

H A R L A N     R I C H A R D S

Let Freedom Ring

July 4, 2013

"Freedom is never more than one generation away from extinction. We didn't pass it on to our children in the bloodstream. It must be fought for, protected and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free."

President Reagan lived through World War II and the Cold War with the USSR. When he became president, Soviet Communism was still a very real threat to our existence as a free and open democracy. When the Berlin Wall fell and the USSR dissolved, we entered an era of declining military expenditures and expanding prosperity. Little did President Reagan suspect that the son of his vice-president would create the greatest threat to our freedom we have ever faced.

George W. Bush responded to the 9/11 attacks by spending trillions of borrowed dollars fighting 2 unnecessary wars and creating a federal police state which knows no bounds. President Obama, in spite of his many differences, has followed President Bush's policies in this area. While President Reagan was speaking of external threats to our freedom, his comment is even more appropriate today when referring to the internal threats to our freedom.

We have secret federal courts overseeing widespread secret spying on our citizens and we have a "Patriot Act" which enables our government to abduct anyone, anywhere who is suspected of being a terrorist and holding them incommunicado indefinitely without telling anyone they have been arrested.

Our court systems no longer protect or enforce constitutional rights on behalf of accused citizens and those who have been convicted in sham trials languish in prison for decades by being denied fair and effective appeals. Federal habeas corpus, once called the Great Writ, has been so circumscribed by legislation and court decisions that it effectively no longer exists for those housed in state prisons.

When federal agents began entrapping potential terrorists in fake bombing plots and sending them to prison for the rest of their lives, no one seemed to object. State and federal police have now applied those same tactics to lure unsuspecting citizens into conspiracies to rob non-existent drug dealers and then send them to prison for decades. Not only was no crime committed in these stings, the convicted defendants had no intention of committing a crime until they were talked into it by undercover police.

I hear the familiar refrain that "if you're not breaking any laws, you have nothing to fear from the police tactics." That misses the point entirely. We will never know which of the people who have been sent to prison are guilty and which are innocent because the courts now exist to convict defendants regardless of guilt or innocence. It isn't until a "law-abiding citizen" becomes a victim of the criminal justice system that he or she wants to object to our kangaroo courts. By that time, it's too late. The damage is done and nobody will listen to someone in prison because our government and media have done an excellent job of dehumanizing them.

I am 59 years old. I have thus far spent over 28 years in prison for stabbing a man who attacked me without provocation. I was convicted based on knowing use of perjured testimony, jury instruction which misstated the law and prosecutorial misconduct. My appeals were a sham, one court going so far as to concede I was never lawfully convicted of murder but holding that I had to serve life in prison because I "procedurally defaulted" on my direct appeal.

Soon, I will be entering my "sunset years" that President Reagan alluded to. I will be one of the people "telling our children and our children's children what it was once like in the United States where men were free." But no one will listen because I am in prison and, as we all know, anyone in prison can be neither trusted nor believed.