Pat Brown, was credited by Brown for turning the tide of the election and resulting in Brown prevailing over Nixon. Later, Dad's Saturday Evening Post cover story on D.A. Jim Garrison's efforts to convict Clay Shaw for the assassination of JFK had a deeply polarizing effect. Dad had been handed over documents from Garrison himself which revealed that his star witness, Perry Russo, reported no knowledge of Clay Shaw, Clem Bertrand or any assassination

conspiracy in his initial interview by D.A. Garrison's staff. Only after being drugged and guided through his testimony did Russo “recollect” the conspirators.

Jim Phelan testified at the trial concerning the contents of the documents and also reported the story in *The Saturday Evening Post*. Shaw was not convicted and my father became the focus of rage and accusations by those who put their faith in Jim Garrison. Even today, there are those who falsely declare that my father was working for some government agency when he uncovered and reported on these documents.

The accusations against Jim Phelan, however, do not focus on the implications of those documents. They attack the messenger without attending to the message.

Fueling allegations concerning my father's allegiances during this period is a document, declassified and made public in 1999 (a scant one year before Jack Smith entered our lives), which states that James Phelan visited the FBI with his concerns about Garrison's impropriety in his dealings with Russo. As my father passed away in 1997, he was not available to contest the veracity of this document.

One need only to look at the subsequent career of Garrison, who ascended to the bench as a state appeals court judge, to realize that he was hardly an outsider railing against the system. These judgeships are plum rewards for faithful service to the powers-that-be.

A consummate “just-the-facts, ma'am” reporter, my father did not suggest that Garrison was part of a conspiracy to detour attention from the real assassins. In Patricia Lambert's book, *False Witness*, she goes a bit further in speculating on Garrison's true motives.

After the funeral, we went back to the house in Temecula. Judy sat down beside me on the couch. “I'm glad he's dead,” was all she said.

After Dad died, I began to come down to Temecula to visit my mother more and more frequently. Judy, however, was becoming increasingly secretive. A couple of years later, Mom chose to retire (she had kept up a small private practice as a

clinical psychologist into her eighties) and Judith decided that Amalie shouldn't drive anymore. She got rid of Mom's car, donated it actually. She had herself placed as a joint signer on Mom's bank accounts, as well, though I didn't learn this until later. Money began to disappear.

I did not figure out where the money was all going until 2002, when I was reviewing some family accounts. Judith had been forging my endorsement on checks that Amalie made out to me.

My sister had been requesting regularly that Mom write me checks, checks I did not request or even know about. Judy then turned around and forged my endorsement on these checks and deposited them into her own account. The tip off, when I came across these checks years later, was the cancellation stamp on the back of the checks—they had gone into Judy's Wells Fargo account. It appears that Judith stole upwards of sixty thousand dollars in this manner in a short time. Exactly how she was able to deposit checks made out to someone else into her account is something that Wells Fargo has never explained.

Featured are two examples of these checks in Exhibits.

In 2000, Judy had gotten another social work job and lost it very quickly. Mom went into the hospital with a broken hip. On the very same day, Judy put Mom's dog to sleep. When Mom finally admitted to me, after a couple of years of declining to respond, that Judy had come home angry from being fired, and that there was a struggle over the dog and that Judy had pushed her and that was when she fell and broke her hip, it was too late for me to get Judy out. The Jack Smith fix was in. And Judy had eagerly, greedily signed on to the program.

INTO MAMMON'S LAIR

My first few months living with Jack were punctuated by increasing concerns about the family finances. My mother had hired a bookkeeper, a fellow psychologist named Carol McCabe, whose behavior became increasingly alarming. Carol refused to let me see the accounts and began to call me every couple of weeks, ominously announcing, "There is no more money left." Meanwhile, Judy was spending money like it was sea-water. I talked it over with Jack and he encouraged me to do something about this.

I called some attorneys. When an old family friend referred me to his trusted associate, John Torjerson, I simply took his recommendation without question. And there began the twisted road to Melodie Scott.

Torjerson referred me to a local attorney who subsequently referred me to x who referred me to y who referred me to...a woman named Melodie Scott.

My first conversation with the woman considered the richest and most powerful conservator in California was brief and apparently final. "This is your mother?" asked Scott. Then, "Oh no, I don't do families," she declared and that was that. As a parting recommendation, she suggested I call an attorney named David.

David Horspool could not have been more solicitous. I drove down to Redlands, in neighboring San Bernardino County, to meet with him at the law office of Hartnell and Horspool in the Fall of 2001. Tall, a fading fiftyish sort of handsome with an air of both personal importance and professional concern, David Horspool seemed deeply interested in our situation. I scheduled another appointment, bringing my mother in this time. Horspool wanted \$5000 for his efforts to find an appropriate bookkeeper for Mom.

The problem was I didn't have \$5000. I went to my Uncle Mike and begged. Mike cut a check and Mom and I returned to Horspool's office in December.

He told me he had found an excellent fiduciary, named Melodie Scott. I remembered her dismissive brush off and asked him for someone else. "You must have another name," I said. He became adamant. And then, to my surprise, he brought her in. She had been waiting in the other room.

I looked her over. Melodie Scott was tall, rather plainly dressed, a well-built blonde with a sharp and unattractive face. She answered my questions, mostly about the cost of her bookkeeping services. It didn't seem too complicated or too expensive. A few checks a month, I silently figured. Maybe a hundred a month, at the most...

Melodie was looking at me, curiously. I remember feeling a bit self conscious, aware that I was somewhat under-dressed, in a t-shirt and jeans. Suddenly she asked, "What is your IQ?" Muted alarms went off in my head. As casually as possible, I replied, "Quite high. Why do you ask?"

She didn't answer me. Instead, she began to ply me with questions about my sister. After I explained that Judy was stealing, Melodie said, "Oh, that Judy. I'm going to cut her off!"

"Oh no," I said. "She just needs to be reined in. You know, put on a budget. She needs us, she needs the money," I explained.

David had a tape recorder on. He was leaning towards Mom. I remember thinking that he was terribly, terribly interested in something about her, but I didn't know what. Then he handed her a piece of paper, a document, and asked her to sign it. It was a nomination for a conservator.

"What is a conservator?" I asked.

Oh, like a bookkeeper, was the reply.

Mom signed it.

Without realizing the implications, Amalie signed away all her rights and all her property. Thinking she was taking a step to protect her assets, she also signed away her life. And although I was not mentioned in the document, she also signed away mine.

It was early September in 2001. Jack was still sleeping when the call came in. An unfamiliar man's voice asked for him. "Jack is asleep," I said.

"Tell Jack they hit the World Trade Center," the man said and hung up.

I went downstairs and turned on the television set. Every channel was carrying the chaos taking place in New York City. I went back upstairs and woke Jack up.

He catapulted downstairs and together we watched the events of that dark day unfold. At one point early on, after the television had announced the perpetrator, Osama bin Laden, I turned to Jack with alarm. Understanding from my work in media something about the relationship between government and the press, I knew that not enough time had lapsed for this determination of culpability to have been made.

"Jack," I said, "Something is wrong here. That Osama biography was canned and ready to go!" He looked at me sharply but said nothing. All day, he sat held in the thrall of the television, a small smile flitting across his lips. I thought he looked strangely elated. Looking back, there were so many clues.

Jack had taken me to his relatives for Thanksgiving. Jack had explained to me that his parents had died many years ago and he had an aunt and uncle, Phil and Marge Oderberg, who lived in the Beverly Hills area.

It was a large family occasion. The Oderberg's grown children and their spouses were there--David, Ethel, Aaron--as well as some grandkids. Phil--Dr. Philip Oderberg-- was a clinical psychologist in West Los Angeles and his wife was also a mental health practitioner. They had a large and beautifully appointed home on Croft Avenue. I was given the house tour

and marveled at the artwork and expensive furnishings.

Ethel was a social worker. Another son worked in IT. It was a pleasant and easy social occasion. Jack also took me to the bar mitzvah of the Oderbergs' grandson at a local synagogue. There I met another cousin, also a psychiatrist in Northern California. A whole lot of mental health types in this family, I thought. It made me feel closer to Jack, given that my mother had been a practicing clinical psychologist.

The Oderbergs seemed very gracious. Nice people, I thought.

David Horspool and Melodie Scott went to court in the middle of December, 2001, to petition for conservatorship of my mother. Melodie was appointed temporary conservator of person and estate. David Horspool seemed very concerned that I did not go to court to support the petition. Nothing seemed to have changed until one day in late January, when I called Mom to wish her good morning, as I did every day.

A strange woman answered the phone. "You can't talk to your Mom," the stranger said. She sounded Southern and uneducated. I called back about a half hour later. The stranger said, "You can't ever talk to your Mom again."

I kept calling back. I finally reached my mother in the late afternoon. "What the hell is going on there?" I demanded. "That's a good question," Amalie said, wryly. "I've got a prison guard, now."

The stranger, it turned out, was a caregiver named Sheryl Moormar. She was quarterbacking the phone, and reaching my mother became a matter of running a detour around Sheryl.

Visiting my mother became even more problematic. On several occasions, Sheryl would alert Melodie that I had arrived at the house, and Melodie would then call the house and demand I leave. "Leave," she would say, "or I will call the police!"

Soon, I took Mom to see a lawyer about getting out of the conservatorship. The attorney took a look at the Trust and the Will then made a phone call to Mom's court-appointed attorney, Gilbert Gutierrez.

"This conservatorship is unnecessary," he told Gutierrez.

“You can file a petition and end this.” Hanging up the phone, he told us that Gutierrez was “interested” in what he told him and would get back to him. The legal documents did actually name a family friend, James Henderson of Riverside, as successor Trustee and also as conservator, should one become necessary. Henderson, however, was making himself scarce. Still, this attorney thought that it would be simple to end the conservatorship.

We drove back from Laguna Hills, upbeat and happy. On arriving home, we found that the house had been robbed.

Jewelery was missing. As we were leaving for Laguna Hills, we had asked Judy to stay and watch the house. Melodie Scott was sending over a “house-cleaner” and both Mom and I were a bit concerned about leaving the house unattended.

But Judy had left and gone into town for the day, disregarding her promise to us.

Mom and I made a list of the stolen items and I called the police. An officer arrived at the scene and took a report. Judy made a dramatic declaration that her “drugs” were missing, specifically a narcotic she took for an unspecified reason. I found the bottle of narcotics in her car.

But the police refused to investigate. When I followed up and called the Temecula police to inquire about the progress of the investigation, I was flabbergasted at what the officer told me.

“The house-cleaner lives in San Bernardino County,” he told me. “So does Melodie Scott. We are in Riverside County. Sorry, it is out of our jurisdiction.”

In retaliation, Melodie immediately stopped the check on the court authorized payment to me from the Trust. Her reason was declared as the following: I took my mother to a lawyer and called the police on her house-cleaner (EXHIBIT 2).

That was the beginning in a long series of financial and legalistic retaliation against me.

Melodie Scott's threats against me became so severe that on one occasion I called the Temecula police when I was just a few blocks away from Mom's house. I told them that the conservator kept threatening to have me arrested and asked if

I had a right to visit my own mother. The officer assured me I did, as long as my mother wished to see me.

I knocked on the door. Sheryl answered the door and told me to go home. A large, muscular black woman, she was physically blocking my entry. "I called the cops," I informed her. "I can come in as long as Mom wants to see me. "

"Let her in," demanded Amalie. "If you don't let me in, I am calling the police," I added.

"You can't come in!" bellowed Sheryl. "Get out of my way," I replied and walked into the house. Sheryl screamed something and left. Judy was in the hospital at the time and Mom and I were left entirely alone.

It was delicious. We stayed up late talking. She marveled at how wonderful it felt to have her prison guard gone. The next morning, we got up and went to the market. We stopped for lunch and when we returned, we discovered that Melodie had been to the house. She had also left messages on the phone.

"Mom," I said, teasing, "you are some precious commodity." That was the very last time we were alone together.

Sheryl was quickly replaced by a sullen-faced woman named Linda Garcia. Linda was as secretive and unfriendly as Sheryl had been aggressively hostile.

I began to look for a lawyer. After calling around I turned up a possibility, a Riverside attorney named Ellen Weinfurtnr. I visited her office and found her to be concerned and seemingly responsive. After listening to me for about a half hour, she excused herself and shortly came back with a completed declaration to file with the court. I was impressed.

Ellen wanted a retainer, however, of \$1500. My disability check came to around \$800 a month. I had no savings. Ellen thought she could get the judge to approve for my mother's estate pay her fees but she needed that retainer first.

I talked this over with Mom and she was greatly relieved that there would be someone in court representing her interests. Her court-appointed attorney, Gilbert Gutierrez, was clearly uninterested in the matter and had avoided returning calls or meeting with Mom. The problem was how to come up with the money. I had none and all Mom's assets were now

under the control of Melodie Scott.

To my relief and astonishment, Jack offered to pay for Ellen's retainer.

But Ellen Weinfurtnner turned out to be elusive. She did not return phone calls and was vague and distracted the few times I was able to reach her. On March 14, she made a court appearance and utterly baffled me with her presentation in front of the court.

Judge Stephen Cunnison was discussing the possibility of putting a gag order on the family so we could not discuss the conservatorship with my mother. Ellen stood up in front of him and to my dismay said only five words: "There is a successor Trustee." Period. What good did that do us? I was puzzled.

Mom had come to the hearing and we were going to go out for lunch. We were standing outside the courtroom when Melodie came marching up. Her eyes were an ice cold shade of red. "You are disallowed to have lunch with your mother," she announced. I saw the shock waves and pain pass across my mother's face. Mom left with her prison guard and Mel and I were alone in the hall.

She pulled a piece of paper out of her purse. "Just this once," she said, "I am going to offer you a check."

I looked at this tall, imperious woman, waving an envelope in front of me. I didn't want any checks from this woman. I wanted my mother back. "What about my mother," I said quietly.

Melodie responded as quickly as a raptor. "You won't quit," she said, then bellowed, over and over: "You won't quit! You won't quit!"

Then, shockingly, her anger turned into a sneer. "You won't quit!" she declared, as if pronouncing final judgment.

Around that time, Jack said we should look online for Melodie Scott, to see what we could find out about her. Lo and behold, he pulled up a posting by someone named Richard Morda. Morda was reporting that Melodie was a terrible individual and that she had done awful things to his mother, too. There was a phone number attached and on Jack's urging, I called him.

We arranged to meet in a restaurant. Morda was big, brassy, full of self confidence and very firm about how “evil” Melodie was. He was, he announced, going to law school in order to learn how to combat this woman.

And he offered me some advice. “In the court room,” he confided, “you can say anything. You can call Horspool a s.o.b. And you can tell the judge off, too.” He sat back, a smile of satisfaction passing across his face. “And you are just the girl to do it, too,” he announced.

I didn't know it then but as it turned out, this sort of advice could land one in jail.

Soon, Morda called me with another hot tip. The *Los Angeles Times* was doing a series on conservatorship abuse, he told me. The lead reporter's name was Robin Fields. Would I like her number?

Robin Fields was focused and professional and spoke with me at some length about my mother's situation. I thought I had possibly found an ally. I sent her paperwork and spoke with her several times. And waited for the story to be published. And waited and waited and waited...

In the meantime, my dreams had begun to dramatically change. My entire life I have had vivid and memorable dreams, usually in color. Now, my dreams began to predict and reveal, rather than simply to recast the events of the day.

One morning I woke and told Jack, "I dreamed you were in bed with my sister!" He snorted.

And then I was having one of the most complex and detailed dreams. In this dream, I went to see a woman. I didn't recognize her, but I knew she was a dear and beloved friend of my father. Suddenly, a bunch of people broke into the room. Jack was among them, the only one I recognized. They all attacked the woman with clubs, trying to murder her. In the dream, I wasn't sure if they were successful or not. As I stood aghast, unarmed and shocked, the marauders turned on me and announced that I was the perpetrator.

Suddenly, the dreamscape changed. I was on the run, living on the streets. I was clearly homeless. I ducked into a Greyhound station in order to try to change my appearance. I donned a dark wig and put on a flannel suit, hoping my disguise would deter my pursuers. And then I headed into a University, at a place called Schaeffer Hall, and on into a psychology library, wherein I discovered the answer.

But the answer to what?

I awoke and told Jack about my strange dream. He walked out of the room.

We are lying in the bed
Actually, he is lying in the bed
I am truthful in the bed
uncloaked
without guise
or dissimulation
every cell door
in my body swinging wide
flesh
heart
soul

I turn over
press my stomach to his back
everything opens and affirms
This one. Now. Yes

Fuck is an interesting word
To fuck you
the ultimate expression of love
or to fuck you
the ultimate expression of destruction

the open palm
or the closed fist

to caress
or to smash

to cherish
or to kill
How did that end up

the same word?

He is lying
in the bed
He has a plan
he has a program
he is on top of me
he is inside of me
we couldn't be closer
we couldn't be further apart

At the moment of collision
we enter two entirely different dimensions
I unfurl in light
my hair streams behind my head
Everything is possible
Everything is affirmed
Everything is yes

I have committed again
life and remained intact/
whole/complete

I open my eyes
and gaze at the perfect weapon
my own heart
positioned against me

Linda Garcia took a weekend off and went to Las Vegas. I came to visit Mom to find a rather nervous young girl in Linda's place. We chatted a bit and then Mom and I went for a walk.

When we returned, the girl drew me aside. "There's something real bad going on here," she confided in me. "They told me you were real mean and to write down terrible things about you in the log. But your mother was so glad to see you and you are real good to her. Listen," she said, lowering her voice, "I think they want to hurt your mother. They told me to

feed her real good when you are around but to give her a bunch of buttery oily stuff when you aren't. She's on heart drugs. That's no good for her!"

When the girl finished her shift she showed me her log. She had written down how happy Amalie was to see me and how very nice I was to my mother. I thanked her. She left, and I came back down the next weekend to see Mom again.

Amalie was very quiet that visit. She seemed depressed and preoccupied. At one point she blurted out, "Melodie is going to win!" I suggested she call her court-appointed attorney and ask what he was doing for her.

She called Gutierrez and put the call on speaker phone. "I want this conservatorship terminated," she told him.

"You don't know what is good for you," replied Gutierrez.

"You are my attorney and you are supposed to represent me," insisted Amalie. Gutierrez countered by telling her she didn't know what was in her best interest and he would not put her concerns in front of the judge.

Based on this conversation, Mom decided to write Judge Stephen Cunnison. Her letter, written just a few weeks before she was rushed to the hospital, close to death, said that her attorney was not following her direction and she wanted him removed. She then wrote a second letter to Judge Cunnison asking him to remove Melodie Scott.

The next week, Mom took a sudden downward turn. She was weak and didn't want to get out of bed. I remember driving back to West Hollywood and sitting on the couch, weeping. "I think I am going to lose her," I told Jack. "She is getting really bad." He sat woodenly on the couch, not saying anything.

Then the phone rang. He sprung up to pick it up. "Hello," he said. Then he quickly hung up. "No one there," he reported.

The phone rung again. Again, Jack picked it up and then quickly put the receiver back in the cradle. "No one there," he said again.

On the third ring I said, "Let me see who this is." After I picked up and said hello, I heard the person on the other end hang up. "Let's star 69 this and see who is calling," I

suggested. Before Jack could say anything, I had entered the code to call back the last caller.

"CARE, Incorporated," said a woman's voice.

"Jack," I cried. "It is Melodie Scott."

"Weird," he said, and walked into the kitchen.

The calls continued. In a three-week period, I star 69'ed twenty-one calls from CARE Incorporated, all hang ups. Jack began to theorize about these. "She is trying to create a trail," he announced.

On May 29, Jack and I drove down to Temecula to celebrate my birthday with Mom and Judy. Mom had gotten me a big cake and I asked Linda Garcia if she wished to join us. She glowered at me but later came out and perched on a chair eating a piece of cake with ice cream. Jack, however, was completely on edge.

"What the hell are you doing not using a cutting board," he bellowed, as I sliced some tomatoes for a salad. "Eating cake," he screamed. "You are fat enough as it is!"

When he wasn't bellowing, he was curled up on the couch, either sleeping or reading a book my sister had given him when we first arrived, *Hitler's Niece*, by Ron Hanson.

Fiction? I pondered. Jack doesn't read fiction.

I spent the drive back to Long Beach staring out the passenger window. I felt a cold hand pass over the sky and the chill entered my heart. "I have never had such a horrible birthday," I told him. He said nothing. I was fifty.

The house is dark.
It is smaller than I remember.
My sister is in the kitchen
feasting on the remains of my father.

I slip into my mother's bedroom
She is lying on the bed
tossed like a rag
on crumpled bedclothes

I gather her into my arms
My Only One
who suffered so to give me life.

"It is time to go,"
I tell her. "It is past
time to go."

She is like a child
in my arms.
I steal her heartbeat
to bring her into the light.

It is so very late
and the darkness
wants to eat us alive.

When we got home, I looked up a synopsis of the book Jack was reading. Adolph Hitler, it appeared, had had a niece, possibly Jewish, and a medical student. He adored her for a time then killed her.

It was during the visit on my birthday that Judy made a confession --of sorts-- to me. We were in the kitchen throwing some kind of lunch together, when Judy said, casually as could be, "Melodie Scott is giving me a lot of money."

"What's that for, Judy?" I asked.

"Hush money," she hissed through clenched teeth.

"Is that for what's happening now?" I asked, alarmed.

She was walking out of the kitchen. "Later," she tossed back over her shoulder. "It's for what's going to happen later."

It was less than two weeks later. I was making my morning call to Mom. "I'm very sick," she said, "and no one is paying any attention to me."

Alarmed, I drove to Temecula to find Amalie so ill she could barely walk. She was terribly confused, almost talking out of her head. Linda Garcia and my sister were acting as if nothing at all were amiss.

Mom and I sat on the couch together. Judy and Linda were watching television in the other room. I could hear them giggling. "What's happening to me?" Amalie said, fearfully. "I don't know, but I am going to find out. We have to go to the hospital," I told her. "You need to see a doctor."

She was too weak to make it to the car, parked right outside at the curb. "Let me rest a bit first," she said. She went into her room and lay down. Two hours later, she emerged. I called CARE and left a message for Melodie Scott that I was taking Amalie to the emergency room. I asked Judy if she wanted to come along. She said she had an appointment to get her nails done and declined.

Mom leaned on me as we walked slowly out to the car. Twice on the drive to Murrieta she asked me where we were going. Why was she so confused? What had happened in the intervening couple of weeks?

Thoughts were colliding at warp speed inside my head, but I was absolutely sure that she needed to see a doctor, and needed to do so right away.

On the freeway, she changed her mind. "Why are we going to the hospital?" she asked. "I don't want to go there," she announced.

"You have to," I muttered under my breath, and stepped on the accelerator.

The ER doctor listened carefully to what I told him and took her vitals. I saw the blood pressure monitor record a systolic of over 180. She said she thought her eyes were moving back and forth, rapidly. Nystagmus. I didn't see this and the doctor didn't either, but recorded a concern about possible seizures. He called her physician.

Dr. David Mitzner showed up shortly. Mom smiled when she saw him walking briskly towards her. "My beautiful young doctor," she murmured. I thought she sounded a bit better.

In fact, some of the confusion seemed to have lifted. I was relieved. Dr. Mitzner was concerned about her elevated blood pressure and admitted her to the hospital.

I drove back to Temecula. Linda Garcia had already fled the scene, never to be seen again by me. On a hunch, I checked my mother's pill bottles.

Cardura, for her heart. One full, undispensed bottle and a second one two thirds full. I checked the dates on the bottles. The last two months.

"Judy," I yelled. "No one has been giving Mom her heart medicine?" My sister slammed her door and locked herself in her room. (EXHIBIT 3)

I called the police. Two officers responded to the call. I sat down and tried to explain what had happened. I felt shaky. "My mother is under a conservatorship," I told them. "The conservator hired a caregiver, Linda Garcia. I think she tried to kill my mother."

I showed the officers the pill bottles. They counted the pills, and while they were counting, the phone rang. It was Melodie Scott.

Melodie was shrieking on the phone to the officers, telling them I was crazy and to lock me up. I began to recount for the police all the times she had threatened me when I came to see my mother, that my mother was now very sick and who was responsible for my mother not getting her heart medication, anyway. Was Linda in collusion with Melodie? And what about my sister?

The police finished counting the pills and left.

I called Jack. He sped down from West Hollywood and

--strangely--something happened to the pill bottles.

We had spent the night at my mother's house and the next morning, I arose to show him the pill bottles, how one was almost full and the other was completely full. But now, both were completely full.

"What is happening," I cried in anguish.

"The bottles have been tampered with," he said, soberly.

"But who? Who did this, Jack?" I cried. "And now it looks even worse, because they are both completely full!"

"Someone made a mistake," he said grimly.

He urged me to leave the bottles behind. "Absolutely not," I said, and stuck them in my purse.

Two days later, the hospital records note that Amalie was found on the floor next to her bed, markedly confused. An EKG confirmed the problem with her heart. She was taken into surgery and a pacemaker was implanted in her chest (EXHIBIT 4).

I had not been informed of this. I had gone over to the hospital to visit her and found her in recovery. She was coming out of anesthesia and barked at me with some irritation. I went out to the nurses station. "What has happened," I demanded. "What has happened to my mother?"

I was told to leave the hospital. "Why?" I wanted to know. The woman at the desk picked up the phone and called Security. I went back into Mom's room. I took her hand. "I think you will probably feel a lot better soon, Mom," I said, helplessly. And then a security guard showed up and told me that I was not allowed to see my mother anymore.

I left, escorted out of the hospital by a stranger wearing a uniform. I stopped over at the house. Judy wasn't feeling well and wanted to check into the hospital. As she was getting an overnight bag put together, I wandered over to the telephone table to check messages.

There was a message from the pharmacy, something about some medicine ready to be picked up. The second message began to play. I heard a familiar female voice announce: "They had to be Jews."

That was all. No announcement of who the caller was and

no number left

I put down the phone in alarm. "Judy," I said, "there is some kind of anti-Semitic message left on our phone." I had recognized the voice as Anna Williams, who was Melodie Scott's mother and worked in her office.

"Really?" said Judy. "Let me hear it." Judy then walked over to the phone and right in front of me, erased the message.

"Why did you do that?" I demanded.

"I'm brain damaged," she retorted. "Leave me alone! Take me to the hospital right now!"

When I got back to Long Beach, I found a restraining order waiting for me. Melodie Scott had gone to court and declared that I had "unnecessarily" taken Mom to the ER, thereby causing her emotional harm. I needed to be restrained from my mother so as not to do this again (EXHIBIT 5). In an ex parte hearing, for which there is no proof of service on file, Judge Cunnison had agreed and issued a temporary restraining order.

I got the police report (EXHIBIT 6). The police listed the undispensed medicine as Zyprexa, not Cardura. Big difference, I thought. Zyprexa is an atypical anti-psychotic that is routinely prescribed for the elderly. The drug has recently come under scrutiny for shortening the lives of those who take it. I called the Riverside Sheriff and told them they had made a mistake and listed the wrong medicine. I was told, "Don't ever contact us again."

I began to suspect a conspiracy. I was caught up in a Kafkaesque world that was bearing down on my mother, with cruelty and indifference. The court will set things right, I thought. The judge just needs to know what happened.

The restraining order first came to hearing on June 27 in Commissioner Joan Burgess's court. Kennedy assassination author and family friend Patricia Lambert had flown out from Arizona to come to court with me. She had been able to visit Mom in Asistencia Villa, where Amalie had been admitted to recover from the surgery. Pat had then produced a report, affirmed by Amalie as truthful and accurate, which was entered into the court file (EXHIBITS 7 and 8). In Lambert's

reports, Amalie states clearly that she wants nothing to do with Melodie Scott. She also affirms the importance to her of our relationship.

The officers who had taken the report were gathered outside the courtroom, conferring with David Horspool. As I walked by, one of them said, loud enough for me to hear, "She's crazy!" I decided they could not possibly be talking about me.

Court was called to session. We all rose as Commissioner Burgess entered. She's a lovely looking woman, I thought. Grey-haired, handsome and with a kind face. We are in good hands now, I thought.

But then the police stood up and swore on the record that the false police report with the wrong medicine listed was accurate. All the attorneys then filed into chambers for a secret meeting with Burgess. As my attorney, Ellen Weinfurtner, arose to join them, I called out, "Don't forget to tell the judge that my Mom was given a pacemaker!"

Ellen shot me a worried look. As Gutierrez filed in behind her, I saw him place his hand against the lower part of her back. I saw his hand linger there, in a manner something like a caress. Oh my, I thought. Do we have conjugal attorneys here?

When they came out, Commissioner Burgess (she has since married and now goes by Joan Ettinger) announced orders which mitigated the severity of the restraining order. I could see my mother, who was now recovering from her surgery at Asistencia Villa in Redlands, three times a week with supervision. I could call her every day.

Well, things are beginning to look up, I thought. The issue of permanency of the RO was deferred to the next hearing, which was scheduled for August 1.

"I was threatened," said Pat, somewhat casually after the hearing. "Really?" I said. "What happened?"

"Oh, your lawyer," said Pat. "She said if I kept this up I would end up with a restraining order, too."

**COURTS THAT CONSPIRE,
COURTS THAT KILL**

I picked up the mail about a week later to find two envelopes from the court. The orders after hearing by Joan Burgess had been prepared by David Horspool, signed by Burgess and mailed out.

Opening the letters, I found that the two envelopes contained duplicates of the same order. Scrutinizing them more carefully, I realized that the two orders were not exactly the same. Both were signed by the Commissioner, and carried the same date and the court seal. One of the orders, however, contained a final caveat gagging me from discussing the conservatorship or the restraining order with my mother during our supervised visits or phone calls. The other did not.

Both documents bore the seal of Riverside Court. I turned them over in my hands, considering the implications. The two orders were nearly but not quite identical. I called the court, and ascertained that the only order on file at the court was the one containing the gag. I looked again at the envelopes. The order containing the gag had been mailed to me in a plain white envelope. The one without the gag had been sent in an official Riverside Court envelope.

Suddenly, I got it. I had a protector in that courthouse. It appeared that whomever mailed me the order that had been officially lodged, the one with the gag, had done so in an unofficial capacity. I realized what Commissioner Burgess had actually done. She had attempted to entrap me.

Of course I would have discussed the restraining order with my mother when Joan Burgess so generously gave me three visits every week with her. Under the watchful eye of the social worker assigned to supervise my visits, these discussions would have been reported as a violation of a court order, constituting contempt of court. And I could have gone to jail.

The potential end result of my being so falsely set up and arrested was not yet clear to me. I only knew it was not something that was going to be a good idea.

The court order was not honored by Asistencia Villa. All told, I was allowed to see Amalie only three times in the two months that she was there. The court orders allowing me to call her once a day were also ignored. The phone was removed from her room and the only way to reach her was through the switchboard. As soon as I would identify myself, the operator would hang up.

So I decided upon a ruse. During one of my rare conversations with Amalie, I told her that I was going to be identifying myself to her as Judy Claire. (Claire is my middle name.) She was to reply and call me Judy.

The ruse worked. I would call into AV. The receptionist would inquire who I wished to speak with and what was my name. Judy Phelan, I would announce and she would put the call through. For awhile, we were able to speak every day.

Meanwhile, Jack was behaving more and more strangely. His fits of bellowing became almost daily. One time he actually charged me, a rageful bull, yelling, "Fucked in the head degenerate rat bitch!" I stood my ground. "Don't you threaten me," I said.

Later that evening, we were driving to the store, and I said, off handedly, "If I am a rat bitch then I guess you are a rat fuck."

He started to laugh. "Yeah," he said, "and Zacky is a fur fuck. We are just one big fuck family!" We both were laughing then.

But the laughter was short-lived. He didn't stop. The threats, the unpredictable episodes of yelling started to happen more and more frequently. I began to retreat upstairs when he began his fucked-in-the-head diatribes. I could hardly think. Everything was turning upside down. Everything, I reflected grimly, was hurting me.

A hearing took place in July to determine whether or not Gilbert Gutierrez should remain as my mother's counsel. I was not served with notice of the hearing and thus did not attend. I only heard about it from my mother, when I called next. "Melodie was here," she said. "She came rushing in and hugged me. She was ecstatic," Mom said dryly.

On my insistence, Jack went with me to court for the August 1st hearing on the restraining order. Ellen Weinfurter had resigned as my counsel right after the hearing in Burgess's court and I was unrepresented. The first hearing of the day was on the conservatorship--the six-month time limit for the temporary was up and Melodie was going for a permanent conservatorship. I had tried to get Mom into court that day but Melodie and Gutierrez refused to bring her in.

Melodie got on the stand and perjured herself. She rattled on and on about how dangerous I was to my mother and how my good sister was responsibly employed (Judy was, of course, on permanent psychiatric disability and not working at all). Gilbert Gutierrez, Mom's attorney, sat there the entire hearing and did not say one word.

I did the best I could to counter the lies of the woman who had a death grip on both my mother and her money, but the judge ordered her to be permanent conservator. I was able to get on the record that my mother owned a house in Temecula. Melodie had curiously neglected to report the property to the court. She also neglected to file an inventory, one of her primary duties as a fiduciary.

Judge Stephen Cunnison then got up and left the bench. I sat with Jack, waiting for my hearing on the restraining order to be called. After about twenty minutes, the bailiff came in and told us that court was closed for the day.

"Jack," I whispered, "How could this be? I get a hearing,

don't I? Doesn't the law, the Constitution guarantee me a hearing?"

"I think so," he whispered back.

We got up to leave. "Let's go check the calendar," I suggested. The calendar would be on file in the clerk's office, so we trundled downstairs and into the probate office.

"Would you check this morning's docket, to see if a restraining order hearing was scheduled?" I asked. The clerk hustled off. In strode David Horspool. He parked himself at the counter, about three feet away from us. He appeared to be simply lounging there, making no effort to engage the clerks.

"I think he is spying on us, Jack," I whispered.

Jack suddenly seemed very nervous. "I have to go smoke," he announced. "Let's go."

"No," I said. "I need to wait to see what the clerk has to say about today's schedule."

"I need a cigarette," he said loudly. "So go have one," I suggested.

"I want to leave now!" he bellowed.

I whirled around to face him. "So leave," I said. "You can leave right now. I am waiting to see what the clerk has to say." Jack glared at me, but he didn't leave.

The henna-haired clerk came bustling back. "Yes, ma'am," she said. "There was a hearing on an RO scheduled at 10:30 this morning I, case number RIP 080974." (EXHIBIT 9 shows that no one was listed as being in court for this restraining order hearing.)

I looked over at David Horspool. He was still leaning idly against the probate counter, staring blankly into space.

"Let's get out of here," I said to Jack. "This is unbelievable."

Shortly thereafter, I received a phone call from *L.A. Times* reporter Robin Fields. "I think I have a lawyer for you," she told me. Well, actually, it was someone she knew who had the name of the lawyer. She offered me a number and I put down the receiver and called.

A fellow with a pronounced lisp answered the phone. I told him that Robin Fields had suggested I call and that possibly he might have a name of a lawyer for me. He sounded very excited. "Oh yes!" he cried. "I certainly do! Just one moment, please." He put down the receiver and I heard him speak to someone else, in an exaggerated lavender whisper, "It's her!"

Holy crap, I thought. What is this about, now?

He came back on the line. I heard a rustling of papers and then he carefully gave me a name and number, repeating the spelling twice.

"I am sure he can help you," he lisped persuasively. I thanked him and got off the line as quickly as possible. Well, I thought, this will be interesting.

So I called the fellow. We chatted a bit about my case. I told him about the failure of the judge to hear my restraining order. I said it was a very serious breach of my rights and the prospects for my mother's future were becoming dimmer by the day.

He laughed, somewhat ruefully. "Your restraining order hearing took place during the conservatorship proceedings," he said. I thought that was pretty strange. But I was more interested at this juncture in what this fellow was really trying to pitch.

And then it started. "How old are you anyway," he asked. I told him. "Gee," he said. "Only a few years older than me." A little alarm went off in my head. I gave him some more rope. "Are you married?" he asked me.

When I got off the phone, I checked with the California State Bar. There was no one with his name registered as a lawyer. Whatever he was pitching towards me, he missed the mark. I did not return his subsequent calls and eventually, his calls stopped.

I fell ill. In the Fall of 2002, Jack brought me to the emergency room at Cedars Sinai Hospital. I had begun suddenly to experience symptoms of heart problems. I had recently been prescribed a hormone that had apparently made me quite sick, though I didn't cotton on to that being the cause of the heart-related symptoms, not right away.

I was admitted to Cedars and a cardiologist scheduled me for a number of tests. From my hospital bed, I called the gynecologist who had prescribed me the pills and she admitted that my symptoms could be attributed to the estrogen compound. I stopped the pills immediately.

So by the third day in Cedars, I was feeling much better. The cardiologist came around to see me and brought with him another doctor. I told them that it appeared I had had a medication reaction and explained that I had stopped the hormones and was feeling fine. I thought I could go home now.

I remember the two doctors sitting at my bedside. They looked very serious. "We have a treadmill scheduled for you today," one of them said. "I don't think I need it," I told him. "It's a good idea to have it," he said. "It is scheduled for this afternoon. You will be injected in order to speed up your heart for the test," he said, looking down at his notes. "We'll just see how that goes, okay?"

"Okay," I said.

As per hospital orders, I was taken down to the treadmill lab on a gurney. Once there, I was told to stand on the treadmill itself. I was injected with what I was told was adenosine and the treadmill started moving.

Within thirty seconds, I began to have trouble breathing. The difficulty soon graduated and I stepped off the treadmill, gasping for air. Then I collapsed, still gulping like a fish on the deck of a boat.

Everyone in the treadmill room walked out. I lay there, and

as quickly as the problem had descended, it lifted. And I could breathe again.

I sat up. "Hey," I said, "Where is everyone?"

One of the lab techs, an Oriental woman, crept back into the room. Not making eye contact, and not checking my vitals or even asking how I was, she said, curtly, "Your treadmill is over." I was taken back to my room and discharged later that day. Jack picked me up. I related to him this terrible thing that had happened to me. He said nothing.

He was quiet all that night. The next day, he started to bellow again. It was becoming habitual and our lives had begun to lurch from one bellowing episode to the next.

He was making more and more serious threats. In fact, Jack Smith was trying to get me to break up with him. He finally succeeded at the very end of September. I had moved out of the Norton Avenue condo around Christmas in 2001—right after the conservatorship papers were filed--and had been coming over less and less frequently to his house. He would start the fucked-in-the-head screaming almost as soon as I walked in the door.

I had dropped by that day to pick up some of my belongings, when he came up behind me and shoved me. Enough, already, I muttered under my breath and called the police.

They came out and took my statement. I told them how, just the week before, he had threatened to smash me on the head with a hammer until my brains ran out—his exact words. The responding officer told me that was a felony. Coupled with what they termed his assault that day, they arrested him.

And almost immediately let him go. I stayed in the condo alone for a couple of days, trying to collect my thoughts. I lay in the large bed, the bed where we had coupled, where I had fallen asleep in his arms, the bed where he had, over and over again, awakened screaming with nightmares he refused to tell me about. I knew that very soon I would leave the condo and I would never return. I tried to understand what had happened, how my life in such a short time had crumbled, and my mother, my wonderful, dear mother, now ripped from my life, and all this had happened since I moved into Jack's home.

After three days, he returned. He was wearing a button down shirt and his curly hair was flattened down and badly parted on one side. Oh, I thought. He's trying to look conventional.

He had gone to court, he told me. All the charges were dropped. He lay down on the couch next to me and fell sound asleep. Well, I thought, this is a queer turn of events. I lay there with him in my arms, as he snored heavily, a big bag of contradictions. Then he grunted a bit, waking up.

“Well,” he said coyly, “that isn't quite what I expected.”

Expected? I thought. He expects something, does he? We are over. Or are we? I moved my hand down below his waist. But Jack announced, “I came.”

And conquered. And unspoken, killed. Or so he must have thought. I gathered up my things and left.

Jack had been arraigned and all charges dropped. I was never contacted by a detective. I had already become suspicious of Jack and an incident in Riverside Court in October spurred me to action.

It was during a hearing on a second restraining order. Melodie Scott had gone back to court and applied for further restraints to be placed upon me, and on October 24, Judge Stephen Cunnison wrote an order barring me from contacting the police, Adult Protective Services, the Ombudsman for Nursing Homes, the Department of Justice...and, bizarrely, the CIA for the “purposes of making false reports.” Thought crime, I realized. I never made any false reports and now I am being treated like an inveterate liar by a judge who violates the Constitution (Cunnison's order is featured in EXHIBIT 10).

I stood in front of the compromised Stephen Cunnison that morning and asked him to recuse himself. I told him that he had already violated due process by issuing a restraining order without a hearing. I had been able to persuade Jack to put this in writing and as evidence I put Jack's letter on the record. His letter is featured in EXHIBIT 11.

(Note that Jack Smith put two dates on this letter, thus mitigating its legal standing. A document needs to be fixed in time in order to be legally acceptable.)

Cunnison shot me a dark look. “That was another matter,” he stated. He said he would take this under submission. He then cleared his calendar and the courtroom, adjudicating all the other cases in front of him that day. At the end of the afternoon, I rose to hear him say that the restraining order against me was sustained. He slapped his gavel down and went into chambers.

David Horspool was still sitting in the courtroom, looking over the letter from Smith that I had put on the record. He

looked up at me, feigning surprise. "Who is Jack Smith?" he said.

Suddenly, another window opened in my mind, providing an entirely different picture. It was a picture devastating in its layers of betrayal, but once I saw, I couldn't look away.

Horspool knew very well who Jack Smith was. Jack had accompanied me to the restraining order hearing in August. Jack had called David Horspool, months before, threatening to do him some kind of terrible harm if he didn't stop hurting my mother. This call was made in front of me and must have been made for my benefit. Melodie Scott had noted in her records that Jack Smith was accompanying me to my mother's house. In fact, Melodie Scott had called Jack's residence, over and over and hung up when I answered.

All at once, the con that was being perpetrated emerged, clear and horrific in its venal simplicity. Jack was part of the attack team. On returning home, I called the West Hollywood Police Department and demanded to see the police report I had filed when Jack assaulted me. Sitting down on a bench in the police lobby, I read to my dismay that the report neglected to include any mention of Jack's death threat. Also missing was any mention that Jack had shoved me, knocking me down. The report detailed how Jack and I had had an argument about a cell phone and I had called the police.

I put down the report and stared blankly ahead. This guy has protection, I thought.

I drove home, down the 405 and back to my little cottage in the ghetto in Long Beach. The sun filtering through the windshield struck me in a blaze of icy grey light. A strange auric darkness seemed to blanket everything. The events of the last two years, inexplicable without a context, began to present themselves, one by one: My car crash, the police leaving the scene, my doctor refusing me treatment, the assault in the hospital, the deprivation of the legal rights granted to U.S. citizens in a court of law. Woven through these occurrences was the plight of my mother, all beginning with the entry into my life by Jack Smith.

Who is Jack Smith, I pondered?

Several years later, I hired a Private Investigator to look into Smith. He reported back that my lover was a spook. "There is no evidence he even existed before 1991," said the PI. "There is no work history, no credit history, nothing. This guy was wiped," he declared.

The PI was well connected. He told me how he contacted his guy at the DMV and was refused a copy of Jack's license. He recited how he called his guy at the FBI and was told that he would regretfully not be able to run Jack Smith. "Sorry I can't oblige you this time," he was told.

By the time I contacted the PI, my request was pretty much pro forma. The occurrences of the intervening years left no doubt in my mind that Jack Smith, my erstwhile lover, was a government agent and that I had been his assignment. But I wanted proof and the PI provided as much confirmation as possible.

He directed me to another entry on the documents he found about Jack. "See here," he said, "January of 2002. He took out a loan for over fifty thousand dollars." The loan came from a federal credit union, Kinecta.

My face got hot. The loan (EXHIBIT 12 features the first and signature pages) showed up the month after my mother had signed the nomination for the conservatorship. I already knew about dirty loans. My father's article on the Nixon-Hughes loan back in the sixties had firmly planted in my mind the knowledge that loans are an easy way to funnel pay-offs to a compromised party.

"Thanks," I said. "You have done a great job." The PI pressed on.

"When you first called and said you thought your boyfriend was a federal agent, I sort of blew this off as a possibility. We get a lot of girls who think their boyfriends are Mafia, CIA, the whole ten yards. But this time, it looks like you were dead on."

A second loan showed up within the year after my mother's death. This loan was for \$177,000.

After I left Jack it became clear that I was in substantial danger.

I moved back into my little rental cottage full time and began to experience a series of incidents I would not have believed possible if I had not experienced them first hand. My documents concerning what was happening to Amalie began to disappear, more each time I left the house for any extended period. One night, my house began to burn down as I slept. Thankfully, I woke up as soon as the smoke began to drift into my bedroom. The fire department responded to my 911 call and put out the flames.

Every day, I made numerous telephone calls, trying to find some lawyer, some organization to step in and help my mother. No one ever returned the calls and one day, I found out why.

My friend Scott called me one evening, complaining bitterly. "I have been trying to reach you for days," he said. "Your phone has been disconnected."

I assured him it was not. "Scott, I made a bunch of calls just today," I told him. A thought then struck me.

"Scott, could you try me tomorrow afternoon, before 5 p.m.?" I asked. "If you don't get me, try again in the evening." Scott called me around 8 p.m. the next day, informing me that my phone had been out of service all day again.

So someone had disconnected my line in during business hours but had left my line out untampered with. No wonder all the lawyers, all the civil rights agencies never returned my calls. I was soon to find out that some of my outgoing calls were also being rerouted.

I called my Uncle Mike, who had been married to my father's sister. He also lived in Long Beach and was quite elderly. I reached him and he told me he had been sick and had

been in the hospital. I promised to call him in a couple of days.

But I couldn't reach him again. A strange man answered the phone. "Mike?" he said. "Oh yes, I've gotten some calls for a Mike. This is a new number and I've just had my service connected." I tried to find Mike's new number but it didn't seem to be listed. It was only months later when I discovered that Mike had never changed his number. My call had been redirected.

Well, Mike was family. Mike also liked me a great deal. After his wife—my Dad's sister-- had passed on, I had taken him under my wing, visiting him, taking him dancing and out to Countrywide Buffet, his favorite restaurant. Mike was a real charmer, I was to learn. 86 years old, he would be sweeping around the dance floor with the prettiest forty-year-olds in the room before I had even ordered a drink. Our little outings seemed to help him get through the time after he lost Mildred.

But at the time that the horrors were unfolding in my life, I was conspicuously unable to reach him.

During the period between leaving Jack in early October and my moving out of that little cottage at the very end of December, events transpired which might well work in a movie such as "Enemy of the State," "The Pelican Brief," or any other of the recent slew of action thrillers featuring a naïve and frightened individual who is under severe and deadly government attack. When the things I am herein recounting began to happen to me, however, no White Knight showed up to rescue me. There was no concerned FBI agent, no fearless *L.A. Times* reporter. I was in this alone and it soon became clear that I was nearly drowning in it.

On two occasions between October and December, I made a pressing trip to an emergency room at a local hospital after drinking from an already opened container in my fridge. The severity of the vomiting plus the hospital's inexplicable refusal to treat me left me quite frightened.

At one point, I drank a bit of apple juice from a bottle I had only recently opened. Suddenly sleepy, I lay down to rest. When I woke up, it was two days later. I had been drugged.

I resolved to leave no more opened containers in the fridge.

I was coming back from Riverside in late 2002, when I had again gone to court for my mother. Walking past the front house, where my landlady Candi White lived with the guy she called Gary, I heard her shout from her kitchen, "She's here! Quick, call the police!"

I opened my front door to utter upheaval. The television console had been catapulted across the room and all the desk drawers were standing open, their contents spilled. A box of papers had been dumped on the floor. In another time, I would have picked up the phone and called the police.

But the police were already coming. Why? I looked a bit more closely.

And then I saw them, all these pink pills scattered all over my floor. I didn't even take a moment to try to figure out what kind of pills they were. I knew I had almost no time. The police were already on the way and I was going to be busted for possession.

I moved to the windows, shutting them all and closing the blinds and the curtains. I bent down and began to scoop up the planted pills. Into the toilet they went, as I scooped and flushed, scooped and flushed. I was almost done, not quite but almost, when I heard the hard knock on the door. I froze, my back against the wall, afraid to even breathe. Again I heard the knock, loud and commanding. I waited for what seemed like a very long time, then heard the sound of steps retreating down the path, past Candi White's house.

I exhaled. I then continued to scoop and flush, until all the pills were flushed down the toilet. From my front room, I heard Candi and Gary talking outside. Her voice carries, I thought. Lucky for me. I pressed my face to the door to listen better.

"I think it went pretty well," I heard her say, "Even though she must have already left. We still made the report. Sooner or later, they'll get her."

It's all about betrayal, now
It's all about loss
You turn your face away from me
Your left side falls to shadow
and something alters
in the composition
the balance shifts
and I fall off the edge
into a world
that begged to be unborn

The shift was binary, imperceptible
The same neighbor
walks the same red dog
at the same time every morning
The same postman
greet me at the gate
The same friend
calls to remind me
of the same committee meeting

But the clouds stay stuck
in the sky/thick and frozen
refusing to surrender
to the weather forecast
The trees will not bend to the wind
and the moon hangs serrated
in the noon-day heat

And all because of the burning of the buildings

It's all about betrayal, now
The buildings burn up the airwaves
They burn up the ardent labor by candlelight
They burn up an entire generation
of nascent souls

The buildings burn beyond
what physics can explain

They burn into our memories
They burn into our dreams
They burn, in fact,
into the future

And as easy as that
they burned up the bonds
between you and me

and I cannot measure my loss
in the burning of a building

I cannot measure my loss
in your uncomprehending stare

I cannot measure my loss
in the streets and the alleys

through which I run
like time running out

I had taken to carrying my green backpack with me when I left the house. The documents having to do with my mother's plight had been disappearing and knowing at this juncture that she was in danger, I simply stuffed the important papers into the backpack and carried them along with me. It was just getting

dark when I arrived at the *Los Angeles Times* building on First Street. I marched into the lobby, intent on talking with Robin Fields's editor.

A security officer was seated at the front desk. "Hi," I said as I walked up, "I'd like to talk to the editor on the probate project." The man glanced up at me. "What's your name?" he asked. I gave him my name, mentioning that I had done some freelance writing for the *Times*. He made a phone call. It seemed to take some time and he was listening quite intently.

Finally, he put the phone down. "Leave," he said.

I persisted. "I really have to talk to the editor," I said.

The security officer stood up and faced me, hands on his hips. "Leave or I will call the police," he said. Shocked, I complied.

The sun had already gone down and the air was brisk and a bit smoky. Inflamed with a purpose, I strode the few blocks over to the Civic Center. The core of the administrative center of Los Angeles, here was the county court, City Hall, the jail and looming up ahead, the federal court. An idea seized me. My mother and I were both experiencing profound revocation of rights in a superior court. Surely the federal court would be able to do something about this.

I ascended the steps to the Federal Courthouse. Somewhere down below, I heard a car backfire. I saw a police car speed by. Incredibly, the door to the Federal Courthouse was unlocked and I slipped in. Everything I needed to prove what was happening to Amalie was in my backpack.

"Turn around slowly," commanded a deep, throaty female voice. I turned to face a short, stocky guard or marshal or bailiff-- in the rush of the moment I did not take note of what level of authority she possessed. "I've got to get these papers to someone," I said. "Can I leave them with you, with someone here?" I held out the backpack.

She drew her gun, so quickly it took my breath away. "You get out of here right now," she said. I backed away, leaving by the same door I had come in. Adrenaline was surging through me. Twice in one night I had been threatened and I felt slightly

delirious. “Fuck these people,” I thought and lay the backpack down on the courthouse steps. Looking back, this was quite mad. My desperation was getting the better of me.

Descending the steps, I heard another car backfire—or was it a shot? Several more police cars speeded by, in quick succession. I increased my stride to a trot. More black and whites raced by. I turned the corner and came to a sudden stop. Here was a group of police officers, about twelve to fifteen, out of their cars, standing in a loose formation. As I wheeled around the corner, they all turned to stare at me. I thought for a minute they looked like little lost sheep, seeking protection in the herd.

A policewoman with dirty blonde hair caught my gaze, and stared coldly back at me. What was going on? Why were they all just standing there looking at me? What could I say?

I returned her gaze. “I loved my mother.” I announced. “Did you love your mother?” She looked away.

A perky little brunette cop marched up to me. She had my green back pack under her right arm. “Is this yours?” she asked.

Oh dear, I thought. If I claim it is it going to have something else in it? I thought about the drugs in my house. Paranoia swept over me like a hot yellow wind. I found myself unable to speak.

“Your name,” said the brunette pixie. “What is your name?”

“Janet Phelan,” I whispered. “Janie Bailey,” she repeated. “Do you go by any other name?” She again presented the backpack. “Is this yours?”

Walk away, said a small voice inside me. Walk away. Do not take the pack.

I took the pack from her, gingerly. At the very top of the contents was—OMG—my wallet, also a bunch of Judy's forged checks. I took the wallet and the checks, leaving everything else with her.

“Thanks,” I said. Wallet in hand, I strode off. No one followed.

I took the bus back from L.A. that night, deeply shaken. The bus filled up quickly, workers going home late, I thought. I

saw at least two of the officers from the Civic Center board the bus and slouched lower in my seat. Baseball caps, I thought. Everyone on this bus is wearing a baseball cap. I briefly remembered Jack and his cap, sailing through the air and landing on my bed. I thought I might very well be dead before Christmas.

When I got home, the house had again been ransacked. Even the wastebaskets had been turned upside down, papers mixed with banana peels, garbage everywhere. Zack greeted me at the door, furiously meowing. "I know, love," I said, as I reached down to scratch his head. "I wish you could tell me all about it, what they looked like, what they said." I picked him up and buried my head in his fur, and began to weep.

"I love you, Zack," I cried. "No matter what happens, please know I love you." A few seconds later, Bunkie emerged from hiding, her green eyes large and frightened. I picked her up too, pressing both of them to my chest. "At least I still have you guys," I murmured.

I was on the phone every day, calling lawyers and civil rights agencies, not understanding or believing that no one could return my call. One evening, I received a call from David Haldane, whom I had known since high school, when we briefly dated. Dave had harbored aspirations to write and upon graduation from Goddard College in Vermont had attempted to break into the nearly impenetrable world of California journalism. He had scored a few articles in such venues as the *L.A. Free Press* and the *Berkeley Barb*, and was languishing at a day job in classified advertising at the *Long Beach Press Telegram* when my father gave him what turned out to be his big break.

It was 1976 and Dad's first book, *Howard Hughes—The Hidden Years* had just been published by Random House and was making a big splash. It had quickly ascended onto the *New York Times* bestseller list when Dad told Dave he would grant him an exclusive print interview. Dave did the interview with Dad and sold it to *Penthouse* magazine. And Dave's career, stalled in the advertising cubicles at the

Press-Telegram, took off. He was offered a position at the *Press Enterprise* in Riverside and soon after that, a job at the venerable *Los Angeles Times*.

Dave had married a very pretty girl who worked in management at Nissan and they had two children. Dave's appetite for female pulchritude, however, soon began to feast outside of his marriage. After his divorce, he had continued on in a series of relationships with young lovelies, relationships which seemed to end rather messily as the young and beautiful plundered his bank accounts and his possessions before disappearing into the Hollywood sunset. Dave in 2002 was a short, mostly bald and somewhat paunchy middle-aged man who had become addicted to beauty, apparently no matter what the cost.

I picked up the phone. Dave immediately launched into very exciting news. "I've got a lawyer for you," he said. "This guy is incredible. He represents the underdog. You've gotta see this guy. He can help you with your Mom's case." He also told me he had been talking with Robin Fields. "She is not going to write about your mother's case," he told me. "Why not?" I asked. "Dunno," said Dave. "You want the lawyer's number?"

I reached into the drawer of the telephone table and grabbed my pen. "Mike Bush," pronounced Dave. "Here is his number."

I made an appointment with Mike D. Bush for that very Saturday in his office in Orange County. I was almost broke and Dave gave me a lift and also pressed into my hand twenty bucks. I'm very lucky, I told myself as I walked into Bush's office.

I didn't feel lucky, though. I had woken up that morning so horribly depressed I could hardly get out of bed. I considered breaking the appointment, rescheduling it for later. "Get up, Janet," I had rather sternly told myself. "Get over yourself. This is about your mother. Suit up and show up."

I had already faxed a number of documents into Bush's office, at his request. Mike Bush met me at the door of a deserted suite. He was a small man, with bright intelligent eyes and a manicured beard. He escorted me into a conference

room, where another fellow was already sitting at the table, notebook open.

I began to tell them what had happened to my mother. I recounted the attempt on my mother's life, the restraining orders but Bush cut me off. "These are very bad people," he said. My heart began to lift. It looked like help was on its way.

But then Bush closed his notebook and said something very jarring. "I don't want to hear any more about any kind of big conspiracy," he said. There was a bit of a jeer to his voice. Then, he switched tracks again. "I read the summary you faxed me," he said, "You write very well." I told him that I was professionally trained and had published in a number of magazines and newspapers. He offered to drive me home and I gratefully accepted.

A couple of days later Bush called me. He expressed concern as to all the stress this must be causing me. He wanted to speak with my friends, he said. He thought I needed to strengthen my support system. "I have the probate investigator's report," I told him. "You really need to take a look at this."

"I won't be looking at it," he told me brusquely. Confused, I gave him the names of a couple of friends and also the therapist, Karen, whom I had been seeing for several years. Strangely, she had severed our relationship a few months back and had given me a referral to someone else, whom I had only seen once. "Give me her name, too," said Bush. So I gave him the name of Dr. Vera Bell.

Soon after, Mike Bush dropped by my house with some papers to sign. They were releases so that he could speak with the new therapist. "Sign here," he directed. "I said you could speak with Karen," I told him. "This other person, she doesn't hardly know me."

"Sign it," he ordered. So I did.

"What about the case?" I asked. "I am not representing you," he replied.

When he left, I called both Karen and Dr. Bell and revoked the agreement I had signed with Bush. "You do not have my permission to speak with Mike Bush," I told each of them.

I got my file from Bush's office about a year later. In an email to an associate he had written of me: "I doubt her competence." He went on to say that he was arranging to have me conserved but needed the therapist's go ahead. Karen, of course, would never have granted this. The other therapist...well, I never did go back to her.

I had left some of my things at Jack's and arranged to pick them up. When I pulled up to the condo gate, he rang me in. The boxes were sitting on his front stoop. I rang his doorbell but he did not reply.

Coward, I thought.

I dragged the boxes out to the car. Upon arriving home, I began to leaf through some of the papers. "That's odd," I thought. "I don't recognize this notebook."

It was mostly blank. I flipped through it and then saw something in Jack's handwriting. It was a notation for June in 2000, just a few months before he replied to my ad in the *L.A. Weekly*. He had made a reservation for a week at a motel in East Long Beach, only blocks from my apartment.

I continued to leaf through the notebook. I found another page of notation in Jack's script. Jack had listed three appointments for one day in August, 2002. He had made an appointment with Lt. Goldman of the West Hollywood Police Department. Goldman was the acting head of the Department at the time that I had called and had Jack arrested for assault, weeks later. On the same day, Jack had an appointment with the very Assistant District Attorney who had advocated successfully for dropping the charges against him at his arraignment.

And there was another notation, a meeting with "Assman Riley." Assman? Riley? There was a phone number. I called it and got a message it was disconnected.

Then I called Jack. "What is going on here," I demanded. "You had sex with someone named Riley last August," I declared. Jack began to sputter in righteous indignation. "I did not," he cried.

"It says so right here in your notes," I replied. "You had a meeting with an assman, Jack. Right after you met with Lt.

Goldman and that damn ADA. Who is Assman Riley?" Jack hung up on me.

Looking back, that was pretty silly. I was more concerned with a possible infidelity than with the fact that Jack had met with the very same members of the legal community who had whitewashed his crimes against me, just one month before he actually committed them.

The name Riley was to pop up shortly, however.

I decided to call Phil Oderberg. He and Marge had seemed so nice when I had spent Thanksgiving with them. Maybe he could help me figure out what was happening.

I reached Dr. Philip Oderberg at home. Before I could say much of anything, he announced that if I called him again he would call the police.

"Go right ahead," I retorted.

Phil seemed surprised by my response. The next thing he said sounded almost conciliatory. "Look," he said, "It's over."

"My mother is missing," I replied.

"Get over it," said Dr. Oderberg. He hung up.

There was another irregularity in what I retrieved from Jack. He had offered to store for me some family financial records that I had taken from my mother's home with her blessing. The records went back decades—canceled checks, checkbooks, Paine Webber/UBS records. When I got the records back from Jack I was unpleasantly surprised to find that years and years of records were missing. I began to scrutinize some of the documents, idly turning over checks to view the cancellation information.

Strange, I thought. So many checks made out to me. I didn't remember Mom writing so many checks to me. Turning one of them over, I saw that a check made out to me had been deposited into Wells Fargo. I had never banked with Wells Fargo. I started scrutinizing the other checks made out to me by my mother. Check after check bore the Wells Fargo stamp on the back.

Wells Fargo was where my sister had banked for many years. I looked carefully at the signature on the back. *J C*

Phelan, just like I endorsed all my checks.

I spent the entire afternoon, looking at check after check endorsed --apparently by me--and deposited into my sister's bank. Well, my goodness, I thought. All those years that Judy studied calligraphy finally came to fruition for her. She had graduated from artistic calligraphy to check forgery. The next day, I telephoned the Temecula Police Department.

But the PD didn't seem to be able to take my report. I left a number of messages, and after several days without reply, I went down to Auld Road where the Temecula PD was hidden away, far from the center of town on an untrafficked road.

I waited patiently for Detective John Davis to come to the lobby to take my report. I gave him several checks to copy and when he returned from copying, he began what could only be termed a premeditated verbal assault.

Davis reached over and grabbed my purse from me. "Aha!" he pronounced. "You have anti-depressants!" As I sat nearly speechless, he dug out the prescription bottle for Nardil and began to write down the name of the pharmacy. "I am going to call them and find out everything that you are taking!" he cried.

He then leaned over and stared at me, searchingly. "I am worried about you, Miss Phelan," he confided.

"And I am quite worried about you, Detective Davis," I replied calmly.

Davis reacted as if electrocuted. He jumped up and started screaming at me, "Get out of here! Get out!! Get out now!!"

"What about the police report?" I said.

"The police report?" bellowed Davis. "You will never see the police report!"

At that point, I left.

Upon returning home, I telephoned the D.A.'s office. Complaining of police misconduct, I was referred to the Special Prosecutions Unit. I was told my report must be in writing and I set about to write up the events surrounding the police cover-up of my mother's near-death experience at the hands of Melodie Scott.

When I called to confirm receipt of my complaint, I was told that it had been assigned to Assistant District Attorney Mark Mandio. When I requested to speak with Mandio, however, I was informed that he had gone on sabbatical, to return on January 6.

As it turned out, that date was fairly significant for me. I had no way of knowing at the time how very resonant that date was to be.

I set down the phone and sighed. It was now November. January seemed so far away. I wondered, not for the first time, if Amalie were still alive. A harsh cold descended into my bones and I began to shiver.

Outside my window, Candi White's little girl had set up some speakers and several of the neighbor girls were doing a line dance. I watched them, trying to remember when I was a little girl and danced around with my girlfriends on our front lawn, just a few miles away, forty years ago. Life can be this simple, I told myself. But I couldn't remember being a child. I couldn't remember feeling free. Everything had been swept away by this frozen wind.

Out of nowhere, I got a call from Jack. All business, he directed me to some papers in my apartment having to do with Melodie Scott. "They are on your bedside table," he told me. But Jack hadn't been in my apartment for months. How would he know where anything was? I was nearly speechless.

Then he announced, "I turned all the papers over. I sent them off today. Do you understand me?" He was now yelling. I had no idea what he was referring to. "Jack," I said, "You never gave a damn about me."

Carefully and slowly, Jack said, "Heartsick". After you left I was heartsick."

How strange, I thought. Jack never used those kinds of words. The thought struck me that there might be some sort of warning embedded in what he said. It wasn't too much longer when I figured out what he was trying to tell me. But I am getting ahead of myself here...

While I was still living with Jack, I had found an attorney, Jeff Lustman, who listed his specialty as psychiatric abuse. Given what was happening to Amalie, I thought Lustman might be interested. I called him and subsequently met with him on a couple of occasions. He had offered to prepare a document for my mother to sign, invoking her legal right to a jury trial in the conservatorship.

Jeff Lustman had also referred me to a woman in Riverside, someone he said had been fighting the system for years. Her name was Felicia and on a cheerless day late in 2002, I took the train down to the station in Riverside, where she had agreed to pick me up.

As I stepped off the train, a large, red-haired woman waved me over. She was leaning on a blue clunker, wearing a white scarf and carrying a briefcase- type bag, slung over her shoulder. "You Janet?" she called out.

Driving over to her place, she told me about her long friendship with Jeff Lustman. "We are both in Mindfreedom," she confided. "We are a very powerful group," she told me. "They don't dare mess with us. We will help you," she assured me.

Felicia had a son, it turned out, who had been enmeshed in the mental health system for years. He was incarcerated in a mental hospital. "They won't let him out," she told me.

The plan was for Felicia to deliver the demand for a jury trial, which had been prepared by Lustman, to my mother to sign. I waited in the car while Felicia went into Asistencia Villa to visit Amalie. I waited over an hour and when she came out, she gave me the thumbs up. "Your mother is doing fine," reported Felicia. "Did you give her the paper to sign?" I asked, anxiously.

"Well, no," admitted Felicia.

"What the hell is she doing, then?" blasted Jeff Lustman. "Doesn't she realize that this is important?"

I was able to sneak the paper in to my mother the very last time I saw her in 2002, before the iron gate clanged shut and I was barred from even knowing where she was. Mom had been moved from Asistencia Villa into Highland Manor and I saw her one time before the second restraining order was issued and Melodie Scott decided to disallow me any more visits.

The Manor was a run-down, ramshackle excuse for a facility. As I walked into the Manor for my first and last visit there with my mother, it crossed my mind that this was a perfect place to kill someone.

Amalie broke into a small cry when she saw me. "Darling, I have missed you so much! How wonderful it is to see you!" I sat down next to her. The lobby reminded me of a heroin hotel, or what I thought one must have looked like, if such a thing existed. Paint was peeling off the wall, which was cracked where spackle had been poorly applied. I thought again of the house on Tivoli Drive, the carefully chosen wallpaper, the oil paintings, the warmth of the fireplace in winter. The love.

"Mom, I have brought you a little present," I said. I

unwrapped the tissue paper and pulled out a small golden starfish on a chain.

"You know how I love starfish," I said slowly, fingering the silver one around my neck. She had given me the silver starfish many years ago. "This will help you," I told her. "It is a symbol of the strength of spirit. Starfish will survive everything, even the loss of a limb. You cannot destroy a starfish," I said.

I unlocked the chain and put it around her neck. "This will keep you safe," I whispered in her ear.

She took my hand in hers. Looking directly in my eyes, she calmly said, "Be very careful." I was struck again, as I had been so many times in my life, at how utterly centered, how completely sure of herself she was.

I clutched my purse, with Lustman's document inside it. I looked around. The attendant had left the room. I dug into my purse, quickly, and pulled out the demand for a jury trial.

"This is a request for a trial in the conservatorship," I said, speaking rapidly and softly. "You can get a trial, Mom. You can get out of this." I pressed a pen into her hand. "Would you sign it?" I asked.

She signed it and dated it. I stuck it back in my purse as the attendant walked back into the room. We talked awhile longer and then it was time to go.

When I called the Manor a couple of days later I was told I would not be allowed to speak with my mother again, on the orders of the conservator. I was then served with notice of hearing for the second restraining order.

I had brought the demand for a jury trial back to Jeff Lustman. "I will send it off to the court," he promised.

But in a letter to the judge?

Yes, Jeff Lustman sent a letter to the judge, advising him he was not representing my mother or me but was submitting her declaration for a jury trial. On October 2, 2002, Lustman wrote:

"I have been contacted by Janet Phelan, daughter of Amalie Phelan, about the above conservatorship case. In speaking with Janet, it appears that her mother's right to a jury trial under

section 1863 of the probate code has never been appropriately addressed. Both Janet and I have legitimate concerns about whether there has been a failure to address both legal and medical aspects about Amalie's case. Amalie Phelan may currently be getting medication she does not need, and not getting medical attention that she does need.

"A copy of Amalie's demand for a jury trial is attached. I am not formally representing her, however her demand for a jury trial is now in effect regardless. Please give her this trial. If you are refusing to honor the probate law, please get her permission for any of you to explain such refusal. Additionally, I would appreciate it if you could get her consent to let me know either way what your positions are.

"Thank you,

"Jeffrey Lustman"

(EXHIBIT 13)

It was much later when I broached this with Lustman, after my mother had died. "Jeff," I said, "This is a court. This demand needed to be filed with the court. A letter to the judge...that isn't the way things work at the court..." My voice started to trail off.

"You are delusional!" bellowed Lustman.

Meanwhile, I visited his friend Felicia a number of times. She offered to go to court with me the day of the second restraining order, in October, but began to fuss before we went in. "It's Horspool," she explained. "He might recognize me."

"Really," I said. "Do you know him?"

She began to fuss a bit more. "I have seen him before, you know..." Her voice trailed off. "And he might recognize me and you might notice this..." I felt a jolt of concern but said nothing. I didn't know what to say.

Felicia went into court with me and almost immediately left. She returned about an hour later, just before my case was called. With her scarves and her marvelously coiffed chestnut hair, I thought she looked like a red queen. "The Mad Queen," I thought, then silently scolded myself for the very thought. What was coming over me? Why did it seem like my new friends were in fact working against me?

Felicia left again before the judge pounded his gavel and restrained me further. This restraining order restrained me from contact with the police, APS, the Department of Justice and even the CIA. There were no witnesses left in court to notice that the judge had no right to restrain me from making reports to law enforcement.

Felicia had offered to put a declaration on the record. The night before the hearing we had argued considerably over what she had put together. "It doesn't say anything about my relationship with Mom," I told her. "This hearing is about my restraining order. Why doesn't your write-up even mention that my mother misses me?"

Felicia was banging around her small kitchen. "I am taking care of this," she told me. "What do you want with your spaghetti, anyway?" she asked. "Salad," I said and went to sit in the living room.

"Come and get it," she called shortly. Two plates sat on the counter, one with salad and one without. Without thinking, I took the salad free plate and sat down at the table and started to eat.

Felicia came out of the hallway, and gave me a strange look. "Oops," I said. "I guess I took the one without the salad. Why don't you sit down and join me?"

Still glaring, she glided over to the counter. She was looking around now, a bit wildly. "Come on and eat," I urged her. She muttered something and ran into the bedroom.

Wonder what the problem is, I thought, downing the last of the pasta. A few minutes later, she called me into her room.

"Look what came in," she announced, pointing at the computer. In the printer was a copy of a federal law, Title 18. I picked it up and looked at it, closely. "Title 18 Section 242," it read. "Deprivation of rights under color of law."

"Cool," I said. "Where did this come from?"

"Friends," she announced. "You have many secret friends who are helping you," she added, mysteriously.

The law, as it read, said it was a felony for a nursing home to deny someone her rights. The people who worked at the nursing home could get the death penalty for this, according to

what came out of Felicia's printer. "Can I have a copy of this?" I asked.

"Oh yes," said Felicia. "You should let the judge know about this, too," she said. I wasn't sharp enough then to do my own research or I would have quickly determined that Title 18 Section 242 was nothing like the document she handed me.

In the morning, I noticed that she had thrown the plate of spaghetti, her portion, into the trash. She was bustling around the kitchen, grabbing cans of food off the shelves. She found a big canvas bag and started stuffing the cans in the bag. "These are for you," she announced.

"Felicia," I protested, "You need your food. I'll be okay."

"I didn't buy any of this," she announced. "This is all from Mother Government. Take it, it is all for you."

"Thank you so much, Felicia. I am running out of money and this will help so much!"

On arriving home, I made up a batch of powdered milk she had given me. I drank it greedily, sharing it with the cats, remembering all too clearly the tainted juice. Get it now while it's good, I thought. I sat down with my remaining money, counting out the dollars and the days left until my disability check would come in. I realized with a shock that, after factoring in my rent and utilities, there was almost nothing left.

The cats were crowded together over the bowl, happily lapping up the reconstituted milk. How am I going to feed them? I wondered. I counted up my money again. Enough for cat food and a little bit more, I reasoned. I looked over the bag of cans Felicia had given me. They were a great help but not nearly enough for a month. Somehow, I would have to get through this.

I walked to the corner store and bought the cheapest brand of cat food on the shelves. Up the street was a fruit and vegetable stand. I bought an orange for five cents. This will be it for today, I told myself. I can do this. Save the cans for a bit later on in the month. Stick to milk and vitamin C for now.

The cat food went pretty quickly. Within a few days, I was back at the corner store for another box of Meow Mix.

Felicia called. "How is the food holding up?" she asked. I admitted I was rationing it. "I am worried about being able to feed Zack and Bunkie," I told her.

"I gave you some tuna," she reminded me. "Why don't you mix it with some of the oatmeal I gave you to stretch it? The cats should *love* that."

That night, I put a small scoop of Felicia's tuna in with a bit of plain oatmeal and put it into two bowls, one for Zack and one for Bunkie. I noticed with some happiness that they ate it all up, eagerly. I went to bed, and soon after, Zack crawled up on the bed next to me. He was moaning and his breath was coming in short gasps. Bunkie was nowhere to be found.

I held Zack all night, stroking him and talking to him. His breathing was ragged and he was shuddering and whimpering. "Just hold out til morning," I told him. "I will get you to the vet as soon as it opens. Hang in there, little buddy," I coaxed.

At first light, I was up and dressed. Zacky was lying motionless but still breathing. I still couldn't find Bunkie. I put him into the cat carrier and before leaving the house, opened the fridge. There was a little bit of the tuna-oatmeal mix left. Gingerly, I picked up a spoon and forced myself to take a bite. Within seconds, my stomach revolted and I ran into the bathroom, puking.

Zack was moving around a bit by the time we got to the vets. "I want a toxicology exam," I announced. I was not going to worry about the bill, I told myself. I will pay it next month. Somehow.

But the vet refused to do a tox. He started rambling about older cats (Zack was ten at the time) and possible kidney problems. "The other cat is sick, too," I informed him. "I want that tox done."

The vet was adamant. No way he would check out what had poisoned my cat.

"Look," I said. "I know that cat was poisoned. I want to know with what." The vet looked down at the floor. He took a gulp of air and repeated what he had just said. No toxicology tests would be run. I settled for a script for antibiotics and left,

vowing never to return.

When we got home, Bunkie was just crawling out from the back of the closet. She was pretty wobbly but she looked like she was getting past the worst. She looked up at me, sorrowfully. She had always been such a frightened, delicate little thing. I picked her up, whispering into her fur, "I am so sorry, baby." She put her face into my neck and began a small, tentative purr. With her in my arms, I knelt down on the floor and held her for a very long time.

Later that night, I went into the kitchen to take a good look at Felicia's cans. Determined to get to the bottom of this, I picked up a can of salmon and opened it. I sniffed it then put a dollop on a spoon and resolutely swallowed it. Within seconds, I was vomiting.

Well, the milk was okay, I thought. So much for Felicia and Mother Government's food. Suddenly, I remembered the spaghetti dinner. Felicia had never touched hers.

I picked up the phone and called Jeff Lustman. "Where did you meet this woman," I demanded. He got very quiet. "She is a friend," he finally said.

The next day, I went to the library and looked up Title 18 Section 242. It said nothing about nursing homes.

The days became a blur. Most days I was on the telephone for hours, calling lawyers, civil rights groups, elected representatives, everybody and anybody I could think of. I started with government--Congressman Alan Lowenthal, Congresswoman Juanita Millender-Jackson, the Mayor of Long Beach, Beverly O'Neill, whom I had not so long ago interviewed for an article.

And then I began to branch out. Armed with my father's old phone book, I started to call his friends, digging up hitherto unremembered names of reporters and editors. I even reached Bob Loomis, my Dad's editor at Random House. So sorry, said Bob, but the kid is on his way to Harvard. No money, can't help.

I found the phone number for Bob Maheu, Howard Hughes's former right-hand man. I remembered that he had a CIA or FBI background and I called him, too. He promised to look into things for me.

Melodie Scott has no criminal background, he reported back to me. Sorry, no can help more.

There was family back East, family with money, if not connections. Dr. Richard Penn was a neurosurgeon at the University of Chicago. I doubted he would even remember me. I was seven years old the last time he saw me. His mother, Pauline, had passed away a few years ago. Pauline was very close with my mother and I had adored her. I picked up the phone and called Dr. Penn. No can help...

I had gotten to know his brother David when I was a student at Berkeley. He was about ten years older than me. A nuclear physicist, David was doing research at Livermore Lab in the seventies. Weekends, I would go up to his house in the Berkeley Hills and have supper with him, his lovely wife, Mickie, and their young sons. "Why don't you ask Richard for

help,” said David. “He's got all the money...or why don't you try Legal Aid? I imagine they can help your Mom figure her way out of this.”

“Legal Aid doesn't take these kinds of cases,” I explained.

Sorry, no can help.

I found David Lifton's name in Dad's phone book. Lifton, I recalled, was a Kennedy assassination author and a friend of Pat Lambert. I called David and found him to be a sympathetic ear. “I wish I had \$35,000 to give you for legal fees,” he said. “But I am up to my ears in trying to get out this book. Sorry.”

I started to tell him I didn't need \$35,000, but he had already hung up.

At the end of one of these days that had no definition beyond a string of hopeful, hopeless phone calls, I went outside to look at the sky. It was November and it had rained a bit earlier in the afternoon. I felt again a deep cold descend upon me.

Who are we? I asked myself. I thought of decades living in the same town, all the New Year's Eve parties, all the phone calls from important people, calling my father. I thought of Dad, so powerful, now lying in a box in the ground. As soon as he was gone, all his connections had blown away like dust into a whirlwind. Were they ever even real? I wondered. There was no one left.

I looked over at the front house, at Candi White's kitchen window. I saw a flash of movement at the starched gingham curtain. “Unreal,” I murmured to myself and went back into my house.

I turned on the television set and sat there as the images flickered across the screen. I wasn't paying any attention. I had never felt more at a loss in my life. I didn't even notice when there was a knock on the door. It wasn't until I heard the command, “Open up,” that I shook myself out of my mental deep freeze.

I opened the door. The two officers didn't even wait for me to speak. They charged into my house and one of them said, “We are taking you into custody.”

Bewildered, I asked what I had done to merit this. “You threatened someone,” one of the officers announced.

"I was just sitting here watching television," I replied. I was trying to stay calm but my voice was shaking.

One of the officers reached for my arm and firmly grasped it. "You are coming with us," he said. I took a good look at him. He was a black man with seriously coiffed, dyed red hair. Good grief, I thought. He looks like a flaming queen. The other officer was in plainclothes and looked like the studious type.

"Can I get my shoes?" I asked. I was permitted to put on my shoes and then was taken into custody. As we were leaving, the crimson-haired officer said, "You have also been making excessive 911 calls."

"I have not," I protested. "Why don't you listen to the tapes? This is another false accusation!"

"We don't need to listen to any tapes," replied the Queen.

Yeah, don't confuse me with the facts, I thought but decided to keep that to myself.

We drove in silence. I didn't want to give them any ammunition to use against me. Only after about ten minutes in the car did the plainclothes officer swivel around in his seat and say, "We have put you under a psych hold."

"Psych hold," I echoed.

His face was turned to me and his expression suddenly became gloating. "We are turning into Riverside," he sneered.

My mind began to race. Riverside? Why did he say this? What did he mean? As calmly as I could muster, I said, "No, you are the Long Beach Police Department. You are in another county entirely."

Still leering, he corrected me. "It is your paranoia that thinks this," he said.

I said nothing more the rest of the trip. I was admitted into College Hospital in Cerritos on a 5150 hold. I was told the staff was awaiting orders which would come after I saw the doctor in the morning.

"If you have trouble sleeping we can give you a pill," one of the aides said.

Trouble sleeping? I would have no trouble sleeping if I could go home. "No thank you," I said tersely.

The next morning, I was taken in to see the doctor. And I

was face to face with the same doctor who had released me from the psych hold following my trip to Memorial Hospital back in early 2001.

“Dr. Chiang,” I said softly.

I explained to him what had happened. “You are being abused,” he declared. He asked me if I were still seeing the physician who had arranged my release a couple of years back. I told him no. Without warning, this doctor had also signed off quite recently, leaving me without a covering physician. Dr. Chiang then agreed to release me into the custody of attorney Jeff Lustman. It was only a matter of getting a hold of Jeff and I was again free.

Jeff seemed very nervous. I told him what had happened, but he didn't say much. Looking straight ahead, he drove me back from Cerritos to Long Beach. “Watch your back,” he said tersely.

For once, I was elated to be back home. However, I was unable to enter my cottage. During my absence, Candi White had changed the locks. It took quite a bit of persuasion to get her to give me the key. Glowering at me, she shoved them through the crack in the door and then slammed her front door.

And when I walked into my home, I was aghast at the arranged disorder I found. My stamp collection had been put, rather neatly, in rows on the floor. Displayed on my bookcase were a bunch of pictures--of people I didn't know. I picked them up, looking at them carefully. Someone's family, I thought. There were a number of shots of a baby girl and then some others of some pre-teenagers, leaning against a car and smiling.

More gaslighting, I thought and threw them in the outside garbage can.

I made a number of written complaints to my worker at the Section 8 office as to the goings-on at the Locust Avenue cottage. The worker, Margot Walker, refused to allow me to break the contract, even after the drug-planting incident. My contract was up at the end of the year and I was looking forward to getting the hell out of that cottage. I should not have been so surprised when the Housing Authority failed to execute

the proper papers when I moved to 11th Street at the end of December.

I was dreaming again. I was standing on a stage, getting ready for my performance. I had a good-sized part in this play, but somehow had not studied my lines. In fact, I didn't even know what the name of the play was.

Amalie appeared by my side, with the book of plays. Together, we started to thumb through it, looking for the play which I was to appear in that very day. "The name of the play," I told her, "is Everyone Dies." "No, dear," said Amalie. "The name of the play is Some People Will Die."

"I am so unprepared for this!" I told her. "That's why I am here," she told me. "I am going to help you through this."

We found the play. As it turned out, I had the very first lines. And the lines were to be spoken in great trepidation. They were: "Who is it?"

And then immediately I lost my place again.

I had received an unexpected phone call from Judy before Christmas. "Melodie's having a special Christmas dinner for us," she told me. "It will be at this restaurant in Riverside. It will be so good for all of us to be together again," she gushed.

Firmly, I told Judy that I wouldn't be able to attend. "I have a restraining order against me," I said. "God knows what Melodie will do if I show up there. She might even have me arrested for violating the order."

Christmas came and went. I was fearsomely lonely. I wondered how Amalie was holding up. I spent the entire day inside my little house, packing. My lease was up on Candi White's cottage and I was thankfully moving. I had found a cute little Spanish-type apartment over on 11th Street and I was moving out of the ghetto and into, well, not exactly Bel Air. But anything would be better than this, I told myself.

I had found the new apartment on the Section 8 list. I had only recently qualified for subsidized housing. My Social Security disability payments were hardly enough to even cover the high Southern California rents and it had been a great help to get the rent reduction. The place sounded cute on paper and once I saw it, I knew that I wanted it. It was a second-story flat in an old Spanish four-plex, quite a bit like the one I had back in 1999-2000, when Jack first showed up in my life. Mike Bush had arranged some movers for me and I had gotten everything packed up, with a bit of help from my friend, Scott.

The new landlord's name was Riley, John Riley. He seemed very eager to rent to me. When he told me that he went on gut feeling, that he didn't care about credit history or anything like that, I felt a small stir of concern. That was exactly what Candi White had said! But I had made a lot of calls from the Section 8 list and no one was calling me back.

Riley met me at the building. He had long hair and I

noticed he was wearing a baseball cap. Nike, Just Do It. "I have had this building for many years," he told me. "But I have been holding this apartment open since April. I wanted to find just the right person," he confided. "I think that is you."

The sense of alarm went off again but I decided to ignore it. "You're getting too easily spooked," I told myself.

He took me upstairs and showed me the flat. Nice-sized living room with some built-in cabinets, cute kitchen...no fridge but that wasn't a problem. I had my own. I flushed the toilet and then checked the location of phone jacks. There were a couple, so that was fine too. Bedroom was a bit small, but that was okay. Yeah, I liked it and decided on the spot. Riley seemed pleased and said we would get together in the next couple of days to sign the papers.

I called the Long Beach Housing Authority and got that ball rolling. The worker, Margot Walker, promised me that the inspectors would come out right away.

It took a couple of weeks but finally I was told that the apartment had passed inspection. "I will need the paperwork on that," I said. I was told that it wasn't done that way, that no paperwork could be sent to me on the inspection.

"Okay," I said.

That turned out to be a very big mistake.

I hadn't received the paperwork on the rental amount, either. Section 8 has a formula wherein they figure your income and certain types of expenses to come up with how much rent you will pay and how much will be subsidized. Riley had wanted a deposit and I was just barely able to cover it and the moving expenses. I remember calling Mike Bush and being told he was away, to return, like Mark Mandio, on January 6.

On December 31, I moved from Target A into Target B. Climbing the stairs into the flat, I was shocked at the transformation that had taken place. The spotless, up-to-code apartment had piles of strange brown powder on top of the built-ins and in the drawers. The bathroom was torn apart and pipes were exposed. Walking around the flat, I suddenly realized that there were no phone jacks, either.

The movers were downstairs, waiting. Slowly, I descended the staircase. "Don't move my stuff in," I said.

"We have to," I was told. I gathered up the cats, who were meowing plaintively in their cat carriers, and brought them upstairs. I released them and put out a container of milk and food. Zacky went dashing into the bedroom, happily exploring the new environs, while Bunkie looked around uncertainly.

I locked the door and descended the stairs. "Not now," I told the movers and when they began to protest I took off up the street.

At Long Beach Boulevard was a Metro station. I called Dave Haldane from a pay phone. "Move your stuff in," he insisted.

"I need some time to think about the apartment, Dave. Something is really wrong," I told him. "Move your stuff in now," he bellowed. I hung up and jumped on a train just as the doors were closing.

It was getting dark by the time I got to Los Angeles. I got off the Blue Line and transferred to the Red Line towards Hollywood then got off at Vine and Hollywood.

I began to walk. It was nighttime now and the city was changing, shedding its daytime persona and moving into its darker manifestation. I walked past Grauman's Chinese Theater, where all the stars had their fame memorialized in the pavement.

For the first time, I noticed that the street was scarred with temporary tattoos--blue chalk lines, two of them, running parallel to the pavement. City must be getting ready to do work on the water lines, I thought.

Something was different this night, I quickly realized. There was a wilding in the streets. A group of young rowdies were stomping on the stars, shouting "Person!" Then, stomping on a

blank star, "Unperson!"

Something's in the air, I thought uneasily, as people began to pour into the streets. I looked again at the blue chalk lines. Something was up but I didn't know what or why.

I got back on the train and then got off at Highland, which was the closest stop to the Norton Avenue condo. The dark electricity was there, too, I quickly realized. A young matron with a stroller gravely begin to ascend the steps towards the food court. The baby, I saw, was sick, lying limply in the stroller while its arms convulsed. I watched as the woman ascended. A few minutes later, a dark river flowed down the stairs. I felt like I was in the middle of a horror movie.

Avoiding the flooded stairs, I took the escalator up. At the top was a cafe. I went inside to buy a bottle of iced tea and when I sat down, I saw a holographic-type window carving, barely discernible. Peering more closely, I realized it was a German Reich soldier, sporting a swastika on his arm, seated beside an Oriental women. I got up and left.

I jumped on a bus over to Santa Monica and Fairfax, one block away from Jack's. There were crowds in the street such as I had never before seen in West Hollywood. Holidays, I thought. Then someone caught my attention.

He was walking with another fellow and was at that time about six feet away from me. The man, tall and clean cut, was carrying a rifle. The crowds were thick and I wondered if he thought he were invisible in the swell of holiday merrymakers. He was carrying it low, almost as if it were a walking stick. As he passed me he said to his friend, "I could take her out right now."

The friend shot me an inexplicable look, full of loathing. "Wait," he advised the other. "You know what's going to happen to her. Wait a little bit longer and it will be all taken care of."

I doubled back and started trotting down Santa Monica Blvd. I didn't get back to Long Beach until very late that night.

Entering the bare apartment, I flung my jacket on the floor. I had no bed but the floor was carpeted and I figured I could just curl up and go to sleep. It was getting a bit chilly and I thought I could use the jacket as an ersatz blanket.

"Kitties," I called. Strange. No answer.

"Zacky, Bunkie," I called. When I got no reply, I went first to the bathroom, then into the bedroom. I went into the kitchen and flipped on the light. The bowls were half empty so they must have eaten.

Panicking, I again walked the bare apartment. And then I heard a muffled noise. It was coming from the living room. I flung open the drawers of the built-ins. In the middle drawer I found Zack and in the bottom drawer was Bunkie. Zack leapt out of the drawer and began to rub himself against my legs. I had to coax Bunkie out. She had flattened herself against the back of the drawer, clearly terrorized.

I gave them more food and milk from a carton I had bought at the corner. My furniture, including the fridge, was still in the truck, parked down below. I put the carton on the windowsill to keep it chilled and made myself lie down to sleep.

Zack and Bunkie crept over and curled up beside me. "Babies," I whispered. "We are in so much trouble."

I didn't get up until almost noon. I gave the cats the rest of the milk and tried to think what to do. It was cold and I attempted to turn on the heater. It didn't seem to catch and after struggling with it for awhile, I went next door to my neighbor's.

A young man opened the door. "I'm having trouble getting the heater going," I explained. "I just moved in."

"Come in, come in," he urged. The apartment was a mirror image of mine. It took me only a heartbeat to notice the photographs.

Lining the walls were the same photos that I had found in my cottage after being locked out by Candi White. The baby pictures, the teenagers...I felt the blood drain from my face. "Normalize," I told myself.

"Nice family," I said casually. He beamed at me. "You will need to turn the heater on and manually light it," he explained. He gave me a book of matches. "You can keep these," he said, still smiling.

"Thanks," I said and left.

I'm being gaslighted, I told myself. I stayed inside most of the day, emerging only once to pick up some food at the corner convenience store. I hurried myself home and flung open the door, calling "Kitties!"

They were both curled up in front of the heater, undisturbed. I ate a container of yogurt and downed a Pepsi. When night fell I again left the apartment and headed to Los Angeles. The apartment was roasting and before leaving, I turned off the heater.

I got off at a Blue Line stop and took a bus to Wilshire. Then I just walked.

The first thing, I told myself, is to figure out what is going on. Once you know that, you can try to figure out what to do. I walked for several hours, then got back on the Metro and returned to Long Beach.

A couple got on the train and sat across from me. He was a young black man and she was a pretty Latina. They were talking in low tones and she started to giggle.

Then he looked at me, flashing a photo op smile and said, "So what's up?" I was used to people on the Metro by now so I blandly replied, "Not much." I figured that would be the end of that.

He leaned a bit towards me, smiling that bright and engaging smile. "Well, I am totally psychic, you know," he confided. "And you look to me like a Gemini."

"Got that right," I admitted.

"Let's see how close I get," he continued while the girl stifled another shriek of laughter. "May 30, right?"

I looked at him carefully, memorizing his features. More gaslighting, I thought. Before I could concur, he continued on. "You are involved in white-collar crime," he announced.

"Only as a victim of it," I said. I picked up my purse and moved to the back of the car. The couple got off at the next stop, the girl still laughing. Right before the doors closed, the man leaned his head back in. "You're a goner," he yelled and then the doors closed and the train sped away from the station.

It was almost one a.m. I climbed the stairs to my apartment and opened the door. The apartment smelled vaguely of gas. I

switched on the light. “Kitties,” I cried. “Kitties!!”

There was no answer. I walked over to the living room drawers and opened them. Empty.

I checked the closet and then the kitchen cabinets. Going into the bathroom, I found a note from the gas department. They had responded to an emergency call; someone smelled gas and they had come in and disabled the heater. When I had turned it off earlier, the pilot had gone out but the gas must not have turned off. There were black paw prints all over the bathroom sink. Dear Lord, the cats could have died, I thought.

Back in the kitchen I checked the drawers. Little Bunkie was crammed into the silverware drawer and Zack was in the drawer below her. When I let them out Bunkie fled into the bedroom and burrowed into the back of the closet. Zack wobbled uncertainly towards me and I got him some Meow Mix and water.

I tried to think but found I could not. I curled up on the carpet and soon fell into a deep and dreamless sleep.

The next morning, I paid a visit to my downstairs neighbor. She was an older black woman and seemed glad to have company. I learned from her that Riley had not, as he had told me, owned the property for years.

“He is new on the job,” the lady announced. “He just came in the last couple months. He is the manager, not the owner.” She peered at me. “He told you something different?” she queried. I nodded.

“White folks,” she said, shaking her head. “They always trying to act like somethin' they ain't.”

I sat in my apartment most of the day, trying to come up with a plan. The movers had left with my stuff. They had demanded payment and I had given them what was nearly the last of my money for the month. I didn't know where they had taken my things and right then, I didn't care. I was more concerned about what to do about the fact that I had moved into an apartment where my safety and security were, again, clearly compromised

I finally left the house when it began to get dark. At the corner store, I got some more milk for Zack and Bunkie and

after dropping it off at the apartment I started walking towards Long Beach Blvd. It was January 3.

I stopped off at a food court and ordered a chicken burger. I was waiting for the order when someone bumped into me. Turning, I saw the very same fellow from the Metro the night before.

He grinned at me, broadly, the same glittering and practiced smile. "They cut up your black cat," he announced. Before I could say anything, he was gone.

I rushed outside, looking up and down the street. Parked in front of Denny's was a police car. I walked up to the window. "I'm coming in," I said.

"We'll be waiting," the cop replied.

I went looking for a pay phone. I made a phone call to a lawyer whom I had seen several months back about my mother. He had seemed kind and concerned but was unwilling to help.

"Things are worse," I blurted out when he came to the phone.

"Where are you?" he said.

"Long Beach Boulevard," I said. "I'm going to the police."
The line disconnected.

It was Friday night and the streets were full of people. I walked around, at once deeply aware of all the activity in the street and also detached from all of it. I wondered if I had fallen into an alternate universe.

I was turning to walk towards the police department, situated on First and Long Beach Boulevard when I felt a sudden surge through the crowd. People were beginning to run. Looking up, I saw a helicopter only yards above the street. It was swooping down and there were cries of alarm as people began to dart for cover. I was swept along into a late night pharmacy.

The copter was buzzing the street. It was swooping down as low as it could get then pulling up and retreating several streets away. I saw it turn around and begin its descent again. A girl screamed and ran into a restaurant across the street.

The time had come and I knew it. I pushed out of the store

and began walking down Long Beach Blvd.

I stopped at a supermarket for a cold drink. The security guard there greeted me. "I heard you are coming in," he said. I should have been startled but I was beyond that. "You a cop?" I asked. "Yeah," he said, "I'm moonlighting. Come on," he offered. "I'll go with you."

We walked down the boulevard in silence. Two blocks before the police department he peeled off. "This is as far as I can take you," he said. I walked the remaining blocks alone.

An officer was waiting in the lobby. He was tall, strapping, red haired. "We're expecting you," he said. "What now?" I said, listlessly. "I'm ready to take you," he said. "But you will have to be handcuffed. Otherwise," he said, "I'll just push you back out on the street."

Out of the corner of my eye I saw two officers escorting a fellow into the elevator. Black man, nicely dressed...and I recognized him immediately as a patrol officer. He was cuffed and one of the officers was carrying a green backpack. It was identical to the one I had left with the police in the L.A. Civic Center a couple of months back. "Sure," I thought. "Why not?" The world no longer made sense.

As the officer handcuffed me, I peered at his badge. Dawson. I was put in the back of a squad car. The windows were dark and I could not see where he was transporting me. Funny smoke was coming out the small hole in the window separating the front seat from the back. "What is that," I said sharply.

"You'll be as calm as a sack of potatoes by the time we get there," was all he said.

"Where are we going?" I said.

"To die," said Dawson. He seemed to straighten up and declared, "I am operating under the protection of the President."

"Can I choose how?" I asked.

He chuckled. "I don't want any violence," I said. I could just see myself smashed to a bloody heap by this big officer. Negotiating my demise, I said, hopefully, "A drug overdose would work."

He chuckled again. "Sure thing," he said.

After about twenty minutes I felt the car turn, then begin to slow down. Dawson turned off the key. I was quite high by that time. The smoke being pumped into the rear of the car had stopped when he turned off the engine. I knew I had to clear my head and began to stall, gulping fresher air.

Dawson was patient. He helped me out of the car and I took several more deep breaths. Still stalling, I told him I didn't think I could walk. I leaned against the car a few minutes and felt the high start to drop off.

We were in an underground parking garage. Dawson led me through a door into a small basement compound. There was an anteroom and off to the left was a cell, with bars and a steel bed.

And people. There were six or seven people waiting in the compound, all in street clothes.

Dawson had brought me in and left. The people seemed occupied with something in a desk area. "Excuse me, " I said to a mustached man. He was around forty and casually dressed in cargos and a plaid shirt. "Are you a police officer?"

"Yes," he said brusquely. I asked a couple of the other people the same question and got affirmative replies from all of them.

I was still fighting to clear my head. Next to the mustached man I saw a red felt pen. "I am going to die soon," I thought wearily. "I need to send a message." I picked up the pen and quickly marked up my wrists with broad slashes of red ink. The mustached man issued a small bark of alarm and grabbed the pen from me.

I backed away from him and into the cell area. I sat down on the cell bed and pondered my options. I didn't think I had any.

A slim, black-skinned woman, who had already told me she was police, came to the cell. "Someone here to see you, Miss Phelan," she said briskly.

I walked out of the cell. A small Vietnamese-looking woman was sitting on the bench. Looking at her, I felt a wave of horror. She was disfigured, with terrible scars crisscrossing her face. I am still under the effects of the drug, I thought. I can't

even tell if this is a mask or her real face.

“I am Dr. Tran,” she said, with a seasoned, professional manner. “I’d like to ask you a few questions.”

I sat down next to her. Good grief, she was frightening looking. “Tell me,” said Dr. Tran. “Who is Jack Smith?”

She was about my mother’s size, I saw. I didn’t want to talk to her, not at all. I jumped up and backed away.

And that is when it happened. One of the men who had been busying himself in the desk area suddenly approached me, syringe in hand. He was around 5’8”, Latin or Filipino, mid to late thirties. He plunged the needle into my arm and everything went dark.

I woke up in a hospital room. Blinking, I tried to remember how I got here. My head hurt. It looked like a bone in my hand had been fractured.

I tried to sit up. My legs felt like they were encased in concrete. Rubbing my hand over my chest, I felt little bumps. I looked down. Stickies, the kind they hook up to a heart monitor. I looked over next to the bed. There sat a monitor, the cables disconnected from the stickies.

I was in the bed nearest the door, I saw. The bed next to me was empty. The third bed had a big lump in it. While I looked, the lump moved.

My bladder felt full. I tried to get up and found that my limbs were not obeying my commands. I began to rub my legs.

The lump in the third bed suddenly issued a groan and sat up. The blanket fell away and there was a massive woman. She seemed to have rings on every single finger, I noted. The rings looked dangerous, I thought. Almost like brass knuckles.

That's not possible, I thought wildly. I cleared my throat. "Hi," I said. The woman failed to take notice.

I tried to concentrate on getting my legs to work. My bladder seemed near the bursting point. Grasping the handrail, I managed to get to my feet and lurch forward.

The bathroom door was just a few feet away. I got in and plunked myself down on the toilet.

Finishing up, I wobbled back towards the bed. I saw where the big woman had left the room. Sitting down, I searched my memory for what had happened.

Dawson.

When I was able to walk, I went up to the nurses' station. I was told that I was in Community Hospital in Long Beach and that I had been transferred in from Harbor General. I was told it was Sunday, January 5. I was refused information as to how

long I had been in Community. I was also refused information as to what type of ward this was. It appeared to be a substance abuse ward, however, given the types of notices that were littering the numerous bulletin boards. "NA meetings on Thursday!" said one. "AA meetings every evening at 7!" announced another.

But the ward was virtually empty, except for me and that big, many-ringed woman. We ate a silent meal, dinner I supposed, seeing that the light was failing. I returned to the room and took a shower. When I emerged, my roommate was seated on her bed, cracking her knuckles. I got a better look at her hands and realized that she was indeed wearing brass knuckles. I went into the bathroom and locked the door.

I spent the night in the locked bathroom, having made a little nest for myself of the blankets on the floor.

Monday, a very nervous doctor came in to see me. It was now January 6. He was small and round and dark-haired. I asked to be discharged. "I am putting you on medication," he announced.

"No you aren't," I replied. He cleared his throat. "I must insist," he said.

"Ditto," I shot back. He then told me I would be discharged. He did not make eye contact once.

I went into my room. There was nothing for me to pack. I only had the clothes I had been wearing on Friday. I had washed them in the bathroom sink the night before.

I walked up to the nurses' station and asked for my release papers. The male attendant shot me a sidelong glance, but continued to shuffle papers and did not reply. I continued to wait. Finally, a brunette woman came bustling up and said, "OK, you can go now."

"I'll need those discharge papers," I repeated. "Come this way," she said.

We went down in the elevator and she escorted me to the front door. Opening it, she smiled broadly, then winked. "Bye!" she said and pushed me out.

No papers, I thought. Am I discharged or have I escaped? I began to trot North on Termino Ave. I heard a voice behind me

and turned to see the dark-haired woman, flanked by two security guards. "Stop right there!" she commanded me.

I ran.

Down the block was the Community Medical Center office tower, where my mother had once had her psychology practice. As I yanked open the door and rushed in, I heard the woman behind me yell, "Oh no, don't go in there! Stop right now!" I slammed the door behind me and made a dash for the elevator. Fortunately, it was standing open and I pushed all the buttons. I got off at the third floor and made a rush into the first office that appeared to be open.

It was a dentist's office, as it turned out. I tried to contain my pounding heart and as casually as I could muster, I said, "Hi there. I would like to make an appointment to have my teeth cleaned." I dallied awhile, chatting with the office girl. Then I proceeded down the hall.

Up and down the floors I went, making obgyn, endocrinology and hematology appointments. I passed by one door that announced the offices of a psychiatrist. Bad idea, I thought and kept going down the hall.

After a few hours, I thought it might be safe to go downstairs and check out the area. The sky was darkening and as I cautiously pushed open the door, I saw no one. Absolutely no one.

I jogged up to Pacific Coast Highway and got on the first bus that came by. After a couple of miles, I got off and transferred. I was free and clear.

It was dark by the time I got back to the apartment on 11th Street. I walked up the stairs, pausing a moment before opening the door. The cats, I thought. Then I pushed on in.

The apartment looked much as when I had left it. Zacky was sitting in the living room, and got up to greet me, meowing furiously. "I bet you're hungry," I said to him and poured him some dry food and a bowl of water. Bunkie was nowhere to be seen.

One of the kitchen drawers stood open. On a hunch, I opened the one below, then the one above. Bunkie leaped out of the silverware drawer, yowling. I tried to give her some food

but she raced into the bedroom and jumped into the furthest corner of the closet, clearly terrified.

I found a cell phone lying on the kitchen counter. Not mine. Gotta do this, I thought, and called Riley.

He picked up immediately. "Hi," I said, trying to sound casual. "This is Janet, your new tenant."

I heard a sharp intake of breath. "What do you want?" he demanded. "So Riley," I said, "I just got home and what's with the cats?"

"Get out!" he bellowed. "I don't know about that," I said. "This is subsidized housing. You have some hurdles to jump over if you want me out."

His voice took on a sudden, calm spectre. "No it isn't," he said. "Your papers were never approved and there is no lease. You are squatting illegally. Get out now or I will call the police."

I put down the phone and gathered up whatever little bits of belongings I had brought up with me.

The police are coming now, I realized. I picked up Zacky and gave him a big hug. "I am so sorry, baby," I murmured. "I can't take care of you anymore." I put him outside.

I went back to get Bunkie. She was tearing around frantically and wouldn't let me close to her. She raced away from me into the kitchen then back down into the far reaches of the closet. After chasing her around the apartment for a bit I gave up. I had to get out before the police came.

Zack was sitting patiently outside the front door. Tears were streaming down my face as I knelt down and gave him one last hug. "I'll be back tomorrow," I told him. "I will bring you food. You are special and God loves you and God will take care of you."

He looked up at me, quizzically and I walked away. I was to return several times, pacing the neighborhood and calling. I never saw either one of them again.

I got on the Metro and went up to Scott's Board and Care in Los Angeles. It was late when I walked in and the staff told me he was off on a bicycle ride. They asked me if I wanted to take a seat and wait.

I sat down. I began to cry, softly and when Scott at long last walked in, red faced and sweaty from his ride, I was still crying.

“What happened?” he said.

All he could make out was the word: “Cats.” Over and over, “Cats.”

He went up to his room and brought me down a blanket and I walked out into the night.

SHOCK AND AWE

I can still feel
your thick curly hair
bunched in my hand
as I pulled you ashore

In the morning
you smelled like the earth
and I would turn over
put my arms around you

And it would begin
the shuddering
the guttural cry

“Wake up, Jack!”
It’s just a dream.
It’s okay, I’m here.”

I would pull you up
from that heavy water
Your face would emerge
grey, eyes bulging
gulping for air

What is it
I would ask

Mortality
is all you ever said
you never said it was mine

I would fall asleep

curled up in arms
that embraced my demise
lace my fingers
through fingers
that would encircle my throat

I would kiss the mouth
that turned me in

It's winter in L.A.
I'm cold
I have no socks
because of you
I have no home
because of you
I panhandle for a cup of coffee

Because of you
everyone I loved is dead

Because of you
everyone I loved is dead

At night
curled up on the pavement
I remember how we coupled
on our wide blonde bed

And how you turned me over
to finish me off

I found a place near Pico Boulevard, a store, where a wall
protected the world from seeing me and, exhausted, I lay down
the blanket. I fell asleep immediately.

The next day I walked back over to Scott's. Quite a reversal
of roles, I thought as I neared the house where he lived. My
parents had been a bit worried when I took up with Scott,

decades earlier. He had a monkey on his back and though our romance was ill-fated, we had remained close friends.

Before I had known him, Scott had been homeless in Santa Monica for a while. And it was to Santa Monica that we now went. First, however, I went to the bank and withdrew what was left of my disability check. I bought a sack of cat food and took the train back to Long Beach.

The apartment showed signs of occupancy. There was a guy leaning out the window, skinny, black-skinned. I waved at him. "Just move in?" I yelled up.

"Sure did," he replied. Riley must have rented it out while I was in the hospital, I realized.

I walked around the neighborhood looking for Bunkie and Zack. I called in front of the apartment building, down several blocks and in alleys. I heard no responding meow.

After a couple of hours, I left a pile of food in a used yogurt container on the sidewalk in front of the apartment and took the train back up to Scott's.

I was waiting for the train when I felt myself start to lose blood pressure. Then I collapsed, hitting my head hard on the platform. I scrambled back up to my feet and again lost consciousness and fell. I got up again. The gash began to ooze blood. Good grief, I thought. The last thing I wanted was to have to go back to a hospital.

"Lots of homeless services here," said Scott. "They'll take good care of you."

We did the tour. Samoshel was the shelter, where people could maybe get a bed and shower. There were a bunch of places where people passed out food. We stopped at a park and ate sandwiches and drank koolaid, courtesy of some church-looking people. Then it was over to Santa Monica College.

"You can sneak a locker here," he said, pointing out the art department lockers. "Just slap a lock on a locker and you've got storage," he said.

We walked back over to where Santa Monica College fronts on Pico. "Just a minute," Scott said, and dashed into the hedges. He emerged with a big smile on his face.

“Look at this,” he said proudly, holding up a red sleeping bag, carefully stuffed into its nylon holder. “Isn't that someone's?” I said nervously.

“Yeah,” he said. “It's yours.”

Holding my new bed in my arms, I trailed Scott across the field towards Ocean Park Boulevard. Then I just sat down, in the middle of the lawn.

Scott stood there, quietly observing me.

Finally, I said, “I cannot do this. I need to go home, have a cup of tea and take a nap. I simply cannot do this.”

Scott continued to stand there, saying nothing and holding me in his patient gaze. After several minutes, I realized that I was not going to get back my apartment and my cup of tea, not now and probably not for a very long time. No one was going to come and take me home. If I was to survive this, I would have to get up now and move forward.

I stumbled to my feet. “Okay,” I said. “Let's go.”

Scott and I bussed back to his place and he sneaked me some dinner. I then bussed back to Santa Monica. It seemed safer than the area he lived in, which was pretty rough.

In the meantime, the bang on my head was causing me more problems. I had developed a burning kind of pain in the area of the gash and I felt dizzy and light headed. Reluctantly, I chose a hospital on the Westside which I had never gone to before. I presented myself at the ER and my head was stitched up. Back to the streets I went.

I was afraid to use my new sleeping bag. Specifically, I was afraid of what might happen to me if I fell asleep out in the open. I ended up sitting up all night in Denny's coffee shop on Lincoln Blvd, drinking coffee. The next day I just walked.

I walked all the way up to La Brea Avenue then turned around and walked back towards the beach. Strolling down Venice Boulevard on the Westside, I realized how thirsty I was. I looked around for public drinking fountains but didn't see any.

I found a liquor store and walked back to the cooler. There was my beverage of choice—a can of Diet Pepsi. But I didn't

have any money!

Every cell in my body was vibrating towards that gleaming indigo can, chock full of caffeine and fizzy stuff that I had so enjoyed for so many years. I took a deep breath and took the can out of the cooler.

I approached the counter. There was a thirtyish woman manning the cash register.

"I don't have any money," I told her. "I am so thirsty and I really want this can of Pepsi. I don't want to steal," I said, aware that my face was getting flushed and my words were tumbling out now, very quickly. "Can I just take it, please?" I said. "I'll only take it if you say I can," I added, somewhat pleadingly.

The woman stared at me. "Take it," she said brusquely. "Take it and get out of here."

I walked back to Santa Monica, sipping gratefully on the soda. Nearing the beach, I saw a bunch of people who also looked homeless hanging out in the parking lot of a gas station/convenience store. I thought maybe I could ask them where to get some food. I sat down for a moment, taking my shoes off. My feet were hurting and I saw where some blisters had popped up. I put the shoes in my pack and then walked up to one of the guys.

Before I could say anything, he pointed to the far corner of the gas station. "Over there," he ordered me. "We are all working the station and you can have that spot over there."

I had no idea what he was talking about, but I obediently moved to the corner. In less than five minutes, a green Volkswagen Beetle pulled up. A young woman got out and walked over to me. She had a pair of tennis shoes in her hand. They were light blue.

"These should fit," she said. Speechless, I stared as she got back into the Beetle and drove away.

I sat down on the low wall surrounding the station and put on the shoes. They fit perfectly. And not only that, they didn't hurt.

Thrilled with what I was now considering amazing good fortune, I walked back up to Lincoln Boulevard. There was a

Chinese fast food restaurant on the corner. I stopped in front of the store. I was famished.

I stood outside, gazing in through the window. It occurred to me that things were happening in my life in some very strange ways. As I stood there, looking at the trays of steaming chicken and vegetables, I noticed that the woman at the cash register was motioning to me.

I walked in. "You look hungry," she told me. She spoke with a marked Oriental accent. She must have been in her early fifties, I thought. She looked at me directly and smiled, encouragingly.

"I am," I confessed.

"I will give you a plate," she offered. "Black bean chicken and rice okay?" I nodded vigorously, both ashamed of my need and also amazed at her generosity. She gave me a cup of fountain soda as well and, overcome with gratitude, I ate what seemed like the best Chinese food of my entire life.

That night, I was back at Denny's again. This time, I had company.

It was getting close to midnight when the blonde came in. I saw her stop and speak to the host who was standing near the door, holding menus. He waved towards me. Uh oh, I thought.

She came and sat down next to me. She had a thick accent. German maybe, or Austrian, I thought. Looked professional, black skirt and heels. She ordered a burger and French fries and then, turning to me, offered me the fries. Not this one, I thought.

“No thanks,” I told her.

“Look,” she said. “I know you are in trouble. Come with me,” she said. “I have a hotel room. You’ll be fine there.”

“No thanks,” I said.

She became more insistent. “Have some fries. Come back with me to my hotel,” she urged. “No thanks,” I said wearily. After an hour or so she left and I sat there til dawn, drinking coffee. The next night, I was back again.

This time, I was approached by a fellow in a tie-dye T-shirt and starched blue jeans. He walked up to my table and asked me if I knew anything about a psychiatric medication. As it turned out, it was the very anti-depressant I had been taking a few months ago—Nardil.

“Yes,” I said. “This is for depression. It was one of the first anti-depressants developed. It isn’t used much anymore—the side effects can be rather serious.”

Beaming, he slid into the booth across from me. “My girlfriend is under a conservatorship,” he announced. “And,” he confided, leaning towards me meaningfully, “they won’t let me see her.”

I listened to him tell me the story. His presentation was very tightly constructed, I thought. Logical, good command of the facts, except every now and then he would punctuate his

narrative with a silly little giggle.

"It's the *sister*," he announced, looking straight at me. "Her *sister* is behind all this."

I took a leap. "You know," I said to him. "You've got a good start on the homeless mentally ill act, but you don't have it quite down. You are way too well wrapped, your jeans and t-shirt are spanking brand new and your little giggle just doesn't controvert the lucidity of your thought processes." I leaned back in the booth and gazed at him.

He gulped. Then emitted the little high-pitched giggle again. And without another word, he slid out of the booth and left Denny's.

I went to the window and watched him. He went into the parking lot and walked directly up to a waiting police car. He leaned into the car and began to converse with the officer. After about ten minutes, I got bored with this tableau and went back to my table for all night refills of coffee. The next night, I was back at Denny's.

And I was really having trouble by then. I had gone three days without sleep and felt it. In the parking lot was a fellow in a Mustang. He leaned out and started to chat with me. "You look like you need to sit down," he said.

He had some Gatorade and offered it to me. His name was Jeff and he was homeless and he slept in his car, he told me. I remember thinking he was handsome but his teeth made him look like a vampire. And that was the last thing I thought before the darkness descended and I passed out.

I woke up in the same position where I had fallen asleep. Jeff was shaking me. "You gonna sleep all day?" he asked me. I mumbled some sort of thanks and got out of the car. As I was leaving, he told me to go around the corner.

"OPCC," he announced. "Ocean Park Community Center. They will take care of you."

The next night, however, found me back in Denny's. This time, I had a better plan. I waited until the waiters were all busy in the second dining room and then I sneaked into the bathroom. I sat down on the toilet and fell asleep. It wasn't a

very good plan, as it turned out. I kept waking up as I began to fall off the john.

At daybreak, I marched out of Denny's and over to OPCC.

Ocean Park Community Center in 2003 was a squat one-story building tucked away on 7th Street in downtown Santa Monica, and at that time serviced a homeless population of approximately 2000, providing bag lunches, showers and a team of social workers with expertises ranging from housing to substance abuse. OPCC served as a hub for a network of other service centers, including Daybreak Shelter and day programs for women. In January of 2003, it was also a pick-up point for the buses which carried Santa Monica's homeless into the Winter Shelter centers, located at the Veterans Administration on Wilshire and at the National Guard Armory in Culver City.

The cavernous armory accommodated a couple hundred people on cots set up in rows. There were two bathrooms with several stalls each and a few showers, for men and for women. Starting around 4:30 in the afternoon, the buses would make several runs into Santa Monica to pick up their human cargo, deliver and then return for the stragglers. The headlong rush for a seat on the buses tended to secure a seat for the strongest and most aggressive, while the weaker were crowded out. Due to this, some drivers instituted a "Ladies First" policy.

Upon arriving at the Culver City armory, the homeless would first line up outside to be frisked by the staff. Anyone found carrying drugs, alcohol or weapons would be disallowed entry for that night. Once inside, dinner would be served and an opportunity would be afforded to shower. Lights out was at 10 p.m. and at 5 a.m. the lights would come back on. A cursory breakfast—often a cup of yogurt and watered-down coffee--would be handed out from boxes by the door. The buses were already lined up outside to take us back to Santa Monica for the day.

During my first winter on the streets, I made a point to be on that bus every single night. I was convinced that, should I have the bad luck to be found by the police, sleeping outside and alone, I would be picked up and possibly killed. That first year on the streets, I was still afraid of many things.

I would clamor onto that bus along with the other wretched, dispossessed, abused and undeserving and when the bus began to lumber down the street, the drivers would switch off the internal lights. Every night, I would wait for those lights to shut off and would begin to silently cry. Visions of my mother, of Bunkie and Zack would ricochet through my mind, but by the time the bus pulled into the shelter parking lot, I would have wiped away my tears to assume a stony and inscrutable visage, just another piece of human refuse waiting to be frisked before I could get a bed for the night. I wasn't going to let anyone see me cry. I had no street smarts, no preparation for the life I was now living, but I wasn't a fool, either. I knew how perceived vulnerability might be exploited by predators. And boy oh boy, was I ever among the predators now.

Rule one of shelter life is not to leave anything sitting around that wasn't fastened down. That meant that even a trip to the bathroom required hauling along one's backpack. Anything left sitting on the cot was open season for thieves. I was to learn this the hard way.

My Social Security disability check had just come in and earlier in the day I had stuck the money deep into my pack. When I returned from the shower, I saw some movement around my cot as the cot-dweller next to mine quickly moved back. Upon checking the pack, I realized that hundreds of dollars were missing--nearly all of the money I had so carefully put away earlier that day, after visiting the ATM. I went to the staff to complain.

I was assured that a police officer would come out. I was pretty sure that the money had been taken by the woman in the next cot over. However, the police never came. A couple hours later, I went to check with staff as to why no one had responded to the 911 call they told me they had made and I was laughed at. "You think we are gonna help you," the staff member said, with some hilarity.

Lesson two had to do with the guys. After clamoring onto the bus one late January afternoon, I found myself sitting next to a guy who promptly stuck his hand between my legs. I howled in outrage and he pulled his hand back. From that

point on, I stuck with the girls.

As for homeless girls, one homeless guy once told me , “They are hot, but they are all messed up. If you don't look at their faces it's okay,” he went on to tell me. “Look at them,” he said waving his hands towards the women waiting for the shelter bus. “Missing teeth, broken noses and real bad attitudes.” His gaze shifted to me, “Now you, honey...” he began, but I had already walked away.

I had made some initial efforts to reach people I knew. Sue, Margie, Tom, friends I had known for many years. No one seemed to be very interested in what had happened to me. I began to retract from my old life, as the survival stresses of my new one began to occupy my time and attention.

My days involved chasing food, getting shelter, lining up for a morning shower at Samoshel, and then over to OPCC to use the phone. There would be a sign-up list for the phone and after using my ten minutes I would again put my name at the bottom of the list and settle down to wait. Someone was going to help me, I was sure of that. I called Pat Lambert, Bob Maheu, David Lifton, Mike Kondas, all the old and dear friends of my parents. Most of these people didn't call me back. If they did, I heard an empty well wishing, followed by hasty retreat. I began to expand my list.

I called the District Attorney and submitted a written report about the police assault. I contacted the California Attorney General, U.S. Senators Feinstein and Boxer. I wrote and called Assemblyman Henry Waxman, Dennis Kucinich and Ron Paul. The initial concern in response to my allegations of nearly fatal police abuse soon turned to indifference. And in some cases, after indifference came an uglier response.

I had visited Dianne Feinstein's office in West Los Angeles and had faxed my report from that office into both her San Francisco office and, later, her DC headquarters. After waiting for a reply, I began to call her constituent services and also the press office.

Her chief counsel, Steve Cash, finally got back to me. We set up a time to speak and I earnestly explained my plight. “Is it okay that you are on speaker phone?” he asked me. He said he

had others in the room who were listening to my report. Cash wanted to see documentation and I sent over not only my written statement, but some records from Riverside Superior Court attesting to the grave deprivation of rights that had been afflicted upon my mother. When I did not hear back from Cash, I called again. Feinstein's staff told me in no uncertain terms never to call again.

I had a similar experience with Senator Barbara Boxer. My case was initially assigned to Omar Torres in Boxer's constituent services office. Torres, however, wanted nothing to do with my case. Another dead end.

I called Internal Affairs at the Long Beach Police Department to report Officer Loren Dawson. The officer answering the phone told me I was “not allowed” to contact Internal Affairs. “A judge has issued a Restraining Order against you,” she told me. “You can't call us.”

After hitting the streets, one of my very first stops was the Federal Building in West Los Angeles, where the FBI offices are situated. Jack had come with me to that very location months before, when I insisted I needed to make a report concerning what was happening to Mom and how the police were finessing and covering up her endangerment.

I remember Jack sat slouched way down in his chair as we waited for the agent to come out to speak with us. Specifically, I remember that he looked like he wished the floor would open up and whisk him down and away. And I also remembered that when the agent showed up--how strange, I thought, he is wearing the same hat Jack always wears—he told us, almost merrily, that this was a civil matter. When I started to protest that police lying on reports of attempted murder was hardly civil, the agent terminated the interview.

This time, however, I approached the entrance to the Federal Building alone. It was late afternoon and the area was quite deserted.

An officer wearing a Homeland Security uniform stood sentinel at the door. I gave him my name and asked for entrance into the FBI offices. “You can't go up there,” he informed me.

I told him I certainly could and that I had visited the offices several months earlier. The large, muscular man then put his hand on his holster. "If you keep this up I'll have to shoot you," he barked.

I left. I came back a few days later, at a time when I figured the offices would be busy and there would be witnesses should I be so threatened again.

I waited in line, one of about a dozen seeking entry into the building. When I came to the front of the line, I was again asked to identify myself. A different officer, also large, African-American and well armed, went inside to use a phone. He returned to tell me that an agent would be down shortly to speak with me.

Soon, a small, blonde, scruffy-looking fellow emerged from the building and approached me. We walked around the federal campus for about twenty minutes as I told him, as succinctly as possible, what had transpired resulting in the attack on me by the police. I told him my mother was missing and I had no idea if she were even alive.

As I was not permitted entry into the Federal Building, there is no record of my report to him. Furthermore, as I was denied entry into the heavily surveilled FBI offices in that building, there exists no record of our conversation, which could have taken place in a novel by Franz Kafka.

We walked around the federal campus as I earnestly explained to him what had transpired. But the scruffy blonde man, who refused to give me his name, told me he had no way to check out my story.

"But you do," I said. "There would be police video of my encounter with Officer Loren Dawson in the lobby of the Long Beach Police Department. There are also medical records concerning my subsequent hospitalization. And frankly," I told him "there are beaucoup court records which would support my allegations of repeated Constitutional violations in Riverside Superior court."

In fact, I told him, there were so many supporting records that this investigation would be a milk run. He then told me it was out of his jurisdiction and hastily went back into the

Federal Building.

I was on fast sizzle at that point in time. I went to the nearest pay phone and called the Los Angeles FBI office. “You played right into my hands,” I bellowed. “I’ve got it loud and clear. You are a bunch of Jew-killing Nazis!” I slammed down the phone. I was shaking--not only in outrage but also at the implications of the words I had spoken. I jumped on the next Wilshire red bus and rode back to Santa Monica.

I was standing in line in front of OPCC one morning, waiting for that agency to open, when I was first approached by David Moreno. Dark-haired, muscular build wearing ironed blue jeans, a leather jacket and expensive leather shoes, David reeked of cop. It took me only a few minutes to figure out that this man lined up for the homeless agency was undercover.

“So,” I said casually, “are you a federal officer?”

The law says that when this question is asked, a federal officer cannot deny it. “And what kind of federal officer do you think I am?” asked David, softly. David was very soft spoken.

I took a wild shot. “Homeland Security?” I asked.

David laughed. “You flatter me,” he said.

Well, I thought. What an interesting eventuality. I decided to plunge in. “Do you know Melodie Scott?” I asked.

“Only by name,” he said.

“Do you know Jack?” I asked. David didn't answer.

“Is his name really Jack Smith,” I persisted. Still no reply.

I tried another tack. “Look, I said, “he has a Social. I have his Social Security number. “

“Easiest thing in the world to get,” murmured David.

That night, on my cot in the overcrowded National Guard Armory, I thought about David. Could he help me? Would he?

The next day, he was again in the line for OPCC. When the agency opened, we all got into another line for our bag lunches. He handed me his. “I don't really need this,” he said.

I accepted it thankfully. I had dropped a lot of weight in the past few months and was grateful for the food. We went outside to talk.

I told him I had been attacked by the police and was fearful concerning the possibility of future attacks. “Are they going to shoot me?” I asked him.

David replied carefully, choosing his words with precision.

“No,” he said, “they are not going to shoot you. There would be too many questions asked if they were to shoot you.”

David had some questions of his own. “Hey,” he said, in a tone which I was later to peg as too studied to be really casual, “do you ever have dreams which are, well, prophetic? You know, you dream something and the next day the thing you dreamed about happens?”

I thought back to the dream of that cluster kill, all those people trying to club that woman to death, how I then was running for my life and ended up on the streets. Then I thought about the very night before, when I dreamed that the guy handing out the bag lunches was wearing a Cardinals baseball cap, and how that very morning, for the first time, he came to work in a Cardinals cap. I knew I had dreams like that a lot. Didn't everyone?

“Dreams?” I said vaguely. “Only about the war. Everyone is talking about the war.” I thought maybe I matched his too casual tone, beat for beat.

David looked at me, strangely, but said nothing. The war with Iraq was soon to be launched. The drums of war had begun their low, insistent strumming and it appeared it was only a matter of time until war was declared.

The days seemed to run together those first months on the street. I was chasing food by day, punctuated with my phone calls from OPCC, then into the shelter at night. I had pretty much given up on my old friends, or more bluntly, they had made themselves extremely scarce.

Except for Scott, whom I would visit at his Board and Care on the weekends. We would escape to Santa Monica and roam over to Venice Beach (Vinny Beach, he called it) , where he showed me where he had one of his first jobs, at Annie's Chili Hut. We would amble down the boardwalk the mile or so to Santa Monica, past all the vendors selling exotic Indian silk skirts, bongs, hand- made earrings out of little pieces of offerings from the sea-shells, starfish, little drift twigs—and then into the high-rent district of the city of Santa Monica, which he called “San Monkey.”

His birthday was in February. I still had my disability check

coming in and one day I went wandering down the Promenade, looking for a little gift for him. If Santa Monica was high rent, the Third Street Promenade was its “Rodeo Drive.” Lined with fashionable shops, expensive trattorias, a Borders bookstore with its very own coffeehouse on the first floor, the Promenade was always filled with locals, tourists and...the homeless. The Promenade sported rows of benches where the homeless hung out in small groups during the day. By night, every bench would feature a form huddled under a blanket or sleeping bag, trying to get a few hours sleep before the cops would wake up everyone up around 5 a.m.

I wandered into a little jewelry store. Maybe a charm, I thought. I bent down to look at the rows of silver trinkets in the case. A small elephant caught my eye. Scott, I recalled, loved elephants. One Christmas, he had given me about a dozen elephants---ivory carved, boxes in the form of elephants, elephant earrings...I had laughed and called it our “Elephant Christmas.”

“Can I see that one?” I asked the man behind the counter. It was pretty, I thought, turning the charm over in my palm. Slightly stylized, almost elegant, I thought. “Yes,” I said. “I’ll take it.”

Smoothly, the man wrapped the charm in tissue paper and handed it over. I reached into my pocket and gave him twenty dollars and he gave me the change. I turned to leave, then a thought hit me.

“I’ll need a receipt,” I said. “He might want to exchange it?”

The man pulled a card out of his pocket and quickly wrote on it. Puzzled, I saw where he had only written “charm” and the amount.

“This isn’t good enough,” I protested. “I need a real receipt. Could you write me one?”

The man looked irritated. He went into a drawer and pulled out a receipt book. He scratched out a receipt and handed it to me. Looking down at it, I realized he had failed to date it.

“This won’t do,” I said firmly. I was still thinking that Scott might want to return the little elephant and that an undated receipt might not be acceptable for exchange.

He just stared at me, expressionless. I took the charm and walked over to a girl who was working the back of the store. "Excuse me," I said. "I am having some trouble getting a receipt for this purchase." I showed her the trinket and also the card and the undated receipt. "Could you write me one?"

The girl shot a look of real contempt towards the man in the front of the store. She muttered something under her breath. It sounded like "asshole."

"Of course I will, honey," she said to me. She pulled out a receipt book and I also noted that she made a carbon copy, something that the man had failed to do. "Here you go," she said, pressing it into my hand. Softly she said, "Be careful, honey."

I left the store more puzzled at the interchange than anything else. Within a couple of days, the reality of what almost happened there was to make itself shockingly clear.

I had gone up to the food court on the Promenade, to the Subway to buy an apple juice. I plunked down my buck twenty-five and waited for my receipt. The guy at the counter was, like most of those working at this Subway, a young Latino. "Receipt?" I queried.

"We don't give them," he asserted. I knew that wasn't true. I suddenly felt uneasy. "Yeah, I'll need that receipt," I told him.

He grabbed a napkin from the dispenser and wrote "apple juice" on it. My sense of unease began to escalate and as I walked away, holding the napkin in one hand and my purchase in the other, I looked back at the counter. The young man had gone straight to the telephone and as I watched, he punched in three numbers.

I went directly into the upstairs restroom and chugged the juice. Into the trash container it went and I strode out of the bathroom and down the escalator.

The police were already waiting at the bottom. I recognized one of them as one of the community bicycle cops who had seemed so friendly the week before, when I stopped him to ask him for directions to the library.

The bicycle cop walked up to me as I got off the escalator. "Someone matching your description..." he began and I cut him

off mid-sentence. Shoving the napkin in his face, I said in a low voice, more of a growl than anything : “This is not a receipt and I don’t have the damn juice. Get it? Tell your friends to stop fucking with me. Got that?”

He stood there, mouth open. I wadded up the napkin and threw it on the ground and walked away. As I strode off, I tossed a final gauntlet over my shoulder. “Hey,” I called out, “I just littered. Wanna arrest me for that?” My heart was pounding as I turned the corner but I started to smile. More balls than a pinball machine, I told myself, happily.

Receipts were to become a major issue during my tenure on the streets. I took to carrying a pen with me, because so many of the receipts I was given (and I was demanding a receipt for every purchase after this experience), were mis-dated. I got receipts that carried dates decades earlier, and then receipts that were only one or two days off. Upon receiving a mis-dated receipt, I would pull out my pen with a flourish and correct the copy. “Oops,” I would say, loudly enough for the clerk to hear, “Wrong date!”

A receipt with a wrong date would not convince any police officer that you just purchased the item. When I came across stores that would not produce receipts, I would not make the purchase. I tried to think of it as a game—cat and mouse, predator vs. prey, but this was one I knew how to win.

As it turned out, I had greater worries than receipts. By this time, it was late March and the winter shelters were closing. I had been trying to locate a permanent shelter bed but found, to my consternation, that there didn’t seem to be anything available. A bit of research produced a troubling statistic. For the roughly seventy-five thousand people who were on the streets of Los Angeles any given night, there were around 12,000 beds available during the enhanced bed program during the winter. That figure dropped off steeply in the Spring. I had put in for Samoshel but the waiting list was daunting.

Once again, Scott came to my rescue. One day he came down to Santa Monica and took me to his “spots,” where he had slept decades earlier when he had found himself on the streets

of Santa Monica.

His “spots” were awesome. Away from downtown, tucked away in office structures where there would be no after-hours attention, his spots were pure gold. And because they were some distance away from the downtown area, they were not subject to the nightly—and sometimes quite perilous--homeless invasion.

Scott came out and camped with me a few times, as I continued to get accustomed to my new life as a dispossessed person. As it turned out, I didn't need to use his spots for very long, not right away.

Within days, the staff at OPCC informed me that a bed had come available for me. Samoshel was around the corner from OPCC on Olympic Boulevard and with my backpack slung over my shoulder and David Moreno by my side, helpfully carrying an extra bag of clothes I had picked up at OPCC, off to Samoshel I went.

Under the iron hand of the Salvation Army, Samoshel was run like a homeless boot camp. If you missed a meeting, you were written up. If you didn't check in at the required times, you faced ejection. The rules seemed to be limitless. Grateful for a bed, I did my best to comply.

But coincidental with my entering the shelter, something startling – and certainly enhancing my understanding of the gravity of my situation—took place.

It had been several months since I had landed on the streets. I had developed a routine and had set up an email account at the library and was spending as much time online as the staff would allot me. I was reading and trying to find a context in which to understand the train wreck of my life. I was also searching for my mother, checking the obituaries and any other resource I could think of. I assumed she was dead but had no way to really know. I enlisted the help of one of the librarians who directed me to the Social Security death index. I was nearly unhinged when I put my mother's name into the search engine and a Homeland Security warning came up.

David was sitting next to me at the adjacent terminal when this happened. I never quite understood how he was always at the library when I was there and always managed to commandeer the terminal right next to the one I was using. So when the DHS warning came up, I let out a muffled cry and turned to see David Moreno, gazing at me in his grave way..

“What does this mean, David?” I said.

“Let's take a walk,” he suggested. I closed down the computer and followed him outside. We walked to the corner 711 and he asked me if I wanted a soda.

“Sure,” I said. “Make it a Pepsi.” I wasn't drinking Diet anymore. The extra pounds had melted away.

I waited outside while he went into the store. He came out

with a can of Pepsi and an Orange Crush for himself. I popped open the can, took a swig and immediately puked.

“What the hell,” I sputtered.

David threw back his head and laughed. “Welcome to your life,” he said. “What there is left of it.” He then turned and walked away.

Just before the change came
I ran out onto the Third Street Promenade
and bought a batch of white chocolate
macadamia nut cookies
fresh from the bakery oven
with my last couple dollars
I could feel their warmth
through the brown paper bag
and I trotted back over to the bus stop
as the shelter bus rumbled up and stopped

I climbed up
amidst the pushing and jockeying
for a seat--any seat--any port in this storm
just before the change came

The cookies were so good
sweet white chocolate dissolving
on the roof of my mouth
and I forgot for a moment
that I was on a shelter bus
going in to the National Guard Armory
that I was homeless
and had just spent my last little money
on extravagant sweets

They put out the lights
after we all clamored on board
and I sat in darkness
and watched the city speed by
a kaleidoscope of shiny lights and giant billboards
promising a life

I already knew was a lie
a mirage in a desert
of manufactured need

I swirled the chocolate
around my tongue
and thought
how much longer
how much longer do I have

and then it happened
with the swift and lethal force
of a puma/and the City of Angels
unfurled
like an astonished flower
down to its bone
its petals fluttering
in the blistering yellow wind

I walked back to the shelter in a fog of confusion. I had a severe headache and asked if I could be excused from the evening meeting. I went to lie down in the women's dorm. Another woman followed me in. I had remembered seeing her talking to David on a number of occasions but I felt too sick at that point to give her much thought.

Later, after I got up, and returned into the common room, I was told that I did not ask to be excused and that I had been written up. I protested that this was untrue, that I had requested and received permission. I asked why the other woman, who hadn't asked to be relieved of her obligation to attend the session, was not being punished. I was told to mind my own business and that due to my impertinence, I was being written up again. The next morning I got up and ate breakfast and promptly threw it all up.

The food was causing me cardiac distress, in a manner that was utterly baffling to me. It felt like my heart was being squeezed. I would take a couple of gulps of milk, a few bites of

eggs and within about a minute the sensation would begin, and last about fifteen minutes, max. Without going into a litany of descriptive verbiage which would most likely leave one with an inadequate perception of the experience, I can say that I found myself surrendering, praying and then this would pass. Pass until the next time I ate.

I suspected I was having a singular and unusual allergic reaction. But it was happening a bit sporadically and not every time with every type of food. Certainly, the food at Samoshel was bothering me, and I suspected that if I ventured out and did some sampling, I might be able to make a better determination of what the problem was. I had no history of heart problems and had a strong suspicion that something else was going on. This suspicion was soon verified.

I spent an entire day going to the perimeter of a radius some distance from Santa Monica and then circling back in closer, stopping into markets to pick up food. Son of a gun, the further away from Santa Monica I went, the fewer attacks of my food allergy were manifesting.

Sitting on the beach at the end of a long day of getting on and off buses and buying...well, I was buying the sorts of food I always liked: yogurt, raisins, some bananas...I was still baffled. What if I tried to get food that I didn't usually eat?

In the meantime, I thought I had better get checked out. OPCC had a doctor who came in once a week. She checked my blood pressure then sat up, sharply. "I'm going to call an ambulance for you," she told me. "Your bp is in stroke range—220 over 180." She picked up the phone.

"No!" I cried. "You can give me something to bring it down, right?"

Reluctantly, she handed me a tab of nitro. "We don't know what is wrong," she said. "It might not work. You need to be in a hospital."

"Can I rest here awhile?" I asked, putting the pill under my tongue. "Yes," she said. "I will re-check you shortly."

My blood pressure had registered very low all my life. My standing joke with the white coats used to be, "Can you find a pulse?"

She rechecked me thirty minutes later. The pill had worked its magic. I was back to normal. I was given a follow-up appointment and a prescription for nitroglycerin tablets.

I went to the pharmacy to fill it. The pharmacist punched my name into the computer and looked back at me, questions lining her face. “We don't have this in stock,” she said. “Come back tomorrow.”

I returned the next day. The pharmacist looked me straight in the eye. “I'm cutting your dose in half,” she announced firmly. When she handed me the bottle it had a warning on it. “Low dose warning,” it said. “May not be effective.”

I looked at her, searchingly. I had an idea what was going on and I thanked her. She looked away, clearly upset. I stuffed the bottle in my backpack and walked away, wondering how I would ever get medical help if what I was getting was not medicine at all. Tweaked medicine, tweaked food...and not even a roof over my head where I could retreat from the madness.

The next day I found that even the corner store carried beef jerky and tostitos—which I would never ordinarily think of eating-- that didn't bother my heart at all. Faced with what was simply incomprehensible to me, I decided that I needed to experiment further. So the very next day I went to the Greyhound station and, after a bit of deliberation, got on a bus to Arizona. Scottsdale sounded like a good idea, I thought. Pat Lambert was there...and even if I didn't see Pat, I would be able to see a bit of the country and see how far my food problem actually extended.

She is sitting in the stall
in the women's restroom
in Pollo Loco
picking her teeth

The overhead cam picks up
her efforts at hygiene
and someone/somewhere
hits "delete."
"That one goes in the trash."

A blue Mazda convertible
speeds through the intersection
down the ramp
from Ocean Avenue onto Pacific Coast Highway
The blonde flicks her cigarette
out the window
and turns to the man, laughing
He reaches out his arm
and draws her closer

The camera clicks
Later up the road in Malibu
their car goes over a cliff

In a hotel room in the Midwest
a man sits in front of the digital TV
loading his gun
The sensor views the image
"One of our own," he notes
and hits "delete."

She stands in front of the mirror
in the Greyhound bus station
her face engraved with worry
her ticket stuffed in her pocket
The facial recog system
locks in on her high cheekbones
and calibrates the exact millimeters
between her eyes

"We've got a live one. Zoom in
on her ticket, get her destination
deploy an op onto her next stop.
We can probably terminate her
And she might be thirsty.
Activate the valve."

In a room with thousands of screens
and thousands of sensors
in a grey room just like thousands
in grey buildings across America
the sensor switches off his machine
He strolls to the restroom
and stands in front of the mirror
adjusting his necktie

Somewhere in America
in a grey room in a grey building
his image flashes onto a screen
"Droid" notes the sensor
and hits "delete."

After a couple of hours on a nearly empty bus, I began to settle
in for what was going to be a long ride. I had stuck a couple of
books in my backpack and I stretched out across the double
seats and began to enjoy what felt like the first real solitude I
had had in quite awhile.

The bus had stopped at a small town somewhere in the

Eastern part of California. A tall, thin black man got on and looked longingly at the seat next to me, then settled into the one just in front of me. I glanced at him briefly and wondered why someone who seemed to be trying to look casually scruffy was wearing such an expensive leather jacket. I thought briefly back to David Moreno. Jeepers, this guy could be a clone...

He kept turning around, trying to strike up a conversation. "I'm from Riverside," he announced. Uh oh, I thought. "No one is from Riverside," I replied, laughing "Yeah, I'm from Temecula," he persisted. Oh buggers, I thought. Now I've got company.

I put down the book. "No one is from Temecula," I said firmly. "Only ghouls and spooks are from there."

He laughed, softly. I thought again of David Moreno. And then of Jack. Good grief, do they cut these guys out from a pattern, I wondered. And then he confirmed my worst suspicions.

"I know why you are on the bus," he announced. "You're looking for a good meal!"

I stuck my face deeper in my book. "Hey, I've got some food right here," he said, pulling some chocolate chip cookies from his bag. I looked at them, briefly. "No thanks," I said.

After awhile, the bus pulled into a small station. "Fifteen minutes and you're back on the bus or I'm leaving without you," announced the driver.

The fellow ahead of me looked back at me, hopefully. "There's a McDonald's," he pointed out. "Want me to get you a burger?"

Ignoring him, I slung my pack over my shoulder and descended into a chilly, clear night. To my left was a convenience store and after deliberating for a minute, I got a couple of hard boiled eggs and some of my favorite vanilla yogurt.

The eggs were delicious. I was quite hungry. A couple of bites of the yogurt and my heart started to seize. I threw it in the trash.

Back on the bus, the guy offered me a burger. "Got it just for

you!" he said. "Full," I told him, thinking it was going to be a long night.

We pulled into Scottsdale around 10 p.m. I went directly to a fleabag hotel near the Greyhound station and checked in. Looking around the sparsely furnished room, I realized how delicious it was to have a space of one's own, even if just for the night. Months on the streets and in shelters had deprived me of my privacy, of all the wicked pleasures of solitude.

I took a long, hot shower. It was too late to call Pat and I wasn't even sure if she were in Scottsdale or at her second home in California. No matter, I thought. Tomorrow I will be doing my food research.

I slept in, luxuriating in the rare pleasure of being alone. When I finally got up, the sun was nearly at the half way mark in its journey across the daily sky. I dressed and went downstairs to pay for another night. That accomplished, I set out to see if the Arizona fare was as tweaked as California's.

At the end of the block was a small market. A truck was parked outside and the driver was unloading cases of soft drinks--Pepsico. Restocking, I noted and went inside to surf the shelves. I bought a Pepsi, remembering how I used to kill a six pack a day during my tenure with Jack. OK, I thought, now get something you don't usually buy.

Cheetos would fit that bill and I left with my junk.

It was a warm day and I wandered over to a small corner park. I sat down on a bench and popped open my Pepsi. Sure thing, after a couple of swigs I began to experience the familiar morphological changes in my chest. Testing what was becoming a working hypothesis, I gingerly took a nibble on a couple of Cheetos.

Well, well, I thought. I finished the Cheetos without incident and threw the Pepsi into the trash. Curious, I walked back to the market on the corner. The Pepsi guy had finished unloading and was driving away. Are they crazy? I wondered. The whole neighborhood is going to get sick.

I found a library and got a temporary pass to use the computer. Logging in, I started to search. Food poisoning in Santa Monica did not bear much fruit. I broadened the search

to Los Angeles and other than some salmonella poisoning a few months back, I couldn't see where anything came up.

"Look under food weapons," said a voice behind me. I looked around to see the guy from the bus. "Sorry," I muttered and picked up my pack and headed for the door.

"Genetic weapons..." he called after me.

Outside, the sun had already peaked and was beginning its slow descent towards darkness. I found a Chinese buffet and made several trips back to the food line without incident.

Back in my room, I called Pat Lambert. I got voice mail and left a message as to my whereabouts. I stretched out on the bed and tried to make sense out of what had happened. Food weapons? Genetic weapons? What did this all mean?

Within minutes, my heart started to pound. I could feel my energy begin to skyrocket at the very moment I began to feel dizzy. I ran my hand along my side. The bedspread was damp.

I jumped up, terrified. The siege had begun.

Biological and chemical weapons are not new in the catalogue of methods of warfare and have been deployed throughout history. Medieval accounts record that the Mongols threw bodies of plague victims over the walls into the fortress of the the besieged Crimean city of Kaffa, sickening and killing untold numbers of their enemies. As early as the sixth century BC, the Assyrians have been recorded as poisoning the wells of their opposition.

The coming of modern times found a refinement, not abandonment, of these methods. Chemicals came into primacy in WW I, and were heavily used on the battlefield. Subsequently, the use of poison and asphyxiating gas as well as bacteriological warfare was outlawed in the Geneva Protocol of 1925. Chemical assassination techniques remain favored by a number of state actors and, I was to learn, can take many forms and utilize a number of different delivery systems. A favored technique would be to place the killer chemical, meant to induce a heart attack, onto areas that the target would use: doorknobs, bedding, faucet handles, etc. These techniques have been used by intelligence agencies with some success for decades.

The information culled from the Human Genome Project gave an added twist to already established methods of covert killing. Decades before, however, genetic weapons had caught the attention of Army scientists. In 1970, *The Military Review* carried an article by Dr. Carl A. Larson, entitled “Ethnic Weapons.” In this article, Larson discussed the merits of using gene weapons against targeted populations. After a review of some of ethnic differences in enzyme production, Larson went on to expand on the implications of ongoing research.

Wrote Larson, “Surrounded with clouds of secrecy, a systematic search for new incapacitating agents is going on in

many laboratories. The general idea, as discussed in open literature, was originally that of minimum destruction.” However, his tone soon changed and he wrote, somewhat chillingly that “It is quite possible to use incapacitating agents over the entire range of offensive operations, from covert activities to mass destruction.”

He concluded with the following stark declaration: “The enzymatic process for RNA production has been known for some years, but now the factors have been revealed which regulate the initiation and specificity of enzyme production. Not only have the factors been found, but their inhibitors. Thus, the functions of life lie bare to attack.”

In 1997, at a meeting of the Science and Ethics Department of the Medical Society of the United Kingdom, Dr. Wayne Nathanson warned the Society that “gene therapy” might be turned to insidious uses and result in “gene weapons,” which could be used to target specific people containing a specific genetic structure. These weapons, Nathanson warned, “could be delivered not only in the forms already seen in warfare such as gas and aerosol, but could also be added to water supplies, causing not only death but sterility and birth defects in targeted groups.” (Source:

[/www.projectcensored.org/top-stories/articles/16-human-genome-project-opens-the-door-to-ethnically-specific-bioweapons/](http://www.projectcensored.org/top-stories/articles/16-human-genome-project-opens-the-door-to-ethnically-specific-bioweapons/))

In a 2003 paper, the Sunshine Project reported that “New technologies are indeed available to translate specific genetic sequences into markers or triggers for biological activity. And a recent analysis of human genome data in public databases revealed that hundreds, possibly thousands, of target sequences for ethnic specific weapons do exist. It appears that ethnic specific biological weapons may indeed become possible in the near future.” (Source: Emerging Technologies Genetic Engineering and Biological Weapons, The Sunshine Project, Background Paper #12)

At the beginning of the millennium, a spate of articles appeared in as far flung publications as the *Washington Free Press* and the UK *Telegraph* citing concerns that the Human

Genome Project was going to be used to further a eugenics agenda and to facilitate the removal of undesired traits or races. In 2000, Robert Lederman authored an article entitled "The Human Genome Project and Eugenics," appearing in *North Coast Xpress*, and noted that the connection between the HG Project and eugenics was discussed by the Human Genome Project itself. Lederman quoted directly from the HGP website:

"Although it is easy to conceive of the Human Genome Project and genetic engineering as an entirely new epoch in scientific history, this is not our first-scale involvement with human genetics. Our current rush into the "gene age" has striking parallels to the eugenics movement of the early decades of the 20th century. Eugenicists sought an exclusively genetic explanation of human development, neglecting the important contribution of the environment. Their flawed data were the basis for social legislation to separate racial and ethnic groups restrict immigration from southern and eastern Europe, and sterilize people considered "genetically unfit." Elements of the American eugenics movement were models for the Nazis, whose radical adaptation of eugenics culminated in the Holocaust."

In a January 2000 article entitled "Genetic Bullets - Ethnically Specific Bioweapons," R. Roy Blake of the *Washington Free Press* reported that "Michael Risconsuito, the principal informant for investigative reporter Danny Casalaro (Casalaro died mysteriously a decade ago while researching the Justice Department's purported theft of an intelligence software called PROMIS), alleged to Pacifica Radio that he had also been part of a secret intelligence effort to develop genetically specific bioweapons that could potentially reduce the earth's population by a full two-thirds."

Shortly after Casalaro's death, Risconsuito began to discuss these issues openly and was then almost immediately arrested on drug charges. He is still in prison.

Other authors have reported that the differences between groups of people are much smaller than the differences between individuals. (Source: *Genetics*, May 2007) In this

manner, information culled from the HGP is more easily used to fashion a weapon against an individual than against a particular racial group.

At the Seventh Review Conference of the Biological Weapons Convention, held at the United Nations in Geneva, Switzerland in December of 2011, Secretary of State Hillary Clinton herself issued this warning: "...the emerging gene synthesis industry is making genetic material widely available. This obviously has many benefits for research, but could also potentially be used to assemble the components of a deadly organism."

In a classic example of "Attend to what I say, not what I do," a Wikileaks cable release in 2010 found Hillary Clinton advising embassies to surreptitiously gather the DNA of heads of state and diplomats from foreign countries. As reported in *In The President's Secret Service*, by Ronald Kessler, efforts to protect Barack Obama's DNA were the object of a special contingent of the Navy stewards, who were assigned to scurry around after the President, collecting and removing any traces of his unique genetic signature. The team has been reported as wiping clean glasses, picking up stray hair strands and collecting bedsheets to be sanitized or destroyed.

The database of citizen DNA has swelled to unimaginable numbers. The database includes not only the DNA culled by law enforcement agencies, now recorded at about 13 million samples in the FBI databank, but also the results of collection of newborn DNA, which has been ongoing in some states as far back as the 1970's.

Given the developments in genetic science, there are clearly two offensive capabilities for the application of this type of research. One capability would be the development of ethnic weapons. This was a focus of Project Coast, the biological and chemical weapons arm of apartheid South Africa. Headed up by Dr. Wouter Basson, Project Coast was known to be developing a "blacks only" bioweapon back in the 1980's.

Basson had ties to intelligence and laboratories in Great Britain and the U.S. According to scientists working closely

with Basson and also conditionally anonymous FBI sources, Basson was successful in his endeavor to create a weapon which would attach onto melanin (darker skinned people have more melanin than does the white race) and produce the silent killers of hypertension and diabetes. The rates of these diseases in both the black races and also darker skinned indigenous peoples have skyrocketed since Basson's tenure with Project Coast.

A comparison of the incidence of these diseases in dark skinned peoples living in the developed world with those still living in undeveloped societies supports this perception. The information provided was that this bioweapon was leaked into processed foods, and further research has verified that these diseases have spiked in the target populations living in cultures which eat processed foods. Those still living in native cultures and relying on cultivated rather than processed foods do not show the increased incidence of hypertension and diabetes.

The other offensive capability would be the development of a genetic weapon for use against an individual based on his (or her) unique genetic structure.

None of which I knew back in 2002. The siege had begun and I had only one thought—staying alive. I stripped the bed and spent an uneasy night sleeping on the bare, stained mattress. As I lay there, I recalled a dream I had had when I was still living in that cottage in Long Beach. In the dream, I was sitting on the lawn in front of my cottage, cuddling Zacky who looked up at me and, making his speaking debut as Zack the Talking Cat said, “Watch out for the bedclothes. You are going to want to wash them every day or they will hurt you.” I had almost forgotten that dream, having filed it away in the weirder category.

I checked out in the morning. I hadn't heard from Pat but did not want to spend another night in Arizona. I was also running short on money, my small disability check having been stressed by the bus fare and two nights in the hotel.

I came back to Santa Monica on the Greyhound. I had lost my bed at Samoshel, of course, and started of necessity to sleep on the streets. Scott's “spots” came in very handy.

At first, I was very frightened about sleeping outside. I tried to vary which spot I went to each night, knowing that I was being watched, but unsure how closely. At one point, I picked up some Clorox Wipes and began wiping down the area before laying down my sleeping bag. This cut down on any potential chemical that may have been placed at the spot. And after going through this ritual and closing the zipper to the sleeping bag, I would pray.

I would always begin by saying thanks for having my life spared from Dawson and his crew. I would give my thanks for another day and ask for the strength to carry me through one more. And at that, I would shut my eyes and sleep would overtake me.

Scott offered to take me panhandling. It sounded like a good

idea. I was broke and hungry.

As it turned out, he had his panhandling “spots,” too. We headed down to a liquor store on Main Street in Santa Monica. Scott sat down on the sidewalk by the corner and I plunked down beside him. I watched as he began to “spare change for some food” the passersby.

After about fifteen minutes, I started to get into the swing of it, too. So when a dark-haired man walked up to us, I hardly looked at him before chanting my new mantra: “Spare change?”

“How are you doing?” Something in his voice made me look up, sharply. There was something unusual about his voice and I looked a little closer. He was medium height, coffee-colored skin with dark hair. I realized that he could be any race in the world, or a melding of all of them. He was wearing a t-shirt that said “Boss.”

He crouched down next to Scott and me. “Don't hurt her,” he told Scott. “Do not abuse her. We don't tolerate abuse.” He then gave Scott a dollar and he gave me a dollar.

Scott could get kind of wild when he drank. I never stuck around long when he would start getting mouthy. Scott wasn't drinking, though.

Scott started, in surprise. I could see him try to hold back what might have been an angry retort. Instead, he said pleasantly, “And what's your name?”

The man smiled. He has a beautiful smile, I thought. “My name is Angeleno,” he said.

I felt myself turning. It was as though I had been crouched in a dark alley for decades and found myself drawn towards something I had never imagined existed. I turned, every cell in my body breaking out as if cocooned. I looked directly into Angeleno's eyes.

What I saw was a deepening. As I swam towards what lay behind his steady gaze, I saw the fathomless levels of concern, worry- -yes, even worry-- and as I swam past this I saw the love.

And I spoke to him, words I had never before thought, let alone spoken.

"I have trouble telling the real ones from the fallen ones," I said, as if speaking in a dream.

"I appreciate your sentiment," said Angeleno.

More words were said, concerning the danger that lay ahead, how fragile the balance of life had become on the planet. Swimming in Angeleno's eyes, in the resonance of his words, I felt the support I needed to move forward. And somehow I knew that this was Angeleno's purpose.

And then Scott said, "Let's get out of here." He grabbed my arm and pulled me up and as I was being pulled away I cried, "Where do you live?"

"Behind here," said Angeleno.

"I wish you safe passage," he said. And then he was gone.

"That guy was getting into our energy," said Scott. Stunned by the encounter, I said nothing.

At the beginning of the next month, after my check came in, I took off again. But not before visiting a "bug sweeper." I had by that time become concerned that my movements were being tracked. The bug sweeper swept my body with a Geiger counter-type device and announced that I was chipped. His device wasn't accurate enough to pick up the exact location but somewhere in my chest was a tracking device.

The chip later showed up on a chest X-ray. It was in my left lung. With the help of some parties, to whom I am forever grateful, I was able to piece together what had occurred. During my days of unconsciousness in January 2003, first in Harbor General and later in Long Beach Community Hospital, I had been injected with a chip into my bloodstream. It had gone into my heart and when I had collapsed on the train platform in Long Beach, the chip, which would likely have killed me, was dislodged. Injected into a vein, the chip traveled up through my right atrium, through the tricuspid valve and then through the right ventricle. It found a resting place in my left lung.

I went to Harbor General and requested my medical records. To my horror, they were completely falsified. The records had me brought in, quite conscious, by the police a day later than I

had actually been transported to that underground room by Officer Dawson. The records reported that I “refused” to sign admission papers--thereby accounting for the inability of this unconscious woman to sign anything-- and due to the fact that the hospital was full, I was transported to Long Beach Community. These records were not going to be any help in terms of discovering what had happened to me while unconscious.

A records request to Long Beach Community Hospital resulted in a flurry of evasive and unresponsive correspondence. First I was told by Long Beach Community that the records had been destroyed. When I requested that this be put into a letter I was initially refused. I was then told that “maybe” the records existed. When I became insistent, some records were provided which showed an unpracticed attempt at a cover up.

According to the records, I became “somnolent” when the doctor attempted to question me. Indeed, as I was unconscious at the time I likely was “somnolent” when the doctor attempted to question me. As in the case of the Harbor General records, these records reveal an effort to portray my unconsciousness as a willful act, rather than the result of an assault which rendered me comatose. The LBCH also has the doctor noting that I am “highly intelligent” and that my behavior is entirely appropriate and he sees no reason to further detain me. That must have been after I finally woke up...

So this time, I took the bus all the way across country. The first leg of the journey was North, up to Seattle then across Idaho, Montana and the Dakotas. I posted myself by a window and watched the country roll by. After a little while, I noticed that there seemed to be a palpable darkness along the route. Cloud cover, a hint of thunderstorms which never quite manifested...it seemed as if a shadow lay across America.

The bus was not an express bus and stopped at every chicken farm, it seemed, along the way. I settled in and took a good long look at America.

A few days later, the bus rolled into Iowa City, my destination. I remembered telling Jack at one point that when this all resolved for my mother, I wanted to leave California. "Where would we go?" he had asked.

"Iowa City," I had replied without hesitation. Back as a college freshman at Grinnell College in Iowa, I had fallen in love with Iowa City, hitching up there many times on weekends to wander the bookstores and the wide residential streets, with clapboard farm houses which looked like they had only recently discovered that a town had sprung up around them. I was going to make my fresh start. I still didn't understand just who was so intent on bothering me but I hoped whomever it was, I had left him or them in the dust of the West.

There is only one homeless shelter in Iowa City and I took off in the direction of Gilbert Street. The white, two-story house could have been anybody's home and appeared as just another rambling old house on an oak-shaded street. I walked up the wooden steps and opened the door to a large living room, with a cubbyhole office over to the right. A tall, bespectacled, middle-aged man named Leon, apparently in charge, asked me pleasantly to wait until the girl got back from the store.

Some shelter residents came drifting in. Nothing too different from the Santa Monica scene, I thought. More people of color than whites, girls too skinny and guys too loud. I settled in to wait.

In about twenty minutes the girl came in. She was pretty, dark-skinned and moved with the studied efficiency of a social worker in training. More echoes of Santa Monica...I wondered if she had come up through the ranks of the formerly homeless or was a University product. I thought most likely the latter.

She did an intake, the usual questions as to drug history (none), criminal history (none) and educational background. At the end, she told me there was no room available. "There might be in a day or so," she encouraged me. She pulled out a list of other resources and started ticking them off. "Well," she said, "there is another shelter over in Cedar Rapids....."

She made a phone call. "Good news," she announced. "There is a bed available. Want a lift?"

As I got into her car, I realized I had not been in a car in six months.

She took me over to the city of Cedar Rapids. The shelter, as it turned out, was primarily a dumping ground for sex offenders. As the only woman to be housed in the shelter, I checked the locks on the room (there were none) and declined to stay. I spent a day in a nearby motel and the next day the projected vacancy had manifested at Shelter House, and I was in.

The second-story room featured two bunk beds. My roomies came from diverse backgrounds: a down on her luck grandmother, a young black girl with a brand new baby, and a large, muscular woman who confessed to me she was "just out of prison."

"I murdered a bunch of folks," she let it drop.

I took a good look at her. A bunch of folks? I thought. The girl didn't look even 25. "Uh, did you cut a deal or something," I asked, trying to piece together how a girl could go in and out of prison for multiple murders at such a tender age.

She whirled around, eyes flashing. I saw a glint of real danger and she spat out, "You are harassing me. And I am

going to report you NOW.”

It didn't take too long to figure out that I was right. The girl had indeed cut a deal and had gotten to the shelter the month before, when I first took off for Arizona. She was the first hint that the trouble had followed me across country.

My work detail involved cleaning bathrooms, to which I applied all the pent-up fury that months on the streets had engendered. Not content to simply scrub the floors and john, I began to wash the accumulated grime from the walls, then moved into the kitchen to do more wall scrubbing. I saw the pretty social worker looking at me approvingly and thought that maybe I had found a place where I was going to be able to start over.

I ventured out into the community, acquainting myself with the Hillel Center at the University of Iowa and with the activists who had set up a pre-Occupy encampment in the middle of campus, “Peace Camp.” It was during a heated political discussion at Peace Camp that I met Michael Morrissey.

I had already heard tell of Morrissey. He was, in fact, a legend among some of those in the Iowa City activist community. Mick had entered the Army, where his brilliance had been quickly recognized and the Army had trained him as a geneticist. He had subsequently fallen afoul of the authorities when his research on Mad Cow disease had led him to some disturbing conclusions. After reporting to his supervisors that this was a black project involving chemicals deliberately leaked into the food supply, Mick had been told to leave the military and when he did, was summarily arrested for desertion then put into a psychiatric facility.

A bunch of us were sitting around the fire that night when someone began to belligerently attack me for my statements that the U.S. government had complicity in the attacks of September 11. The guy, bearded and loud, had shown up only a couple of days earlier and had been trying to peddle some pretty reactionary viewpoints on not very fertile ground. “Look,” I said, “there is almost no evidence that the official story holds any water whatsoever.”

“A conspiracy,” he jeered. “And you've gotta be one of those paranoids who will believe anything.”

“And you've got to be one of those people who call someone crazy if they don't agree with you. “Look,” I said, “don't you try to Mick Morrissey me!”

From the edge of the circle, a new voice sang out. “My name is Mick Morrissey.”

Mick and I took a walk around the campus and he told me what had happened to him. He explained to me that the prions in what was called “Mad Cow” disease had shown up in test after test in all kinds of processed foods, with and without beef as an ingredient. After being put into an asylum, he was plied with powerful, mind-altering anti-psychotic drugs. He confessed he no longer took them. “They just make me worse,” he told me.

“Worse?” I repeated. Mick was brilliant. “What’s wrong with you?”

“I have delusions,” he told me.

“What are your delusions, Mick?” I asked him.

“I think people want to destroy me,” he said. And then, emboldened, he said, “I see something working through people.” He couldn’t have put it more aptly, I thought grimly.

I warmed to him quickly. He had studied the symbols in Freemasonry and took me on a tour of the University of Iowa campus, showing me embedded symbolism in the buildings. “The Masons built Iowa City,” he told me. He pointed out how the old Masonic Temple lined up with the City Hall and also directed my attention to the globe affixed to the top of that building. It looked as if the globe were impaled with some sort of lance. I mentioned this to Mick and he beamed at me with appreciation.

Mick had at that point in time been homeless for over a year.

I thought maybe my luck would be changing in Iowa City. That hope was exploded quite soon. I was having some of my heart-related food reactions, for one. But that wasn’t all. There were problems in the shelter, big problems.

The new mother and I were sitting on our separate beds, looking through a recent bag of donated clothes, when she

asked, "So why are people trying to kill you?"

I took a sharp breath. Trying to sound casual, I said, "Who would that be?"

"The other roommate," she told me. The big girl, just out of the penitentiary. "So why are people trying to kill you?" she persisted. "Did you kill someone, Janet?"

I looked at her small thin face, upturned and earnest. "No," I said.

But I know someone who is killing people, I thought. And with that statement, something inside of me, jagged and discordant as it was, fell into its appointed place. And what are you going to do about it? I thought to myself.

"I knew it," she announced banging her hand on the headboard for emphasis. "You are just about the sweetest and kindest person I ever met," she announced. "You know somethin', don't you?" she persisted.

"Here," I said, offering her a skirt. "This looks like your size."

When things came to a head with the ex-con, I decided to leave the shelter. I went out to Peace Camp, which had been set up in the middle of campus as a protest against the Iraq war and I camped there for about a week. When the ex-con ex-roommate showed up and pitched her new tent right next to mine, I decided it was time to move on. I said goodbye to the new friends I had made and got on a bus East. Missouri seemed like a good place to go next.

I was retracing an earlier path. At seventeen, I had gone East to college in Iowa. After graduating from college, I had gone to grad school in Missouri, at the University campus in Columbia. St. Louis had only been a blur to me, a place to change planes for the jumper flight out to Columbia. This time, I landed in a dimension of St. Louis that I never dreamed I would ever experience—the streets.

After getting off the bus, I found my way to the homeless center pretty easily. The bleary eyed, overworked social worker at St. Patrick's Center quickly placed me in a women's shelter. I lasted about two weeks before the histrionic director blew a gasket over a mysterious visit by some suits and I was

summarily and without explanation expelled.

It was on the rough streets of St. Louis that I began to get what I was to call my “street legs.” I developed a quick and highly accurate sense of who was safe and when to make quick exit. I camped with a group for a couple of weeks in the woods by the Amtrak rails and another week on the outskirts of town with a gallant fellow whose attentions were thankfully more chivalrous than otherwise. We found abandoned warehouses, three-sided buildings, and one brilliant night under a waxing moon, we camped in a grove only yards above the rushing waters of the Mississippi river. I spent my days in the library and began to place my experiences into context. Ravenous for truth, I read up on Freemasonry, President Bush's Nazi connections, Aleister Crowley's relationship with Barbara Bush's mother and more. The thin diaphanous dream of what America appears to be began to peel away.

I hooked up with an enterprising fellow who was smitten with a young lady named Martha. Martha, who had a face worthy of angel frescoes painted by old Masters, was overwhelmingly plump and her erstwhile beau would rhapsodize, as I dropped off to sleep, about how much he loved the “fat girl.” His preoccupations were comforting to me, as I had slipped into celibacy as easily as if it had always been my first nature.

He was an adventurer. Together we scaled the fence surrounding St. Pat's and slept several nights in the safety of its gated confines. When we were discovered, staff threatened us with arrest and we merrily went in search of other spots. However, we had picked up an unwelcome third party.

Peter had actually gotten us busted for camping at St. Patrick's. He had scaled the fence after us and began to make such a racket that we were all called into the office the very next day. He had apologized to us, citing excessive drunkenness but I had noted a gleam of something besides contrition in his eyes. So when Jim and I found a camping spot near a small city park, we were a bit chagrined to find Peter had followed us there.

Peter had brought along his guitar and proceeded to howl at

the moon, accompanied by his discordant strumming. If the police had been in the vicinity it would have been another bust.

The next morning I had a little talk with him. "What are you doing, following us around?" I asked.

"This is what I do," he replied enigmatically.

"Where are you from, anyway?" I said.

Skirting the question, he replied, "My father is a lawyer."

"Why don't you go home?" I asked.

Once again, he replied obliquely: "I cannot go back to where I came from."

"And where is that?" I persisted.

Peter suddenly switched tracks. "Look in my eyes," he commanded. "What do you see?"

"A drunk?" I volunteered.

"My name is Gabriel," he asserted. "I am the angel of St. Louis. I wish you safe passage!"

I was completely taken aback. Gabriel? Was he harking back to Angeleno? Who was this guy?

Then he switched tacks again. Leaning towards me, he confided, "I worry about you, Janet. If I don't see you for a day I think that...you know...something has happened to you...you are so at risk."

I was trying to think of a comeback when he slipped away.

I peeled off from my adventurous friend and started to camp with a fellow named Joseph. Joseph was homeless but had a job working construction. Nights, we would camp in the apartment building he was refurbishing.

Things were fine at the beginning. I helped him with some fence painting and I had a safe, inside place to sleep. One night, he came back late with a gun and everything changed.

Joseph had also brought with him a bottle of whiskey. He took a big chug out of the bottle and banged it down on our makeshift table, a banana crate. "You, girl," he said, his eyes glinting through the whiskey haze, "You just bring trouble with you!" He pulled a revolver out of his jacket and pointed it at me. With his other hand he picked up the bottle, taking a long, hard drink.

“You know what I gotta do, girl,” he said. He wiped his sleeve against his mouth and then took another deep swallow. “Lay down and close your eyes,” he demanded.

He doesn't quite have the nerve to do it, I thought. Keep him talking.

“Ever shot anyone before, Joseph?” I asked. He began to launch into stories about Vietnam. He was talking and drinking and soon he simply passed out. I sat on him and took the gun from his now limp hand. I stuck it in the toilet and got the hell out of there.

I left St. Louis soon after this. Short on cash, I got a lift out to a truck stop just out of town and caught a ride with a guy driving a semi.

The trucker was an aspiring Country Western star, it turned out. When he pulled over for the night he took his guitar from his bunk and proceeded to serenade me. He was also quite the gentleman and gave me my choice of top or bottom bunk, alone. In the morning, he bought me an omelet at the truck stop. I dashed into the facilities and took a quick shower and then we were off on the road again.

But he wasn't going further than Denver so when we hit that city he made some CB announcements and lined me up with another trucker. Lucky for me, I landed in the company of another guy just looking for a little conversation during the long ride ahead. He was going all the way to California, he said.

He bought me lunch and dinner and told me about the girl waiting for him back in Omaha.

“I'm gonna marry her,” he said happily. The conversation drifted to politics and I began to talk somewhat freely. He was interested in my perspective and had quite a bit to say on the subject of eugenics.

“I think they are going to contaminate all the poor people's food,” he announced. “You know, the government cheese they give out at the food banks? Easy way to kill off all the welfare recipients.” By the time we rolled into Reno we were talking up a tsunami. He said that he had a drop to make. “It's a

military base,” he told me. “Up in the desert. If you ride with me you won't be able to get into the base.”

I was interested. “Yeah, can I come with you?” I asked. “Sure,” he said. “You'll just have to wait while I do the drop.”

The base at Herlong had an outdoor reception area, if you could call it that. More like a parking lot patrolled by military police. I jumped down off the truck and after doing his security check-in, he rolled on through the gates.

It was early July and it was hot. I was thirsty but couldn't find a drinking fountain or even a faucet. There were a couple of other truckers getting ready to take off and one of them gave me a bottle of water. It was icy cold and I gulped it down gratefully.

It took my trucker a couple of hours. When he got back he had a worried look on his face. “Got to drop you off now,” he announced.

“Here?” I said incredulously. “We are in the middle of nowhere.”

“You are trouble,” he announced.

“Trouble?” I echoed.

“Girl,” he said, sadly. “Why didn't you tell me?”

“Tell you what?” I said.

“Girl,” he said, “I gotta get rid of you. I'll drop you off at the first exit if you like but I can't be taking you further.”

He dropped me off at the first turnoff in Carson City. Leaning over, he planted a kiss on the top of my head. “Sorry, kiddo,” he said. “A guy's got to take care of himself. Good luck.”

He had let me off at the outskirts of town. Not knowing what else to do, I stuck out my thumb.

I was near enough to California and I figured I could get back okay. It ended up to be a little more difficult than I had thought. One ride took me up into the hills and when I refused to put out, he dumped me out in the middle of nowhere. It took about three hours to get back into a populated area. I again stuck out my thumb and up rolled a cop car.

The tall, pale officer had a shaved head. I noticed some tattoos poking out of his long-sleeved shirt. “I am going to give you a warning,” he said. “No hitch-hiking here. Next time, we

will take you to jail.”

I walked a bit farther down the road, lined with small clapboard houses with kids' toys in the front yards. A small breeze lifted and transported the aroma from a barbeque. I felt so free.

A few blocks down was a large supermarket. A group of Mexicans were in the parking lot, loading bags into the back of a truck. They looked puzzled but were happy to give me a lift in the back of their pickup. It took a couple of days but I finally got back into Santa Monica the second week in July.

By that time, I had a plan. I was going to leave the country.

I waited for my next Social Security check then went South, through the checkpoint at Tijuana and then on by bus through Northern Mexico. The Federales were boarding the bus every few hours, checking identification. With some difficulty, I had secured a passport in Los Angeles before leaving and the federal police did not seem to find it or my tourist visa satisfactory. On several occasions during the bus boardings, I was extensively interrogated, while the other bus passengers looked on with polite curiosity.

“Donde vas?” (Where are you going?) demanded one officer during one of the bus boardings. “A la Este,” (Out East) I replied vaguely.

“Donde?” he persisted. “No es importante,” I replied.

He flew into a thinly concealed rage. “Digame donde o necessitas ir conmigo” (Tell me where or you've got to go with me). I named a city on the Gulf Coast and he appeared satisfied. I, however, was beginning to be concerned that problems were following me out of the country.

The concerns were magnified when I finally got off the bus in a small town in Sonora. I wandered into the central market and looked at some woven bags. I needed a purse. I negotiated a price and started to walk away when a voice hissed in my ear: “Recibo! Peligro!” (Receipt-Danger).

I turned to see a half grown boy, brown-skinned and barefoot. He nodded back at the vendor, hissed again, “Recibo!” and darted off. I turned around and walked the few feet back to the stand. I felt foolish and also a bit alarmed. “Uh, recibo?” I inquired.

He laughed. “OK, si necessitas aqui es tu recibo.” He tore off a page from his receipt book. “Cuidate!” (Be careful) he cried as I walked away.

I was stunned. Mexico? I had figured that leaving the

country would solve the entrapment problem. I checked into a cheap hotel to try to clear my head. The man at the desk was friendly and I sensed no problem. The room was clean and the bed was soft. I sat down and tried to think. After a bit I decided the receipt stuff meant nothing. Just a fluke, I thought.

I slept soundly and the next morning went out to check out the town. It was a warm day and I walked through Centro out to the outskirts. On returning to my hotel, I found the contents of my bag had been emptied out and strewn around the room. I was grateful I had not left the passport, tourist visa or money in the purse. Nothing seemed to be missing.

Fluke, I told myself. Nevertheless, the next morning I checked out and went to another hotel. At that point, I decided to just hang out a bit in the town and check out the ripple waves, if any, around me.

I walked into the foyer of a pleasant, two-story hotel and asked if there were a room. "Ah Yanet!" cried the concierge. "Bienvenidos, Yanet!" (Welcome, Janet)

Holy crap, I thought.

"Voy a preparar su cuarto," the excitable clerk cried (I will go prepare your room). He disappeared and returned in about five minutes and pressed the key into my hand. "Bienvenidos, Yanet, muchas gracias!"

Entering the room, I sank down on the bed. Within a few minutes I realized that the bed had been laced with chemicals. My eyes started to burn and my heart began what was now a familiar reactive syncopation. I stripped the bed down to the dirty mattress and pulled my sleeping bag out of my pack and laid it down. I showered thoroughly and hand washed my clothes and then threw myself down on the sleeping bag.

The next day I got back on the bus to the United States. The very next month, as soon as the Social Security check came in, I went South again, this time down to Guatemala, grimly determined. I figured that if Mexico was not going to work for me, then someplace would. I could get a job teaching English, I reasoned. I had yet to figure out the reach of those who meant me harm.

It didn't take very long for me to realize that my U.S.

problem (I had by that time been referring to it as my “asshole problem”) was extant not only in Mexico but also in Guatemala. After about a week in first Guatemala City, then a tiny mountain village, I threw in my hand and headed back up North. There didn't seem any way to lose my tail.

The villagers had been initially curious but friendly. Within twenty four hours, everything changed. They surrounded me, yelling a volley of questions.

“Donde esta su pistola?” one of them shouted. “No tengo pistola!” (I have no gun!) I replied.

“Tu eres un asesino!” (You are a murderer) cried another.

“Asesino?” I echoed, shocked.

“Tu matas bebés y las viejitas!” (You kill babies and old people!) cried another. I just stared at them, helplessly. It was better, I realized, to leave.

Crossing over the border into Mexico from Guatemala, I fell afoul of some banditos and was robbed. Travel back to the States became a financial dilemma. I decided to go to the Mexican authorities and request deportation. I made the police report in Tapachula and on their recommendation went to an agency for help getting home.

What I got instead was a ticket to hell. The agency transported me to a deportation camp in Mexico City. After a most bewildering week of being transported back and forth to the U.S. Embassy, whose employees refused to do a thing about getting me back to the states, I was promised by the deportation center that I was being taken to the airport for my trip back to my country.

Thank goodness, I thought. I spoke with one of the deportation center guards. “It's the law,” I told her. “The law says as a crime victim I am to be sent, at no expense to me, back to my country.”

She looked amused. “No hay leyes,” she said.

There are no laws.

I was not taken to the airport. Instead, I was taken by van to a psychiatric hospital

I had a strong premonition as to what was in store for me there. I refused to leave the van and had to be dragged out by the driver, a tattooed, uniformed man, who dumped me into the arms of waiting white-coated attendants who then delivered me into the hands of a doctor, a youngish woman who spoke English.

“Do you know why you are here?” she demanded sternly of me. It happened that I had with me a copy of Webster Tarpley's unauthorized biography of George Bush and thumbed to the pages about how the Bushes backed Hitler. There were some paragraphs about the use of mental hospitals to kill patients.

“Yeah, I think so,” I said and opened the book to the chapter and plunked it down on her desk. She looked at it briefly, blanched and then shut the book.

“I am not going to read this,” she announced. “You are obviously insane. I am admitting you.”

With that, I was taken into an emergency room and told to strip. Knowing that my passport was critical for what I was already visualizing as my escape, I quickly stuffed it into my underwear. I put on the hospital clothes I was given, blue pajama-like shirt and trousers. An attendant then strapped me into restraints. Without further ado, I was injected.

It took less than five minutes for the chemicals to hit. Potassium chloride, calcium gluconate, I will never know exactly what I was injected with. My heart first started to accelerate and then shot out of control. I started to go into cardiac arrest. As my heart started to fail, I began to scream.

“Untie me!” I cried. “If you are going to kill me at least untie me. I am not going to die like an animal!”

My breath started to go and while I was writhing and gasping, someone came and untied me. He was too young to be

a killer, I remember thinking. He looked at me, frowning, checking my chest with his stethoscope, as if he couldn't figure out why I still had a pulse.

After a few minutes of chaotic heart palpitations, I began to recover. I was then stuffed into a wheelchair and before I could object, stuck with another hypo. I'm never going to get out of here alive, I thought as I was wheeled into an elevator and taken upstairs.

The ward was divided into several large rooms, sectioned off but without doors. There were thirty-six beds in all and I was given sheets and blankets and told to make up my cot. When I had finished, I was told to shower. I carefully obscured the location of my passport as I was undressing to bathe. When I finished showering, I surreptitiously put it back in its hiding place, stuck up inside my panties and pressed against my belly.

After showering I was told that dinner would be served shortly. Dinner was a thin soup and a fruit plate. A big bucket of thick, warm atole was ladled out by one of the patients and I came back for seconds, then thirds. So far, so good, I thought.

It was shortly after dinner that the nurse bellowed, "Medicamento!" Uh oh, I thought. This is where it is going to get bad.

I was herded into line by a quarterback-sized nurse and when I came up to the medication window, she brandished a hypo. I began to back off and was grabbed from behind by another large attendant, who pinned my arms to my side as the football nurse plunged the needle into my thigh. In a few minutes my heart started to seize up again and I lurched onto my bed and began to pray. As I prayed, a vision of Angeleno came to me. I held his gaze, our eyes locked together by a ray of blue light, and I felt my terror start to lift. One step at a time, I thought, or did I seem to hear him whisper? "Take it one step at a time and you can get through this."

After another two days of injections and near-death experiences, I was emboldened. When the big nurse glided up again with the needle, I adopted a judo stance and informed her I was well trained in self-defense. I told her I would kill her if she ever came close to me again.

The injections then ceased. Other forms of torture took their place.

In the morning, we all showered again and went to breakfast. After breakfast came the cry, “Medicamento!” I went into the bathroom and shut myself in the stall. It didn't work. Shortly, an attendant came and ushered me out.

This time, there wasn't any hypo. Instead, there was a cup with three pills in it. Okay, I thought, this will be easier. I made a show of taking the pills, cheeking them instead. The ruse worked. Into the bathroom I went again and spit them out. And then I threw up.

Three times a day, the nurse would bellow “Medicamento!” and we would all line up for our pharmaceutical cocktail. I would cheek the pills and then head to the john. My suspicion that the pills weren't even real therapeutics was confirmed right away, as even the small amount that would seep into my system after holding the pills in my mouth for a couple of minutes would induce intense vomiting.

Once a day, we were allowed to go downstairs, under supervision, and spend an hour outdoors in the courtyard. Other than that, I was completely at loose ends. The books in my pack had been taken from me when I entered the hospital. My repeated requests for them were refused. Also refused was my request for a second pair of underwear, packed away in my backpack. Every morning, I washed the one pair I had and put them on wet.

There were a few magazines lying around the ward, mostly movie star gossip rags in Spanish. I read through those very quickly. Without other resources to occupy myself, I busied myself writing. The evening staff was quite a bit nicer than the day staff, I soon learned, and one of the attendants started bringing in music CDs. I asked her if she had any classical and the next day she showed up with a CD of Mozart concertos. Night after night, I would sit on the floor in front of the nurse's station and allow myself to be transported into the sweetest and deepest realm of bliss which Mozart had always taken me.

I also began to pull a chair over to the East window every evening to watch the sunsets. How varied they were! Some

evenings, it was as if the entire sky unfurled the most exquisite curtain of color, ranging in hue and subtlety of gradation. Every night, I was at my station. It became almost an act of worship.

One morning, after about a week in confinement, a radio was suddenly turned on. Music --American music and Beatles, at that!-- floated into that desolate prison. My heart lifted. And I began to dance.

There was a man who worked on the ward, a young doctor who had been sneaking me food. In a couple of weeks I had already begun to feel my bones sticking out of my torso, as a lot of the food was making me heartsick and I was of necessity avoiding the problem food. The young doctor had come by several times, with his pockets stuffed with treats. Casually, he had dropped them on the table beside me and sauntered off.

I was dancing when the young doctor walked by. I grabbed his hand and he swung me around. We began to boogie, two-step, we did the monkey and the shimmy and shake. I was laughing and twirling and singing with the Beatles... "You're gonna lose that girl, oh yeah, you're gonna lose that girl..." and the young doctor was dancing with me and singing and smiling his sweet, helpless killer's grin. I had wondered when they had clued him in that his job would not be only to save lives, but also to end them. At that moment, it hardly mattered. We were dancing together, we were dancing like lovers, like wonderful friends, like a couple would dance on their first honeymoon. And I was happy.

After that, they never allowed music to play again.

After about two weeks, a man who identified himself as Vice Consul Hannaberry (or Hanabury? The U.S. State Department has declined to confirm the nature of his employment or even provide the correct spelling of his name) of the U.S. Embassy in Mexico City came to visit me.

"We can't find your passport," he told me. "Turn over your passport."

I informed him that if I did so there would be no record of my legal entry into Mexico, and I could face charges.

"Turn over your passport," he repeated, "or you'll be here til

hell freezes over.” When I refused again, he suggested he simply “take my passport downstairs,” where he could photocopy it. I pointed to an adjacent room, which contained a Xerox machine, and suggested he copy it here, in my presence. He declined, apparently more interested in getting my passport away from me than in photocopying it.

“I want it now or you're never getting out of here,” he told me, gently. I noted he had that same soft manner as David Moreno.

“Fuck you,” I said, and walked back into lock-down.

The next day, the bird flew in. I was in my cell on the fifth floor of the facility on the outskirts of Mexico City, gazing at the pastel stucco buildings when the bird flew in.

Actually, the bird flew down. The windows were recessed and covered with chicken wire, but the top of the window was uncovered, and the pigeon had flown straight down. It sat there a few minutes, assessing the situation, then began to fly into the mesh. For hours it plummeted against its confines.

There wasn't any food in its trap. There wasn't any water. And the bird had definitely separated itself from the social network of the flock.

I watched the bird. It was a non-descript grey pigeon, with a few streaks of shiny lavender on its wings. As I watched, the pigeon began to fight for its life.

For hours it heaved itself against the wire, its wings beating convulsively. And then it grew still. The enormity of its situation may have sunk in. It appeared stunned, helpless, immobilized. It sat motionless the rest of the day, its black eyes occasionally blinking, and the pulse beat in its breast visibly quickened.

After dinner, I pushed a capful of water and a few scraps of tortilla between the window sill and the bird's accidental home.

And I began to pray. "Fly up," I invoked silently. "You can get out if you fly up. You can get yourself free, but you have to do it alone. You have to figure it out alone."

The next morning, I took up vigil in front of the window. It was seven a.m., and already the bird was crashing against the wire, against its impermeable membrane. Several birds flew by in formation. And after hours of hurtling against its cage, the pigeon again grew still. Shock. Dread. Despair. Numbness in the face of certain death.

That night after lights out, I slipped into the block

bathroom. I climbed up on the row of sinks, and removed the panel covering the fluorescent lights. With a purloined lighter, I tried to set the electrical wires on fire.

I was unsuccessful.

There were footsteps outside the bathroom. I scrambled down and dashed into a stall. Minutes later, when the footsteps receded, I climbed up again and flicked the disposable lighter in a fruitless attempt to start a conflagration.

If there is a fire, I thought, there might be a panic. A stampede. Maybe I can slip out in the confusion.

Fly up, the voice told me. You can get out if you fly up.

The next morning, I again took up my post by the pigeon. It had eaten the strips of tortilla, and the bottle caps of water were empty. I pushed another cap of water through the crack in the window and crumbled up some bread.

And I began to talk to the bird as if it were my last chance for speech.

Fly up. You can get out if you fly up.

Beneath a mottled and broken bark
a fine line of sap forks up
from a savaged heart

Dark pools of pain
circle her center
a history of jasmine
tangles her hair
And she stares up
from the bottom of the world
What she has seen she cannot say

I would speak for her if I could.
But the same knot
that stopped her breath
now encircles my throat
the same dark hand
seizes my song

And only one word remains
again and again

remember
remember

The ward got busy in preparations for the Day of the Dead celebration. Streamers were put up in all the rooms and little paper skeletons and brujas swung from the ceiling. A big party was taking place down in the courtyard and we were all taken downstairs for the festivities.

A woman from the ward had befriended me. Lydia was in

the hospital after a car accident and concussion had robbed her of her memory. She had recovered and was on the verge of being discharged. Her husband had come to the party and the three of us sat together on the lawn and hatched a plan for my release.

“Tu no eres enferma,” (You are not sick) she had concluded and she wanted to know how she could help me. Carefully, I told her I didn't think I was going to get out. I told her there were political reasons but didn't elaborate. Instead, I told her I thought it might help if she were to contact some people I knew in the states. Maybe they could do something, I told her.

We were sitting together on the grass, in a small huddle. Her husband looked nervous. I didn't want to do anything to increase his discomfort.

I gave her two phone numbers. “Kathy and Pat. I am sure they can do something,” I said, trying to sound confident.

Actually, I wasn't so sure at all. But it was the best chance I had, I reasoned.

Lydia was discharged the next day. I waited. Days passed. A few days but it felt like weeks. The decorations were taken down and I resumed my cheeking and spitting at every medication call. I was throwing up three times a day, after every time I expelled the pills into the toilet. I had lost weight and my stomach hurt all the time. I didn't know how much longer I could keep it up.

There was a new medication nurse on the ward. And now, there were over ten pills in my cup. I tried gamely to cheek them but she wasn't accepting my charade.

“Abierto! Abierto!” (Open up!) she demanded.

I opened my mouth and spit the pills out on the floor. Red-faced and furious, I turned on my heel and marched away.

“Ven aqui!” she commanded but I kept on walking away.

I sat down on my bed and waited for the axe to fall. After lunch, the “Medicamento” cry went out again and I ignored it.

One of the doctors came striding onto the ward and beckoned me. Reluctantly, I got up and went over to her. She told me I was going back to the states. Immediately, she told me. I had to change into my street clothes and she wondered where they were.

I told her that my pack had a change of clothes and she went off the ward to look for it.

I sunk down on the bed, stunned. Back to the U.S.? They were going to release me? When the doctor returned with my pack I went to the bathroom to change my clothes, wondering if I were going to a situation that was even worse.

I repacked my backpack, noting that the little bit of money that hadn't been stolen at the border was still there; about twelve dollars. I took off the hospital slippers and put on my tennis shoes. Out of the corner of my eye, I saw the Big Doctor come marching onto the ward. He was the ward chief and was, to my thinking, a Latin version of Ewen Cameron. Cold, imposing and with an air of brutal self-assurance, he had the concern and empathy of Antarctica.

The ward chief had two male attendants following him. He stopped briefly at the nurses station then strode towards me, purposefully. One of the attendants overtook him and reached me first. He grabbed my arms and pinned them to my sides

while the other attendant grabbed my ankles. I wasn't going to leave after all, it appeared.

Then I saw the hypo, poised in the Big Doctor's right hand. He bent down over me, his face monstrously cruel and distorted by its proximity and I cried out, "Por que quiere matarme?" (Why do you want to kill me?).

"Porque tu eres enferma!" (Because you are sick!) he bellowed and plunged the hypo into my hip. The two goons released me and with a smirk of satisfaction, the Big Doctor murmured one word and strode away, the goons in his tow.

The word was "Cancer."

And then the lady doctor was at my side, helping me up and ushering me to the door, while all my hospital girlfriends were rushing towards me, wishing me "Felicidades!" and I was whisked downstairs to a waiting van.

The van made a brief stop at the deportation center. We picked up two other Americans and three Mexican guards, one of whom was carrying several baggies which turned out to hold sandwiches, water and fruit. Then we all piled into the van and began the long haul up to Brownsville, Texas.

It took about twelve hours and the three of us were summarily dumped off on the Matamoros side of the border. I was given a document to sign by the Mexican border officials. Scanning it, I saw that it said (in Spanish) that I had no passport and also that I had agreed not to reenter Mexico for a year. I declined to sign it, instead pulling out my passport from my undies to be stamped. Across the border I strode back into the belly of the Beast.

They are tearing up the streets
where we once lived
You walk across the broken asphalt
over the exposed conduits
of power/water/fiber optics
through a rent in time

You are as strapping as a Viking
your blue eyes unclouded
your typewriter unsheathed

You pick me up
and twirl me like a baton
above your head
I squeal with delight
and then I remember
you are long dead
long buried
almost, actually, irrelevant

They are tearing up the streets
where I played chalkboard hopscotch
they are tearing up the house
where you taught me to be fearless
they are tearing up the city
where I once roamed wild
they are tearing up the country
where we took refuge
they are tearing up the planet
which once was the garden

the cracks deepen to fissures

the temblors shake the temple

they are tearing up
they are tearing up
they are tearing up

One of the girls who was also transported in the van offered to get us a hotel room. I had almost no money. The next morning, I got busy. I went to the Social Security office and declared non-receipt of the last two months of checks. Emergency, I insisted and the checks were issued to me on the spot.

I cashed the checks and then checked into cheap accommodations. In the hostel, I met a fellow adventurer (with a car!) and we took off for Iowa City. I had a burning need to talk with Mick Morrissey.

We drove through Texas, Oklahoma, Nebraska. We stopped when it seemed like the landscape merited it and cooked over a Coleman stove in fields, forests and along side the road. I was happy, but I was also very sick. The experience in detention had torn up my stomach and I was throwing up nearly everything I tried to eat. I finally settled on a diet of ice cream and milkshakes.

When we arrived in Iowa City, I looked everywhere for Mick Morrissey. I couldn't find him and my partner on the trip was eager to get to California, where he had work waiting, he said. It was the middle of November and it was beginning to get cold, so we turned around and headed West.

We camped and slept in the car and when we pulled into Flagstaff, it was getting too cold to do either. I checked into the women's shelter for the night and without telling me he drove off, with my meager belongings, tent and Coleman stove, to find his fortune in California.

But I was getting used to rolling with the changes, and met a girl in the shelter (with a car!) who agreed to drive with me to California. We spent one night in a motel and pulled in somewhere East of San Bernardino County mid-morning. She had some kind of habit, it seemed, and was getting irritable

and demanding of more and more money, so I took my pack and wished her well. She screamed threats at me as I walked away, but I was almost back on my turf and my heart was thrilling with joy.

While in detention, a psychiatrist had been assigned to “treat” me. We spoke several times a week and he seemed truly puzzled at my vitals. Naturally, I never told him that all those pills were not going into my belly.

At one point, I told him I needed to get back to my country as soon as possible. I told him I needed to get to work. I remember him leaning towards me, intensely interested. “Que tipo de trabajo?” (What kind of work?) he asked.

“I am a reporter,” I told him.

“Are you going to write about me?” he asked.

“Are you worth writing about?” I countered.

He leaned back, studying me. He was a handsome young man, I thought. I wondered what sorts of training he had received in order to be assigned someone like me. And then he delivered a zinger: “We want to know, Miss Phelan, what is your relationship with God?”

I drew a deep breath. The question answered more than it asked. “Session over,” I said and stood up and left the room.

And when I returned to Santa Monica, it was with a sense of purpose. It was clear to me that there was no sense in running away. There was, it appeared, no where to run to.

Things had changed when I returned to the streets. For one thing, the cardiac-involved food problems had disappeared. It was a good thing, because my inability to keep food down had persisted. I bought some over-the-counter Prilosec at the local pharmacy and kept up my diet of juice and milkshakes. After a couple of months, the pain in my belly subsided and I was able to start eating normally again. My weight had plunged to under 100 lbs during my Mexican adventure and I began to put on some weight.

The chemical attacks had also ceased. Wonder of wonders, I began to feel...safe, if that word could remotely describe the life of a woman on the streets. Shortly, I was offered an opportunity to write a weekly column for the *Santa Monica*

Daily Press. A community meeting was taking place on the issue of homelessness and I had stopped in to listen. When public comment was announced, I got up and said a few things.

After the meeting broke up, *Daily Press* editor Carolyn Sackariason approached me and, without any preliminaries, asked me if I were interested in writing for the paper. I began in January.

Out of nowhere, Melodie Scott said I could see Mom.

I felt as if I had been punched and kissed at the very same time. I had assumed my mother was dead. Could I trust that my mother was alive? Could I trust anything Melodie said? Was it a trap? Was it possible I was going to see Amalie again? I was elated, confused and terribly excited.

Melodie had given me a number of a private home in Loma Linda, Emjays, where she said my mother was living. I called. A woman with a Filipina accent told me to hold on for a minute while she went to get my mother.

“Hello?” said the quavering but very familiar voice. My mother was alive.

I took the train from Los Angeles Union Station to San Bernardino then took two buses to get to Loma Linda. I brought with me a friend from the streets, as I still wasn't sure that Melodie hadn't laid some sort of snare. Tommy had been a peacekeeper for the Crips and the Bloods and was one of the few homeless people with whom I felt comfortable. An inveterate Romeo, he respected my lack of interest in anything attached to romance and we had become good, platonic friends.

It was a bit of a trek from the bus stop up to Emjays. The house looked like a regular tract-type house on a nondescript street. I buzzed the bell and a small, severe looking Filipino woman opened the door a crack. Behind her, I could see Amalie seated on the couch, gazing expectantly at the door. As soon as she saw me, she let out a shriek. “Jannie!” she cried.

I pushed the door open and rushed past the Filipina. When we stopped hugging, both our faces were wet. Tommy stood at the threshold, his round black face smiling happily.

I sat beside her and we talked for two hours. I noted with a jab of both pleasure and ineffable sadness that she was wearing the small gold starfish I had given her at our very last meeting. Her hair had grown longer than I had ever seen it, I

noted disapprovingly. She liked to keep it short. I then realized that she had not seen me with my hair as long as mine had grown since I had been a student at Berkeley.

I reached up to stroke her hair. "It is so soft," I murmured.

All too soon it was time to go. Always sensitive, Tommy had either fallen asleep in the armchair or was pretending. The Filipina had hovered in the doorway for the entire visit, so if Tommy were trying to give us some privacy it hadn't actually worked out that way.

I promised to return in a few days and Tommy and I left.

I made that trip to Loma Linda many times over the next couple of months. Once, I brought with me Maureen Ferri, a former companion of Mom's who was given the boot as soon as Melodie took over. On one visit, I brought recent issues of the Santa Monica Daily Press. Mom read my articles very carefully and on a couple of occasions made some suggestions as to possible editing changes. She was, I realized with a jolt, reading my work with the same editor's eye as she had for so many decades done for my father. That same sweet sadness swept over me again.

Only once did she mention my obvious homelessness. "This is not good for you," she said. "I am going to call Melodie and tell her to get you an apartment."

I laughed. "Good luck!" I replied cheerfully.

But it was difficult to speak intimately. The Filipina or her mother were always present. After thinking it over, I felt it was time that Mom understood a bit more about what had happened, both to her and to me. So I hatched a plan, a small deception. The next time I came with the Santa Monica Daily Press, there was a note stuck inside the same page that held my article. The note explained more than I would ever have spoken out loud in front of our Filipina guard.

The very first words on the note were: "Please do not react visibly when you read this. It is important that you know what happened."

I went on, as succinctly as possible, to tell her what had taken place—the police assault, that Melodie was involved and that both of us were ensnared in this net.

I watched her closely as she read the note. At one point, she made a sharp intake of breath, but quickly stifled any further obvious response. When she was done reading, she looked up at me, her eyes darkened. "Be careful," she said. I nodded. She looked down and folded the note and pressed it back into my hand.

In the meantime, I had received a notice from Social Security to come into the West Los Angeles office and discuss some things. I had reported a small overpayment but Social Security apparently had other concerns.

A tall, handsome black woman escorted me into her private office at the SS building on Olympic Boulevard. Pulling out a form sheet, she started to pleasantly ask me questions. Did I own property? Stocks and bonds? How about a boat? I sat across from her with my backpack, my sleeping bag secured to the top by a bungee chord, feeling as if the situation approached the Kafkaesque, answering, "No, No, No, I do not."

"And how about a trust fund?" she asked, looking up at me over tortoise shell glasses.

Watch out! a small voice inside of me screamed.

My mind began to speed over my cellular brain files. It felt like my brain was lighting up like a pinball machine. "Well, yes," I said slowly. "I do have a trust fund. It's a special needs trust," I explained. "It's all legal."

"Our attorneys will determine that," she said sharply.

Bingo, I thought. And if they should determine otherwise, I'm going to be in boiling oil.

"And who is the trustee," inquired the woman, sweetly.

The voice inside was now shrieking: Don't say another word!!

I started to fumble in my pocket, trying to stall. "I uh have her name right here," I said. "Just give me a minute..." I fumbled around, thinking furiously, then looked up at her, sheepishly.

"Gee," I said, "I can't find it. Can I get back to you on that?"

"By Friday at the latest," the woman said, snapping shut her notebook. The interview was over.

"About that overpayment," I said. "I got a replacement check

when I was in Brownsville and I got twenty dollars too much.” I pulled out my notes and showed her the calculations. She didn't seem too interested. “I've got another appointment,” she said. “Just get me the name of the trustee by the end of the week.”

The next day, I called some lawyers. Each one tried to assure me that the SS administration wouldn't cause me any trouble here. Yes, anyone getting SSDI could have a trust, no problem there. Well, since I was also getting SSI monies, technically there could be a challenge to the legality of the trust and yes, technically speaking, if they declared the trust to be somehow not up to muster, I could face charges.

How many years? Five years in the federal pen for each time I got a check from the Trust, but hey look honey, they never have done this yet, so don't worry.

I put the phone back on the cradle, rocking back in the chair in the little phone room at OPCC. Life, I thought. I could get life in the federal pen.

I suddenly remembered how worried Dad had been after he had been diagnosed with cancer. He wanted to be sure we would be taken care of without any problems, and he had sought legal counsel. The lawyer had advised him that his original will was not sufficient and had prepared a special needs trust for Judith and me, so as to better protect us.

I took a couple of days to do a bit more research. Special needs trusts, I learned, were in a legal grey area in the State of California, although there were hundreds of them supervised by the California courts. Technically, such a trust, which was intended to protect the recipient's public benefits while allowing her to receive extra monies from a Trust, could be declared illegal and the unwitting recipient could face charges of federal fraud. I sat down and wrote a letter to Social Security, resigning the SSI benefits. The same day I went to Labor Ready and signed up for temp work.

Resigning the supplemental benefits left me about \$350 a month income. Living on the street, that hardly covered food and public transportation. I was eating at the homeless depots and began to search for other possibilities for free food.

And so I discovered AA. I have never had much of an interest in alcohol and am as near to a tee totaler as one can be without being a recovered drunk. But the early morning meetings had donuts and coffee and I soon discovered a potluck luncheon meeting in nearby tony, upscale Brentwood. Twice a week, the Brentwood matrons, most of them wealthy and some of them actually famous, would convene for an hour or so of sharing stories and some of the most scrumptious food that this homeless woman had tasted in quite awhile. Noting my poverty, the women kindly gave me the leftovers from the meeting, as well. I kept the ethic of "what is said here stays here" and I remain to this day enormously indebted to these women's culinary offerings. That meeting very likely kept me alive.

I also began to visit art openings. I have always appreciated art and the local openings usually featured finger food, little sandwiches, sometimes even sushi. I had a burning embarrassment attached to showing up with the pack and sleeping bag but tried to push those feelings down. A girl's gotta do what a girl's gotta do and eating had assumed a very high priority.

My columnist position at *SMDP* wasn't a cash-paying job, although there were perks, like restaurant coupons. I got some jobs through Labor Ready, mostly construction cleanup. At the end of a physically demanding day's work, I would end up with a pay-out of about \$45.00. It wasn't enough for a hotel room but by that time I had become accustomed to sleeping out. Scott's spots had included a hidden upstairs landing at an Ocean Park church and a couple of catwalks at office buildings, all within walking distance of each other.

I had to be at the bus stop by 5 a.m. in order to make the first call at Labor Ready. Many days I sat in their lobby all morning, shooting the breeze with other hopefuls, only to find there was no work for that day. Other times, I would land a day or even several days of work.

I continued to visit Amalie in Loma Linda a couple of times a week. Shortly after I resigned my supplemental benefits, I began to receive a barrage of letters from Social Security,

demanding that I turn over the information requested. I replied only once, stating again that I had resigned the relevant benefits and therefore the information they requested did not have any bearing on my benefit status.

Within a month of my resigning the benefits, the siege began again. And if I had experienced shock and awe with the first go-round of chemical assaults, the offensive of the spring of '04 was utterly breathtaking.

Every possible application of chemical weapons was deployed. The genomic tweaked food weapon reappeared, but this time it was not affecting my heart. A different formulation had been cooked up and now my lungs were under attack. Shortly, the toxin was aerosolized and was deployed at night, as I slept. Night after night I would awake, gasping for breath only to be jarred awake again a few hours later as a reapplication awoke me. No longer was I able to get a change of clothes at the clothes closet at OPCC. The only clothes offered me were laced with cardiac chemicals. My requests for a different t-shirt or jeans met with angry scowls and refusal.

My sleeping spots were also hit. Nights, I would arrive at one of my office building catwalks or church doorways and lay down the sleeping bag. Within about ten minutes, the chemicals applied to the ground area, which seemed to be heat seeking, would hit. Not knowing where else to go or what else to do, I would squeeze my eyes shut and pray. Eventually, that night's dose of chemicals would finish absorbing and my reaction would begin to moderate and I would finally fall into a short but deep sleep.

I was, I realized, in hell.

Very shortly, the street culture in which I had been living also changed. I was attacked on a couple of occasions and my closer friends clued me in. Suits had come around offering money if I were to end up dead.

I sat with a friend in the courtyard at Samoshel. He shook his head at my questions and beckoned me outside the facility. Once outside the walls, he began to whisper, furiously detailing

the circumstances now surrounding me. "Ten thousand dollars," he spat out. "They are offering people ten thousand dollars to kill you."

"What do the badges say?" I asked. "Are these local police or what?"

"NSA," he whispered. "I've gotta go," he said. "I'm taking a big chance here. They'll kill me if I help you."

Thanks to him and a couple of others, I got regular updates when the price on my head went up. By the time I got off the streets in 2006, the bounty was up to \$50,000.

There were a few cases of collateral damage.

Sue had become homeless when her longtime boyfriend had dumped her for a newer model. She was in her fifties, blonde and still quite beautiful. She was educated and without drug or alcohol problems, a rarity on the streets.

She had showed up at my "camp" one night and we had gotten up early to go get some coffee at Winchell's. It was around 5 a.m. and still dark. After procuring the coffee, we began to walk back towards the Third Street Promenade.

But we had a tail. A guy, casually but nicely dressed, was following us. When we arrived at the Promenade he walked close by us then veered away. "This guy makes me nervous," said Sue. "Let's get out of here."

When we turned the block on Second Street, he came up at us from behind. Grabbing Sue by her long blonde hair, he began to punch her in the head. She went down fast, her face bloodied.

I froze in shock for a moment. Remembering my pocket knife, I fished it out and charged him, yelling, "I have a knife!"

He took off running into the half-light. I called 911. They were slow in responding. Eventually, an ambulance came and Sue was taken into emergency. Her wounds were superficial and she was shortly thereafter released.

Sue and I walked over to Samoshel. She wanted some coffee. I went into the bungalow where the coffee pot was brewing and ran into a street guy who began to bogart the coffee pot. "Can't have any!" he announced.

"Come on," I said. "My friend and I want a cup."

"I am under strict orders not to give you any coffee!" he replied.

"Jeez," I said. "What's the big deal here? A cup of coffee for Sue and me, puhleeze?"

He turned to the coffee pot then whirled around. "Okay," he said cheerfully. "Your coffee is ready now."

I took a cup out to Sue and also poured one for myself. A small crowd had gathered to hear what had happened when Sue was attacked. Apparently, it was not the first such attack on a homeless woman in the early morning hours. The attacker, it appeared, favored long-haired women.

Sue was about halfway through her cup of coffee when she began to seizure. Her eyes rolled back inside her head and she slipped to the ground, unconscious. For the second time that morning, I called 911.

This time, the ambulance arrived within minutes. As they loaded Sue onto the gurney, I began to feel the effects of what had rendered Sue unconscious. Bolting into the bathroom, I puked my guts out. I then got back on the phone and called Santa Monica Hospital. I demanded a toxicology exam for Susan, who had just arrived at the ER.

The hospital refused to do the toxicology exam. She was treated and released later that day.

The guy who stole my sushi wasn't so lucky. It was getting towards evening when a neatly groomed dark-haired man approached a group of us, sitting on a bench on the Third Street Promenade. Without speaking, he handed the girl next to me a hamburger and then reached into a grocery bag and handed me a plastic container of sushi. I noted a subtle intensity in the way he looked at me and thanked him, putting the sushi container under the bench. The others soon drifted off and I draped my sleeping bag over the bench and fell into an uncomfortable and cramped sleep.

In the morning, the sushi was gone. I thought most likely it had been grabbed by a hungry person during the night.

The *Santa Monica Daily Press* carried the story the next day. A homeless man had died suddenly of a heart attack. He was survived by his dog and the SMDP was hoping someone

might adopt the pooch. I made an inquiry of one of the community police officers who confirmed that an empty sushi container had been found next to the man's body.

I then became extremely careful.

Around that time, I began to research the article which was eventually published as "Public Extermination Project." This article was the first in a series which detailed the construction of a double line water system, which could potentially serve as a covert delivery system for a bio/chem attack. I was still writing a weekly column for the *Daily Press* but my first records request at Santa Monica City Hall ended that engagement.

As professionally as one could with a backpack and sleeping bag in tow, I had presented myself at the city engineering office and made a public records act request for city water records, citing my relationship with the *Daily Press*.

It didn't take much time for the city to react. Within a few hours, I picked up a voice message from editor Carolyn Sackariason, in which she angrily advised me that I had completely stepped over the line. I did not have her approval to ask questions about the city water system (and since when did a columnist need an editor's approval to ask questions? I wondered). Carolyn went on to say that she had gotten a phone call from the city attorney's office and let me know, in these exact words, that I was "endangering" her position as editor of the *Daily Press*.

Frowning, I placed the phone back in the cradle. The *SMDP* wasn't large, corporate media. It was a locally owned non-subsidiary, and therefore should have the independence to stand up to this sort of pressure. Heck, it wasn't pressure. It was censorship!

I resolved to talk this over with Carolyn. But when I presented myself at the office I was denied access to her. The previously friendly receptionist glared at me as if I had showed up slathered in cow dung and frostily informed me that I was interfering with her work by asking for Carolyn. The signs couldn't be clearer: "We don't know you anymore."

I handed in my latest column and left, slightly seething. After a couple of days of thinking it over, I submitted my written resignation. No compromise and not for sale, I told myself. I thanked Carolyn for the opportunity to write for the paper and cited irreconcilable differences in my resignation letter. Better to take the high road, I told myself.

It had been fun, I thought ruefully. I had gotten back into the mindset of observing, writing and I had liked it. There was a small celebrity I had incurred, as well. A number of other homeless people had told me how happy they were that they now had a voice in Santa Monica, and I had heard rumors of a raid on the paper stands every Tuesday, the day my column came out.

I had gotten attention from other members of the community as well. One Tuesday, the paper had published a few of my poems in lieu of my regular column and the poems had sparked some controversy in the letters to the editor section. A local woman had written in to the paper complaining that I should be “fingerprinted and arrested” for writing the poems. None other than Frances Dean Smith, who was the infamous poet Charles Bukowski's widow and an accomplished poet in her own right, had written a retort to the paper with glowing support for the poems.

I didn't need an association with a publication to continue on with the water research, I reasoned. By chance I had established a connection with an editorial assistant at the *Los Angeles Times* and I used him as a sounding board as I continued on with what I knew to be difficult and sensitive work. I made records requests and I began to search out city work crews working on water systems to harvest their on-site blueprints. I spent hours on the web researching--valves, satellite connections and other applicable engineering details.

In the meantime, my personal situation continued to spiral downward. The chemical attacks were worsening and I was, frankly, scared. Some unexpected money came my way and I decided to leave the U.S. again...this time, far away. On a Spring day in 2004, Scott accompanied me to LAX and I

boarded a plane for Tel Aviv. I wasn't sure I would be coming back.

The first leg of the trip was uneventful. The plane was not crowded and I settled into a window seat with no other travelers in my row. The plane stopped in Germany and a couple settled in next to me. They were large, rather unfriendly looking people and they were reading an Israeli paper, I noted. Something about them didn't sit well with me and I edged away, turning my face to the window. As the plane began to make its descent into Tel Aviv, I felt something brush against my leg. It took about two minutes for impact.

I had been swabbed with a chemical weapon. This compound was not at this juncture new to me and I steeled myself for the waves of repeated impact. Great, I thought, as my heart began to pump frantically and shudders of pain began to pulse through my body. I'm going to land in Tel Aviv as a corpse.

The thought almost made me laugh. "Next year in Jerusalem," was one of the sayings I knew from my contact with the Jewish community, passed down through the centuries from a people in exile. Maybe the homeland wasn't going to be as welcoming as I had hoped.

I did my best not to betray the physical anguish that was at last beginning to abate as I picked up my carry-on and left the airplane. I got nailed at Immigration and the Israeli officials weren't so sure they wanted to let me in. I had to pull out the wad of cash that had so fortunately come my way, allowing me to make this trip and as I counted out the bills, the immigration officials relented and decided to allow me to enter Israel. My passport was not stamped, I noted and I paid careful attention to putting my visa in a secure pocket.

I checked into a cheap hotel and spent a few days familiarizing myself with Tel Aviv. I couldn't shake the perception that it seemed a lot like a U.S. city. The billboards and signs were in Hebrew, but otherwise I could have been in Santa Monica. I bought groceries at a nearby deli and ate sandwiches and yogurt back in my room.

Walking along an avenue, I noticed water work going on. I

grabbed my camera out of my pack and began to shoot pictures. The street was opened up and I saw the two parallel lines that had so engaged my attention back in Los Angeles. I shot half a roll of film then returned to my hotel. My goodness, I thought. Double line system in Tel Aviv? Was nowhere safe? I thought back to the attack on the plane. The couple was reading in Hebrew. Were they Mossad? How deep did this go?

Shaken, I returned to my room and fixed myself a chicken sandwich. It was barely noon and I decided to go to Jerusalem. I went downstairs to ask directions to the bus.

It was a warm and sunny day and my worries began to dissipate as I headed down the street. After a few blocks, I realized I had left my camera in the hotel room and I headed back.

I got off the elevator and as I approached my room, I saw the door was slightly ajar. I had locked it when I left. Entering the room I saw at once it had been tossed. Drawers were standing open and some of my clothes had been thrown on the floor. My camera was missing.

I sank down on the bed, unsure of what next to do. I sat there long enough to realize, horrified, that the bed had been laced with the very same chemicals that had hit me so hard on the plane.

I grabbed my pack and stormed downstairs. "I'll need another room," I demanded. The clerk began to protest but something in my demeanor stopped him short. He handed me the keys to another room and I went upstairs, threw my few clothes into the overnight bag and went down the hall to the new room. I washed all my clothes by hand and hung them out on the balcony to dry. The next morning, I checked out and went to the airport and caught a plane back to Los Angeles.

I arrived in Bradley International Airport midday. As I waited in line to go through Customs, I was approached by two men in dark blue suits. One of them cleared his voice. "Miss Phelan," he said, almost apologetically. "We are going to need to speak with you. You have restraining orders against you, correct? Please come with us."

But police abuse had taken its toll. I wasn't going to go

anywhere with the boys. I began to speak very loudly, so that everyone around me in line could hear. "I am a U.S. citizen," I bellowed. "I have committed no crime and I will not be detained at my own border. I want a lawyer NOW!"

To my surprise, the two men simply melted back into the crowd. Well, I thought. I'll have to remember that bellowing is actually effective...

I called Amalie as soon as I got back. I had left a message with the Filipina that I was leaving on a trip but Mom had never gotten the message. "I went to Israel," I told her. My poor Mom, I thought. She probably didn't know what to make of me anymore. Homeless, a columnist for a newspaper and taking trips to the Middle East.

She was happy to hear from me but she sounded very weak. I promised to visit her soon but when I called again, the Filipina put me off. I called a day or so later and was rather brusquely told, "Call the conservator."

When I called Melodie, I got no reply. I then called David Horspool and was unable to reach him, either.

Frustrated, I asked one of the workers at OPCC to make the call. She reported back that she spoke to Horspool. "He said that you have a restraining order against you," she told me.

On April 28, I called Adult Protective Services of San Bernardino County and made a report. The restraining order had said I was barred from contacting APS but I simply didn't know what else to do.

I kept calling Melodie. After several weeks of hearing nothing, I finally reached Christina Erickson-Taube in Melodie Scott's office. "Your mom is dead," she told me.

The words fell like a stone. I managed to say, "What did she die of?" and from very far away it seemed, I heard Christina's voice, tinny and metallic, say, "She died of respiratory failure." I heard myself ask when and heard the distant voice which seemed to be Christina's say that my mother had died May 4.

I put down the phone. It was the very end of May, just days before my birthday. Without meaning to, like a boat set adrift of its anchor and keening to a sudden upsurge of wind, my thoughts went back to my birthday in 2002. Jack, lying on the

couch, reading *Hitler's Niece*. Jack, screaming at me for not using a cutting board. Jack, silent on the long drive back, the sky itself seeming to darken and spin a cocoon around the car as we sped away from my mother. And turning to him, despair rising in me with the certainty that everything was ripping, tearing away from me, saying, "This is the worst birthday of my life."

My breasts cave in
under the weight of interrogation
My pubic bone splinters
under the inquisitor's relentless gaze

What was once soft and tentative
petals/moss/leaves
melts down
condensed to its essence
so that something/anything
may survive

Nothing resembles what was
Nothing resembles what is

O God of harsh lessons
O God of Treblinka, Nagasaki, Darfur and Riverside
how can I be faithful
to your teachings?

God of second chances
of the sunlight slanting through the trees
as the boxcars run off the tracks
and overturn
the human cargo escaping into the woods
how can I divine your true intent?

Outside the bedroom window
the ancient oak also holds its breath
In the distance
someone is calling
I open the door
and the night pours in

and I follow

In the subsequent months, I finished writing “Public Extermination Project,” posting it on Indymedias everywhere. I branched out and wrote on the targeting of the homeless, citing instances of police indifference to crimes against those of my class—the pariah class. I did my first radio interview, on Eben Rey's “Radio Alchemy” airing on KPFK and sat on the Los Angeles 911 Grand Jury to consider complicity by those in government with the attacks of 911. I began to attend Quaker meeting in Santa Monica, drawn first by rumors of a big buffet following services. I found the practice of sitting in silence for an hour entirely compatible with my spirituality and began to attend Meeting for worship every week. I worked when there were temp jobs available and somehow, the time passed.

More radio opportunities presented themselves and I dove right in. Sometimes I used pay phones to do the shows and sometimes I used the phone at the Friends Meeting house in Los Angeles. In 2005, my book of poetry, *The Hitler Poems*, was published, with the help of a woman I met at Quaker meeting, who subsidized the print-on-demand set up costs. Weekends, Scott and I would stroll the boardwalk in Venice beach. I began to believe I would never get off the streets and I buried sadness inside of me like an old bone.

The publication of “Public Extermination Project” resulted in many new contacts from all over the country. One of these contacts was a fellow named Tim White.

White called me and jumped right in to stories about people being targeted by the U.S. government. I found his stories compelling. We began to talk and email on a regular basis. Soon, I realized that whoever Tim White really was, he was not someone I wanted to associate with. I terminated the correspondence and figured that was the end of it.

Shortly thereafter, I made contact with one Ted Gunderson. I had been in touch with some people in the 911 Truth Movement and someone suggested I contact Refuse and Resist, another activist group. The fellow from R and R told me I needed to speak with Ted Gunderson, concerning the ramping up of attacks I was enduring.

I had never heard of Ted Gunderson but I went ahead and

called him. He told me he was ex-FBI, but that he was one of the “good guys.” He said he would come out to Santa Monica and pick me up and bring me to safety, back to his home in Las Vegas. He told me I was in “grave danger.”

I was a little nervous about his FBI history and told him I wanted to check him out. I asked him to wait a day or so until I got back to him. I thought maybe I would call Bob Maheu out in Vegas to see what Maheu thought of him.

But within twenty-four hours Gunderson was already in Santa Monica, searching for me.

We met up at a local Starbucks. I thought that it was probably a bad idea to go back to Vegas with him. Something told me Gunderson wasn't right. But I was very, very curious and I trusted that if nothing else, I would learn from this experience.

Ted took me to his daughter's place over in West Los Angeles first. His daughter, as it turned out, had converted to Orthodox Judaism. She was certainly one of the most gung-ho Jews I have yet to meet. Her boyfriend came in during our introductions. He was, I was told, a rabbi from Israel.

Curiouser and curiouser, I thought, as I noted him wearing one of the insider insignias, the dark blue Yanks baseball cap.

Ted was on a mission. He began covert chemical attacks as soon as we got back to his condo on Royal Circle Drive in Vegas. There are a couple of ways to deploy these weapons, per my experience. One has to have physical contact with the substance and Gunderson laced the bucket seat I was sitting on, in his vehicle, with the chemical.

Curiously, the day before this happened, I was sitting in his study reading about chemical attacks. Ted had given me some scratch paper to write on. On the back of the paper was Gunderson's report about another target, and in that report Gunderson stated that he was aware that the government had chemicals which induced heart attacks. The other target had been stating that these chemicals had been used against him. I asked Gunderson at that point what these chemicals were. He told me he couldn't remember what they were called.

He also laced my sheets with these. At the point of the

second attack I left in some haste. Muttering something about going to the corner store, I grabbed my pack, barreled downstairs and jumped on the first bus that came trundling down the street and made my way to the Greyhound station. Learning from the enemy is all very good and well but it had gotten too explicitly dangerous for me to stay there any longer.

Sometime after this happened, I made this public. The next day, I opened up my email account to find that Tim White had swung into battle mode. In post after post, he was smearing all over the web the most defamatory and injurious stuff he could make up. He was also spinning my father's work on the Kennedy assassination to further indict me.

Ted telephoned me. In a nearly classic verbal slip, Ted blasted me saying, "I came out to Santa Monica to arrest you!" I am sure he meant not to say that. If one defines "arrest" as to stop or halt, I am quite sure he intended to "arrest" me. Ted also threatened to sue me. Nothing ever came of that threat.

Anthony Hilder took a different tack. "My dear," he said on the voice message, "what in the world do you think you are doing?"

Gunderson and Hilder soon dropped away but Tim White had found himself someone to bully and he wasn't going to quit. Soon thereafter, Tim started to circulate an email about me written by none other than Melodie Scott's attorney, J. David Horspool. In that email, Horspool stated that I had committed felonies against him and he was reporting me to the police. Nothing ever came of that threat, either.

At that point, I was getting up to here with these boys. Tim White had made an explicit, written death threat against me and I went to court in Santa Monica to apply for a restraining order against him. In what has become all too typical local police support for federal shenanigans, the Denver police refused to serve Tim with the papers, thereby gutting my efforts to have him legally restrained.

Horspool should have known better than to commit such lies to publication. But then again, his legal currency is perjury and lies are apparently what pays his bills. I also filed for a Restraining Order against attorney Horspool, hoping to stop

his smear tactics. The judge in Santa Monica, Linda Lefkowitz, cited prior restraint and declined to issue the restraining order. Horspool then asked to be reimbursed \$1000 from my Trust fund for his trouble driving to Santa Monica from Redlands for the hearing.

That was a bit too much. "David, you just keep my Trust fund and I'll keep living on the streets," I said. Lefkowitz glanced up at me, clearly shocked, then denied Horspool's request for reimbursement (EXHIBIT 14).

In 2008, Horspool went into his favored court in Riverside and had Commissioner Joan Burgess overrule the decision made by Lefkowitz—this is illegal, by the way, and a violation of the California Constitution—but once again, abuse trumped the law and Horspool was granted the \$1000 from my account after being denied this by the court of jurisdiction.

I made one more effort to contact my relatives. I had found a lump in my breast and needed to get it checked out. I was by that time quite aware of the use of physicians as proxies and didn't want to put myself at more risk. I needed to find an ethical doctor. The fact that my only remaining insurance, following my resignation of benefits, didn't cover a mammogram was also of concern.

So I called Dickie Penn to ask for a referral.

The last time I had spoken with him was when I had first hit the streets. Frightened, I asked for a loan of a hundred dollars (I still had over \$800 in disability coming in every month at that juncture) with the promise to pay it back within a month. "I need to clear my head and figure out what to do," I told him. "I want to get a hotel room and think this through."

Dickie, who was at that time one of the top neurosurgeons in the U.S., had refused my request for the \$100 loan.

I reached Dr. Richard Penn at his office at the University of Chicago, miraculously bypassing his secretary and receptionist. I explained to him about the lump and asked him for a referral. Dickie refused to provide a referral. "You don't need a mammogram," he declared. "You need a psychiatrist."

With the help of a kind-hearted volunteer at OPCC, I was able to find a program which would pay for the mammogram

and was told that I had a large cyst, nothing more.

In late 2005, Melodie Scott and David Horspool went to court for approval for a set amount of money—\$1500 a month—to be distributed to each beneficiary. Embedded in their petition was an obvious attempt to frame the prior SSI issue and again I saw the attempt to falsely incriminate me. Specifically, the petition stated that I was “too disabled” to apply for SSI benefits myself, paving the way for the Trustee to apply in my stead. The prior issue of my receiving Trust monies when the State only needed to declare my Trust invalid in order to criminally prosecute for Social Security “fraud” reared up again. Panicked, I filed a resignation as a beneficiary of the Trust but the court denied my request to free myself from David and Melodie. “Your request is untimely,” noted Judge Paulette Barkley in her denial.

Leaving the courtroom, I found myself in the elevator with David Horspool. He was grinning ear to ear. He looked every bit as gleeful as the day he was able to get a restraining order pushed through without a hearing. As I got out of the elevator, I mumbled something about having to get to work. The shock that passed across his face alerted me to my salvation.

“Work?!!” he blurted out. “You are working?”

“Yes, David,” I said firmly. “I am working.” Of course, I thought. They can't get me looped into SSI if I am working. Monday morning, I was back again at Labor Ready.

In the meantime, I was still camping. I camped out on the beach in Malibu, alone under a life guard station until one night when the cops ran me off. I camped in parks and on the spacious window ledges of the Superior Court building in Santa Monica. I camped in No Man's Land, a stretch of beach between Venice and Santa Monica that was officially part of neither city, and thus not patrolled by police. Camping on the beach in either city was a sure bust. I frequented Scott's spots, as well.

Generally, I camped alone. For a little while, I camped with some other homeless who seemed safe. With a price on my head, the potential peril associated with other homeless had become of paramount concern. Throughout these years, I

remained celibate.

One night, I was sleeping on a loading dock behind Savon with a couple of women and Ray, a chivalrous former Marine, when the cops pulled up.

“ID everybody,” they called out, getting out of the squad car. They cleared the two other girls quickly then turned their focus onto Ray and me. After retreating to the vehicle to run his state ID and my passport, the short stocky cop came back with a look of studied dismay. “Buddy,” he said to Ray, “You got some failure to appears. Camping violations,” he added sonorously.

Ever the Marine, Ray sat up and shot back at him. “I have to stay here and protect Janet.”

The tall, thin cop came back with my passport. I noticed with a sense of shock and then comprehension that he was wearing Hazmat gloves. “Yeah,” he sneered. “You gotta protect Janet. We will let you off this time cuz you gotta protect Janet!”

Holding my passport in his protective gloved hand, the thin blonde-haired police officer handed me the passport. The two then piled into the squad car and screeched away. As quickly as possible, I shoved the passport into my backpack, rather than return it to my jacket pocket. In the morning, I took it into the nearest restroom and washed it off. It hardly hurt at all.

In 2006, I finally got off the streets. I had been saving the money coming in from the Trust and also my little paychecks from temp work. When I was contacted by someone in the patriot community about helping me with the water story, I decided to pay him a visit. Dave Duncan lived in Newport, Washington, and worked as a chemist in a lab. Armed with my samples of what I was now calling “Death Water,” I took the train up to Spokane.

Dave met me at the train station. He was a large, white-haired man with a steady and piercing gaze, undercut by a jovial manner. He invited me to stay at his family cabin at a lake in Eastern Washington. Dave quickly assessed my state of being residentially challenge and decided to try to do something about my now inveterate homelessness. “I think

you would like Sandpoint,” he announced and so we drove over the border into Western Idaho.

We sat around a coffee house as he thumbed through his pocket address book. He made some calls and very soon I was standing in an apartment just outside of town on Baldy Mountain Road, flushing the toilet and turning on and off the water taps. The place was filthy but the plumbing worked.

“I’ll get it all cleaned up for you and painted,” said the prospective landlord, Leon. It felt like a dream. An apartment? After 3 ½ three years of sleeping in alleys, on rooftops and in parks, it felt unreal. “How much to move in?” I asked and when the reply came, I knew I could do it.

Something was holding me back, I realized. “I’ll let you know tomorrow,” I told Leon and Dave took me back to the cabin in Eastern Washington. I felt troubled. What about my work? I thought. I had been working on an updated version of “Public Extermination Project” and didn’t want to abandon what was feeling more and more like a mission.

That night, I fell into a restless sleep and had a dream. In the dream, I was drinking from a bottomless jug of water. Sitting across from me, watching me drink, was the new landlord. I drank and drank and there was no diminution in the water level in the jug. Waking up, I felt that I had my answer. My work would follow me wherever I went and I called the landlord and arranged to meet him. I handed over two months’ rent and went back to Santa Monica to clean out my small storage space. What I then owned filled one duffel bag and shortly I hopped back on the train to Spokane.

I opened the door with the key—my key—and looked around. The apartment was empty and still quite dirty, really. Dave had already taken me to a used furniture store on the way back from Spokane and I had bought a bed, which he helped me to carry into the bedroom.

Home. I tried out those words. They felt strange on my tongue. I had a home again. I had a door I could close, I had a roof over my head, walls to define and contain what was mine and what was outside of me. I had an address, a location, a longitude and latitude. I no longer belonged to the wind.

SURFACING

This is a map of my location
I carry a seventy pound pack
A can of soup, a bar of soap
and evidence as icy and massive
as a glacier

This is the longitude and latitude
Of will
I insist on this truth
Over and over
To explain the fact of her death
And never to be able
To explain it away

Life becomes an act of intention
I hold these photographs
In front of your eyes
Until the images burn into your retina
And you can see nothing else
As I can see
Nothing else

Here is a photograph
She is seventeen
Drop dead gorgeous
Without a lick of paint
Or artifice
Her eyes clear
As the reflection of her life
In which
If you are very lucky
You can see the reflection

Of your own life

Here is another photograph
She holds in her arms
Something she loves
Is it a dog?
A cat? Or a rose?
You remember her arms
Lifting, supporting, embracing
Subject merged with object
In a fusion of tenderness

Here is another photograph
She is being struck with great force
She is being robbed of her breath
She is being stuffed in the ground

And you ask me why

This is a map of my location
I arrived just last week
I cannot return to my home
It was destroyed in the war
Just sixty miles East
Of Los Angeles

As the news of Iraq
Splashes across the front page
The tanks are rumbling closer
Silently
The tanks are coming closer

When Dave left, I sank to the floor and began to sob. The events of the last 3 ½ years, in all their various horrors, reared up and flooded my heart. I was at a point of triumph, I knew that logically, but all I could see was the cumulative terror of what I had somehow, against the odds, survived.

When Dave came back the next morning, I was still folded in the corner, weeping. He looked at me curiously, not unkindly, and asked, "Are you going to be able to adjust to your new life?" What I was going to have trouble adjusting to, I thought, was my history.

Dave, as it transpired, began to have doubts about his agreement to do chemical analyses of the water samples. His first run of tests showed a definite skewing in the specific gravity of the samples. At that point, he began to back pedal. A devout Christian, he told me that if God wanted to poison people with the double-line water system, he should not, as a Christian, attempt to intervene. I found his logic alarming and tried to explain that it certainly wasn't God who had launched this diabolical project but Dave was intractable. Soon, he simply faded from my life altogether.

I got a McJob in a laundromat and found a Quaker meeting to attend. I made friends with a woman from Meeting who lived across Baldy Mountain Road and began to haunt the local library's computer room.

I was entering the library one Fall afternoon, a few months after I had arrived in Sandpoint, when I was approached by a short blonde woman asking directions. She engaged me in conversation, and told me her name was Pam Schuffert and that she wrote about the "New World Order."

"Hi," I said. "My name is Janet."

"OMG," she shrieked. "Are you Janet Phelan?"

I was taken aback. Pam began to effusively praise "Public Extermination Project" and, somewhat bewildered by her, I tried to extricate myself as gracefully as possible. I entered the library and as I approached an open terminal, I saw a scrawny, bearded fellow give me a darkly appraising glance.

I sat down at the terminal and opened up my email. Within moments, up popped an email from Tim White.

"You sure are ugly," he had written.

I stifled a laugh and rocked back in my chair. Tim was in the library. I wondered briefly if he were somehow connected with the blonde Pam who had just approached me outside.

After I finished up on line, I left without giving the bearded

fellow another look. But I was to hear more about Tim and Pam in the coming weeks.

Pam, it appeared, had driven with Tim White to Sandpoint. She was, I soon heard, making inquiries about me around town. These reports soon took a more sinister tone. Pam, I was told, had contacted a close friend of my landlord and had convinced her that my landlord was going to be “killed” by Tim White for renting to me.

I never saw Tim again but for awhile I was running into Pam Schuffert all over Sandpoint. She seemed to be frequenting the same places I did, computer rooms, especially. I was relieved when after about a month she dropped out of sight. Tim, I heard, had headed North to Canada.

I took a trip down to San Bernardino. There I met up with Russell East, whose mother had been also been conserved by Melodie Scott. Money had disappeared from his mother's estate and Russell also had concerns as to how his mother actually died.

His mother, Carolyn Miles, had been in a facility. Her house was sold by Melodie Scott and Russell showed me the accountings, which detailed that on the day his mother unexpectedly passed away, she had apparently had a visit from Melodie. If Melodie had done something which caused his mother's death, no one at the facility was talking.

Russell hosted some organizing meetings at his San Bernardino home and also spoke on this issue at the meeting of the Board of Supervisors in San Bernardino. He was worried about retaliation. Which was exactly what happened.

After the first Board presentation, Russell and I were approached by Supervisor Josie Gonzales. A small woman in her late middle years, she appeared stricken by what we told the Board.

“We can't have this happening,” she declared. “This has been going on too long and it is time to take a stand. I am going to take these people on,” Gonzalez told us.

Josie Gonzalez then told us our cases would be the flagship cases. “I will have my people in touch with you soon,” she told us.

Russell and I left the meeting in a state of elation. Soon, however, Josie Gonzales reconsidered and from that point on, she gave Russell and me only glacial and disapproving stares from the dais where the Board held their regular public meetings. Russell and I decided to move further up the government food chain and we bundled our reports together and sent them off to the California Department of Justice.

But the DOJ proved to be every bit as unwilling to do anything about Melodie as the police and District Attorney and Josie Gonzales had been. On the very same day that Mark Geiger, Senior Assistant Attorney General, received our reports, he put them back in the mail to us.

I contacted Geiger and asked why there was no incident or complaint number attached. I had noticed the propensity for justice agencies to neglect to assign complaint numbers to reports they didn't really want. This way, the report never appears in the system. It never happened, it didn't exist and there would be no record that Geiger or anyone else violated the law in his dispensation of an incoming complaint.

EXHIBIT 15 is Geiger's letter. He states, and this is both funny and spectacularly sad, that "these are areas beyond my developed criminal expertise." If this were actually true, one might wonder how he ever got to the level of a Senior Assistant Attorney General at the California DOJ in the first place. And if this were true, one would wonder why he didn't pass the report onto someone who was able to process it.

In his letter, Geiger also mentions an investigation by other DOJ investigators. That investigation was apparently launched after I initially contacted the DOJ in 2002. Once again, the DOJ has declined to any tracking number or any details concerning such an investigation.

Chagrined but not defeated, I returned to Sandpoint. Our organizing efforts in San Bernardino had been busted wide open when Russell East was quite abruptly and without apparent cause evicted from his rental home.

For a while, life seemed to start to normalize. I write that with some reservations, as the chemical protocols continued. After awhile, waking up with smoky aerosolized weapons

clouding the air seemed normal to me. Realizing that this wasn't quite killing me, at least not right away, I began to take it all in stride.

One day, I went outside to discover that planes had sprayed all of Sandpoint with the gene weapon. Hardly able to breathe, I wondered in bewilderment if this were going to be a regular occasion now--contaminating the air of an entire town with whatever-the-heck-this-was that affected me so profoundly. It did not happen again, however, though Sandpoint was regularly being sprayed with chemtrails. What appears to have occurred was that this particular spray was done in many locations and, as is the nature of chemicals sprayed into the air, waters everywhere were contaminated. This simplified the process of contaminating food and drink with this particular gene weapon. It would not be necessary to add this in at food processing plants because, having gone into the waters, this weapon would now be in everything comestible.

It seems extreme. It is not, however, without precedent. It appears likely that a similar process has been launched with the gene weapon that has attached onto the melanin in the skin of darker colored people, producing hypertension and diabetes. Since the eighties when Dr. Wouter Basson was developing a "blacks only" bio/chem weapon for the apartheid government of South Africa, the incidence of the silent killers of hypertension and diabetes in people of color has reached epidemic proportions. Did Basson succeed in his quest to develop this weapon? It appears he may well have. Subsequently, was this gene weapon, as my sources have informed me, leaked into the food supply thereby causing the astronomical increase in these diseases in the developed and developing world? Was it also sprayed into the air to descend into the water table as a permanent chemical signature to affect generations to come?

And what else is being sprayed into our air?

Late one afternoon, I strode into the City of Sandpoint engineering office and asked to see water blueprints. I was politely directed to a map on the wall, which showed no detail whatsoever. I became insistent and was told that these records were all in storage in some non-specific location.

Over in the corner sat a large cabinet. This looks like it has map drawers, I thought. I went over to the cabinet and began pulling open drawers at random, to the amazement of the men in the room, who seemed suddenly frozen in a tableau.

I quickly riffled through the maps in the drawers. I chose a few of the blueprints that looked promising. "Okay," I said, "I'll want a copy of this, and this and yeah, I'll want this one too."

The office still seemed to be caught in a freeze frame. Then someone let out a long, whistling kind of breath and the trance broke. The man who had been insisting that the office held no blueprints took the maps from my hand and walked over to the printer, flipping the on switch. He copied the maps and handed them over to me, still not speaking.

"Thanks, guys," I said, heading for the door. "I'll be back!" I said cheerily as I walked into what suddenly seemed a very bright day, indeed.

Bolstered by my success, I located online where the city of Spokane was doing water line work in a commercial district. I read with intense interest where the local businesses had been impacted due to traffic interruptions and the city was now holding meetings with business owners in a local restaurant.

I headed down to Spokane and attended the early morning meeting at Applebee's. At the end of the meeting, which focused on business owners' concerns as to interruption in access to their stores, I sidled up to the guy who appeared to be in charge. With as much casualness as I could muster, I asked him if I could see the prints. He unfurled them for me and

when I saw what they were, I could barely keep myself from jumping up and down and hollering, “Hallelujah!”

These blueprints were color coded! There would be no possibility of questioning whether a water line was really a sewer or gas line. I had just struck the Holy Grail in Blueprint Heaven.

“Hey,” I said, “Mind if I snap some pics?”

Later that morning, I headed over to the work site and took pictures of the exposed lines. I also got some pictures of the control valves. I noted that they featured some chalked-on numbers on the side of the valves. I had seen the same back at the city yard in Santa Monica and further research had indicated that these were RFID addresses.

When I returned to Sandpoint, I wrote “Water as a Weapon.” There were some errors in “Public Extermination Project” which mandated correction and with the Spokane photos and more, it was time to expand and clarify the issue of how the water system had been reconfigured in order to serve as a delivery system.

But for what? Dave Duncan's reluctance to continue with his chemical analyses had left a void.

The tracks by the railroad trestle
lead down to the river
the water streams around
the frozen floes
small ice islands
which are either melting
or expanding
depending on the vagaries
of the midwinter freeze.

The deer had descended
down the slope
drawn by the rushing water
their fresh tracks end
at river's edge
without explanation.
But there are ways this can happen.
I know this now.

Just when the snow
turned to sleet
the evergreens receded
giving way to birch and aspen.
In less than a half hour
we left one climate zone
and entered another
and ice gave way
to grass and lichen.
This is regular and has its own reasons.

And how am I to decode the snow?
I know the language of the trees

of light kaleidescooping through the leaves.
I can read the wind
and its conjugation with bark and branch

but this whiteness
this enormous frozen silence
is encrypted beyond my understanding.
I hold it in my hands
and it changes to water
and vanishes.

On the other side of the country
your fields lie buried in snowdrifts.
There are fires blazing in every room
and you watch
from the second story window
as the blizzard whites out your vision
and wonder

if I have figured it out yet.

It was during a conversation with Dr. Bill Deagle that I began to understand that delineating what sort of chemical or biological agent might be deployed was most likely a quixotic, if not entirely useless venture. “They can run anything they want to through this system,” declared Deagle. With a long backward gaze at Duncan's incomplete efforts, I set my perspective towards reporting on the method of delivery itself, as well as the surrounding legal framework, which both supported the water weapon as well as protected it from public oversight.

The questions about the actual meaning of Section 817 of the USA PATRIOT Act, have not, to my thinking, ever been resolved. 817 amends the federal biological weapons legislation and was passed into law following the attacks of September 11. Here is 817, “The Expansion of the Biological Weapons Statute,” in its entirety:

SEC. 817. EXPANSION OF THE BIOLOGICAL WEAPONS
STATUTE.

Chapter 10 of title 18, United States Code, is amended

--

(1) in section 175--

(A) in subsection (b)--

(i) by striking `does not include' and inserting `includes';

(ii) by inserting `other than' after `system for'; and

(iii) by inserting `bona fide research' after `protective';

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

`(b) ADDITIONAL OFFENSE

- Whoever knowingly possesses any biological agent, toxin, or delivery system of a type or in a quantity that, under the circumstances, is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose, shall be fined under this title, imprisoned not more than 10 years, or both. In this subsection, the terms `biological agent' and `toxin' do not encompass any biological agent or toxin that is in its naturally occurring environment, if the biological agent or toxin has not been cultivated, collected, or otherwise extracted from its natural source.';

(2) by inserting after section 175a the following:

`SEC. 175b. POSSESSION BY RESTRICTED PERSONS.

`(a) No restricted person described in subsection (b) shall ship or transport interstate or foreign commerce, or possess in or affecting commerce, any biological agent or toxin, or receive any biological agent or toxin that has been shipped or transported in interstate or foreign commerce, if the biological agent or toxin is listed as a select agent in subsection (j) of section 72.6 of title 42, Code of Federal Regulations, pursuant to section 511(d)(l) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132), and is not exempted under subsection (h) of such section 72.6, or appendix A of part 72 of the Code of Regulations.

`(b) In this section:

`(1) The term `select agent' does not include any such biological agent or toxin that is in its naturally-occurring environment, if the biological agent or toxin has not been cultivated, collected, or otherwise extracted from its natural source.

`(2) The term `restricted person' means an individual who

--`(A) is under indictment for a crime punishable by imprisonment for a term exceeding 1 year;

`(B) has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year;

`(C) is a fugitive from justice;

`(D) is an unlawful user of any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

`(E) is an alien illegally or unlawfully in the United States;

`(F) has been adjudicated as a mental defective or has been committed to any mental institution;

`(G) is an alien (other than an alien lawfully admitted for permanent residence) who is a national of a country as to which the

Secretary of State, pursuant to section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)), section 620A of chapter 1 of part M of the Foreign Assistance Act of 1961 (22

U.S.C. 2371), or section 40(d) of chapter 3 of the Arms Export Control Act (22 U.S.C. 2780(d)), has made a determination (that remains in effect) that such country has repeatedly provided support for acts of international terrorism; or

`(H) has been discharged from the Armed Services of the United States under dishonorable conditions.

`(3) The term `alien' has the same meaning as in section 1010(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)).

`(4) The term `lawfully admitted for permanent residence' has the same meaning as in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

(c) Whoever knowingly violates this section shall be fined as provided in this title, imprisoned not more than 10 years, or both, **but the prohibition contained in this section shall not apply with respect to any duly authorized United States governmental activity.**'; and

(3) in the chapter analysis, by inserting after the item relating to section 175a the following:

'175b. Possession by restricted persons.'

Some have insisted that the caveat contained in c)-- **“the prohibition contained in this section shall not apply with respect to any duly authorized US governmental activity”**--only applies to the “restricted person” issue. That perception would lead one to the conclusion that the problematic section c) only allows the US government to employ the insane, the criminal and the dishonorably

discharged to transport or possess dangerous select agents and toxins.

However, other analysts have come to other determinations. They have stated that if this were the intent of the authors of the USA PATRIOT Act, the authors would have used the word “subsection” rather than the word “section.” The use of the latter seems to expand the release of culpability for government agents to the entire text of Section 817.

The implications here are most concerning. The debate about the authors' intent in c) assumes significance if one understands 817 to say that it releases agents of the U.S. government from the necessity of complying with the prohibitions in 817, which essentially mirrors the international Biological Weapons Convention.

To put it bluntly, looked at in this way, section 817 states that the U.S. government and its agents do not need to adhere to the restrictions written into domestic biological weapons legislation (or, by implication, the Biological Weapons Convention), and are therefore free to develop, stockpile, transport and deploy biological weapons at will.

I was working on “Water as a Weapon” when a new neighbor moved into the four-plex, into the unit right next to mine. It soon became clear that the neighbor was special.

Late one night, Kalo began to pound on my door, demanding to use my cell phone. I had been asleep and was awakened by his cursing and yelling. Somehow, he managed to get my front door open a couple of inches before I slammed the couch against it.

I called the police, my landlord and a neighbor from across the road, all of whom showed up within minutes. The police determined the neighbor to be drunk and told him to go home and sleep it off.

But the neighbor was not so easily deterred. A couple of days later, I returned home late in the day to find food thrown all over my front door. Within a week, I found an obscene note had been stapled to my door.

But the police did not seem to be concerned about this. From my landlord, Leon, I learned that the neighbor was a member of the hate group Aryan Nations and to add the maraschino cherry to the top of this dung sundae, his father was an attorney with the NSA.

I awoke in the middle of the night to find my neighbor crouched under my window. At that point, I beseeched my landlord to evict him. Leon, however, kept putting me off. Weeks passed and his promises to evict Kalo became more and more tinny. On more than one occasion, I spent the night at a neighbor's after Kalo began again to pound on my door. His threats, though slurred by alcohol, were clear enough.

The fact that the Bonner County Sheriff's Department was collectively averting their eyes from Kalo's actions made the front page of the *Sandpoint Bee* and also got local radio coverage. The Sheriff remained recalcitrant. I walked up the

path to the four-plex one afternoon to overhear Kalo bragging to his friends, “I can do anything I want to her and no one is going to stop me.”

Several of my friends approached Leon about evicting Kalo. Never one to couch her thoughts in excessive verbiage, a fellow Quaker told him, “Get him out before he kills her.” Leon just looked at her, vaguely, and didn't reply.

So when the invitation came in, quite suddenly, to come to Southern Oregon and interview for a writing job at the *American's Bulletin*, I couldn't have been happier. I went over to Medford in May and when I left the interview with editor Robert Kelly, I left with the promise of the job. I hung around Medford long enough to rent a small apartment then returned to Sandpoint, packed up my belongings and off I went to start a new chapter.

Kelly gave me great latitude in picking my own subject matter and, after a few months at the *Bulletin*, I proposed that I go down to Southern California for an extended research project. Specifically, I had in mind the conservatorship records in San Bernardino County. Melodie Scott, I had learned, was only one manifestation of a nation-wide problem with predatory and abusive conservators. San Bernardino was a hot spot of all kinds of corruption and the courts were certainly involved. Kelly agreed and I left by train for San Bernardino.

Before I left, however, I had a nearly fatal run-in with another doctor. My previous experiences with Long Beach Memorial, Cedars Sinai and Community Hospital had, to put it mildly, left me terrified of doctors. I knew by that time that the “professions”—legal, medical, the press—had been heavily accessed in the take-down of America. I had tasked myself with learning a bit about alternative medicine and herbalism and had made a concerted effort to avoid doctors like...well, like the Black Plague.

But I had developed a bad cold and it had moved into my lungs. It was appearing as if it might be pneumonia. I was anxious to get going for San Bernardino and I made a bad decision. I decided to go to the ER at a local hospital.

The doctor was a small, frail-looking fellow. As he walked into the room I noticed he walked with a considerable limp. Unwell, I thought.

After what was seemed a fairly normal examination, he suggested a breathing treatment. Looking around the white hospital room, so white it positively seemed to sparkle, I decided it would be a safe thing to do.

The breathing treatment almost killed me. By the time I left the hospital, I had begun to gasp for breath. That night, I thought I was going to stop breathing entirely. After the first treatment, the doctor had come back into the room and asked me if I wanted a second treatment. I had declined. That refusal probably saved my life.

The next day, I left for San Bernardino anyway. I was in a near rage, mostly at myself for trusting a doctor. Never again, I told myself.

On the way down on Amtrak, I wondered what had happened to people. This wasn't normal behavior. People didn't just shift from healers to killers and back again, not so quickly, not so casually. But I had seen so much of compartmentalized, unethical behavior in the last few years that I knew that people were not exactly moral by nature. Betrayal came far easier to people than I ever could have imagined.

I am taking a pause in the narrative to explore the concept of betrayal. It is said by those of the liberal persuasion that people aren't hardwired to kill, they are not hardwired to betray. As a once die-hard liberal, I at one time maintained many illusions as to the basic decency of human beings. What I see now is that people are hardwired to survive. When their survival is threatened, the nicest people can turn into the most rabid assailants.

The truth is that it is easy to be good. It is easy to be kind and moral and loving and giving when your very survival is not at stake. And for some, it doesn't even take a threat to launch the bloodthirsty alter ego. It may only take the belief that someone is powerless to stop your predation.

Back when I was still homeless, I had read an article online entitled "Susan Lindauer: From spy to psychotic." Susan, it seemed, was being held in a psychiatric hospital. Her work as a CIA asset on events leading up to the war on Iraq had resulted in her making some politically inconvenient moves and she had been put into psychiatric detention. The article was a bit sketchy on the details but what was clear was that Susan had been arrested on charges of working for a foreign government and had been summarily stripped of her right to a trial and was being indefinitely held against her will.

I did an internet search for Susan and found very little information on her plight. News blackout, I thought as I emailed the reporter from *Seattle Weekly* who had written the article. I wanted to know if Susan had any friends, anyone I could contact about her situation. The reply came back shortly and so I emailed J. Fields.

J., as it turned out, was the tenant in Lindauer's Maryland home and was quite concerned about what had happened to his friend and landlady. I had developed a significant number of

radio contacts by then and asked J. if he would like to take Susan's story to the airwaves. He agreed and I set up some interviews for him. When J. was unable to do the interviews, I pinch hit for him, as did Mark Bilk, an activist in Northern California, who joined our efforts. Mark maintains his own website, cosmicpenguin.com, as well as websites for other activists.

I ended all my interviews asking for the audience to take action. "If this concerns you," I said, "write her judge, Michael Mukasey. Tell him what you think about what is happening to Susan Lindauer."

Not leaving any option unexplored, Mark and I also made outreaches to some known activist attorneys, including Ramsey Clark and Elizabeth Fink. They declined to take on this case.

The government had gone to court and petitioned for the power to forcibly drug Susan Lindauer. Due to my experience in detention in Mexico and other run-ins with killer doctors, I knew first hand how very dangerous this could be.

Right before the critical hearing, I fired off an email to Sam Talkin, Susan's public defender. I confronted him with my knowledge of the deadly imposter pharmaceuticals and suggested that, given how politically radioactive Susan had become, it was entirely possible that Susan's government-approved forced drugging might actually kill her. Talkin had worked against his client to facilitate her indefinite psychiatric detention and this was brought up to him in the email, as well.

On the day of the hearing, Judge Mukasey ordered Susan Lindauer to be released. He made some comment about all the letters he had been receiving and released her from psychiatric detention. Her trial on charges of working as an unregistered agent for a foreign power was still pending, however.

I spoke with Susan, the first time ever, on her release. She thanked me, effusively. I told her I thought they were going to kill her. "I thought so too!" she cried.

Following her release, I hooked her up with some radio talk shows. I had started my campaign concerning Susan while homeless but at the time of her release I was living in Idaho

and working on the water story. We continued to communicate, mostly by email.

A couple of years later, I had left the United States and was trying to get a report into the U.S. Department of Justice concerning my own plight. To my consternation, my report, which I had mailed from Toronto, had been seized at the border and sat in customs for over a month. Susan offered to have me email her the report. "I can drop it in the mail for you," she offered. Gratefully, I scanned and emailed her the report, which was about eighty pages long, due to the size of the documentation.

After about a week, I called her to see if she had sent it in. I was taken aback to hear her tell me "No." She wasn't going to mail it for me. "My case is not yet resolved," she explained. "I am still facing these criminal charges and my attorney advised me against mailing this for you."

I was quite surprised but let it go. Shortly thereafter, I put Susan in touch with a Canadian woman whose husband was being held in psychiatric detention. There had been enough hanky panky in the history of this case for it to reek of a political targeting effort.

Susan had offered to help Jennifer and her husband and to write an article about what was happening to them. There had been some email contact between Jen and Susan and one day, Jen walked into our meeting place, a drop-in center for women in Toronto, with a worried frown. Susan, she told me, had sent her an email attacking me. I asked her to forward it and was most alarmed to find that Susan Lindauer, who had repeatedly criticized the use of psychiatry to demonize activists and whistleblowers, was now attacking my mental status.

Here we go again, I thought. I fired off a terse email to Susan and Jennifer soon forwarded me her response. She was directing Jennifer to stop forwarding her emails and making further insinuations concerning my mental health.

Susan never wrote the article for Jennifer. She cut Jen off and it didn't matter too much anyway. I had been able to get Jennifer, who was most outspoken, on to a number of radio shows. Soon thereafter, her husband was released and the two

were reunited, happily. I had been able to obtain a copy of the damning psychiatric report that was being used as ammunition to further detain Dan and, as is all too common in these cases, the report did not even pass muster as a bonafide report. From that point on, it was fairly easy to demonstrate that Dan was being targeted.

I sat with Jennifer in the court gallery and observed the judge, a rather self-important looking fellow all dressed up in sashes and robes. Good judge or bad judge, a true supporter of personal rights or a man uncomfortable with the considerable independent media attention he had already gotten, it is not for me to say. He released Dan and he and Jennifer rode off into the sunset, more or less. Actually, they left Toronto and moved up North.

I did not hear from Susan Lindauer for many months. Quite unexpectedly, I received an email from her one day telling me she was writing a book about what had happened to her and requested a biography from me. I emailed her some information about my journalistic career and we began a friendly correspondence again. When Susan informed me she was having difficulty finding a publisher, I gave her some input about independent publishers in Canada. When her book hit the streets, I sent her an extensive media email list to use in promoting the book.

I was slightly puzzled when I got a copy of her book. She had misstated the campaign that I had started on her behalf, giving full credit to her friend, J., writing only that at one point I joined him in his efforts. I thought that Susan knew full well that J. had only gone on the air after I contacted him and began to arrange these interviews. I was also a bit surprised that she had ignored the bio she had requested from me and had referred to me as an “activist,” not a journalist. But these omissions were not important in and of themselves and I never raised them with Susan. I was delighted that she was free and had written her book, which I felt was so important in shedding light on the lies that had gotten us into the war with Iraq.

Given our history and her misstatements in the book, I shouldn't have been so surprised when Susan turned on me

with a ragefulness that forced a permanent schism. I had done a radio show on KBOO and the host, Chris Andrae, had posted the show on the Portland station's website with a promo for her upcoming show with Susan. Susan subsequently took issue with what Andrae wrote, but chose to focus her distress onto me. Here is Andrae's post in its entirety.

The Perfect Crime: Weaponized Conservatorship as a Whistleblower Gag

program date:

Wed, 12/29/2010

“Investigative journalist, Janet Phelan has hit a deep nerve in the Judicial-Industrial brainstem: What she has uncovered is the Perfect Crime as well as the only legal, airtight bag in which to silence whistleblowers. Thanks to dubious accidental loopholes in the legal code, it is possible to strip an individual of the right to fight a well as the resources necessary to defend oneself. Through a system of corrupt conservators, judges and plaintiffs, virtually anyone can lose all forms of freedom and all fiduciary instruments. Essentially your money and your life. It’s a silent crime because its victims are relieved of the means by which they might shout it from the rooftops. And public prejudice confines it to the elderly and the wealthy. In America. And it’s so simple: Identify your target; locate a compliant judge (and they abound) and the Middleman, the Conservator and get trumping on the evidence. All you need is a random remark taken out of context, one martini too many, a bad day at the office, a bad joke....It doesn’t take much to make the average person appear crazy – not in a society that values “Normal” to the degree to which this one does. Once these wheels start rolling there is no stopping that train. And more often than not innocent bystanders wind up under that same train. ‘Loco’? ‘Motive’?

The journalist Susan Lindauer is a friend and associate of Janet Phelan. Lindauer - an antiwar activist as well as a

former US Defense intelligence and CIA asset - very nearly ended up under a locomotive. Lindauer was accused of conspiring to act as an agent for the Iraqi Intelligence Service and engaging in prohibited financial transactions involving the government of Iraq under Saddam Hussein. She came close to the edge after her co-opted co-workers said she was "prone to mood swings and erratic behavior". In the end all charges were dropped prior to any trial."

I had sent the link to the show out to my email list along with Chris's writeup. Susan replied quickly and angrily: "Don't you fucking use my story for this! I was never subjected to a threat of conservatorship.. No, no, no. Judge Mukasey was very clear that given my high level of functioning I should not be subjected to that."

I wrote her back and rather stiffly informed her that not only did I not say that, but she was never even mentioned during the broadcast. I asked her to apologize. She then ramped up and on December 30, 2010, wrote me:

"FUCK YOU JANET!!! I have no intention of apologizing for anything. Somehow Chris Andrae got the idea that my story was connected to conservatorship, and it happened during a conversation with YOU."

I copied these emails to several people, including Chris Andrae at KBOO and a woman in Idaho who had been following Susan's saga since the year I lived in Sandpoint. As Susan's attacks began to escalate, I simply cut off our communications. Whatever her intention, the result of her misplaced or manufactured rage was clear: At the moment of her time in the limelight, she irrevocably distanced herself from me.

Unbeknownst to me, the woman in Idaho had taken it upon herself to write Susan about this incident. She only confessed this to me about a month after the fact, embarrassed that she had done this without my knowledge. On my insistence, she forwarded me the communications between her and Susan, emails in which Susan lied repeatedly about me, saying such

things as I blamed her for my mother's death right on the verge of Susan's book debut. Susan, it appeared, was misstating not only the nature of my initial involvement in her situation but also the extent to which I had attempted to continue to assist her, up to the point when she turned on me.

I bring this up not for the purpose of correcting the record. More to the point, this interchange reveals the degree to which betrayal has impacted my life in a multitude of ways. Through happenstance or deliberation, efforts have been keened to destroy bridges I have made which might have resulted in some resolution of my own plight. Earlier, I had discussed reports made to police, district attorneys, the Department of Justice and to several U.S. senators. None of the reports were acted upon. Some, as in the case of reports to the Temecula Police Department, were falsified.

Pleas for help were also made to family members, to Dr. Richard Penn, a neurosurgeon in Chicago and to his brother Dr. David Penn, a physicist in D.C., all of whom averted their eyes to what was happening to Amalie and to me. I also reached out to media including *L.A. Times* reporters Robin Fields and Dave Haldane and *Washington Post* Bureau Chief Bill Booth and Random House editor Bob Loomis. In 2002, I made contact with former federal agent Bob Maheu, whom my father had known through Maheu's position as right-hand man and media contact for reclusive billionaire Howard Hughes. I called and went into FBI offices, U.S. Attorney's offices and emailed the *L.A. Free Press* and approached the 911 Truth Movement. Astoundingly, every contact resulted in a door slamming in my face.

Given my understanding of the direction the United States has taken, a deadly movement towards eugenics-based fascism and steeped in betrayal and falsehoods, it is not surprising to me that government agencies would be directed to stand down from reports of the institutional murder of my mother and the subsequent attacks on the one standing up for her. I should also not be surprised at the disinterest of the press. The extent to which our media has been compromised has been made very

clear by its handling of the 911 attacks and subsequent events, such as the Benghazi attacks in 2012.

When I was trying to find lawyers to help my mother, two attorneys rather bravely informed me they had gotten death threats. The others just acted like it. I can only assume that when family turned their backs on us, when others in positions to actually help bring attention to what was happening to Amalie and to myself simply fell silent, that there may also have been threats involved.

In light of this, one might become concerned that some people who crossed paths with me, such as Susan and others in a position to either give support or coverage to the obscene attacks upon first Amalie, then me, might also have gotten the contact and the warning. It is a fair explanation for the betrayal that has become so commonplace.

And there might be multiple purposes for such betrayal. Beyond the simple fact that attacks such as what I have endured would remain a secret, given the zipped lips of those who fall victim to contact and warning, one must also understand that a pattern of betrayal has a psychological impact upon a person repeatedly subjected to this. Very often, as evidenced by Susan Lindauer and Dr. Richard Penn, it is not enough for the individual to simply back away. Instead, they lend themselves as proxies and launch a psychological attack.

As much as we like to consider ourselves independent, we are all social creatures. To withdraw the normal supports from an individual—in my case, food, shelter and creature comforts were brutally ripped away--and to then withdraw the normal psychological comforts of kin and friendship, might weaken the resolve and psychological integrity of anyone. Such a person might become *de facto* disabled from further efforts to communicate what she has experienced.

It would not be unreasonable to expect such profound psychological shock waves to result from repeated instances of psycho-social battery and assault that the subject simply—psychologically—dies.

It's like diving in the sea
I explained to him
The icy shock
as the waters close over your head
your blood racing
to keep you warm

then the second shock
when you realize
that sometime/soon
you will need to breathe

and panic fills your lungs

It's what you learn here
that changes you
You think you're sinking
but you're actually breaking free

Gravity becomes irrelevant
as you abandon the terra-bound rules
to their own complications
Movement is different here
slowed yet effortless
Grace settles into your limbs
and you begin to dance

The real epiphany
is when you realize
you can still breathe
you can breathe/underwater
you can breathe/water

against all preconceptions
against all scholarly proclamations
against the dictates of centuries of dogma

and then you know
the world you lived in
was a lie

It's a matter of believing
I told him
as his eyes washed with terror

Breathe in
Breathe deeply
I did it
You can do it too

It's so much easier
when you know the truth

“It's what you learn here that changes you.” One ends up thrown back on one's own resources. One learns strengths one never knew one had and one learns to let go of others very quickly when they begin to act as assailants and/or proxies. One's emotional attachments to others become more mitigated. In my case, my work began to take over as the dominant *raison d'etre* of my life.

It is important for the purposes of this book that the readers understand the extent of the attack. One might reasonably say, “Well my goodness! Why didn't you call your cousin? Why didn't you get in touch with the 911 Truth Movement? Mike Ruppert? Julian Assange? Amnesty International? The Committee to Protect Journalists?” I attempted all these contacts and more. At some point, I stopped trying to get help, as little or none was forthcoming. I was still alive, I reasoned, and the peril for others was obviously great. I turned my focus towards working to expose the systemic take-over of our country and along the way, was able to help others who had fallen into the net of corruption and injustice. And so, without realizing it, I moved from a position of victim into a position of strength.

I had arrived in San Bernardino with escalating breathing problems after what had taken place at the hospital in Ashland. I spent my first night in Yucaipa sleepless and gasping for breath, seriously wondering if I was going to see morning. I was staying at the home of Melodie Scott victim Steve Price and his fiancée, Tammy, who was a nurse. They urged me to go to the emergency room but I refused to go, stating I was much better, thank you-- whatever was necessary to derail their very decent concern and insistence I go to a hospital. Gradually, my breathing improved and I did get better.

For nearly two months, I went almost daily into Redlands courthouse, ordering up files from the archives and going through them, painstakingly. A former law student named Learner Goude helped me, giving the files a second going over before turning them back to the clerk at the end of the day. We were looking for certain markers: dirt-low property assessments, causes of death, missing monies. We found an enormous amount of questionable activity by Melodie Scott and also Larry Dean, who had worked in Scott's office as a conservator. The main probate judge, Michael Welch, was simply rubber stamping nearly everything that Scott or Dean petitioned for. Certain attorney names popped up repeatedly, as well--J. David Horspool, Bryan Hartnell, Jim Church, Sherri Kastilahn.

As a result of that research, a fledgling series of articles took shape. "The Probate Murders—Parts One, Two and Three" were published in the *American's Bulletin* in late 2007 and early 2008. Part One offered an overview of the deprivation of rights being inflicted through the state conservatorship programs. Part Two focused on Melodie Scott and Part Three

detailed the plight of the disabled under conservatorship.

Given the free reign offered me by Bob Kelly at the *Bulletin*, I was able to write about a number of different issues and was able to follow my own instincts in terms of stories. Under my byline, the *Bulletin* published articles on such far ranging subjects as the PATRIOT Act, the shutdown of the libraries in Jackson County, the authorization under Army Regulation 210-35 for inmate labor camps for homeless people, the federal prosecution of redemption researcher Barton Buhtz and more.

After a few months in Medford, I applied for a radio show at the local community radio station in Ashland and “One if by Land” went onto the air. I culled the name of the show from the famous poem, *Paul Revere’s Ride*, by Longfellow. I had not, however, read the poem in its entirety until after I decided to name the show. As I was copying off the poem to read prior to my maiden voyage as host of my first radio show, I realized that this poem also contained a phrase my father used to recite to me, in his later years.

Dad would fix me with his penetrating blue eyes and announce, “And I on the opposite shore will be.” At the time, I only thought that my father, then in his eighties, was feeling his mortality. I did not know that he was reciting the lines from the poem wherein the speaker is telling his comrades that he will be faithful and ever present, to support them in their revolutionary effort.

Reading the poem for the first time, I felt as if a circle had closed. “One if by Land” assumed a larger meaning for me and every time the show went on the air, I felt warmth and gratitude flowing towards my father, for the example of integrity and fiercely uncompromising ethical journalism that he had presented to the world, to me, as a gift.

Soon after I began broadcasting on KSKQ, I was offered my own show on Republic Broadcasting Network. I found it somewhat amusing that the two venues so thoroughly straddled the political spectrum—KSKQ, a Pacifica affiliate, was avowedly liberal in its orientation and RBN was hardcore conservative in the thrust of its political perspective.

I was still timid, however, and put off RBN until after the July 4th Freedom Festival in Sturgis, South Dakota. I was a speaker at the three-day-long event, along with a number of others, including RBN's founder, John Stadtmiller. At the festival's end, RBN again extended an invitation to me to host a show on the network. I asked Dr. Rebecca Carley to co-host with me and so "Two if by Sea" went on the air.

I would joke with my friends that I was building a little media empire in Southern Oregon, and building it on the cheap. After putting in a long day in Medford at the *Bulletin*, I would jump on the bus to Ashland and arrive at KSKQ just in time to host my weekly hour-long radio show. KSKQ also gave me latitude to use the station's computer to connect with the RBN hub in Round Rock, Texas, to broadcast "Two if by Sea."

I couldn't have been happier. It was a brief and heady joy-ride that came to a sudden and jarring halt at the end of July. Claire, a co-worker at the *Bulletin* had accompanied me that morning to a meeting at the Medford Water Commission. At this meeting, I attempted to confront both their engineer and media representative with the documentation that the Medford Water Commission was providing falsified and redacted information to the public in their public offering of the water records, specifically the plats showing the location and number of the water mains.

In the city of Medford, I had already found a "back door" and had come away with blueprints which provided proof that what the Water Commission so generously supplied to the public for free, via the public computer access in the department's lobby, was altered so as omit evidence of the double-line water system. I had also contacted the Lithia Corporation, which had contracted to do water work in an area of Medford sectioned off for the new Lithia mega-compound and had gotten the none-of-your-business-buzz-off treatment by their public affairs person.

I had therefore a couple of concerns to lay on the table at this meeting—first, Medford's redaction of public information and second, the questionable legality of a private corporation

taking on a public works project and then citing corporate privacy in order to evade a records request.

The meeting took place with engineer Rodney Grehn and Public Affairs representative Laura Hodnett. Grehn was unable to give me any straight answers and Claire and I left empty handed. On the way back, she congratulated me on my restraint in dealing with their evasiveness. I harkened back to a previous meeting with Medford Water Commission Chief Engineer Eric Johnson and Hodnett, who were unable to answer the easy question—"Why do the blueprints you offer the public differ from the real blueprints?"

So I had asked Johnson and Hodnett the next logical question. "Are your answers being governed by the section of the Critical Infrastructure Information Protection Act which makes it a federal crime for government employees to reveal information about critical infrastructure?" And that would include water systems.

But Johnson and Hodnett wouldn't answer that question, either. Instead, they shoved their chairs back from the meeting table. "This meeting is over," announced Hodnett and out of the room they marched.

I was sitting in my cubicle at the *Bulletin*, having just come back from the meeting with Grehn and Hodnett when in stormed Marianne McCutcheon, who was Robert Kelly's wife and the titular owner of the *Bulletin*. Her face flushed, she accused me of "luring."

"You are luring my employees away from their jobs during business hours," she proclaimed. In fact, the meeting at Water was pre-approved by Kelly and was up on the company board as such. I was sure she had some bad information and respectfully told her that our meeting had been sanctioned by Kelly and that we had come straight back. McCutcheon pressed on: "You were gone over an hour and a half," she declared.

I rocked back in my chair to look at her more closely. I had never had felt much of a connection with Marianne, a rather generously proportioned woman who seemed to live in a world

entirely apart from the focus of the *Bulletin*. The few political conversations we had shared left me in some state of bewilderment as to how this woman could be married to Kelly and maintain such a degree of obliviousness as to the forces at play. That day, she was clearly upset and I tried to do what I could to convince her that I was not engaged in efforts to lure her workers away from their toil.

The fact was that McCutcheon had been only paying me for twelve hours a week, no matter how many hours I put in, for most of my tenure at the *Bulletin*. After I had returned from San Bernardino I found my office without even a functioning computer. After my concern that I was not provided an office phone line to make my *Bulletin* related calls was brought to her attention, I was ultimately given an extension line and a computer was again placed at my desk.

As the only staff reporter at the *Bulletin*, I was keenly aware that the reporting side of the business took second string to the real money maker, which was Kelly's paralegal work. The paper was more or less an advertisement for his services, which brought in most of the money to the company.

"It was a long meeting," I told her, somewhat apologetically.

"This isn't the first time you have done this," she announced. "You lured Chris away to the police department last month."

"Chris and I went to the police after work hours," I told her, truthfully. I wondered if Marianne had gotten wind of the mess that was developing between the police and me. Everyone situated near me at the *Bulletin* had been aware of the rash of incoming calls I had been getting on my cell, sometimes one after another and often as many as forty or fifty in the breadth of an afternoon. I had long ago stopped answering when I saw "Unknown Number" pop up on my screen.

The messages left were alarming. I would attempt to clear the messages at the end of the day, in the privacy of my home. Voice mail after voice mail featured guns being fired off, strange guttural animal noises, and in a couple of messages it sounded like someone was being murdered on the other end of

the line. At the point when I started receiving snuff calls, I made a police report.

The calls were bad enough. But there had been another issue which had eclipsed the phone harassment in my security assessment. I had again found drugs in my home.

I had started off walking to work that morning then realized I had left behind some important papers, papers I needed for that day's work at the *Bulletin*. I had turned around and come home. A strange, grimy-looking fellow was standing on the porch of the duplex I shared with a local woman and her teenage son. He took off quickly when I rounded the corner.

I couldn't find the papers right away and began throwing the pillows off the couch to see if the papers had gotten buried in the sofa. My hand closed over what felt like a small bag of...leaves? Pulling the baggie out from the bowels of the sofa I found myself in possession of what looked like an ounce or two of marijuana.

This wasn't there last week, I thought. I had taken the couch apart in order to vacuum it only the week before. I thought back to the pink pill incident in Long Beach in 2002 and then to the strange pills found in my home in Sandpoint at the time that the Aryan Nations neighbor started making so much trouble. Oh brother, I thought. Here we go again...

So I decided to handle this differently. I took a couple of quick photographs of the baggie and quickly got rid of the contents, scattering them in the street. Back to the *Bulletin* I went and wrote up an affidavit for the police department, witnessed by a couple of folks at the paper. In the affidavit, I advised the police that this drug planting stuff was beginning to become habitual and that I did not use, sell, buy or keep illegal drugs of any sort. I asked the police to protect me from an apparently repetitive attempt to falsely entrap me for a crime I did not commit.

I then brought this over to the PD along with the photograph of the baggie.

A few months later, I had cause to stop by the PD again. I mentioned the previous report and the clerk went to look it up

on the computer.

She raised her eyes to me, questioning. "We have no such report from you in the system," she said. She went back to her monitor and searched again. "Maybe it is under your address," she stated. I gave her my home address.

"Nothing is coming up," she told me. I confirmed this with a higher up at the PD and left, deeply concerned.

As a result of what was essentially the disappearance of this report, meant to protect me from false arrest, a small firestorm ensued. The City of Medford maintained a police oversight board, largely manned by citizens, with a sitting City Council liaison as well. I made plans to appear before this board, to advise them that the police had deleted my report.

I spoke at the July meeting in 2008. I accused the police of deleting my report and increasing my vulnerability to a spurious drug arrest. The police appeared in force at that meeting. Chief of Police Randy Schoen attempted to defend the indefensible and I was able to torpedo his wobbly protests. As far as a debate score-card went, I won hands down, refuting every point the Chief and his backups tried to make in defense of the department's behavior in disappearing my report.

Later that evening, I walked through downtown Medford and ran into a couple of people who had watched the meeting on TV. One young man, a stranger to me, rushed up to me and high-fived me. "Good going," he roared. "You are protecting all of our rights!"

After the meeting, one of the board members came up to me, wanting to meet and talk later. Kip Grant, it turned out, was no stranger to police misconduct herself and had launched a one-woman campaign to reform the department. Kip soon provided for me documents which I would not have otherwise been privy to: summaries of Internal Affairs investigations.

Kip could not have come from a more dissimilar background from mine. A staunch Republican and Mormon, she was also driven by experiences of justice denied and we soon launched an "Odd Couple" friendship. The documents she provided me indicated a fertile field for further research. Internal Affairs, as it appeared in their summaries, had denied every single

citizens' claim –save one--that the police had acted inappropriately in the course of a contact or investigation. As the complainants' names were on the summaries, all I had to do was find their phone numbers and call them. The complaints ranged in degree of seriousness, from mere impoliteness to an officer actually engaged in machinations to set up what was later determined to be a bogus arrest. Scott Clauson was the officer referred to in that report.

The results of my research were most telling. Many of the complainants had been led to believe that the involved officers had been given a reprimand and further training. In fact, they had not. The IA summaries again and again stated that the complaints were unfounded. Interestingly, the sole complainant whose report to IA resulted in a “Complaint Sustained” outcome was a close friend (and fellow Rotarian) of the City Council member who sat as liaison on the police oversight commission, Bob Strosser.

My subsequent article, entitled “Internal Affairs: How They Cover up Police Abuse,” was not published until after I left the United States. In the interim, some very skanky things began to transpire between the Medford Police and me.

Soon after the televised confrontation between Chief of Police Schoen and me, I was contacted by Officer Scott Clauson of the Medford Police Department. He would be happy to investigate any of my complaints, he told me.

I was sitting in my cubicle at the *Bulletin* when Clauson's call came in. “You are an investigator?” I asked thoughtfully. “What do you generally investigate?” I asked.

“Financial crimes,” said Clauson. Then snickered. That little sidelong laugh shot through my consciousness like a rocket. Not wanting to go with the instant coffee of paranoia, I asked him if he were willing to investigate these harassing phone calls I had been getting. “I'll investigate anything you want me to,” announced Clauson. And then that little laugh again.

I went home and taped the terrorist voice mails off my phone and brought this over as evidence to Clauson. All the calls, I explained, were coming in as anonymous.

“We can subpoena the phone company's records,” he assured me. In fact, I had already spoken with T-Mobile and had been told that the offending caller was also a T-Mobile customer. Due to technological roadblocks, I was told, even a police subpoena could not result in the caller's information being mined. There was simply no way to find out who was making these calls without a tap being placed on the suspected offender's phone.

I relayed this information to Clauson. Once again, he gave that strange little laugh and told me not to worry.

A few days later, Clauson called me and asked me to stop by the department after work. He wanted to return the tape recorder, he told me. As it turned out, he had some papers for me, too. He had subpoenaed T-Mobile, he said.

“Here is a copy,” he told me. I briefly glanced at the subpoena and stuck it in my purse.

i am clinging to
the soft underbelly of America
as she lumbers toward her doom
i am holding on
for dear life
as my host deconstructs herself
and i swing and sway
like a papoose or a deer-tick
as America, sweet America
slouches towards Bethlehem
"dying to be born."

once upon a time
i was a girl in a pink dress
then a teenager in bluejeans
a poet wanna-be at Berkeley
and a young wife, straining against the bit
as i broke free
carving out a solo path

history has engraved
its mark on my flesh
lines around my eyes
streaks of gray in my hair

the indelible memories
of too many assassinations
and too many betrayals
too much poison
under the bridge
but i still cannot see any further
than tomorrow morning

when i will die
to be born again

in the belly of the beast
my fate/your fate/our fate
as a people
as a race of earthlings
all bound up together
in this monster
this America
as she lumbers down the runway
and packs her load
into the cockpit
as the collective gasp
of six billion souls
flies up
in the last

the very last

pink poison
cloud

I walked off the job at the *Bulletin* the day that Marianne McCutcheon falsely accused me of “luring.” Working slave detail for her for \$8.25 an hour for fewer hours than I actually worked only to be accused of doing something that was obviously untrue was the last straw for me. Soon after I announced I had quit, however, McCutcheon began to send me conciliatory emails. She was sorry, she said, that there was this misunderstanding. She was looking forward to all the wonderful work ahead of us at the *Bulletin*. Wouldn't I come back?

Yes I would, I wrote her. I returned to work and soon after, Kelly returned from his trip to Hawaii. We met in his office and he began to launch further accusations. I was rude to

Marianne when she falsely accused me, he said and I had hurt her feelings. I quickly informed him that there was at least one witness to the incident, in the next cubicle over. Wouldn't he want to talk to this fellow first?

As it turned out, he did not. The very next morning when I came in to work, Kelly shot me a nervous look and ran out the door. The very same co-worker who had accompanied me to the meeting at the Water Commission handed me the letter telling me I was fired.

The firing letter was in itself actionable. It said that I had "stress" due to medical problems (true) which in fact was not a reason one could be let go in Oregon. It said a lot of other things, too. Scanning the list of my trespass, I couldn't help but wonder if Kelly couldn't have come up with some better excuses to let me go. Asking a co-worker to read an article before it was submitted to Kelly for publication? That was hardly grounds for dismissal. Kelly thought it was, however.

It was unfortunate, I reflected, that my firing had come at the very time that the police and I had become engaged. I wasn't going to let this slow me down, however.

It was time to move to Ashland, I decided. Ashland, home of the Shakespeare Festival and ex-hippies from California who had gone North seeking a better life. Ashland, with its open-mic music bars, its little Bohemian shops and renowned Metaphysical Library. Ashland, with Quaker Meeting and the beautiful Lithia Park with its special healing waters. I began to consider whom else I could write for and thought about firing off some query letters. In the meantime, I started to look for an apartment in Ashland.

I soon found a lovely, sunny flat a bit away from the center of town. It made sense to be closer to KSKQ, I thought. I plunked down over a grand in deposit and rent and went back to Medford to begin packing. I had been trying to save money and had been able to put away very little, to be truthful. I had about six thousand dollars to my name. The Trust was still giving me a monthly check and I was lucky to make six hundred dollars a month at the *Bulletin*.

While starting to sort through papers I came across the

subpoena for T-Mobile records that had been handed to me by Scott Clauson. I peered at it, reading it word for word. I noticed that it wasn't complete.

In fact, the proof of service was left blank. What could that mean? Drawing on my knowledge of the law, I felt a small shock wave push through me. The subpoena did not provide any indication it had ever been served on T-Mobile! (EXHIBIT 16)

I called the police department and was put through to a supervisor. I explained to him the problem and asked for the department to mail me the document that had been given to me by Clauson. In fact, not only was there no indication that the subpoena had been served on the phone company, there was no documentation that the subpoena even existed, other than what I held in my hand. By asking the department to send it by mail, I reasoned that it would become—in a sense—bonafide.

The sergeant refused to mail it to me.

I began to get worried. Obviously, something was going on that wasn't kosher, not at all. The next day, I called again and asked for the investigation to be terminated. "I am withdrawing my complaint," I announced.

The sergeant sounded woeful. "I am sorry, Miss Phelan, but we cannot allow for that. We have to see if a crime has been committed."

I called T-Mobile. I was refused the information about the subpoena and was told that the company's commitment to law enforcement precluded giving out this information.

I attended an activist meeting in Medford and discussed the issue of police misconduct. I was told that when I was arrested the activists would protest. I attempted to get some interest in my issue, pre-arrest. I brought out the subpoena. "This isn't even legally executed," I stated, but further conversation was blocked by a couple of rather dominating participants, who happened to be connected to main stream press and a local law firm. So much for stirring up any interest there.

I went to Quaker Meeting and announced my plight. Several people came up to me and told me how very sorry they were. I

began to wonder if there were any intervention possible.

I continued packing, thinking furiously. I knew entrapment by this time very well. I could smell it coming up Riverside Drive from the cop shop. I reviewed what I knew: 1) the police had disappeared one of my complaints, about the planted drugs. Only under duress did the department agree to investigate any of my concerns. 2) They assigned a financial crimes investigator to a phone harassment claim. 3) The subpoena I had been given did not pass legal muster and was apparently bogus. 4) The department refused to mail me the subpoena, further buttressing concerns that it was not a bonafide document. 5) The department refused to allow me to withdraw my complaint.

Given this constellation of issues, it appeared likely that the subpoena was a cover for something else. I kept packing. When I was done, I called a friend with a station wagon. On a Friday, he helped me put everything into storage. I figured I had a little time left until the net closed over me. I then went to the bank and withdrew most of my money.

I had packed a suitcase which did not go into storage. Sunday, I called a taxi. "We are going to the bus station," I announced.

I took my cat, Probation, and set him out in the yard. I had gotten him in Idaho and he had been a wonderful companion for a year and a half. "I love you," I told him. He looked up at me, frankly worried. Struggling to keep from crying, I got into the taxi and shut the door. We drove away as Probie stood in the yard, staring at the car, bewildered.

The driver must have sensed something and said, "Having a bad day?"

"Yep," I said.

I got on the next bus South. As soon as the bus pulled out of the station, I called the station manager at KSKQ. "My cat is sitting out in my front yard," I told him. "Something has happened and I had to leave. Can you scoop him up for me?"

After we got out of Oregon, I called Michael Herzog, a fellow talk show host from RBN. I told him I needed a soft landing in Mexico, that something really bad was going on and I needed

some shelter and some time to think. He promised to help.

I spent a fretful and nearly sleepless night in a hotel in San Diego. First thing in the morning, I caught the trolley to the border. I stepped down and, adrenaline rushing through my veins, marched up to the line where the border guards were checking who was attempting to cross. This would be the place where they would make their move, I knew. I hoped that the PD had not finished yet investigating me for whatever they were trying to conjure up. Knowing from past history that the Medford Police had no ethical restraints from deleting documents from their files, it seemed likely that they would create ones, if need be.

The fake subpoena was, in fact, a perfect example of that. Long Beach's Finest, Officer Loren Dawson, with cheeks like Macintosh apples and with his boyish smile, kept flitting across my internal eye. I knew very well what could happen to me in police custody.

Without issue, I had procured a six-month visa prior to hitting the guard shack. The border guard was a big burley guy who didn't give me a second going over. He looked at my documents and smiling broadly at me, asked me to push the button. I knew from experience that this was a random check point. The light flashed green and I walked out of America into (a greater degree of) safety.

EXILE

I roll over in the earth
as the leaves ferment
and twigs return to root
as the skies blanch
and the ground begins to fracture
and break apart
under the pressure of its own history

and the earth is captured
by something other than earth
I turn and turn/like a sleeper
like a swimmer underground

That which my earth eyes
heavy with mulch/cannot see
that which holds captive
this spinning ball of earth and sea
spun by lies and criss-crossed
by bandwidth and radar

That which holds me, darkly
in its invisible cradle
now invades my sleep

and I turn like a sleeper
rising towards the dream.

I had gotten into the Palais Nations a little early and took my seat, watching the delegates come in. The morning session was dedicated to reports from non-governmental organizations. I had registered for the Seventh Review Conference of the

Biological Weapons Convention (BWC) as an NGO, not as media. Media was essentially gagged from participation and having already engaged the UN in 2010—only a year prior-- as a grassroots organization, ITHACA, I simply used this affiliation to register for the BWC.

ITHACA was, in fact, created by Dr. Catherine O'Loughlin and me in order to submit to the first-ever review of the human rights record of the United States by the United Nations. The ITHACA Report dealt with the civil and human rights violations against conservatees and also attacks within the U.S. on several whistleblowers and ersatz human rights defenders.

It had been a tough road getting here, I reflected, as I watched the Iranian delegation arrive, followed by the Chinese. What a journey I have had! I reflected.

The cavernous meeting room at Palais Nations continued to fill up. The U.S. team strode in, twenty strong, with their exquisite suits and smart haircuts. I spotted the handsome Carl Prober, whom I had seen just the night before at the BWC welcoming cocktail party, held at a nearby restaurant. I had been chatting a bit with another American, on assignment with the State Department in Geneva when Prober lurched up, apparently slightly drunk.

"She," he announced, pointing a wobbly finger at me, "thinks the U.S. has launched an illegal biological weapons program!"

"Haven't you?" I said. Warned off, the other American hastily retreated and Prober glared at me, apparently triumphant.

Today, there was not a trace of the accuser in his demeanor. I watched him enter, as he ducked his head a bit and said something to a woman at his left. She giggled in response. Carl Prober was tall, broad shouldered, a clean-cut sort of good looking. Probably single, I thought. Looks like he works out a lot. Bet he's a hit with the ladies in D.C.

The day's agenda was called. Due to time constraints, the time allotted for the NGOs to speak was unfortunately going to be curtailed, it was announced. Our initial promise of six-seven

minutes each was now shortened to about three minutes per speaker.

Aghast, I checked the papers in front of me. Quickly, I red lined some of the prose and did a quick rewrite on the rest. It took about ten minutes. I read and reread my presentation. Good enough, I decided.

There were nineteen NGOs scheduled to present at the Seventh Review Conference of the BWC in December of 2011. My submission was going to be towards the end. I put on my translating headset and sat back to wait.

I remembered someone telling me, “You talk too fast. Talk slowly, make sure every sentence is clear.” That would have been Joe Berg, I thought, an advocate for property rights out in Riverside County. I had spent a night at Joe's home a few years back, while down in the Southland researching the “Probate Murders.” He had fixed me a delicious shrimp pasta dinner and we had talked politics before I retired to the spare bedroom. Dear Joe, I thought, warmly. So many lovely people I had met in the last few years, I reflected. And so many scoundrels!

The NGO representative next to me was called and I was jarred back into the present. The presentations seemed to be well intentioned but hardly earth-shaking, I thought. A few had made a side-long reference to the possibility of a state-sponsored bioweapon being deployed and how the Biological Weapons Convention offered absolutely no safeguards against this, no way to verify that State parties were not developing these weapons of mass destruction and no way to involve the Convention should valid fears arise that a State party was violating the treaty.

Timid, I thought. Possibly doing the best they can under the circumstances. Maybe they know, maybe they only suspect. Fear—the great controller.

My name was called. I am doing something that has never been done before, I thought.

“Speak slowly,” I heard Joe Berg urge me.

“Mr. President, Distinguished Representatives, Ladies and Gentlemen,” I began. My voice sounded far away. Was I really

doing this? I suddenly flashed back nine years, sitting on the bed in Jack Smith's condo, gazing out the window and wondering if I would ever see my mother again. Could I even be that same person?

“My name is Janet Phelan” my voice was continuing on as I traveled back through time, “and I sit on the board of ITHACA, which is a human rights agency.”

My mother's face was hovering before me, smiling, encouraging. “I am grateful for the opportunity to submit this statement to the Seventh Review Conference of the Biological Weapons Convention.

“I am here today to submit concerns to this Convention that the United States of America is engaged in an offensive biological weapons program. My research indicates that these weapons may be stockpiled at Sierra Army Depot, which is a military base in Northern California, as well as possibly at other locations.

“In 2001, in the wake of the attacks of September 11, the United States passed a piece of legislation which in itself constitutes a violation of Articles I, II and IV of the BWC. This piece of legislation, Section 817 of the US PATRIOT Act, The Expansion of the Biological Weapons Statute, gives the United States a “blank check” to stockpile biological weapons and toxins and de facto removes the U.S. from the stipulations contained in the BWC. This is accomplished by the addition of a final caveat to 817, stating that “the prohibition contained in this section shall not apply to any duly authorized United States governmental activity.”

“Other NGOs, including the Sunshine Project, have raised concerns as to what kind of research is going on in the proliferation of BSL-3's and 4's—now numbering over 1350 BSL-3's in the United States. Other than the reports of stockpiles at Sierra Army Depot and the violations of the BWC contained in Section 817, concerns also extend to evidence that the U.S. has covertly set up two separate delivery systems—one involving extensive reconfigurations of city water systems and the other involving what we call “imposter pharmaceuticals”—the putative “poison pill” which, rather than

treating a disease, will cause imminent death to the unsuspecting victim.

“Both of these delivery systems have the ability to selectively attack predesignated targets and leave surrounding populations unaffected.

“I do not need to remind the Convention that Saddam Hussein was executed for charges including a purported attack on his own people—the gassing of the Kurds. There is a dark red thread running through recorded history of governments initiating pogroms against their own citizens. One needs only to look at the last decade and the dramatic movement away from the democratic ideals upon which the United States was based to realize that the U.S. government has already traveled a long ways from an open, free and democratic society towards the secret and restrictive regimes that have historically initiated attacks upon their own people.

“On behalf of all U. S. citizens and all others residing within her borders, we are seeking your help. The situation is dire and the international community must be alerted to the fact that all of these signals—stockpiles, changes in legislation, and multiple secret delivery systems-- point to a future attack within the borders of the U.S. facilitated by the United States government.

“We have been limited by time constraints today. I would like to advise the Convention that we have accumulated a considerable amount of evidence, including correspondence with government agencies about Section 817 and other pertinent legislative changes—agencies including the Department of Justice, State Department and the Environmental Protection Agency, to name a few. We have also amassed details and documentation concerning delivery systems.

“We would be happy to supply this documentation to the Convention, if requested.”

I had finished.

“Thank you for your attention to this matter,” I said and leaned back in my seat.

It had been a complex passage from the border crossing at Tijuana to the rotunda at the UN building in Geneva, spanning the North American continent and over three years. I had received a personal education in the power of the United States government, world-wide. Any illusions I may have maintained concerning officially sanctioned refuge in a foreign country were quickly dissolved. However, jurisdictional issues were working in my favor.

Once across the border into Mexico, I called Mike Herzog. He helped me get a contact, a Canadian woman who lived in a small town near Guaymas.

I was in her lovely beach front home for a week. Frazzled and somewhat desperate, I don't think I was the perfect house guest, and I will always be grateful to her for her gracious acceptance of this frightened stranger into her home. I looked around at apartments in the area but when an offer came in from another talk show host in Toronto to come stay at his house, I decided to accept his invitation.

All told, I was in Toronto for almost two years, with a couple of interruptions, as immigration procedures necessitated that I leave Canada every six months. I ended up getting an apartment with a woman who also attended Quaker Meeting. I left RBN and began broadcasting on the now defunct Liberty News Radio. Some others from RBN, including Michael Herzog, also made the transition to LNR.

One of my first issues upon arriving in Toronto was to get some clarity on the problems with the Medford Police. I again called T-Mobile and as lucky as I could be, got an employee on the line who either didn't know about the corporation's prohibition on releasing information relevant to subpoenas, or simply didn't care.

She checked the database for me." No," she said, "there are

no subpoenas in our system bearing your name in any capacity.”

I hung up the phone. A tsunami of relief washed over me. Damn, I got out under the wire. I had some nagging concerns as to what the Medford Police Department was trying to conjure up but these were questions that were apparently unanswerable.

Shortly thereafter, I received a rather terse email from Sergeant Brett Johnson, Medford Police. The email stated that the issue of the phone threats had been investigated thoroughly and the department had determined that the calls were not made by Tim White. The department had therefore closed my complaint and no further action would be taken.

“I did not report Tim White,” I wrote back. “I reported a crime. It is up to you to investigate and determine who committed the crime.”

The Medford Police refused to address this concern and reiterated that they had closed the complaint without further action.

When I am asked why I left the United States, I generally reply that my rights were being violated. In fact, it was clear to me that I had no rights. How it is that a person who had never been charged with a crime can lose all her rights is an issue that is beginning to come to public attention. More and more people are cropping up with similar stories of police misconduct, judicial corruption and the use of proxies to stalk and sometimes even assault. Some of these people, like Clare Wehrle, have ended up dead. Our rights-- “God given” says our Constitution--are only salient if the system acknowledges them.

These Constitutional protections are not to shield us from terrorist attacks or invasions from a foreign power. These protections are there to constrain our government from invading the privacy of its citizens, from robbing its citizens and yes, killing its citizens, without due process. A recent Supreme Court decision has given the police the right to take DNA samples from arrestees. This is not only an abhorrent invasion of privacy but also facilitates the creation of

tailor-made biological and genetic weapons.

Life, Liberty and The Pursuit of Happiness....how beautifully those words have reverberated through the last two centuries. The promise of America –that its citizens shall be free. That our property and possessions shall not fall to government confiscation, that our families will be protected from harassment and abuse, that our right to speak out against the practices of government and to petition for redress should the powers-that-be overstep themselves: this is the promise of America. The American Dream is–in fact–just that: a beautiful and seductive dream.

While I was in Canada, new laws governing conservatorships came into effect in California. Robin Fields's much awaited *L.A. Times* series on guardianships was finally published in late 2005, and the resultant public outcry necessitated that the Legislature take action. The Omnibus Conservatorship Reform Act of 2006 was subsequently passed and eventually funded, after Governor Schwarzenegger line-item vetoed funding for the Act for two years running. In late 2008, the Professional Fiduciaries Bureau came into being, mandated with the responsibility of licensing and overseeing the crew of professional conservators. Melodie Scott applied for her license and was denied on grounds that she lied on her licensing application.

Reading the *Times'* series was a painful experience. All the most serious concerns—conservator murder, theft and judicial collusion—were carefully avoided. Subsequent research, published in my articles in the *American's Bulletin* and elsewhere revealed that conservators were regularly terminating the lives of their clients after ransacking their funds. Reading the *Times'* series, you would never have guessed it.

I had begun to write for the *San Bernardino County Sentinel*, a weekly publication devoted to investigative reporting, which published "Probate Murders Part Two" in a somewhat different edition than appeared in the *American's Bulletin*. In September 2009, the *Sentinel* also broke my story on how California judges were laundering bribes and pay offs through their home loans. At the *Sentinel*, I also followed the saga of Melodie's two-year-long battle to achieve licensure.

A number of complaints about Melodie Scott had already been received by the Bureau, which opened its doors for business in late 2008. Curiously, the Bureau made an

administrative decision not to include these complaints in their efforts to deny Scott a license. In other words, all the allegations that Melodie Scott had stolen money and in some instances, such as in the conservatorship of Stevie Price, had taken deliberate actions which caused the deaths of her wards, were thrown out the window by the Bureau.

According to Department of Consumer Affairs attorney Gary Duke, "We thought we had enough on her without going into the issues brought up by the complaints against her." The initial charge against Melodie Scott for lying on her application was subsequently amended to include allegations that she continued to practice as a fiduciary even after her license was denied. A drunk-driving conviction was also added to the charges. All complaints of a criminal nature—embezzlement and murder—were ignored.

Melodie Scott's protection runs deep. I was therefore not surprised when an informant in San Bernardino County advised me that a deal was on the table and that Melodie would soon be in possession of her license—a license which she had previously used to embezzle, rob and terminate the lives of a number of her clients. The Deputy Attorney General who was representing the Professional Fiduciaries Bureau in this matter was Jonathan Cooper. My source told me that all Melodie had to do in exchange for her much-sought-after license was to pay the State's attorneys fees, incurred during her prosecution.

I immediately called Cooper to ascertain if the rumor about the deal was true. Cooper denied it.

His denial sounded a bit tinny to me and I went ahead and contacted the media representative for the DCA, Russ Heimerich. Heimerich confirmed what Cooper had denied—a deal had been offered Melodie Scott for a probationary license.

The story broke in the *Sentinel*.

Immediately, Cooper pulled back the deal.

So it was back into contested hearings for her license. Steve Price, whose disabled son, Stevie, had died due to cruel and physically devastating medical decisions made by Scott (Scott had also plundered the five million dollar trust set up for the

child after his accident) made a bold move. Price entered a petition into the record, signed by dozens, asking the court to find against Melodie Scott. Price was also the only complainant given permission to testify at the hearings.

Melodie Scott has, in fact, been responsible for the deaths of many of her clients. When Elizabeth Fairbanks fell ill with pneumonia, Melodie Scott exerted her power as health care decider to deny Fairbanks treatment for the pneumonia and instead ordered the elderly woman dosed with morphine, from which Fairbanks soon succumbed. When Lawrence Yetzer, who was only fifty years old when he was briefly and fatally conserved by Melodie Scott, fell ill with an undiagnosed respiratory ailment, Scott had him dosed with the paralyzing agent Atracrium as well as a cocktail of Versed, Ativan, Phenobarbitol and morphine, which retarded his ability to breathe independently. She then had him removed from the respirator and he died. These are but two examples of her decades-long protected and sanctioned crime spree.

The administrative law judge, Melissa Crowell, found for Melodie Scott and granted her a license.

Uproar began to pulse from San Bernardino County up to the Department of Consumer Affairs. Those who had been victimized by Melodie Scott began to call the department in outrage. "She killed, she stole, she lied...How could you?"

The Department of Consumer Affairs then made a dramatic decision. They issued a non-adoption order, meaning that the department exerted its right to override the court's decision. Melodie would not be licensed after all, it appeared.

But a clever monkey wrench was thrown into the mix. According to DCA attorney Gary Duke, he received orders to stand down on the filing of the non-adoption order. He was, he recalled, ordered to file it at a date when it was no longer timely. This opened the legal door for Scott to go back into court and request her license on a technicality.

And in December of 2010, right before Christmas, Sacramento Superior Court Judge Lloyd Connelly granted Melodie Scott a probationary license. She had been battling for two years for the license. According to the DCA, the cost to the

State of California for their limp prosecution of Scott was over \$114,000.00

Around this same time, the San Bernardino County Grand Jury launched an investigation of Melodie Scott. After several months of diddling around, this agency also gave her a clean slate. I became somewhat suspicious of what the Grand Jury was actually up to in their investigation due to the kinds of questions they asked me. A Paul McDonald, who was the tax collector for Riverside County, had been mentioned in the accountings and the sole concern of the Grand Jury focused on who was Paul McDonald and why was Melodie Scott giving him this money?

The Grand Jury had no interest in perjured declarations in support of restraining orders and apparently no interest in how a State judge could be persuaded to so violate the Constitution as to deny due process in these proceedings.

In further violation of her fiduciary duty, Scott charged my Trust both for preparation for testifying in front of the Grand Jury and also for her battle with the State for her license. The Riverside court approved these further money grabs.

Nevertheless, Scott was compelled to resign her cases in 2009 during her battle for licensing. She advised the court that as there was no one to take over the position of Trustee in the Phelan matter, she requested the court to appoint the Public Guardian. I objected, strenuously. Bad enough trying to deal with Melodie's base of power. Putting a government agency in charge of my Trust was even worse.

As it turned out, I was right.

Around 1999, my sister had surreptitiously found a different Trustee and had persuaded Amalie to sign documents nominating one Helen Locke. Locke had since retired and the substitute Trustee on that nomination was a woman named Beverly Brito. When the Public Guardian was nominated, I contacted Brito and asked her if she were willing to serve. She said she would check and get back to me.

Brito's response rocked me. She told me she had been contacted by the Public Guardian and asked not to fulfill this role.

And the Trust entered a new stage of plunder. Different players, different names, same agenda. Now, instead of David Horspool, we saw an attorney named Toni Eggebraaten (formerly interim city attorney in Palm Desert) filing false declarations and accountings with the Court. Instead of Melodie Scott and her hidden bank accounts set up for transferring money out of the Trust, we saw Deputy Public Guardian Elizabeth Aquarian (also going as Elizabeth Maroufkhani) filing perjured accountings which didn't add up and refusing to adhere to discovery requests and pony up the bank records. And we saw her boss, Bill Vanderpoorten, refusing to return phone calls from reporters questioning the extent of the theft.

The Public Guardian enjoys an exceptional amount of legal protection. For example, the PG in California is the one guardianship agency which is legally allowed to mix monies from different clients. The PG used this "pooled account" as an excuse to deny me discovery, stating that to give me the account information would violate the privacy of the other clients. The judge accepted this explanation, apparently not concerned that legally the PG was mandated to provide me this information on request and that factually all the accounts had a specific numerical delineation and the PG was perfectly able to provide the information from the Phelan account without violating the privacy of the other accounts.

It became apparent through some of the notations on the accountings filed with the court that the PG was again funneling more payola to Judith and attempting to obscure this from oversight. My request for discovery produced a bizarre ream of papers which had both the name of my sister blacked out as well as the bank stamp showing where the check was negotiated. In fact, many of these checks bore no indications that they had ever been negotiated at all (EXHIBIT 17).

The check reproduced in Exhibit 17 appears never to have been processed. It is likely that it was constructed for the purposes of supplying me with "proof" that a check for \$2500 was distributed to my sister for that month, per court order. It appears to be a dummy.

As it turned out, Judith had gotten upset at some of the publications as to her part in the death of our mother and had gone and changed her name. Judith Pamela Phelan had become Anna Deren Bloom—the name being a literary allusion relating to James Joyce's classic, "Finnegan's Wake."

Thanks to a helpful Private Investigator, we found Judy's new aka and also her whereabouts—she had moved North and was living in the Bay Area. Furthering the now long-standing effort to reward Judith for her part in the attempted murder of Amalie in June of 2002 and for her silence as to all the machinations resulting in Mom's untimely death in 2004, the Riverside Public Guardian was doing its level best to obscure the pay offs, which constituted, of course, money for Judith's complicity in Amalie's death.

In its increasingly obvious attempts to pay off Judith, the Public Guardian went a bit further than refusing discovery requests and went ahead and petitioned the court to take money from me and give it to Judith.

And did so successfully.

Toni Eggebraaten and Elizabeth Maroufkhani had petitioned the court for a division of the Phelan Family Trust, a division that was supposed to have taken place in 2004 after the death of the last settlor, which would have been my mother. No problem there. In fact, I had asked the court for such a division years ago and had been refused by none other than the double-order forger, Commissioner Burgess.

And now, Eggebraaten said she wanted to go back to the time of my mother's death and make sure that all monies that had been distributed to each beneficiary from then on were absolutely equal. No problem there, either. Except that neither Eggebraaten nor Maroufkhani are able to add.

Not only did Eggebraaten and Maroufkhani go blind and deaf in their refusal to attend to the hidden bank accounts set up by Melodie to pay off my sister, but they also failed to add up the prior distributions and lied to the court in order to deduct \$11,594.35 from me and give it to Judith/Anna.

Concerning Melodie Scott and the hidden bank accounts, this much is clear. As conservator, Melodie Scott failed to

mention or in any way account for one of my mother's existing bank accounts, held at the Temecula branch of Bank of America and bearing the account number 0723910914. There were also two VISA credit cards which Scott failed to account for at any juncture, as well—4024-0060-0052-9470 and 4024-2120-0794-3231.

Back when Amalie was still living in her home, I personally witnessed extensive activity by my sister who was utilizing the cards like a slot machine. Merchandise was being delivered for Judith, via her use of those VISA cards, nearly every day. Without even opening the packages, Judy was sending them back. When I mentioned this to a PI somewhat later, he carefully explained to me how the charge backs for the returns could be credited to the B of A account and that this too was a way to surreptitiously funnel money—the payola that the court is so anxious to ignore—to my sister for her silence concerning the horrors that were visited on not only Amalie but subsequently upon me.

There are also some strong indications that later Scott set up hidden bank accounts for Judith at Redlands Community Bank. When I attempted to garner discovery from the bank, they happily sent me all the records relevant to the accounts that Scott had set up for Judith and had reported to the court. The bank officials made no mention of getting Judy's permission for the release of this information.

However, when I sent another subpoena over to Redlands Community Bank for all accounts held for my sister by Melodie Scott, the bank balked and sent me a stiff letter stating that they would not release this information without my sister's agreement. Clearly, the bank was operating with two different standards. No release by my sister was necessary for the accounts that Melodie Scott had reported to the court. Why then would releases come into play for other accounts held by Scott for my sister?

As to PG attorney Eggebraaten's contention that I had received more money from the Trust in prior years, there was no evidence of any such shortfall for the sister. I went back through the prior accountings and filed the relevant pages with

the court, as exhibits in my objections. The courtroom was packed with my supporters and Judge Thomas Cahraman nervously took this under submission, declining to rule in front of so many witnesses. And in the sanctity and safety of his chambers, he approved this further five-figure act of embezzlement on May 9, 2011.

Cahraman's efforts to accommodate the Public Guardian in its looting soon became quite obvious. As the examples are legion, I will but mention a couple of the more dramatic contortions made by the Riverside County judges in order to accommodate the looters.

I had filed objections to an accounting specifically noting where Toni Eggebraaten had charged the Trust over \$1600 for her preparation of objections to Melodie Scott's final accounting. On the day of the hearing, Eggebraaten pulled back all her objections. I objected to her being paid for preparing objections which she then canceled out.

Poor old Cahraman announced he would enter a decision on a spurious \$4600. Seeing that he was mistaken in the amount I had objected to (I had objected to \$1600, not \$4600), I immediately filed a judicial notice advising him of his error (EXHIBIT 18). Unable to honor a single objection coming from me, his decision was tendered concerning the phantom \$4600. Stating that he didn't see a \$4600 charge, he denied my claim.

Cahraman wrote: "In reviewing the charges itemized by Ms. Eggebraaten, the court does not understand how Ms. Phelan derived her figure of \$4600. Also the court notes that the 3/15/11 filing of Ms. Phelan does not discuss the consideration received for withdrawal of those objections. It appears from the court's review of the billings that the preparation of objections may have closer to \$2000-\$2,200..."(EXHIBIT 19).

In other words, Judge Cahraman both agreed with me and found a devious way to deny me recompense.

The assault on my inheritance did not stop here, however. On May 5th, 2010, in an entirely illegal and unnoticed hearing, the court approved a petition by the Public Guardian to abandon what the PG called "non-Trust assets," including the

contents of my parents' home. The problem was that the Will deemed the contents of the home to be Trust assets. As my parents had collected valuable art, antiques, rare books, and some expensive jewelery, the contents themselves could have been considered to be worth in the neighborhood of half a million dollars.

That is, if we hadn't already been looted by Melodie Scott. Years earlier, during my period of homelessness, I had requested that Melodie Scott allow me access to the storage space in Loma Linda where she had placed the contents of the family home. I was wanting some family photographs. After two years of my requesting this, Scott reluctantly allowed me access, while her employees stood watch.

I was shocked when I discovered how little was left. Gone were the antiques, artwork and so very much more. A few years later, I sued Melodie Scott and what little discovery I was granted included some inventory and photos when the contents of the house were put into storage. Clearly visible were pieces of art and antiques that were not in the storage when I was granted entrance. Nor did these items show up in the inventory done by the Public Guardian.

I received that inventory from Public Guardian attorney Toni Eggebraaten in 2009. I subsequently filed a police report--#150902683--with the Loma Linda police alleging theft of the missing belongings. The report was quickly closed when Deputy Tramayne Phillips asserted he "couldn't find any leads."

My lawsuit against Melodie Scott was also dismissed at that same unnoticed hearing on May 5. I had happened to check the court website right before the hearing and quickly faxed in a judicial notice advising the court that the hearing was not legally noticed. Judge Stephen Cunnison had come back from retirement to preside over one more legal missile fired against me and rather hilariously termed my judicial notice to be "untimely." The hearing took place without my participation.

I also filed a last-ditch request to recuse Judge Cunnison, the very judge who had denied me my right to due process in the first restraining order and had later illegally restrained me

from contacting law enforcement. He ironically replied that I should have recused him back in 2002. In fact, I requested his recusal in October of 2002. So much for the facts, so much for due process and judicial impartiality.

Like so many others who had been victimized by Melodie Scott, I filed a report with the Professional Fiduciaries Bureau. Every single report against Scott was closed by the Bureau at the time that Melodie Scott was granted her license by the Sacramento Superior Court judge.

In my case, I was informed that many of my specific complaints about Scott referred to events that took place before the formation of the Bureau, which came into being in 2008. I wrote Bureau Chief Gil Deluna and asked him why he wouldn't investigate the events raised in my complaint that took place after 2008. It has been over two years and Deluna has never answered my question.

In pursuit of my increasingly elusive right to redress, I also contacted DCA Head Reichel Everhart. After an initial conversation she promised to get back to me. From that point on, she declined to take or return any of my calls.

Most compellingly, the PFB, after five years of operation, has never constructed official policies and procedures to guide its activities. Everhart appeared to be disturbed at that revelation and told me she would meet with Deluna for an explanation. From that point on, Everhart went dark. And the PFB continued on its merry way, completely rogue.

I made contact with Reporters Without Borders and also the Committee to Protect Journalists while in Canada. I was sure that there must be a way I could resolve the issues with the United States and return home. Lucie Morillon with RWB resorted to bellowing at me when I didn't submit meekly to her refusal. CPJ was a bit more genteel, and after an initial discussion with Frank Smythe that group simply chose to completely ignore my plight.

In pursuit of trying to understand the indifference of RWB, I launched a correspondence with their DC office in an attempt to get their funding records. RWB declined to produce them. Another reporter, Diana Barahona had previously written an investigative report tying RWB in with CIA-funded groups: "Reporters Without Borders Unmasked," published in *Counterpunch* in May of 2005.

Meanwhile the intel presence had not gone away while I was in Toronto. I was still being gassed (or more likely aerosolized) every night. My breathing was getting worse and so were my kidneys. Following the "breathing treatment" at Ashland Community Hospital a chest X-ray revealed emphysema. Kidneys have the job of filtering toxins out of the system and the aerosol nights added to the gene specific toxins which were now in every bite I took were simply disabling my kidneys. And I went plunging into a health crisis.

I began manufacturing and spitting out kidneys stones nearly continuously. The pain was overwhelming. My energy crashed and so did I.

I had heard that there was a medical doctor, Dr. Judy, who came in weekly to Sistering, a drop-in center on Bloor Street. I made an appointment to see her.

I could have been back in the United States. The modus

operandi was exactly the same.

The first appointment went without a glitch. Dr. Judy was very concerned at the level of pain I was experiencing. She also noted that my blood pressure was elevated, another symptom of concern in kidney failure. She ordered some tests. The tests came back showing I was well into kidney failure.

By the second appointment, something had seriously changed. No longer solicitous and professional, Dr. Judy began to destroy test results, falsify her notes, order redundant and expensive tests and make referrals which mysteriously were never received by the specialist she referred me to.

After several months of being “treated” by Dr. Judy I can say that I received no treatment whatsoever. My kidney levels were worsening with every blood test and absolutely nothing was offered to address my failing kidneys, not even the basic nutritional advice so critical for those with kidney disease.

During this time period, I had been working to get legal status in Canada. My visas were only good for six months and I had made one brief foray across the border from Montreal down to Boston in February of 2009, my very last entry into my country.

As had become my practice, I told no one I was making this trip. My tourist visa was up for renewal and I figured after a night in Boston, I would head back into Quebec, do some sightseeing then take the train back over to Toronto.

Leaving Canada was no problem. Neither was entering the U.S. I was as anonymous as I had intended to be. I spent the night in a hostel in Boston then set back out via Greyhound for Montreal.

But by the time the bus trundled up to the Canadian border, I had lost my anonymity. The bus pulled over and we all piled out for our border check. I was immediately descended upon by three Canadian female guards. I had only a backpack with me and the overzealous Musketeers proceeded to scrutinize every scrap of paper, every bottle of supplements in the pack.

“What's this about?” demanded the shortest (and apparently meanest) of the three. “You have a letter from the Attorney General of the United States of America. Why would you have

that?"

"I am a reporter," I explained patiently and showed her my Liberty News Radio press pass. "I have all kinds of communications from government officials."

Not to be deterred, she fished deeper into my pack. "And this!" she cried. "A letter from the California Department of Justice!" Her eyes flashed, whether in triumph or merely the sheer pleasure of bullying, I wasn't quite sure.

"Same deal," I said pleasantly. I had decided to be as sweet and helpful and non-assertive as possible. Any display of irritation, I thought, and I'd be on the bus back to Boston in a heartbeat.

"You are living in Toronto," announced the one who appeared to the leader, trying another tack. "For six months now," I replied. "I'd like to get back."

"Who are you living with, where are you living, how are you supporting yourself," the questions became a staccato volley. I answered them all honestly and pleasantly. These dames looked serious and I only wanted to help them process me through.

Then the questions took another swerve. "Have you had any medical care while in Canada?" one of them demanded. "Yes, I had ultrasounds and blood work," I replied.

She tensed up. I could see she was getting ready to pounce. "And who paid for that?" demanded the leader.

"I did," I said.

"How did you do that?" the head Musketeer wanted to know.

"Cash," I replied.

The little one tried to take another kind of swipe. "Are you on any medication?" she wanted to know.

"Only supplements," I replied. "They are all in the pack," I offered.

They went digging more in the pack.

As a last stab at some kind of intervention the leader had pulled out her manual with a flourish and started thumbing through it, dramatically. Finally, she put it aside and looked me up and down. "You are going around the flagpole, this is what we call it," she announced. "You can't do this anymore. I

am making an electronic entry and if you try this again, you will be denied entry to Canada!”

She made a notation in my passport and handed it back to me. I thanked her, gratefully. And then I said, coyly, “Hey, there is a really cool website with all my articles on it. Would you like the URL?”

She smiled and the pit bull in her slipped away. “Oh yeah,” she said. “I love reading on the web.” I gave her my website and as I trundled back onto the bus, I said, softly, “You gals are doing one bang-up job protecting Canada. My hat is off to you.”

All in all, it took two hours for me to be cleared. The entire rest of the bus had been processed in 20 minutes and were sitting in the bus waiting for the three to finish with me.

“Sorry,” I mumbled as I climbed on board.

Six months later, I was on a plane to Brussels. A probate court victim, living and working in Paris, had offered me the use of her ski pad in Briançon for three months. Two days before leaving, Dan was released from custody and reunited with Jennifer. With a sense of joy and accomplishment, I took off for Paris. I spent a couple of days in Malmaison in my contact's tiny apartment, then hopped on the night train to the little village of Briançon, cupped in the Alps.

Briançon is the highest elevation city in Europe and largely functions as a ski resort. I arrived in late August and the town was on a hiatus from tourism. The French army was doing maneuvers in the nearby mountains in preparation for tours in Afghanistan and the helicopter activity was heavy.

Every afternoon, the troops would come down into the city to their favorite eatery for a couple of hours before going back to training. Several times, I saw large green tanks loaded with fresh-faced soldiers rumble through the cobbled streets on the way to a creperie.

A couple of times, I had a yearning for a real American hamburger and located a McDonald's up the hill from the apartment. Somewhat shamefacedly, I slunk in to find that the McDonald's was clearly a favorite with the French army, too.

I returned to Toronto after three months in Europe determined to find employment, which seemed to be the only

way I could gain residency. Josephine Grey, a Toronto-based activist, alerted me to a call-out for teaching job proposals for a federally funded program for at-risk youth. I submitted two proposals for classes—a poetry class and a citizen journalism class. The citizen journalism class was approved by staff and my job appeared to have been secured.

I had taught workshops before but never an ongoing class. I tackled the prospectus with gusto. The teachers were already in pre-classroom meetings with staff when my letter came in from Immigration Canada. The letter addressed my request for an extension of my tourist visa, which I had filed before my request for a work visa. Somewhat later, I had applied for my work visa.

“Leave Canada immediately,” barked the letter.

I was having lunch at Sistering when the letter arrived. “Oh dear,” I thought. “What should I do?”

The timing seemed eerie. IC was very tardy in making a determination, I thought. I had applied for the extension months ago and my leave date had already passed. Amnesty was automatic for those who applied for an extension—until the decision was rendered.

Strangely, during those last months I had received a number of demand letters from Social Security, probing letters wanting documents going back twenty-eight years, to when I first had gone on disability. Knowing full well that no one keeps employment records for twenty-eight years, I had challenged Social Security on their legal right to make such a request.

The answer from the Medford Social Security worker, Claire Taylor, was somewhat stiff and defensive. “I have been authorized to ask these questions,” she retorted.

Authorized to break the law? I thought. I sought legal advice.

And heard the same response, over and over. “Well, my dear, you’ve got the fraud squad on you.”

I searched my memory. During the period I had been receiving Social Security Disability and SSI, I had repeatedly attempted to work. Too pain-ridden to punch a time clock, I had still written and sold a number of articles as I struggled to regain my capacity to work regularly.

Going back twenty-eight years was a real stretch. Whom had I written those articles for? Was I paid and how much? Did I report the payments to Social Security?

A friendly lawyer advised me to refuse to respond. “They are trying to nail you,” Ron told me. “Don’t give them any ammunition.”

I thought I knew better. From what I could recall, I had made a little money--around a thousand dollars in a ten-year

period of time when receiving disability. If I had failed to report, through error or ignorance, then I was certainly not going to compound my difficulties by refusing these queries.

I cast back my net through time, through memory and also via internet search. I also sent in a request to the IRS for my filings for the relevant time period. Repeated requests to IRS fell on deaf ears. They simply ignored me.

Well, I've done the best I can, I thought grimly. Then I sat down and answered the questions, to the best of my recollection and ability. I kept a copy of the form and mailed in my answers.

Almost immediately, I received another query from Social Security worker Claire Taylor. She wanted to know about my work as a housekeeper while in Idaho back in 2006. I remembered clearly being offered such work and also that I reported the job offer to SS. During the year I was in Idaho, I had worked a few jobs through temporary agencies, worked in a laundromat for awhile and was looking for odd jobs.

Thankfully, the offer of employment from the *Bulletin* had ended that scrapping around for whatever I could do to fill in the holes in my pocket. I remembered also doing a bit of house cleaning with a friend in Idaho. But did she pay me? Did she pay me at all once and was that the end of it or did she cook me lunch as a way of saying thank you? I couldn't for the life of me remember.

Once again, I answered the questions to the best of my ability and sent off my answers to Social Security. On the occasion of both letters, I called Claire Taylor at the Medford SS office and asked her to confirm receipt of my replies. She telephoned me and left voice messages confirming receipt of all my letters. I still have her confirmation of receiving what she later denied.

And on the very day I received the letter from Immigration Canada, directing me to "leave immediately," I also received one last phone message from Claire Taylor.

"I have finished work on your file," she said. She sounded smug.

I sensed some possible collusion between the U.S. and

Immigration Canada.

I knew I would have to leave Canada, my pending application for a job visa notwithstanding. I was in the middle of getting more medical tests and I needed to buy a little time.

On a bright and sunny June morning, I walked into an immigration center and made my refugee claim. The claim revolved around the police assault and that a family member had been “legally” kidnapped, robbed of her due process rights and apparently murdered. The revocation of my Constitutional safeguards was also at issue.

I filled out all the forms and was given a date two weeks away, to return for my first in the slated series of hearings. I was advised that the first hearing was pretty much bureaucratic and that my real hearing would take place six months later. I then went ahead and made a FOIA request for my Social Security file.

The file that came in in response to my FOIA was alarmingly incomplete. There was no mention of the form sent to me by Claire Taylor in which she illegally required twenty-eight years of back work receipts. Missing from the file was also my final reply to the last demand letter by Taylor, concerning the housekeeper job in Idaho.

I contacted the Medford SS office. Their reply as to what happened to the documents was evasive and non-responsive. Taylor suggested she never requested twenty-eight years of back work records and said that it was so generous of me to give her that information. Trouble was, I had saved Taylor's form letter requesting this (EXHIBIT 20).

Of course, I thought. Taylor broke the law by demanding that I go back so far in time to produce records. How convenient that she now denies sending me that form. But what was she up to? What was she fishing for? And had she found a blip, somewhere?

I confronted Taylor. “You were conducting a fraud investigation,” I stated.

In a classic legal evasion, Taylor replied to me in an unsigned and mis-dated letter. Her reply is reproduced as EXHIBIT 21. The fax date on the communication is correct.

Taylor, however, dated the letter one year prior.

Traumatic memories can be stronger and more quickly accessible than more casual memories, in my experience. On the screen of my inner eye flashed the letter by Jack Smith, recording the fact that Judge Stephen Cunnison denied my right to due process in the first restraining order hearing. That letter, reproduced in Exhibits, bore two dates. Both letters, the unsigned and misdated letter from Social Security employee Claire Taylor and also the one by Jack Smith were legally void, due to the machinations of both parties in attempting to destroy the validity of their own correspondence through failure to appropriately and honestly fix the documents in time.

Well indeed, I mused. The fraud squad has dug and dug and maybe they found something and maybe they just made it up. It was beginning to look like the Medford police tactics, with missing documents and finessed reports. The suspected collusion with IC became more of concern. The fact that Canada was throwing me out at the very time that SS had completed its “investigation” was unnerving.

My appointment for my hearing with Immigration Canada was set for midweek. On Friday, I called Claire Taylor. Her voice message said that she was out of the office and would return...on the same day as my IC hearing.

I called the immigration consultant who had helped me fill out my work visa papers. “Is it possible that a person can be deported at that first refugee board hearing?” I asked her.

“It is quite rare...” she began.

“But not unheard of?” I said, as all my internal organs seemed to drop about six inches.

“It could happen,” she admitted.

I went into the school which had so graciously offered me the teaching position and expressed my regrets. I returned to my room to pack.

I was again to weed through my belongings and pack the one essential suitcase. I had left the U.S. with one suitcase and would do the same leaving Canada. Traveling light meant shedding the accumulation of two years in Toronto. Into the give-away went clothes, books and memorabilia. My hearing

in front of the Refugee Board and Claire Taylor's return from her spontaneous little vacation were scheduled for midweek. On June 20, 2010, I got on a MEXICANA flight to Merida, the capital of the Yucatan in southern Mexico.

This is how it begins:

in the stillness of an otherwise
unremarkable afternoon
as a small grey cat
nests in your lap
its head tucked into your sweater
and a thick bar of sunlight
grazes through the half-drawn
Venetian blinds
and you reach out your hand
towards a cup of Earl Grey tea
honeyed and amber

and it shatters in your hand

This is how it begins
It begins with an ending
sudden, violent and irrevocable:

Something breaks that cannot mend

You move backwards in time
or try to
as shock waves impel you
further and further from the point of impact
You'll never get back
and you are swept into strange
and mutating territories
against every grain of volition
you possess
as your pulse narrows to this one pinpoint:

a room
a sleeping cat
a cup of tea
and everything folded back in
to the moment before

Upon arrival in Yucatan, I faxed off a letter to Immigration Canada explaining I would be abandoning my refugee claim. I was soon forwarded a letter denying me my work visa. I had foreseen that eventuality.

The city was sizzling when I got off the plane in Merida. It was June, the hottest time of year in a region known to be scorching year round. I quickly found a beach town where the heat was offset by the ocean breeze, located an apartment and began the Mexican leg of my exile. The Canadian experience left me not wanting to engage governments any more than I needed to so rather than apply for any type of residency, I traveled to a border to refresh my six month tourist visa every 180 days.

Seven years of Spanish in public schools had provided me a foundation and I set about to improve my dormant knowledge of the language. My work continued on without much interruption: radio by skype and sending in articles via email. I developed a relationship with the independent news website, *Activist Post*. Rents were cheap in the Yucatan and the price of food was minimal. Knowing that the Trust—my primary income--was under attack, I kept my expenses low, choosing a small studio apartment over more lavish (and pricey) accommodations. I used public transportation and bought my clothes in second-hand stores.

And socked away the remainder.

The issue with food laced with genetic weapons did not change for me in Mexico. Neither did the nightly attacks with aerosols/gas. In 2011, a few months before my much-anticipated trip to Geneva and the Biological Weapons Convention, I suffered another health crisis. For nearly a month I was weakened to the point where I was unable to leave

the apartment. Forced to seek medical help, I enlisted the services of a member of the local Jewish community, a former rabbinical student-turned-architect from Calgary, who graciously took me to (whom he thought was) the best doctor in Merida.

Making appointments by telephone always opens one up to electronic surveillance, even, I have learned, in Mexico. At the time of this writing, former intelligence contractor Edward Snowden's revelations of the global nature of NSA spying is dominating the news. I personally can attest that this surveillance is ongoing in Mexico.

Every medical test suggested by the doctor was invasive in nature, including ultrasounds which could be done without the injected dye that she insisted upon. Actually, someone with kidney disease should not be injected with the dye, as a matter of course. More of concern, the doctor wanted to do biopsies.

"Of what?" I inquired. There were no X-rays or other tests showing any tumors. Her reply was vague: "We will just see if there are any problems," she said. Visions of the good doctor poised over my unconscious form, scalpel in hand, flitted across my internal eye. I gulped.

"Let's start with some less severe tests," I suggested. "Maybe some scans or X-rays first?" I was intent on getting certain tests ordered.

She frowned but was unable to refuse. As she was writing out the scripts, she casually said, "I know quite a bit about you."

I bet, I thought grimly.

"You don't much like doctors," she declared. Well, it wouldn't take a psychic to figure that out, I thought.

"And you are a journalist," she said.

I was sitting across the desk from her, wearing cargo shorts and a tank top. No camera was strung across my shoulders, no laptop peeked out of a handbag, not even a flash drive hung from a chord around my neck.

"And how would you know that?" I countered.

Puffing herself out, she informed me, "I am trained to observe. I am a doctor!" she exclaimed.

I felt a bit irritated at her deception. Leaning forward, I said, “What an amazing woman you are! What else do you know about me?”

The doctor sprung up from her desk as if she had just been bitten by a scorpion. “I have other patients waiting,” she mumbled and fled from the room.

I took her scripts for tests and found a doctor who would do the ultrasounds without the injections. The biopsy orders went into the trash. I found a little lab on the outskirts of Merida for the blood work. The results of all the tests indicated an advanced level of kidney failure and other inflammation.

I had gone to a doctor at —of all things—a military hospital in Merida for the ultrasound and CT Scans. Using a target's form of tradecraft, I had a Mexican friend make the appointment for me from her cell phone. The radiologist agreed that injecting me with dye for the tests was ill advised and after a complete series of ultrasounds, he spent forty five minutes with me going over every single frame.

My lungs were laced with scar tissue and white lines indicating emphysema. My kidneys were polycystic and also showed scarring and multiple stones. After looking at my blood tests, the doctor suggested that I might want to start thinking about dialysis. “According to your blood work,” he offered, “you might be able to delay that for awhile.” Injecting a note of hope, he said, “Your ultrasounds and your blood work show you are in kidney failure but it is not yet severe enough to require dialysis. You also have an inflamed lower digestive tract,” he said. He thought that the pain that had been keeping me awake many nights might be due to that.

I thanked him for his guidance and went home to change my lifestyle. Into the garbage went meat, chicken, fish, my little bag of salt. I went to the central market in Progreso and brought home veggies, bags of lemons, cayenne pepper and garlic to add some taste to my new, kidney-friendly vegetarian diet.

Slowly, I began to gain strength. By the time December came around, I was stronger and able to travel to Geneva.

Twice during my two and a half years in Progreso I had the

displeasure of a visit from the police, late at night. Both times, I peeked through the window, ascertained the uniforms and then declined to answer the door. Eventually, they left.

Both times, I realized with some dismay, I had walked away from a store earlier that evening without a receipt. I was generally as careful in Mexico as I had been in the U.S. concerning this rather bizarre form of entrapment but I had let my guard down on a few occasions. I increased my vigilance and had no further such incidents.

Late last night, one of the mares dropped a foal. Today, the little filly is up on her feet and though wobbly, is beginning to get around the field in front of our cabins. “Cabanas,” as we call them in Chiapas.

I moved from Yucatan to San Cristobal de las Casas in March of 2013, having found a cabin out of town on a piece of land which included four units, an organic vegetable garden, chicken coop and of course, the horses. I had decided on a degree of sequestration in order to finish this book. Factored into this decision was the intense heat of the Yucatan. I work better cold.

The little foal is sticking close to her mother. This bond transcends thought or decision and is written in her blood. In turn, the mare is cautiously guarding her baby at the same time as she is giving her some freedom to wander a bit and explore. I think of my sister, wondering idly if there is any other species in which the offspring kills its mother for money. But then, no other species uses money, so the question doesn't have an answer.

The court terminated my Trust on July 11, 2013. The Supervising Deputy Guardian/Trustee, Elizabeth Maroufkhani, has declared that there is almost no money left. The embezzlement has been severe and successful. In a last-ditch effort to secure my future, I reported embezzlement and misappropriation of over \$500,000 to the Riverside County Sheriff. The Sheriff's investigator assigned to the case, Clayton Hughes, closed my report before receiving any evidence, stating that embezzlement is not a crime. Hughes was advised of California Penal Code 503-504, copied in entirety here:

503. Embezzlement is the fraudulent appropriation of property by a person to whom it has been entrusted.

504. Every officer of this state, or of any county, city, city and county, or other municipal corporation or subdivision thereof, and every deputy, clerk, or servant of that officer, and every officer, director, trustee, clerk, servant, or agent of any association, society, or corporation (public or private), who fraudulently appropriates to any use or purpose not in the due and lawful execution of that person's trust, any property in his or her possession or under his or her control by virtue of that trust, or secretes it with a fraudulent intent to appropriate it to that use or purpose, is guilty of embezzlement.

Hughes remained intractable. He was backed up by his Sergeant, Andrew Nielsen, who also advised me that the embezzlement was a civil matter (EXHIBIT 22), and so I went on to file a claim against the County of Riverside for \$511,594.35. The half million was assigned as the loss incurred when the Riverside Public Guardian lied to the court as to the contents of the house, stating they were non-Trust assets and received approval by the court for their abandonment. The \$11,594.35 was arrived at as Maroufkhani and attorney Eggebraaten told the court that I had previously received more monies than my sister, years prior, and used this false allegation to steal from my Trust. As the PG was finally dividing the Trust into two, they petitioned to take this money from my Trust and give it to Judith/Anna. However, there was no such shortfall for my sister in evidence and I supplied the documents from previous accountings to the court in my objection. The court decided, as always, for the PG.

I was aware of many other under-the-table misappropriations, but these ones were glaringly obvious. As the police were unable to deny these incidents, they resorted to stating that embezzlement was not a criminal matter.

But something began to alter in the court's decisions. At the time the court was informed that I was committing to a book the court's involvement in the untimely death of my mother and its subsequent accommodation to theft, embezzlement, perjury, payola and more, Judge Cahraman began to make small decisions in my favor. For the first time ever, Cahraman sliced about two grand off the PG's fees and a small amount off

attorney Eggebraaten's in his final order, granting termination of the Trust.

Judge Cahraman appeared to be under quite a bit of pressure the day of the final hearing. His usual professional demeanor was cracked as he stumbled over words, stuttered and appeared to be consumed with nerves. A *Digital Journal* reporter, Ruth Hull, was in the courtroom at my request and Cahraman's efforts to clear the courtroom before my hearing did not result in an empty courtroom. Peering at Hull, he asked why she was still in the courtroom, as all the cases except the Phelan Trust had been heard.

Hull, who is an attorney as well as a reporter, replied calmly, "I am here to observe." Cahraman then turned to an associate of Hull's, sitting a few rows over, and asked him while he was still in court. "I am here to observe," he stated.

"Observe what?" cried Cahraman.

"The Phelan case," he replied. The court had already received several media requests to record or broadcast these proceedings, coming from *Digital Journal*, *Activist Post* and Truth Talk News. All requests were either denied or ignored. Cahraman was not able, however, to keep reporters out of the courtroom.

Under observation, Judge Cahraman then painstakingly went over objections included in my Judicial Notice, noting the small concerns of \$29.00 pilfered here and \$61.00 there, carefully skirting the larger and more glaring amounts objected to, including the demand for reimbursement of the \$500,000 plus documented in my police report and questions about a further inexplicable double deduction of \$6,000. At the end of his careful attention to the minutiae of my objections, he asked me if I had any other issues not raised in my written objections.

"I have read everything you wrote most carefully, Miss Phelan," he told me. I detected a note of something akin to a plea in his voice.

"Judge Cahraman," I admonished him. "You have only attended to the most trivial aspects of my objections here.

What about the six thousand that was taken out twice by the PG, without explanation? What about the over half million embezzled and misappropriated, which I reported to the Riverside County Sheriff? I supplied to the court the evidence that the Sheriff has told me that embezzlement is not a crime. Could you please tell me if embezzlement is a crime in California?"

The note of desperation I had detected in Cahraman's voice became orchestral at that point. "I am taking this under submission," mumbled Cahraman and he summarily hung up my telephonic court call.

That day, Judge Cahraman also approved the continued payoffs to Judith. He declined to discontinue her Trust, which is also (allegedly) nearly empty, affirming the untruthful statement filed by the PG. Maroufkhani falsely declared that Judith is on public benefits which would make a final distribution legally problematic. (Those would be the same public benefits which would have landed me in prison if I had not promptly resigned them.)

According to this final accounting, there was around \$39,000 left to be distributed to me before the PG and Eggebraaten took their slice, which came to about \$7,000. Within a month, the final amount left for me had shrunk to about seven thousand dollars, as reported to me by Toni Eggebraaten. A review of her last compilation of numbers revealed another five-digit theft of over \$19,000.

Melodie Scott was smarter than this crew, I thought grimly. She at least had the good sense to try to hide the payoffs for Judy's part in Mom's death and for her continued silence as to the extremity of my subsequent plight. Melodie used hidden bank accounts to funnel Judy her "hush money." The Public Guardian and attorney Toni Eggebraaten, however, were stealing the money from me and giving it to Judy in plain sight.

The Public Guardian was also violating other laws. By refusing to pay taxes on income to the Trust and attempting to affix tax liability onto me, the Public Guardian also violated IRS Code 641 and the stipulations of the Trust instrument.

When I called their accounting firm, Christenson and Degood, to ask what law allowed them to file these legally inaccurate documents with the IRS, the accountant slammed down the phone.

Not to be deterred by federal law and apparently slaverling over every penny she could steal from me, Toni Eggebraaten also falsely informed me at one juncture that UBS was charging me out-of-country wire transfer fees for my monthly distribution from the Trust, which went into a New York Citibank account held by Monex.

Disbelieving, I contacted UBS where I was assured that only in-country wire transfer fees would apply. While the amount may be chump change, Toni's insistence that I would be charged the enhanced out of country fees was not. This is, in fact, governed by the laws concerning interstate mail fraud, a federal offense.

Must be nice, I thought. These people are completely above the law and they know it.

This inheritance has become critical to my continued survival. As a person who has fled her own country and been denied a work visa abroad, the inheritance has turned out to be necessary in order to keep me afloat. All of this blatant embezzlement serves a dual purpose: to reward Judith for her treachery and to starve me out.

So, on top of the claim against the County, I also filed with the Riverside County District Attorney's Public Integrity Unit, via Investigator Matt Weinstein. My complaint was quickly shut down. Weinstein declined to supply a complaint number, which is a general indication that the complaint has been kept out of the system. The refusal to supply complaint numbers is simply another tool for law enforcement agencies to deny a person's right to petition for redress. The devil is in the details and Constitutional revocations of rights always feature some tiny little contrary detail that serves the purposes of the end result--denial of due process.

I called the DA's office to get an explanation as to why I was not provided a tracking number. An Investigator Steven Welch responded to my call, and told me that my complaint was not a

criminal matter.

“So embezzlement is not a crime in the State of California?” I asked him.

“Apparently not,” replied Investigator Welch.

I also filed with Internal Affairs. My complaint was transferred to Captain Kevin Vest over at the Palm Desert station for investigation, over my protests of the Head Fox investigating his own foxes. Violating all protocols as to procedure once a claim against the County was filed, Vest instructed his investigator, Clayton Hughes, to contact me in pursuit of finding a phone number for Judith/Anna. When confronted with this procedural no-no, Vest told me he thought it would be useful to find out if Judith had the same complaints about embezzlement that I did.

“Captain Vest, your department has already been advised that the embezzled funds were used to pay off my sister,” I stated. “Why in the world would she complain?”

“In fact,” I pressed forward, “Investigator Hughes already told me that the money couldn't have been embezzled because the money was given to Judy, rather than kept by the Public Guardian. I had to dispossess him of this notion as the law governing embezzlement only refers to who takes the money, not what they do with it afterwards.”

Vest's voice took on a note of studied exasperation. “I just don't think you are going to be happy with anything we do!” he exclaimed.

I would be happy if you investigated crimes rather than covering them up, I thought.

The County denied my claim on April 10, 2013.

In a letter dated April 10, 2013, Captain Vest stated that my report that Clayton Hughes had stated embezzlement was not a crime and had closed my complaint prior to receiving evidence to be—“Unfounded.”

Officer Loren Dawson was promoted, first to the Long Beach Police Department Detective Bureau and then to the office of the Los Angeles District Attorney, Investigator class.

Assistant District Attorney Mark Mandio, who conspicuously dropped the ball on my 2002 report to Special

Investigations, was appointed to the bench by Governor Schwarzenegger in 2006.

Officer Scott Clauson was subsequently promoted to Lieutenant at the Medford Police Department.

Richard Morda states he is continuing to study law, although he has reportedly not taken the Bar exam in the intervening 12 years.

Attorney J. David Horspool's sister, Barbara Howard, sued him for the wrongful death of their father, Raymond Horspool, whom attorney Horspool had conserved. The case is being heard by Judge Cahraman in Riverside Superior Court.

In April of 2012, my friend Scott was put under a conservatorship, a fact which the Los Angeles Department of Mental Health, through the actions of a Dr. Nilsa Gallardo and Social Worker Steve Dobbs attempted to hide from me. After over a year of searching, I finally found Scott, drugged and in severe depression, in a facility in Culver City.

The foal is sticking pretty close to her Mom, who is a stately English Quarterhorse. Shortly after she was born, I came home after several hours down the mountain to find my kitten wandering in the garden. All doors were locked and both cats safe inside when I had left earlier in the day. This is the second time that there has been evidence of illegal entry into my home while I was away. In both cases I dumped all the opened bottles of fluids down the drain. The fluids are always the easiest thing to contaminate.

“So this is how we kill. We rip apart your family, we murder the ones you love the best and we take everything from you. We intimidate those in your sphere of influence into submission. If you protest too loudly, we will kill you. We may kill you quickly or we may torture you for years. We control the air you breathe, the food you eat and the water you drink. We decide if you get medicine and ultimately, we decide if you live or die. This is who we are and this is what we do.”

And I have an answer to that.

“Against all odds, this is how we survive. We do not adopt the methods of your savagery. We will not fight you on your own terms, knowing that your methods are tainted. We are hardy like the weeds springing up through cracks in the rocks after you have blasted the fields with chemical death. Our love and respect for life is profound.

“Against all odds, we survive and we help others whom you have hurt. This is our affirmation of life—to be of use to others and to bear witness to the savagery you have perpetrated, under the mask of what you call freedom and democracy.”

And here concludes my witness. I have kept faith. I do not know my own future nor do I know how much longer we have until the iron hand crashes down upon us, with devastating and surgical accuracy in its finality, as we have never before seen in our country or, possibly, in the known history of the world. If the truth can set us free, then the truth, the facts of what happened to two people, a mother and a daughter, citizens of the most powerful and militarized nation in the history of the world, may awaken others to the absolute risk posed to all.

EPILOGUE: INTIMATIONS OF GENOCIDE

I have made little effort in this book to discuss the reasons for such a profound and relentless assault upon Amalie and me. As a journalist, I am trained to deal in facts rather than speculation. And the fact is that I do not know what discernment brought Jack Smith into our lives. I can say with some confidence that when I survived what was a potentially unsurvivable assault by police in January of 2003, that whatever the original impetus was took another direction entirely.

I will say this, because it must be said: The U.S. has embarked upon a thinly disguised program of demographic targeting and eugenics. The history of the United States bears witness to genocide of indigenous peoples and also to repeated attacks upon racial minorities. The current assault on the elderly and disabled, through the spectre of rationed health care, the assisted suicide movement and the guardianship programs, bears out the perception that the U.S. is engaged in a program of selective elimination of demographically determined targets.

Amalie and I are, by birthright, Jews. At the time of this writing, war is brewing again in the Middle East, a war with Iran and/or Syria which would likely decimate Israel. Israel's much touted Iron Dome is not a long-range missile defense system. It is only useful for short range incoming missiles and leaves Israel wide open to airborne attack from her neighbors. Not so for Iran or Syria, who both possess state-of-the-art missile defense.

In August of 2013, President Obama made a failed attempt to launch just such a war against Syria. His effort to use the alleged gas attack as an excuse to deploy an airborne attack was derailed by Russian President Putin, acting as peacekeeper and moderate. The independent media was quick to question the reliability of the U.S.'s determination that the alleged gas attack was perpetrated by the Syrian government.

American journalist Jeffrey Silverman and I collaborated on research which indicated U.S. military involvement in planning the gas attack, research which raised questions as to whether the attack took place at all. The subsequent article was published in *Activist Post*.

Syria had pledged to bomb Israel if attacked by the U.S. As has Iran.

It is my understanding that this war might well have destroyed Israel. A little over 40% of the world's Jews reside in the state of Israel. The percentage residing in the United States is just a tad less. A selectively delivered pandemic, such as I have been reporting on as in-the-works, could wipe out the remainder of the Jews in the developed world, as well as decimate any other demographic group which has fallen into disfavor. And there are many...

There are various delivery systems which would supply the needed selectivity in the First World: the double-line water system, dirty vaccines and the imposter pharmaceuticals all fit the bill.

Starting with the slaughter and subsequent sequestration of the indigenous population and moving on to the lynchings, denial of rights and due process to people of color, the attempts by the United States at genocide soon manifested in wars against yellow-skinned people in Asia and Semitic peoples in the Middle East.

And throughout these wars of color, there runs the subtext of the "secret war against the Jews," so well researched and reported in the groundbreaking book of that title by John Loftus and Mark Aarons. Recent revelations of FDR's expressed anti-Jewish sentiment would explain his reluctance to directly address the genocide going on in the concentration camps in Eastern Europe, a genocide which provides the foundation and basis for what is happening now. FDR's anti-Jewish beliefs only constitute the tip of a very deep glacial reality in the history of America's racial agenda.

In addition, the U.S. has clearly launched a pogrom against the vulnerable. The adult guardianship programs are already resulting in the murder of untold numbers of elderly and

disabled. Add to the stew the assisted suicide movement and you have a situation in which the guardians will be making these end-of-life decisions for people who have disabilities. The rallying cry of the A.S. movement is compassion for those who are suffering. It is easy to get drawn into this without realizing that, given the present legal structures, the disabled person may have no say in his termination.

This also harks back to Germany in the thirties, where the first extermination program was launched—not against the Jews, not against the political dissidents or gypsies—but against those afflicted with age or disability. Hitler's T-4 program resulted in the slaughter of hundreds of thousands of ethnic Germans. The murder of U.S. citizens through the “end-of-life decisions” by guardians has already been documented. How many have actually died due to the actions of conservators such as Melodie Scott or Florida's Caresource, which dictated the misplacement of non-terminally ill Corinne Bramson into hospice where she was quickly overdosed with morphine?

I write this at a time when sentiment against the Jewish people has again reared up. This has been fueled extensively by the human rights violations visited upon the Palestinian people by the State of Israel and by a growing perception that Israel has become an apartheid state. Based on my research and my own experience, I do not believe that the State of Israel has the best intentions of its populace in mind.

In fact, it appears that the same element in the Jewish community which lobbied against admitting Eastern European Jews into the United States during the slaughterhouse years of the thirties and forties are again leading the Jewish people—over the final cliff.

These are strong allegations. My experience with Jewish leaders spans borders as well as political boundaries: Congressman Alan Lowenthal, Congressman Henry Waxman, B'nai Brith of Canada, the Jewish Federation of Los Angeles, Jewish Family Services, the Anti-Defamation League, Rabbi Comess-Daniels, Rabbi Marc Sirinsky, Rabbi Randy Fleischer, Rabbi Jerry Sorokin, Rabbi Michael Lerner—to name a few.

The list is long and the evidence of complicity is considerable.

There was no salient reason to attack Amalie or me. We were not politically active and my journalism career, which had largely entailed reporting on cultural events, had been on hold for some time due to illness. When my parents moved to Temecula in 1990, they left behind the community of friends and associates that they had cultivated for four decades. My illness had made me nearly a hermit. After my father's death in 1997, my mother was left vulnerable and unprotected, as are many elderly widows.

We were easy pickings. Someone got itchy fingers. Someone couldn't wait to fuck up some Jews.

I consider what happened to Amalie and to me to be a hate crime. The involvement of agent Jack Smith indicates that the orders came from the highest level and, given that there was no compelling reason to consider either of us a threat, the only other reason on deck would be that this was an institutionally sanctioned hate crime.

And when I survived the assassination attempt by Officer Loren Dawson and his cohorts, at that point I did become a political threat. Sooner or later, I was bound to figure it out. And I was not going to stay silent.

To the best of my ability, I have attempted to fulfill this assessment.

Janet C. Phelan
Chiapas, Mexico
March, 2014

EXHIBITS

A. (Licht)

Date Dec. 16/99

2-66/1220
773

Fifty ⁰⁰ / 100

VALUED
Customer Since
1983

Amalie M. Felsen

1: 12200066 1: 5990 07239 10914 0000005000

Date Dec. 9/97

16-66/1221
723

Pay to the
Order of Janet C. Nichols
Three hundred

Valued Customer Since 1883

200066 1:59/9 "0723 " 10914" "00000 30000

EXHIBIT 1-B

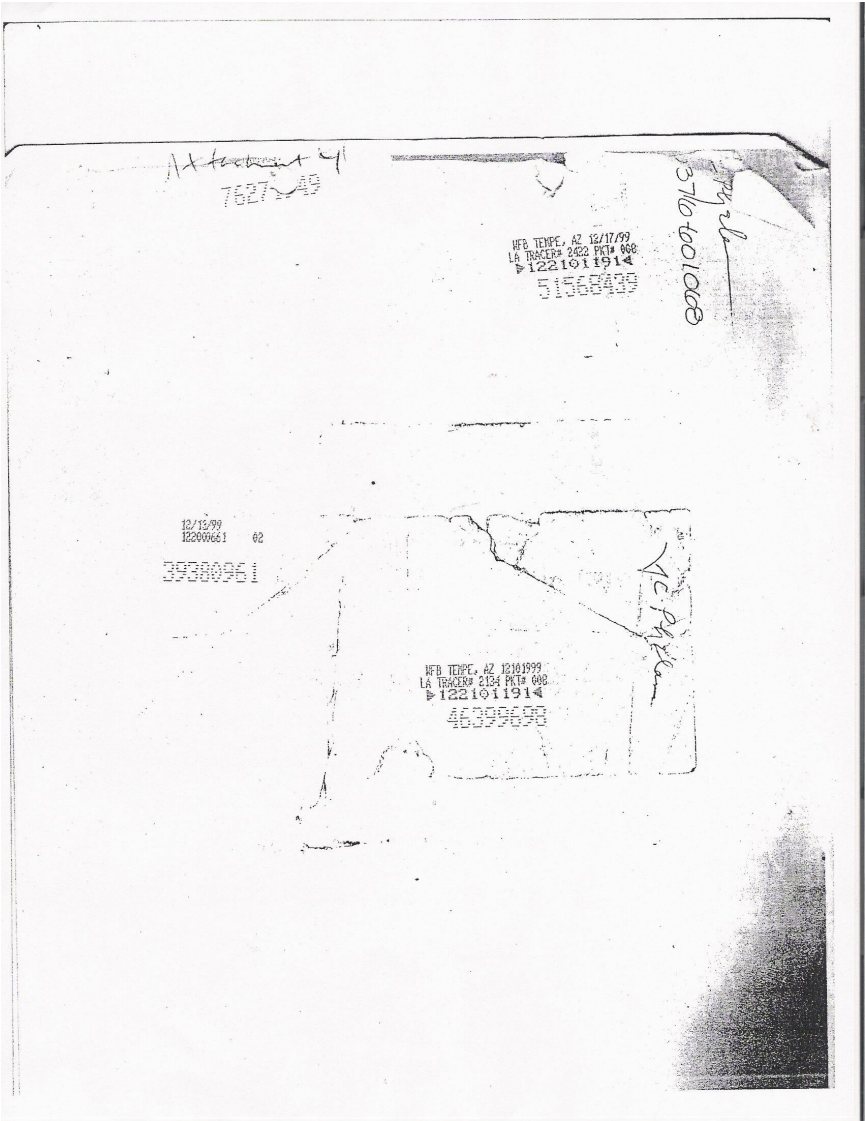


EXHIBIT 2

L.A.R.E., INC.
CONSERVATORSHIP & RESOURCES FOR THE ELDERLY
25 EAST STATE STREET
REDLANDS, CA 92373
(909) 793-4011 • FAX (909) 335-8515

MESSAGE

TO Garret Phelan DATE 3/4/02
2143 Locust Ave. SUBJECT Amelie Phelan
Long Beach, Ca. 90806

- Please be advised that I put a
"STOP" on your check dated 3/1/02 and
not yet received by you. You failed
to comply with my correspondence to
you dated January 28, 02 by taking
your mother to see an Attorney on March 2
and by calling the police on my housekeeper
the same day.
BY Nelodie Scott

REPLY

DATE _____

SIGNED _____

Order form #00115 The Drawing Board, P.O. Box 2544, Hartford, CT 06104-0544

*902, Printed in U.S.A.

11-00000

11-00000

INSTRUCTIONS TO USER: 1. WRITE REPLY TO DESIGNER'S NAME AND RETURN TO ADDRESSEE 2. TO COPY TO SENDER

C. A. R. E. Inc.

CONSERVATORSHIP & RESOURCES FOR THE ELDERLY
MELODIE Z. SCOTT

25 EAST STATE STREET
REDLANDS, CA 92373
(909) 793-4011 • FAX (909) 335-8515

Holly ext 232

January 18, 2002

Ms. Judith Phelan
43991 Gatewood Way
Temecula, CA 92592-3014

Ms. Janet Phelan
2143 Locust Avenue
Long Beach, CA 90806

RE: CONSERVATORSHIP OF AMALIE PHELAN

Dear Judith and Janet:

This is intended to provide you with a status of the conservatorship. I have enclosed a copy of the Court Order, which among other things limits the "allowance" to both of you at \$1,200.00 monthly. In reviewing the financial records, I see that you both received funds this month so I will begin the \$1,200.00 monthly stipend in February 2002. You will both receive your checks by the 5th of the month.

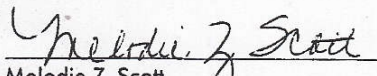
I have hired an agency caregiver who is scheduled from 9:00 AM to 5:00 PM, Monday through Friday. Her duties include preparing lunch and dinner, performing light housekeeping duties, attending to Amalie's personal hygiene and providing transportation and companionship to Amalie. Judith will be responsible for taking Amalie's blood pressure two times daily, administering her medications and supervising her on the weekends. Amalie's Cal-Pers long-term insurance may cover the cost of the agency caregiver but there is a 90-day deductible. A nurse from the Cal-Pers Claims Department will be scheduling an assessment of Amalie in the near future. In the interim, Holly Morin, LVN, will provide case management for Amalie. She may be reached at the telephone number listed above.

PHELAN CONSERVATORSHIP
Correspondence Dated 1/18/02
Page 2 of 2

Starting in February, I will be paying all bills and forwarding \$100.00 weekly to Judith for miscellaneous household expenses, \$100.00 to the caregiver for groceries and \$100.00 cash to Amalie for her personal use.

I am hesitant to relay information to you by telephone for a number of reasons. I hope you find this written information helpful.

Sincerely,


Melodie Z. Scott
Conservator for Amalie Phelan

MZS/wen

Enclosure

CC: Atty. J. David Horspool

A Hachmentis

DATE OF ADMISSION: 06/11/2002

DATE OF DISCHARGE: 06/17/2002

PRIMARY DIAGNOSES:

1. Sick sinus syndrome.
2. Dizziness and vertigo exacerbated by #1.
3. Coronary artery disease.
4. Dementia.
5. Hypertension.
6. Major social issues.

CONSULTATIONS OBTAINED:

1. PETER KIM, M.D., NEUROLOGY.
2. IVON CAMPO, M.D., CARDIOLOGY.
3. OSCAR MATTHEWS, M.D., CARDIOLOGY.

PROCEDURES:

On 06/15/02, the patient had placement of a VVI pacemaker by Dr. Matthews. Dr. Cross is the surgeon.

COMPLICATIONS:

Essentially none. The patient following pacemaker insertion had approximately 5% pneumothorax which was totally asymptomatic, monitored clinically with serial chest x-rays and was stable.

HISTORY OF ADMISSION AND HOSPITAL COURSE:

The patient is an 86-year-old Caucasian female who was admitted to the hospital with complaint of severe episode of dizziness and weakness without cephalgia and a worsening mental status and memory over the last 2 weeks prior to admission. Family members noticed the eyes moving rapidly when lying down recently prior to the admission. The patient was admitted with a presumptive diagnosis of vertiginous episode with a possible vertebrobasilar TIA, doubtful of seizure. The patient was admitted to the hospital and monitored serially. A Neurology consultation was obtained. Carotid Doppler showed no significant stenosis. She was continued on her usual dementia medications and Aricept and Zyprexa. Neurology consultation was performed to concur that it was likely vertiginous. While the patient was being monitored followed this consultation, the patient developed some bradycardia. Beta-blockers were discontinued. Cardiology consultation was also performed. On followup, the patient seemed to be stabilizing but on 06/14/02, I found the patient feeling weak and I personally observed her having the episode where she was found on the floor with a documented heart rate of 37 and maintained a stable blood pressure but quite pale and notably confused. The patient was transferred to ICU. Cardiology reevaluation was made and the patient was scheduled for placement of permanent pacemaker. Permanent pacemaker was placed as noted above with good function. Continued...

Rancho Springs Medical Center
25500 Medical Center Drive
Murrieta, CA 92562

PT NAME: PHELAN, AMALIE
PHY: DAVID MITZNER, D.O.
MR#: 119087
ACCT#: 600552160

DISCHARGE SUMMARY

PAGE 1

EXHIBIT 5

PLAINTIFF/PETITIONER: In re the Conservatorship of — AMALIE PHELAN, MELODIE Z. SCOTT, Temporary Conservatee DEFENDANT/RESPONDENT: JANET PHELAN	CASE NUMBER RIP 080974
--	---------------------------

This form must be attached to another form or court paper before it can be filed in court.

The latest incident has caused me great concern and has forced me to seek a restraining order against Janet in order to protect the Conservatee's mental health and well-being.

On June 11, 2002, Janet showed up at the Conservatee's residence and removed the Conservatee from her home. Janet insisted that her mother needed to be seen at the E.R. Janet and her sister, Judith, got into an argument because Judith did not think that her mother was ill and needed to go to the E.R.

Janet left the house with the Conservatee and told the caregiver that she was not allowed to come along. This caused great stress to the caregiver. Janet later informed the caregiver that the Conservatee was admitted to the hospital for dizziness and confusion.

It has since been discovered that Janet had contacted a Dr. Mitzner, the Conservatee's physician, claiming that the caregiver had been poisoning the Conservatee. Dr. Mitzner is familiar with the case and refused to do any blood work. Therefore, Janet took the Conservatee to the hospital and claimed that the Conservatee was having seizures. The Conservatee has not had any seizures. Janet lied to the hospital staff to have the Conservatee admitted.

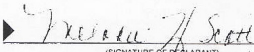
I have been informed by Dr. Mitzner that he no longer wishes to continue with the care of the Conservatee. This is due to Janet's continuous interference in her mother's care. Janet had contacted Dr. Mitzner and informed him that she had an Order that authorized him to release the Conservatee to her only. This is also untrue and Dr. Mitzner was aware of that fact and refused to release the Conservatee to Janet. Janet has since filed a complaint against Dr. Mitzner. It is because of this latest incident that Dr. Mitzner no longer wishes to continue to treat the Conservatee.

Janet's behavior has caused great emotional stress to the Conservatee and is very detrimental to the Conservatee's mental health and well-being. It is only through a restraining order that I can ensure that the Conservatee's well-being and mental health are adequately protected and that other incidences like the one described above can not happen again.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/11/02

MELODIE Z. SCOTT
(TYPE OR PRINT NAME)


(SIGNATURE OF DECLARANT)
☒ Petitioner/Plaintiff ☐ Respondent/Defendant ☐ Attorney
Other (specify):

(See reverse for a form to be used if this declaration is not to be attached to another court paper before filing)

Form Approved by the
Judicial Council of California
MC-101 (New January 1, 1987)
Optional Form

ATTACHED DECLARATION

Legal
Solutions
& Plus

TER02163053

PAGE 3 OF 7

1 DETAILS:

2
3 On 06-12-02, at about 1456 hours, I was dispatched to a civil dispute call at 43991
4 Gatewood Way, Temecula. Upon my arrival I contacted Janet Phelan. Janet
5 immediately demanded a report be filed against her mother's conservator, Melody Scott,
6 for elder abuse.

7
8 I asked Janet how Scott had been abusing her mother, Amalie Phelan. Janet said
9 Amalie's care provider, Linda Garcia, had not been giving Amalie all of her medications
10 and demanded charges be filed against Scott for elder abuse. I asked Janet how Scott was
11 responsible for Garcia not giving Amalie her prescriptions.

12
13 Janet told me she had drove to her mother's house at 43991 Gatewood Way on Tuesday
14 06-11-02 to check on Amalie. Prior to driving to Amalie's house, Janet contacted the
15 Temecula Police Department to ask for an officer to respond for a keep the peace call.
16 Upon her arrival to Amalie's house, Garcia told Janet that Scott had advised Garcia not to
17 let Janet in Amalie's house. According to Janet, Deputy Mitchell advised Garcia that if
18 Amalie desired Janet's presence at the location, Garcia would have to abide by Amalie's
19 desires.

20
21 Janet then told me she saw Amalie was felling sick so she took Amalie to the emergency
22 room on Monday, 06-10-02. I asked Janet if she took Amalie to the emergency room on
23 Monday, 06-10-02, or on Tuesday, 06-11-02. Janet then said she took Amalie to the
24 emergency room on Monday, 06-10-02.

25
26 I then contacted Deputy Forbes and asked him to respond to the Gatewood address for a
27 routine back up. Deputy Forbes arrived at the location at about 1520 hours.

28
29 After Deputy Forbes arrived, I again asked Janet to explain to me how the alleged elder
30 abuse came to Janet's attention. Janet said Amalie called her on Monday, 06-10-02, and
31 told Janet that no one had been taking care of her. I asked Janet if Amalie explained how
32 she had been neglected. Janet said Amalie did not elaborate on her neglect, only that
33 people had been ignoring Amalie.

34
35 I then asked Janet if Amalie contacted Janet on Monday, 06-10-02, because Janet had
36 said earlier that she drove to Amalie's residence on Monday, 06-10-02. Janet corrected
37 herself again and said Amalie called Janet on Sunday, 06-09-02, and Janet drove to
38 Amalie's residence on Monday, 06-10-02, along with Deputy Mitchell.

39
40 Janet said she spent the night at Amalie's residence on Monday, 06-10-02. When Janet
41 woke up on 06-11-02, at about 0600 hours, Janet spoke to Garcia and asked Garcia for a
42 list of Amalie's medications, but Janet was unable to provide the original list of
43 Medications. Janet then accompanied Garcia and Amalie to a medical appointment at
44 Unilab at about 0900 hours, on 06-11-02. Janet said she observed Amalie during the
45 Unilab visit and Amalie appeared to be struggling while walking and was complaining
46 that she was not feeling well.

TER02163053

PAGE 4 OF 7

1 Janet became concerned about Amalie and told Amalie she would take her to the doctor
2 later, if Amalie did not feel well later. Janet, Garcia, and Amalie drove back to Amalie's
3 residence after the Unilab appointment.
4

5 After Janet, Garcia, and Amalie arrived at the house, Janet told Amalie to lie down in her
6 bedroom and get some rest. Amalie woke up around 1400 hours and said she was still
7 not feeling well. Janet started gathering some of Amalie's personals to take Amalie to
8 the emergency room. Garcia became upset with Janet and told Janet she did not have the
9 authority to take Amalie to the hospital. Garcia said she would have to call Scott.
10

11 Janet then took Amalie to Rancho Springs' Emergency Room.
12

13 While admitting Amalie into the hospital, Janet saw another list of Amalie's medications
14 and saw there were more medications on the second list than Garcia had provided Janet
15 with earlier in the day.
16

17 Janet spent the night at the hospital on the evening of 06-11-02. Janet drove back to
18 Amalie's residence on 06-12-02. When Janet arrived at the residence, Garcia was
19 moving her personal possessions out of Amalie's residence. Janet began looking around
20 in Garcia's bedroom and saw old prescription bottles with Amalie's information on them.
21

22 Janet then asked me to follow her to Garcia's bedroom to look at the prescription bottles.
23 Deputy Forbes and I followed Janet to Garcia's bedroom. Janet then showed me the
24 following prescription bottles:
25

26 Zyprexa The first bottle was issued to Amalie Phelan, filled on 05-08-02
27 for 30 pills and contained 22 pills. The second bottle was also
28 issued to Amalie Phelan, filled on 06-04-02 for 30 pills and
29 contained 30 pills.
30

31 Atenolol The bottle was issued to Amalie Phelan, filled on 05-08-02 for 30
32 pills and contained 30 pills.
33

34 While I was looking at the prescription bottles, I heard the telephone ringing in the
35 background. Janet answered the phone and said, "I'm glad you called. The cops are here
36 and I'm sure they'll want to talk to you Melody." Janet then pushed the telephone in
37 front of me and yelled, "Here! She's on the phone! Here!"
38

39 I took the telephone and advised who I was. Scott immediately replied, "What are you
40 doing there?" I advised Scott that Janet believed Garcia had not been giving Amalie all
41 of her medications. Scott promptly yelled, "She always gives her her medicine." I
42 advised Scott I had looked at a couple of Amalie's old prescription bottles, which
43 appeared to be full. Scott replied, "You need to watch what you're saying Deputy. You
44 have no idea what's going on."
45
46

TER02163053

PAGE 5 OF 7

1 Scott proceeded to tell me that Doctor Mitzner would double fill Amalie's prescriptions,
2 because Janet was coming to Amalie's house and throwing Amalie's medicine away.
3 When I attempted to ask Scott a question, Scott would interrupt me and begin talking
4 about how Janet was crazy and Janet should be locked up for being mentally disturbed.
5 Scott then demanded I give her Janet's full name and date of birth, so Scott could file a
6 restraining order against Janet.

7
8 I advised Scott the personal information I had received from Janet was confidential and
9 Scott would have to ask Janet for the information. Scott then asked for my information
10 so she could tell the judge I refused to give Scott the information she requested. I spelled
11 my last name for Scott and then told her my departmental identification number was 3-1-
12 1-1.

13
14 I then attempted to ask Scott for her personal information and Scott demanded to speak to
15 Janet. I again attempted to get Scott's personal information and Scott yelled she wanted
16 to speak to Janet.

17
18 I handed the telephone back to Janet and Janet walked out of the bedroom yelling at
19 Scott. Janet walked into another room and I could not understand what she was saying to
20 Scott.

21
22 Janet came back into the bedroom and said she did not give Scott her personal
23 information and asked me if I had. I advised Janet I did not give Scott Janet's personal
24 information.

25
26 I asked Janet if Amalie told Janet that Garcia had not been giving Amalie her
27 medications. Janet said Amalie did not tell Janet she had not been receiving the Zyprexa
28 and/or the Atenolol. Janet said Amalie is not usually aware of the medications she is
29 taking, Amalie just takes the medications she is handed without question.

30
31 I then asked Janet if she had contacted Doctor Mitzner to find out if he had taken Amalie
32 off of any medications. Janet said she was not able to get the information, because Scott
33 told Doctor Mitzner that he was not supposed to discuss Amalie with Janet.

34
35 I asked Janet if she had any proof that Scott had been directing Garcia to withhold
36 Amalie's medications. Janet said she had done her own investigation into Scott's history
37 and knew that Scott was telling her employees to withhold elderly peoples vital
38 medications. I again asked Janet what proof she had to support the allegations. Janet told
39 me that Amalie's medication bottles were enough proof.

40
41 I told Janet I would to write a report on the incident and advise Adult Protective Services
42 (APS) of the circumstances. Deputy Forbes and I then left Amalie's residence.
43
44
45

TER02163053

PAGE 6 OF 7

1 On 06-13-02, at about 0800 hours, I spoke to Jason Hoy with APS. Jason advised me
2 there had been several reports of alleged elder abuse on Amalie's behalf. Hoy said he
3 would add the information to the other allegations and forward it to the appropriate APS
4 Agent in Hemet.

5
6 On 06-13-02, at about 1432 hours, I was dispatched to a follow up call at 43991
7 Gatewood Way, Temecula. Upon my arrival I contacted Janet Phelan.

8
9 Janet said she was not satisfied that the report was going to be forwarded to APS and said
10 she wanted the report forwarded to the district attorney's office for prosecution of Scott
11 for elder abuse. Janet then said Scott has been directing Garcia to withhold Amalie's
12 medications.

13
14 Janet also said Garcia stated she should not be blamed for what was happening, because
15 she was only following orders. I attempted to find out if Janet knew who Garcia had
16 been following orders from, but Janet was extremely upset. Janet kept saying Amalie
17 was still in the hospital and no one was helping her.

18
19 I asked Janet who had taken care of Amalie prior to Garcia. Janet said a woman by the
20 name of Sheryl Moormar had taken care of Amalie prior to Garcia. Janet added
21 Moormar was supposed to contact Janet's Lawyer to help secure her case against Scott.
22 Janet said she was taking Scott to court on July 16TH, 2002 to have Scott's authority as
23 conservator removed.

24
25 I asked Janet if Moormar had been hired by Janet to care for Amalie. Janet then became
26 upset again and began yelling how Moormar used to work for Scott and Moormar was
27 mentally unstable and lied about everything. I asked Janet why she had asked Moormar
28 to help her if she knew Moormar was going to lie. Janet said she thought Moormar
29 would be able to provide information about Scott's methods as conservator.

30
31 Prior to me leaving Amalie's residence, Janet said she already talked to District Attorney
32 Fox and he was going to ensure that Scott was prosecuted for what she had done to
33 Amalie.

34
35 I advised Janet I would take the additional information provided by Janet and continue to
36 follow up the allegations of elder abuse.

37
38 Janet then told me Scott threatened to get a restraining order against her, so Janet was
39 going to change all of the locks in Amalie's house, so Scott could not get in. I advised
40 Janet that if Scott was the conservator of Amalie's house, Janet could be in violation of
41 the law for changing the locks without Scott's permission. Janet said she would not
42 change the locks on the house.

43
44
45

EXHIBIT 6-F

TER02163053

PAGE 7 OF 7

1 While I was back in route to the Southwest Station, at about 1552 hours, I received a
2 second follow up call advising me to contact Janet. Upon my arrival at the Southwest
3 Station, I attempted to call Janet. When Janet answered the telephone I advised who I
4 was. Janet replied, "I don't want to talk to you sir." and hung up the telephone. I then
5 walked to Sergeant Zerkel's office to advise him of what had happened. Sergeant Zerkel
6 told me he was on the telephone with Janet and asked me to wait for him to get off the
7 telephone.
8

9 This case will be forwarded to Southwest Station's Investigation Bureau for follow up
10 contact with Janet Phelan, Melody Scott, and Linda Garcia to substantiate or unfound the
11 allegations of elder abuse.
12

13 CASE STATUS: Open/CTE-2

Attachment

EXHIBIT D

1.8

Patricia Lambert
 5720 Owensmouth Ave., Unit 168
 Woodland Hills, CA 91367
 818-888-3689

DATE: June 24, 2002
 FAX TO: Ellen Weinfurtnr
 FAX NO. 909-684-2501
 FROM: Patricia Lambert
 FAX NO. 818-888-8806
 RE: Janet Phelan

*I gave my signed
 original of this to
 Ellen W. in court
 because she couldn't
 find her copy P.*

You will receive one page, including this one

Dear Ms. Weinfurtnr:

I believe I can provide information that will help Janet at the hearing on Thursday. I'm a writer and a family friend of the Phelans. (Jim Phelan was my mentor on a book I wrote.) I've known the family for nine years. I once stayed with them for three days. I know the family dynamics.

I have first-hand knowledge of how important Janet is to her mother Amalie and how devastating it will be to Amalie if Janet is torn from her life. I honestly believe it will kill her. I know the two of them ordinarily speak on the telephone every single day. I know that because Amalie told me some time ago. Amalie depends on that regular contact with Janet, especially since Jim died. Janet is Amalie's lifeline. The fact that these people, who are supposed to be acting in Amalie's best interest, want to separate her from Janet demonstrates that either they never bothered to find out how important Janet is to her mother, or they don't care. Either way, it's clear that whatever their agenda is, they aren't acting in Amalie's best interest.

Amalie is one of the most admirable and remarkable women I know. Janet, like her father and her mother, is an absolute straight arrow. The idea that she poses a threat of any kind to her mother's well being is absurd in the extreme. The exact opposite is true. What is happening to these two women simply defies belief.

I am willing to come down there on Thursday and testify to what I know. I have a busy week and need to hear from you today.

I'm glad you're taking care of Janet. And I look forward to hearing from you.

Sincerely,

Patricia Lambert

Attachment D

EXHIBIT E

#1a

June 26, 2002

INTERVIEW WITH AMALIE PHELAN

My name is Patricia Lambert; I'm an old friend of the Phelan family.

Today I drove to Asistencia Villa Convalescence & Rehabilitation Care Center, at 1875 Barton Rd., Redlands, California (telephone # 909-793-1382), and spoke at length with Amalie Phelan in her room (312A). (I had called her earlier and told her I was nearby and wanted to see her, if that was okay. She said, with great animation, "Oh, that's wonderful.") I arrived at 3:20 pm and left at 4:30 pm.

When I got there, she was asleep—stretched out, fully-clothed, on top of the bedspread. I tiptoed over to greet her roommate with a wave; she informed me in a whisper, pointing Amalie's direction, "She never has any visitors." I whispered back, "Well, I'm here."

I started to sit down and wait for Amalie to wake up, but she opened her eyes, saw me, smiled, and sat right up. We hugged and I sat down on her bed. I was surprised at how unchanged and how well she looked: Her hair appeared recently done, her color looked good, and her eyes were clear, wide and alert. She was dressed nicely in pants and a top and a great pair of smart, comfortable-looking shoes, which I commented on. During our conversation, it was obvious to me that Amalie is beginning to forget things; her short-term memory is lagging. She is quite aware of it and told me so.

I showed her a picture of Jim (taken during an interview conducted when his Howard Hughes book was a bestseller, a print of which once hung in her house). She handled the photograph, smiling, and I said I was going to get her a copy of it to have in her room. "Oh," she said, "That would be so nice."

Then I asked her if she had ever seen a copy of the restraining order against Janet or the Declaration supporting it, or if anyone had ever read that Declaration to her over the telephone. She replied "No."

I told her I was going to be at the hearing tomorrow, and I wanted to try and give her a voice in the courtroom, if I could. She said "wonderful."

I asked her if she could read okay. She said she could. I asked if she could read small print. She said she thought so. I told her I wanted to give her a two-page document to read and after she read it I wanted her to comment on the contents and I would write down what she said and try to get her remarks entered into the record tomorrow. I said the document was the Declaration of Melody Scott in support of the restraining order against Janet. I asked if she was willing to do this. She said, "I am."

I handed the Declaration to her, and then I sat at the end of the bed watching her reaction. In the course of reading it, she gasped several times; twice she stopped and looked at me. In the first instance, she said, "This makes me

fighting mad." The second time, she just shook her head from side to side. When she finished, I asked her if there was anything she wanted to tell the court about what she had read. She thought awhile, and then she said the following, speaking softly, and choosing her words with the same care and precision that I remembered from earlier times.

"It is untrue that Janet causes me distress or confusion. I have no trouble interacting with her, and over the years that we have discussed things, I have learned to trust her ideas, her views, and her behavior. I feel that she is totally dedicated to my well-being and welfare. Assertions to the contrary are utterly false.

"I really can't bare to think of having any impediment to Janet's relationship with me. We have been close for many years and I receive so much emotional support from her that I would really suffer without it."

I reminded her that she once told me that she spoke to Janet every day on the telephone, and I wondered if that was still the case. Amalie replied, "Yes. It was still generally the case that Janet touched base with me on a daily basis, until recently of course."

I asked if there was anything else she wanted to tell the Court. She reflected a bit once more, and then she said:

"I want to tell the Court that I don't want Melody Scott interfering in my affairs. (long pause) That's so bold faced and simple, they should be able to understand that. I wish the Court would not make it difficult or raise any impediment to my ongoing relationship with Janet. Most of all, I want to make it clear that I don't want Melody Scott to have any influence or control over my life."

I asked if she thought her attorney, Mr. Quitierres, should have shown her the Declaration she had just read. She replied, "I dismissed him." I said, no he is still your attorney. She said, "I have tried to dismiss him. Why won't the judge do it?"

Before I left, Amalie hugged me warmly, and said, "I thank you so much for your effort."

I promised I would see her again.

Signed: Patricia Lambert
Patricia Lambert
5720 Owensmouth Ave.
Woodland Hills, CA 91367

Dated: June 26, 2002

*I have read these
2 pages and they are
accurate.*

*Amelia M. Holden
June 28/02*

26/2002 14:38

4885854382

MBE 2980

PAGE 02

Not
SENT

EXHIBIT F 12

Patricia Lambert
5720 Owensmouth Ave.
Woodland Hills, CA 91367
(818-888-3689)

DATE: July 1, 2002
FAX TO: Ellen Weinfurter
FAX NO.: 909-684-2501
FROM: Patricia Lambert (Fax No.: 818-888-8806)
RE: Amalie Phelan (visit with, on 6/28/02)

(You will receive two pages, including this one.)

Dear Ms. Weinfurter:

As mentioned, I visited Amalie Phelan last Friday (as I had promised her I would).

I told her a final decision on the restraining order had been postponed for three weeks. In the meantime, Janet would be allowed to visit her three times a week under the supervision of someone from Bridget Murphy's social services department there at Asistencia. She didn't respond to this news but lowered her head a bit and stared straight ahead.

I knew from earlier conversations that she was hoping the matter would be resolved at the Thursday hearing, hoping that she would be able to see Janet whenever she wished with no restrictions. I now realized that, aside from everything else, the "supervision" provision was humiliating to her. So I said, "At least it won't be Melody Scott's employees doing the supervising." At that, she sat straight up and looked at me directly. "Well, that's something," she said, with emphasis. This prompted me to ask, "What do you think about Scott's caregivers--do you think they wish you ill?" She said, "I don't know if they wish me ill, but I know they don't wish me freedom to do as I wish."

This reference to "freedom to do as I wish" goes to the core of Amalie's situation. I believe that situation has reached a dangerous threshold and is a threat to her physical and mental well being. I'm afraid if this situation drags on much longer, Amalie will lose the will to live. This woman is not a submissive homebody accustomed to being told what she can and cannot do. She is a professional, an accomplished psychologist with fifty years in the saddle, who was still working in that capacity as late as 1999.

Janet - This
contains Amalie's
specific request
to find an attorney
to replace Huttering.
For that reason,
I didn't send
this to Ellen.
Pat

26/2832 14:38 4685854383

MOE 2908

PAGE 83

Until the appointment of this conservator, Amalie was accustomed to exercising her free will, going where she wished, when she wished, seeing whom she wished—in short, she was accustomed to having control over her own life. Now she has none. She is under the thumb of a conservator and an attorney whom she regards as indifferent, even hostile, to her wishes. She has tried to dismiss the attorney but the judge ignored her letter requesting it. Now I fear Amalie is beginning to lose hope of ever being free again to make her own decisions.

The day after I saw her, I came across the following quote (in a LA Times article) from 9th Circuit Court Judge Robert M. Takasugi, whose entire family was part of the Japanese internment during WWII. Regarding his father who died at age 57, Takasugi said this: "I think he died, if anything, of the stress that was caused by feeling he was totally helpless." Feeling "totally helpless," I fear, is how Amalie is now feeling. And why wouldn't she?

I told Amalie I met her attorney Gutterrez at the courthouse. "I've been trying to unload him," she said. A bit later, his name came up again and she said, "I've been trying to shake him; I can't get rid of him. He's like stickum. I've never known anyone before who insisted on being employed by someone who's been trying to resist such a relationship. I have no trust in whatever position he assumes. I don't think that he has any basic interest in assisting me. I think it depends on the way he perceives it for his own interests."

I asked if she wanted Janet to try to find an attorney for her and see if she could get the judge to appoint him to replace Gutterrez. She said, "If she could, that would be wonderful."

About her condition, she said "I'm not as pulled together and as motivated as I used to be. I was more ready to jump before." She said she thinks she might be up to going to court on the 18th.

I then read to her the two-page description of our last conversation, entitled: "Interview with Amalie Phelan." Wherever I quoted her in the document, I paused and asked if that was correct; she said "yes" in each instance. When I finished, I handed it to her; she scanned down each page. I said, "If this is accurate would you be willing to write that on the last page?" She said, "It is accurate; I am willing." I placed my original of the document on top of a yellow legal pad on my lap and moving the pen carefully, she wrote this at the bottom of the last page: "I have read these 2 pages and they are accurate. Amalie M. Phelan June 28/02"

Sincerely,

Patricia Lambert

Patricia Lambert

Attachment A

Minute Orders

[Home](#)[Pending Hearings](#)[Complaints/Parties](#)[Images](#)[Actions](#)[Case Report](#)[Minutes](#)Action:

HEARING ON ORDER TO SHOW CAUSE RE: T.R.O. (ELDER ABUSE) - SIGNED STEPHEN D. CUNNISON
08/01/2002 - 10:00 AM DEPT. 01

PETITIONER IS/ARE TEMPORARY CTOF (PVT PROF CTOF: MELODIE Z. SCOTT)

NO PROOF OF PERSONAL SERVICE ON DEF: JANET PHELAN

NO PROOF OF MAILING NOTICE OF OSC TO ELLEN WEINFURTER (ATTY FOR DEF) OR GILBERT GUTIERREZ (ATTY FOR CTEE)

RESPONSE TO PETITON FOR PROTECTIVE ORDERS FILED 6/21/02

PETITIONER REQUESTS A PROTECTIVE ORDER TO RESTRAIN JANET PHELAN FROM AMALIE PHELAN

PETITIONER REQUESTS RESTRAINED PERSON STAY 100 YARDS FROM PROTECTED PERSONS: RESIDENCE, VEHICLES/PLACE OF CAREGIVERS

PURSUANT TO (WI 15610(G)) DEFINITION OF ABUSE MEANS: PHYSICAL ABUSE, NEGLECT, INTIMIDATION,

CRUEL PUNISHMENT, FIDUCIARY ABUSE, ABANDONMENT, ISOLATION, OR OTHER TREATMENT WITH RESULTING

PHYSICAL HARM OR PAIN OR MENTAL SUFFERING.

PETITIONER ALLEGES VISITS BY DEFENDENT CAUSES CTEE GREAT STRESS AND MENTAL ANGUISH, & CAUSED DR TO DISCONT. CTEES CARE.

EXAMINED BY C. HATHAWAY ON 06/19/02

PRINT MINUTE ORDER

PRINT MINUTE ORDER

PRINT MINUTE ORDER

Attachment 8

ATTACHMENT 8
ORDER TO SHOW CAUSE
AND TEMPORARY RESTRAINING ORDER

The restrained person shall not contact the care facility where the protected person is residing, nor the protect person's physicians, nor the Conservator of the protected person for the purpose of harassing. The restrained person may only contact the Conservator of the protected person and inquire as to the protected person's health only.

Further, the restrained person shall not ^{make} ~~contact the following~~ ~~agencies for the purpose of making false reports against the~~ facility wherein the protected person is residing or against the protected person's physician: ^{to any of the agencies} Federal Bureau of Investigation, Central Intelligent Agency, the Department of Justice, the local Police Department where the protected person resides, the Adult Protective Services located in the County where the protected person resides, the Ombudsman's Program where the protected person resides, the American Medical Association, and any and all Licensing Agencies for care facilities.

DATE: Oct 8, 2002

[Signature]
JUDGE OF THE SUPERIOR COURT

EXHIBIT 11

Jack Smith
7911 1/8 West Norton Ave.
Los Angeles, Ca 90046
Monday, October 07, 2002
Wednesday, October 16, 2002

Janet Phelan
2143 Locust Ave.
Long Beach, CA. 90806

Dear Ms. Phelan and any Others it May Concern;

I have been asked to recount the events as I witnessed them in the Riverside courthouse. To the best of my knowledge this letter will recount what I saw and heard on August 1st, 2002.

I went with Janet Phelan to witness the scheduled hearings in the Riverside Court on August 1st, 2002. Ms. Phelan and I had been informed that two hearings were going to be held that day.

The first hearing scheduled was a hearing on the permanent conservatorship of Amalie Phelan and whether Melodie Scott should be appointed as the permanent conservator. This hearing took place as scheduled.

We were also told by the clerk's office that a second hearing regarding a TRU being brought against Janet Phelan was also scheduled for that same day right after the first hearing.

After a brief recess from the first hearing we waited for the second hearing to start, at some point we were informed that the second hearing was not going to take place at all that day. The bailiff asked us to leave and we did so. We were told that the court was now closed. The second hearing was not held, at least not in public so that Janet Phelan could not speak on her behalf.

I have been told that the hearing took place anyway in closed chambers away from public witnesses. I find this whole matter very strange indeed.

In closing all I know is that I was told the second hearing was scheduled. We also saw it scheduled on the computer screen at the clerks office. I do not know why we were asked to leave, further I do not know why we were told the court was closed. Janet Phelan, should have had the right to speak in her own defense.

Sincerely

Jack Smith



Jack Smith 10-16-02

Notary for California
County Los Angeles

Subscribed and Sworn to before me
This 16th Day of Dec 2002
Notary Public

Melodie Scott

Notary Seal
Blocked per
legal advice

WHEN RECORDED MAIL TO:

02:0201315

3

HUGHES AIRCRAFT EMPLOYEES
FEDERAL CREDIT UNION
1440 ROSECRANS AVENUE
MANHATTAN BEACH, CA. 90266
ATTN.: HOME EQUITY LOANS

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DEED OF TRUST

THIS DEED OF TRUST is made this January 16th, 2002 among the Trustor
Jack Smith A Single Person

(herein "Borrower"), FIRST AMERICAN TITLE INSURANCE COMPANY (herein "Trustee"), and the Beneficiary, HUGHES AIRCRAFT EMPLOYEES FEDERAL CREDIT UNION, a corporation organized and existing under the laws of California, whose address is 1440 ROSECRANS AVENUE, MANHATTAN BEACH, CALIFORNIA 90266 (herein "Lender").

BORROWER, in consideration of the indebtedness herein recited and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of Los Angeles, State of California:

A.P. Number: 5554-012-038

See Exhibit "A" attached hereto and made a part hereof.
which has the address of 7911 1/8 West Norton, West Hollywood
CA 90046 (herein "Property Address");

TOGETHER with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances and rents (subject however to the rights and authorities given herein to Lender to collect and apply such rents), all of which shall be deemed to be and remain a part of the property covered by this Deed of Trust; and all of the foregoing, together with said property (or the leasehold estate if this Deed of Trust is on a leasehold) are hereinafter referred to as the "Property";

TO SECURE to Lender the repayment of the indebtedness evidenced by Borrower's note dated January 16th, 2002 and extensions and renewals thereof (herein "Note"), in the principal sum of U.S. \$ 53,000.00 with interest thereon, providing for MONTHLY installments of principal and interest, with the balance of the indebtedness, if not sooner paid, due and payable on January 24th, 2017; the payment of all other sums, with interest thereon, advanced in

Home Improvement, Debt Consolidation, Equity Fixed Deed

Page 1 of 7

EL-1188104 (9901)

ELECTRONIC LASER FORMS, INC. - (800)327-0545

Index: 55 /

02 0201315 8

21. Request for Notices. Borrower requests that copies of the notice of default and notice of sale be sent to Borrower's address which is the Property Address. Lender requests that copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust be sent to Lender's address, as set forth on page one of this Deed of Trust, as provided by Section 2924(b) of the Civil Code of California.

22. Statement of Obligation. Lender may collect a fee not to exceed \$50 for furnishing the statement of obligation as provided by Section 2943 of the Civil Code of California.

**REQUEST FOR NOTICE OF DEFAULT
AND FORECLOSURE UNDER SUPERIOR
MORTGAGES OR DEEDS OF TRUST**

Borrower and Lender request the holder of any mortgage, deed of trust or other encumbrance with a lien which has priority over this Deed of Trust to give Notice to Lender, at Lender's address set forth on page one of this Deed of Trust of any default under the superior encumbrance and of any sale or other foreclosure action.

IN WITNESS WHEREOF, Borrower has executed this Deed of Trust.

Jack Smith

Jack Smith

Borrower-

Borrower-

Borrower-

State of California
County of **Los Angeles**

On January 20, 2002 before me, Kimberly R. Gazaway, Notary Public (here insert name and title of the officer), personally appeared Jack Smith

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Kimberly R. Gazaway



(Seal)

Home Improvement, Debt Consolidation, Equity Fixed Deed

EP-1188104 (9901)

Page 6 of 7

Initial JS

Attachment 2

OFFICE OF JEFFREY S. LUSTMAN
2336 Santa Monica Boulevard, #537
Los Angeles, California 90046

(323) 462-3818 (voice)
(323) 462-3819 (fax)

October 5, 2003

J. David Hornswool, Esquire
35157 Redlands Blvd.
Redlands, CA 92373

Malcolm Scott
25 D. State St.
Redlands, CA 92373

Gilbert Gutierrez, Esquire
4130 Brockton
Riverside, CA 92501

Re: Conservatorship of Amalie Phelan
Case Number 980974

Shipping Address:
P.O. Box 26653, Los Angeles, CA 90023

State Bar No. 181144

My reply relative

The Honorable Stephen D. Campbell
Riverside Superior Court - West
4050 Main St.
Riverside, CA 92501

The Honorable Christian Winterbush
Riverside Superior Court
4012 Main St.
Riverside, CA 92501

To all above parties:

I have been contacted by Janet Phelan, daughter of Amalie Phelan, regarding the above conservatorship case. In speaking with Janet, it appears that her mother's right to jury trial under section 1163 of the Probate Code is not being properly addressed. Both Janet and I have legitimate concerns about whether there has been a failure to address both the legal and medical aspects about Amalie's case. Amalie Phelan was currently on living medication that she does not need, and not getting medical attention that she does need.

Copy of Amalie's demand for jury trial is attached. I am not formally presenting her, and you may tactically get her consent before responding to her. However, her demand for jury trial is now in effect regardless. Please give her this trial. If you are refusing to honor the Probate Code, please get her permission for any of you to explain such refusal. Additionally, I would appreciate it if you could get her consent to let know either way what your positions are. Thank you.

Jeffrey S. Lustman, Esquire
OFFICE OF JEFFREY S. LUSTMAN

Enclosures: jury trial demand
Probate Code (1163)

cc: Janet Phelan

Attachment F

Declaration of Amelia Phelan

Re: Conservatorship of Amelia Phelan
Case Number 040714

To all interested parties:

I am hereby requesting a trial by jury with regard to the above case. While Declaration is to be considered a demand in accordance with section 1663 of the Probate Code. A copy of that code section is attached.

Amelia Phelan

10-22-14

Amelia Phelan

date

EXHIBIT 14

07/14/1999 18:46 5416649898

AMERICANS BULLETIN

PAGE 06

2+15

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/02/06

DEPT. WE A

HONORABLE LINDA K. LEFKOWITZ

JUDGE

K. PAPPAS

DEPUTY CLERK

HONORABLE
#2

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

C. PEARSON

Deputy Sheriff

R. GLICKFELD CSR# 5565

Reporter

8:30 am SS014243

Plaintiff
Counsel

JANET C. PHALEN X PRO PER

JANET C. PHELAN X

VS

Defendant
Counsel

J. DAVID HORSPOOL X
ATTORNEY PRO PER

J. DAVID HORSPOOL X

NATURE OF PROCEEDINGS:

ORDER TO SHOW CAUSE RE RESTRAINING ORDERS.

Matter is called for hearing.

Petitioner's request for an injunction pursuant to Section 527.6 of the California Code of Civil Procedure is denied. Respondent is thus the prevailing party and has requested he recover costs. Section 526, subd. (h). The Court, having taken the cost issue under submission and considered the facts of the case as set forth in the request for the injunction and answer thereto and the comments of the parties, has reconsidered its oral tentative and exercises its discretion to deny costs. *Leydon v. Alexander* (1980) 212 Cal.App.3d 1,3.

A copy of this minute order is sent to the parties by U.S. Mail.

CLERK'S CERTIFICATE OF MAILING/ NOTICE OF ENTRY OF ORDER

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that this date I served Notice of Entry of the above minute order of 5-2-06 upon each party or counsel named below by depositing in the United States mail at the courthouse in Santa Monica, California, one copy of the original entered herein in a separate sealed envelope

Page 1 of 2 DEPT. WE A

MINUTES ENTERED
05/02/06
COUNTY CLERK

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



1306 I STREET, SUITE 125
P.O. BOX 94255
SACRAMENTO, CA 95834-2550
Public: (916) 445-9555
Telephone: (916) 324-5185
Facsimile: (916) 322-2368
E-Mail: mark.jeiger@doj.ca.gov

March 6, 2007

Janet Phelan
c/o 4051 North F Street
San Bernardino, CA 92407-3409

RE: Melodie Scott, et al.
Complaint for Criminal Investigation and Prosecution

Dear Ms. Phelan:

I have reviewed the material forwarded to Deputy Attorney General Tawnya Boulan as well as the package you arranged to send me by FedEx, received on March 6, 2007. These documents numbered over 1,000 pages, many of which were duplicates.

I have concluded that there is insufficient evidence of the crimes you have alleged to justify opening a criminal investigation at this time. This includes the allegations of forgery and theft by your sister, Judith Phelan and perjury and theft by Melodie Scott and David Horspool. Charging and proving criminal conduct must meet a burden of evidentiary proof that is greater than that required in a civil suit for damages and injunctive relief.

As you are also aware, the statute of limitations for bringing a criminal prosecution for acts of fraud in California is four years from the date of discovery. Discovery is defined as "actual notice of circumstances sufficient to make (you) suspicious of fraud thereby leading (you) to make inquiries which might have revealed the fraud." *People v. Zamora* (1976) 18 Cal.3d 538, 571-572; *People v. Crossman* (1989) 210 C.A.3d 476. Unfortunately, it appears that the statute has run on many of the alleged offenses. For example, even if your sister did commit criminal forgery and theft, I note that the acts occurred in 1999 and you apparently uncovered sufficiently suspicious circumstances to have prompted your investigation no later than 2002. ^{1/}

You have alleged numerous other acts that you contend are also criminal, including attempted murder, conspiracy to commit murder, assault by an officer of the law, denial of access of official records to a member of the public, issuance of illegal gag orders, and denial of due process by a Superior Court judge.

1. Your Original report to the Temecula Police Department was made June 12, 2002; you provided them copies of the allegedly forged checks in December, 2002.

Jand P. H. H.
March 7, 1997
Page 2

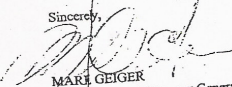
Admittedly, these are matters beyond my area of developed criminal expertise. However, qualified and experienced Department of Justice investigative personnel have talked with medical professionals and examined the available medical and financial records from your mother's estate and has found no grounds for opening a criminal investigation.

A murder investigation is best handled by local authorities and, unless there is clear proof that they have abused their discretion in evaluating and acting on the available evidence, the Attorney General will not intervene. It would seem, perhaps, that your best remedy is to pursue the bringing of a lawsuit for damages, including the specific remedy of injunctive relief.

I am returning to you the documents you provided me most recently in the FedEx delivery. I will retain a copy, however, and will keep your file open to consider any new information of wrongdoing you discover which may better demonstrate the utility of opening a criminal investigation in the future.

Best wishes to you in your pursuits.

Sincerely,


MARK GEIGER
Senior Assistant Attorney General
Special Crimes Unit

For EDMUND G. BROWN JR.
Attorney General

Enclosures



GRAND JURY SUBPOENA
DUCES TECUM
IN THE STATE OF OREGON FOR THE COUNTY OF JACKSON

PLEASE PROVIDE: Phone records: search for source of calls on attached list, for 310-755-4469/Account # 381609363/Janet Phelan/721 Narreagan St., Medford, OR 97501; from May 21, 2008 thru August 9, 2008.

TO: T - Mobile
Law Enforcement
4 Sylvan Way
Parsippany, NJ 07054 973-292-8903

IN THE NAME OF THE STATE OF OREGON, You are hereby commanded to appear before the Grand Jury of the County of Jackson located at 721 West 10th Street, Medford, Oregon, District Attorney Annex Building on the 28th day of August, 2008, at 9:30 a.m., as a witness before said Grand Jury. Please call to confirm the day before the appearance 774-8181.

MARK HUDDLESTON
DISTRICT ATTORNEY FOR JACKSON COUNTY

Dated the 21st day of August, 2008

By Mark Huddleston
District Attorney

THIS SUBPOENA MAY BE SATISFIED BY DELIVERING THE ABOVE INFORMATION TO S. CLAUSON, MEDFORD POLICE DEPARTMENT, BEFORE THE ABOVE APPEARANCE DATE.

DUE TO THE CONFIDENTIAL NATURE OF THE PENDING INVESTIGATION, IT IS REQUESTED THAT NO INFORMATION BE DISCLOSED TO THE SUBSCRIBER OF THIS ACCOUNT REGARDING THIS SUBPOENA

Agency Case No. 08-11329

I hereby certify that the foregoing is a true and correct copy of the original subpoena in my hands for service.

WITNESS my hand this 21 day of August, 2008
BY [Signature]
Officer for above agency

I HEREBY CERTIFY that I served the within Subpoena within the said County and State on the 21 day of August, 2008, by personally delivering a true copy of said Subpoena on the within named _____

BY [Signature]
Officer For 3 MEDFORD PD



Routing:	Account:	Item:	Reference:	Date Posted:	Amount:	Type:
122000496	5290080020	370267	2438066	11/12/2009	2,500.00	Debit

RIVERSIDE COUNTY PUBLIC GUARDIAN / CONSERVATOR P.O. BOX 1405 RIVERSIDE, CA 92502-1405		UNION BANK OF CALIFORNIA, N.A. GOVERNMENT SERVICES P.O. BOX 3900 LOS ANGELES, CA 90061	
		Acct. Name: PHELAN AMALE M Acct. No.: 008916	11-18 120
		DATE: NOV 03 2009 CHECK NO.: 370267 AMOUNT: \$2500.00	
PAY "TWO THOUSAND FIVE HUNDRED DOLLARS AND 00/100" VOID AFTER 6 MONTHS			
PAY TO THE ORDER OF			2 SIGNATURES REQUIRED FOR \$5,000 OR MORE
SECURITY FEATURES INCLUDED. DETAILS ON BACK.			
⑆0370267⑆ ⑆122000496⑆ 5290080020⑆			

FBO JUDITH PHELAN

FILED

10/07/2011

J.HUGDAHL

Superior Court of California
County of Riverside

1 Janet C. Phelan In Pro Per
2 258 A Street 1-15
3 Ashland, OR 97520
4 541 603-0514

5
6
7
8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE

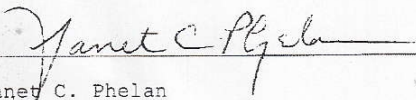
12 Conservatorship of) Case No. RIP080974
13)
14) JUDICIAL NOTICE
15 AMALIE M. PHELAN,)
16)
17 Conservatee.)
18)
19 Judge Thomas Cahraman
Department 8
October 19, 2011

20 The court has made a mistake. The court has scheduled a hearing
21 for October 19, 2011 on attorney's fees and is stating that I
22 said that the attorney charged \$4600 to prepare objections then
23 withdrew the objections. What I have said is that she charged
24 over \$1600 to prepare the objections and then withdrew the
25 objections. The court had ample opportunity to review the
26 paperwork and to determine this without scheduling a hearing,
27
28

1 which will necessitate the presence of the attorney who will
 2 then charge the Trust over \$1000 to show up in court.
 3 God's shame on you,
 4

5
 6 Under penalty of perjury, signed this 5th day of October 2011.
 7

8 Janet Phelan
 9

10 
 11 _____
 12 Janet C. Phelan
 13 Progreso, Yucatan
 14
 15
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 28

10-14-11
D3

Conservatorship of Amalie M. Phelan

In re: The James R. Phelan and Amalie M. Phelan Family Trust

RIP 080974

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

RULING ON SUBMITTED MATTERS

SEP 02 2011

C.S. 008

INTRODUCTION

On May 2, 2011 the court called for hearing the petition of the Public Guardian for approval of its first accounting as successor trustee of The James R. Phelan and Amalie M. Phelan Family Trust. On the same date the court called for hearing the motion to reconsider request for continuance filed by beneficiary Janet C. Phelan. Those matters were taken under submission; then on May 9, 2011 the court issued a minute order setting forth its rulings. Specifically, the court denied Ms. Phelan's request to reconsider the prior denial of her request for continuance, and the court approved the accounting.

On May 19, 2011 Janet C. Phelan filed a document entitled "Notice of Objection and Motion for Evidentiary Hearing," with reference to the decision issued on May 9, 2011. That matter was set for hearing on July 7, 2011, at which time the court heard argument and took it under submission.

Meanwhile another dispute arose in this case. On June 8, 2011 the Public Guardian filed a motion to quash a subpoena duces tecum served by Janet C. Phelan on Union Bank. That motion was set for July 14, 2011, at which time the court heard argument and took it under submission.

RULING

The motion to quash subpoena duces tecum is granted, on the ground that it is overbroad, lacks notices to consumers, and would violate the privacy of many unrelated parties.

The "Notice of Objection and Motion for Evidentiary Hearing" is construed as a motion for reconsideration under section 1008 of the Code of Civil Procedure, and it is timely, with regard to the court's ruling of May 9, 2011. That motion is denied on all issues except one; specifically, the issue raised by Janet C. Phelan on page six, lines 20-25 of her filing (entitled "Judicial Notice") of March 15, 2011. Thus, the motion is granted, and the court will reconsider its approval of the first accounting by successor trustee, on the single issue of whether Ms. Eggebraaten's fees should be disallowed or reduced, for time spent preparing objections to the accounting of the former trustee, in light of the fact that those objections were then withdrawn by a stipulation filed May 5, 2010.

The hearing on that issue will be conducted in Department 8 at 10:00 AM on October 14, 2011. Either side may appear by CourtCall if they wish. Ms. Eggebraaten shall be prepared to specify which charges were attributable to preparation of the objections in question. Further, she should be prepared to discuss any benefits to the trust estate that

44

SEP 06 2011

R

EXHIBIT 19-A

may have been realized by the stipulation of May 5, 2010. Janet C. Phelan shall be prepared to discuss these same points. Either side may file and serve evidentiary declarations, if desired, by September 30, 2011.

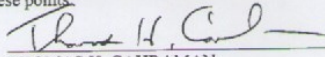
At that hearing the court may take brief testimony from the persons attending (whether by CourtCall or in person). At the conclusion of that hearing, if there is a reason to set a further hearing for testimony of witnesses, the court will do so.

REASONS FOR RULING

The great majority of the issues raised by Ms. Phelan relate to matters which have already reached a final adjudication by the court. On the other hand, she never got a chance to prove up her claim that the attorney's fees attributable to the objections (later withdrawn) should have been disallowed.

In reviewing the charges itemized by Ms. Eggebraaten, the court does not understand how Ms. Phelan derived her figure of \$4,600. Also, the court notes that the 3/15/11 filing of Ms. Phelan does not discuss the consideration received for withdrawal of those objections. It appears from the court's review of the billings that the preparation of objections may have cost closer to \$2,000-\$2,200, but the court will await the computations by each party. It also appears from the stipulation of May 5, 2010 that the trust may have gained something in return for the withdrawal of those objections, but again, the court will reserve judgment on these points.

DATED: Sept. 2, 2011


THOMAS H. CAHRAMAN
JUDGE OF SUPERIOR COURT

SOCIAL SECURITY ADMINISTRATION

WORK ACTIVITY REPORT - (Self Employed Person)

Name of Disabled Person JANET S PHELAN	<input type="checkbox"/> Blind <input checked="" type="checkbox"/> Not Blind	Social Security Number 570-80-3
Name of W/E (if other than the disabled person)		Social Security Number

PAPERWORK/PRIVACY ACT NOTICE

The information requested on this form is authorized by Section 223 and Section 104 of the Social Security Act. The information provided on your claim. While completion of this form is voluntary, failure to provide all or part of the requested information could prevent an accurate and timely claim and could result in the loss of benefits. Information you furnish on this form may be disclosed by the Social Security Administration to another person or government agency only with respect to Social Security programs and to comply with Federal law requiring the exchange of information between Social Security and another agency. We may also use the information you give us when we match records by computer. Matching programs compare our records with those of other Federal, State, or local government agencies. Many agencies may use matching programs to find or prove that a person qualifies for benefits paid by the Federal government. The law allows us to do this even if you do not agree to it. Explanations about these and other reasons why the information you provide us may be used or given out are available in Social Security Offices. If you want to learn more about this, contact any Social Security Office. PAPERWORK REDUCTION ACT: This information collection meets the clearance requirements of 44 U.S.C. 3507, as amended by Section 2 of the Paperwork Reduction Act of 1995. You are not required to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take you about 30 minutes to read the instructions, gather the necessary facts, and answer the questions.

Please use this form to describe your work activity since (Date disability began or, if later, date of prior investigation)	1. Date (to be entered by SSA) 03/1982
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ANSWER EACH QUESTION AS FULLY AS POSSIBLE

A. List name and address of business (include ZIP code)

1.

B. Please Check if C. Briefly indicate the primary product or service

☐ Partner ☐ Non-Partner

3. A. Describe the business in terms of arrangement and/or ownership (Check one)

☐ Sole Owner ☐ Partnership ☐ Farm Tenant ☐ Farm Landlord

B. Give your monthly self-employment income since the above date (average if not sure)

Month		Year		Gross		Net		Month		Year		Gross		Net	

C. List any months in which you earned more than \$200.00 or worked more than 40 hours in your business since the date shown in item 1.

4. A. Describe (briefly) what you did in the business in terms of management decision, responsibilities, hours, production, and services before your illness or injury.

B. Was this business your sole livelihood prior to your illness or injury?

☐ Yes ☐ No

5. Please describe your present work activities and any changes in your business because of your illness or injury. Explain such things as reduced hours of business, lower volume, fewer acres under cultivation or other. If you use extra help, write "extra help" here and provide the details when you get to item 9.

SSA-820-F4 (2-1991) EF (12-2001) 1 If you need more space for any answer, use page 3

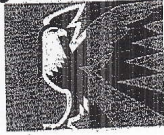
EXHIBIT 21

JAN-21-2011 15:16

SSA MEDFORD OR DO 937

541 7763606 P.001

Fax Cover Sheet



Social Security Administration
3501 Excel Drive Suite 101
Medford, OR 97504-9798

Voice (866) 931-7943
Fax (541) 776-3606

Date: 1-21-2010

To: JANET C. PHELAN Fax No: 866-770-2994

From: CLAIRE TAYLOR Phone: 866-593-0664 XT 15645

Pages Including Cover Sheet (1)

Comments: JANET, I HAVE SENT YOU COPIES OF EVERYTHING THAT WE HAVE. I AM NOT WILLFULLY OR UNINTENTIONALLY WITHHOLDING INFORMATION FROM YOUR FILE. ALL QUESTIONS WERE RESOLVED IN THE LETTER DATED JUNE 1, 2010. THERE IS NO QUESTION OF A FRAUD SQUAD PURSUING YOU. YOU CAN COME VIEW YOUR FILE.

This fax transmission, and the documents accompanying it, may contain confidential information belonging to the sender which is protected by disclosure laws. The information is intended only for the use of the individual this fax is addressed to. If you are not the named/intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. Please notify the sender immediately if you have received this fax in error. Thank you.

**RE: Evidence to back up allegations of embezzlement by Public official--
#T123190031**

Hide Details

From

- Nielsen, Andrew
-

To

- JANET PHELAN

CC

- Hughes, Clayton

I have reviewed all of the documents you have provided. This case remains closed as a civil matter.

From: JANET PHELAN [mailto:janetcphelan@yahoo.com]

Sent: Wednesday, January 30, 2013 8:54 AM

To: Nielsen, Andrew

Cc: Janet Phelan; james@innersites.com; howardnema@yahoo.com; discerner12000@yahoo.com;

tips@elderabuseexposed.com; ray@elderabusehelp.org; info@estateofdenial.com;

michiganadvocacyproject@gmail.com; kenditkowsky@yahoo.com; Smith, Raymond; Sellers, Mark

Subject: Fw: Evidence to back up allegations of embezzlement by Public official--#T123190031

Sgt. Nielsen,

Could you please confirm receipt? Thank you, Janet

--- On Tue, 1/29/13, JANET PHELAN <janetcphelan@yahoo.com> wrote:

From: JANET PHELAN <janetcphelan@yahoo.com>

Subject: Evidence to back up allegations of embezzlement by Public official--#T123190031

To: anielsen@riversidesheriff.org

Cc: james@innersites.com, howardnema@yahoo.com, discerner12000@yahoo.com,

tips@elderabuseexposed.com, ray@elderabusehelp.org, info@estateofdenial.com,

michiganadvocacyproject@gmail.com, kenditkowsky@yahoo.com, "Janet Phelan"

<janetcphelan@yahoo.com>, RaySmith@rceo.org, MSELLERS@riversidedpss.org,

RYAN.CARTER@INLANDNEWSPAPERS.COM, citydesk@inlandnewspapers.com,

ighori@pe.com, kcbstvassignmentdesk@cbs.com, pr@abc7.com, sindy.saito@nbcuni.com,

newstips@latimes.com, news@fox11.com, ktla@ktla.com, Phil.willon@latimes.com,

emledesma@cbs.com, news@kpfa.org, jbender@pe.com, sbscintinel@yahoo.com,

janetclairephelan@yahoo.com, District2@rcbos.org, District1@rcbos.org,
District3@rcbos.org, District4@rcbos.org, District5@rcbos.org, ceo@rceo.org,
info@kpfk.org, ian@coasttocoastam.com
Date: Tuesday, January 29, 2013, 10:11 AM

Sgt. Nielsen,

Attached find the evidence of misappropriation of funds and assets I alleged in my report. I am attaching pdf files with instructions as to where to find the evidence, as the court files were delivered as pdfs and I am unable to break apart the files.

The file designated as RIP080974PHELAN7 contains, in pages 1-13, the petition to abandon non-trust assets which were, in fact, trust assets. I already provided you the Will so you have the evidence that the contents of the house were indeed Trust assets. As a result of this lie, I am alleging a loss of \$500,000.

As to my report of the \$11, 594.35 which was stolen from me through a lying declaration by Riverside Deputy Public Guardian Elizabeth Aquarian and her attorney, Toni Eggebraaten, their lie was made in file 5 on pages 53-57.

Evidence of the falseness of their claim is hereby supplied in file 2, p 1-5 and also in file 1, pages 79-94.

You should also know that both trustees, and that would be first Melodie Scott and later the PG, maintained separate, hidden bank accounts for the purpose of funneling extra, unauthorized and unreported (to the court or to me) monies to the other beneficiary, Judith Phelan aka Anna Bloom. I have one of these bank account numbers if you wish it. This is, of course, another issue going to the extensive amount of embezzlement that I have been afflicted with.

Please confirm receipt of this evidence. I will be following up this email with a faxed letter. I am most concerned that you told me in our phone conversation yesterday that you have closed the investigation. I had already informed you previously that the evidence was coming in as I had requested the entire court file and it would be delivered shortly. For you to close an investigation after you have been informed that the evidence will be coming in forthwith is simply unfathomable and frankly, I must question the integrity of your intent here, sir.

Sincerely,

Janet Phelan

