

""True Justice... In The Light', Part 2: A Deceitful Prosecution""

Even IF Mill's statements in her DECLARATION CONTRA-DICTING her TRIAL TESTIMONY ARE TRUE, petitioner [Mr. Harris] is STILL NOT ENTITLED to RELIEF... As this Court has already [PRE-RECANTATION] found evidence of petitioner's guilt was strong, & his CLAIM of INNOCENCE at trial was UNPERSUASIVE. The evidence at trial, including petitioner's own TESTIMONY, placed petitioner at the scene of the crime <sup>1</sup> [Plus] CANTO TESTIFIED that petitioner shot him (CA Atty Gen., trying to coax the CA Supreme Court into upholding their ILL-GOTTEN CONVICTION, DESPITE MILLS' RECANTATION. 5/21/15, Response @ p 15)

Above, is more proof that even when prosecutors are CAUGHT DEAD-BANG rigging a trial, they will continue pursuing their erroneous conviction, regardless if it resulted in a DEATH PENALTY, as in this case.<sup>2</sup> These deceptive tactics are a serious cause of the MASS INCARCERATION in America, TODAY. In my case, the prosecution, from the beginning, CLEARLY ABANDONED THEIR OATH OF OFFICE defined by the Supreme Court:

[A prosecutor] is in a peculiar & very definite sense the SERVANT OF THE LAW, the twofold aim of which is that guilt shall not escape OR INNOCENCE SUFFER. He may prosecute with earnest & vigor - indeed, he should do so, BUT, while he may strike hard blows, he is NOT at LIBERTY to STRIKE FOUL ONES. (Berger v U S 295 U.S. 78, 88 [1935])

FALSE CONCLUSIONS ARE THE  
RESULT OF FALSE PREMISSES

(Durant, 1961, p.345)

Here, the prosecution is asking the CA Supreme Court to rely of 3 false premisses as reasons why their erroneous conviction should stand: 1) Evidence of guilt was strong; 2) My claim of innocence was

"UNPERSUASIVE"; & 3) The RELIABILITY of CANTO'S testimony

As for the first 2, there cannot be any better REFUTABLE EVIDENCE than the JUROR'S OWN, POST-TRIAL, OPINIONS regarding these topics.

1 Re guilt being strong:

When we began DELIBERATIONS ABOUT GUILT, we first, voted with a show of hands, SEVERAL of the JURORS VOTED NOT GUILTY, so we continued deliberating. I HAD MY DOUBTS about the extent of Mr. Harris's guilt ( Juror #1, Exh. 185, Bates #5353)

Plain & simple, after hearing ALL the evidence PRESENTED at trial, SEVERAL of the JURORS, initially, VOTED NOT GUILTY. Obviously, evidence of guilt could not have been that strong & WITHOUT ALL THE FOUL BLOWS most likely, there would have been an ACQUITTAL.

2. Re Claim of innocence being "UNPERSUASIVE":

However, Mr. Harris's story WAS NOT ABSURD, & he told it in a polite manner that was the ANTITHESIS of the way he had BEEN PORTRAYED BY THE PROSECUTION. Mr Harris's story simply did not hold up... HIS STORY WAS ENTIRELY UNCORROBORATED (Juror #2, Exh. 111, #3669-70)

The operative word here is "UNCORROBORATED." This jury is saying that IF I had ANY CORROBORATION, my CLAIM of INNOCENCE at trial would have been more PERSUASIVE.

Now, even more egregious than how they pressured Regina Mills into giving FALSE TESTIMONY (See "'True Justice .. A Personal Ordeal"), is how they PREVENTED the jury from hearing CORROBORATIVE EVIDENCE UNDER THEIR CONTROL. And, this CORROBORATIVE EVIDENCE is connected to WHY/HOW the prosecution KNEW, from the beginning, CANTO'S TESTIMONY WAS TOTALLY UNRELIABLE.

This essay WILL DISCLOSE, irrefutable proof, gleaned from this prosecution's OWN FILES, that they INTENTIONALLY LIED TO THE DEFENSE,

JUDGE, & JURY, ABOUT WHO CANTO REALLY WAS, IN ORDER TO MANIPULATE THE JURY INTO A CONVICTION.

3. THE [UN]RELIABILITY OF CANTO, AKA ADAM MILLER:

First, to fully comprehend the importance of Canto's testimony (& mine), a couple of summaries, derived from independent NEWS ARTICLES.

CANTO CLAIMED that the defendant, with whom he had DEALINGS RELATED TO A CAR RESTORATION BUSINESS... shot him.

Canto, who was hospitalized, was murdered in Chicago [over drugs] a little more than a year later, BEFORE HARRIS' TRIAL. HIS PRELIMINARY HEARING TESTIMONY was INTRODUCED at the trial.

HARRIS SAID he & CANTO SOLD DRUGS TOGETHER, using contacts Harris made as a convicted drug offender who had been involved in several large scale cocaine deals...

¶¶ Unable to get the kilo from his supplier Harris said he decided to use a kilo of fake cocaine.. (Kenneth Ofgang, Staff Writer/Appellate Courts, "Supreme Court Upholds Death Sentence in Murder of Pregnant Gardena Woman," Metropolitan News-Enterprise, 8/30/05)

At his trial, HARRIS DENIED killing his girlfriend & CONTENTED that the SHOOTING was the RESULT of a DRUG DEAL GONE BAD. He CLAIMED to be a 'middle man' in 7 large scale DRUG DEALS WITH CANTO & he sometimes sold FAKE COCAINE to cheat buyers

CANTO AT FIRST WOULD NOT IDENTIFY HARRIS AS THE MAN WHO SHOT HIM ..

JURORS DID NOT BELIEVE HARRIS' STORY. (Westlaw 12/11/05, Daily Breeze [Torrance, Cal.] A18; 2005 WLNR 199946072)

That was it! This whole case as reported by news agencies, BOILED DOWN

TO: "WHO WAS THE JURY GOING TO BELIEVE, CANTO, OR HARRIS?" Therefore, ANY EVIDENCE BEARING UPON THE CREDIBILITY of EITHER of us, was of the utmost IMPORTANCE FOR THE JURY TO HEAR. A FACT the prosecution was FULLY AWARE OF, as evidenced in their STATEMENTS TO THE JURY:

Most jurors like the case that they sit on OFFERED to them ON A SILVER PLATTER.. ¶ In REALITY the trial consists of ONE WITNESS SAYING the light is red & ANOTHER WITNESS SAYING, no, there's no light. That was a stop sign. AND ANOTHER WITNESS SAYING how could he see the stop sign? He was too drunk to drive yet alone see.  
(Transcript [Tr ] p 2632)

One of the INSTRUCTIONS that the court is going to give you says the TESTIMONY of ONE WITNESS IF BELIEVED BEYOND A REASONABLE DOUBT is sufficient for the PROOF of ANY FACT. (Tr. 2570)

And, the coup de grace

One of the INSTRUCTIONS the court is going to give is in ANALYZING the TESTIMONY of ALL the WITNESSES, it pertains to BIAS. Bias REFERS to whether or not THERE'S ANY REASON A WITNESS WOULD HAVE TO TELL SOMETHING OTHER THAN THE TRUTH, THE WHOLE TRUTH, & NOTHING BUT THE TRUTH.  
(Tr. 2544)

However, in order to adequately make any DETERMINATION as to whether or not a BIASNESS EXIST, the jury MUST BE INFORMED OF ANY EVIDENCE PERTAINING TO SUCH BIASNESS:

Mere EXPOSURE to this PUNITIVE THREAT was PERTINENT to the JURY'S ASSESSMENT of [a witness'] MOTIVATION for TESTIFYING. Like a PENDING CRIMINAL CHARGE or POSSIBLE PROBATION VIOLATION, this THREAT was 'RELEVANT to show PRO-GOVERNMENT BIAS on the TESTIFYING WITNESS, on the theory that the WITNESS MIGHT TAILOR [HIS] TESTIMONY to PLEASE the PROSECUTOR.' (Douglas v. Workman, [10th Cir. 2009] 560 F.3d 1156, 1185)

Brady violations [like WITHHOLDING EVIDENCE of BIASNESS] are among the MOST PERNICIOUS FORM of PROSECUTORIAL MISCONDUCT. FAILURE to DISCLOSE Brady material KEEPS the JURY FROM CONSIDERING ADMISSIBLE EVIDENCE SUP-PORTING the INNOCENCE of the DEFENDANT. Without ACCESS to this EVIDENCE, INNOCENT DEFENDANTS FACE A SERIOUS RISK of BEING CONVICTED of a CRIME THEY DID NOT COMMIT. (Ridolfi & Possley, 2010, p.36)

This is all the more true, when the prosecutorial witness is a DANGEROUS CRIMINAL INFORMANT:

Criminal informant. a person who TRADE INFORMATION about others in order to OBTAIN LENIENCE for his or her CRIMES. (Natapoff, p.645, n.1)

BIAS & CORROBORATIVE EVIDENCE PROSECUTION HID FROM THE JURY

a. Canto as a drug dealer:

She confronted CANTO with the RUMOR "Are you dealing drugs" CANTO DENIED IT. Yet THIS WOMAN appears to be OVERREACTING, whatever, & saying that the REASON she KICKED HIM OUT OF THE HOUSE in 1992 was because she BELIEVED THE FAMILY WAS IN JEOPARDY, yet there is NO INDICATION that anything resembling A THREAT to her or her family ever perceived by her.

It EXIST ONLY IN THE HEAD OF THIS WOMAN, as remote in time & as HIGHLY PREJUDICIAL TO THE PROSECUTION. (Pros. Gravlin, RIDICULING the proffered TESTIMONY of CANTO'S EX-WIFE, & MOTHER of his CHILDREN. The prosecution SUCCESSFULLY had her eliminated from trial.) (Tr. 273-5)

b. Canto's possession of bulletproof vests:

[Backdrop: Subsequent to the Aug. '94 shootings, police discovered several items indicative of drug trafficking IN CANTO'S HOME: packaging materials, a gun, & bulletproof

vests. This is from a CRUCIAL EVIDENTIARY HEARING re these vests:]

Judge: Defense, do you have any information other than fact that a vest WITH A HOLE IN IT was found at the scene?

Def.: I think more particularly it is NOT ONE BUT 3, ACTUALLY. One is described as a BULLET HOLE found at the scene of the murder.

We would submit to the court that WHAT THE PROSECUTION HAS DONE IS SANITIZE THE CRIME SCENE. They WANT it to be CONSISTENT WITH THEIR VERSION of the events. [i.e., a burglary as oppose to a bad drug deal.]

even if such an article WITH A BULLET HOLE, does not make somebody a DRUG DEALER. But we MUST look at these articles of EVIDENCE in conjunction with the other evidence.

It CERTAINLY has some bearing in terms of his [CANTO] CLAIMS at the PRELIMINARY HEARING of being a honest businessman, NOT VERY MANY HONEST BUSINESSMAN HAVE 3 SUCH ARTICLES. (Tr. 248)

NOW, HOW THIS UNETHICAL PROSECUTION DEFENDED CANTO.

Judge: Was he EVER ASKED QUESTIONS about it out of court? Was he ASKED TO EXPLAIN the PRESENCE of it? ANY INFORMATION?

Pros.: NO. (Tr. 284)

Pros.: Your Honor, I might point out one other thing We have some INFORMATION that Mr Canto at some point in time was a security guard [NO PROOF OF THIS WAS EVER PRESENTED!]

The FACT that there was BULLET DAMAGE to

the vest, it is SPECULATION as to HOW that came about [THE INVESTIGATION, BELOW, SHOWS THERE WAS NO SUCH SPECULATION.]

I have a bulletproof vest. It was given to me as a hand-me down & I have been tempted on a number of occasions to fire a round in it to see if the darn thing works. [WAS HE A PROSECUTOR, OR CANTO'S DEFENSE ATTORNEY?]

I think there is NO SIGNIFICANCE of this "security guard"--it MIGHT NOT EVEN BE HIS MIGHT BE HOLDING IT FOR SOMEBODY ELSE. (Tr. 285)

c. Canto's Dying Declaration: "I AM ADAM MILLER":

Judge: Defense discovery show that Bernard Canto had a CDL [CA Drivers License] in his own name & OBTAINED ANOTHER IN ANOTHER NAME.

This was THE NAME that he was SHOT & QUESTIONED by the POLICE [in Chicago] & HE IDENTIFIED HIMSELF as ADAM MILLER.

How long did he die after he was shot?

Def.: I think within hours or minutes.

Pros.: He was dead at the scene. (Tr. 297)

To obtain a conviction, the prosecution KNEW that there was NO WAY they could allow the JURY TO FIND OUT EVEN CANTO'S LAST WORDS ON THIS EARTH, WERE A LIE TO THE POLICE. Therefore, they decided to INFLUENCE the judge by COMMITTING PERJURY:

The issue as we see it is whether it is RELEVANT in time. He APPLIED for this license OCT. 20th of 1995 which was 14 months after the Aug. 9th, 1994 crime.

Also, he APPLIED for THIS LICENSE AFTER HE TESTIFIED at the PRELIMINARY HEARING. (Tr. 298)

However, a cursory glance of this CDL EMPHATICALLY ESTABLISHES the prosecution's DECLARATION to be a FALLACY. This CDL, ABSOLUTELY,

states that this license was APPLIED FOR ON DEC. 22, 1994, which means he HAD THIS IDENTITY, OF ADAM MILLER, WHEN HE TESTIFIED AT THE PRELIMINARY HEARING IN JAN. '95!!!

this PERJURIOUS STRATEGY, CAUSED the judge to block ANY INQUIRY into this ADAM MILLER PERSONA AT TRIAL:

Def.: At any time during your interview with Mr. Canto, did he ever tell you that he was KNOWN by the name of JOHN CAPPERS?

Det Davila: NO.

Def.: Did he ever tell you he was KNOWN by the name of ADAM MILLER?

Pros.: OBJECTION, RELEVANCE, BEYOND SCOPE.

Judge: It assumes the questions were asked I will SUSTAIN the OBJECTION. (Tr. 2166)

This prosecution, also, IMMORALLY, embarked on persuading the judge NOT TO BELIEVE any thing we say about Canto, "for we are ONLY trying to SULLY THEIR GOOD WITNESS' REPUTATION" A STRATEGY THEY WOULD LATER USE TO MANIPULATE THE JURY:

They [DEFENSE] further TRY TO DISPARAGE the victim [CANTO] by SAYING that HE IS A BAD PERSON TOO. HE'S A DOPE DEALER... He employs CHILD LABOR to CARRY out his CRIMINAL ENTERPRISE. So, I really think... is EXTREMELY SUSPICIOUS. THERE'S NO WAY TO VERIFY IT. I mean, HOW ARE WE SUPPOSE TO TEST THIS STORY? (Tr. 1770)

This audacious statement SEGUES into, perhaps, the MOST BLATANT FOUL BLOW that can be committed in ANY DEATH PENALTY TRIAL. There WAS NOT any way to "VERIFY" CANTO WAS "A BAD PERSON," "A DOPE DEALER," & VICTIMIZES KIDS, BECAUSE THEY CONCEALED ALL INVESTIGATIONS NEEDED TO CORROBORATE THIS!!!



THE POLICE FILES ON CANTO'S DRUG & MURDER ACTIVITIES

[Background: When attempting to procure ANY EVIDENCE the government had related to a VERY SECRETIVE ARREST OF CANTO, 7 MONTHS PRIOR to the Aug. '94 shootings, the prosecution STONEWALLS US:]

They found an AR15 with SERIAL NUMBERS REMOVED, but NOTHING FILED ON,<sup>3</sup> probably BECAUSE of ILLEGAL ENTRY. Canto was released. HE WAS NOT THE MAN THEY WERE SEARCHING FOR.

So there is really--there is REALLY NO WAY TO CORROBORATE THE FACT, the ALLEGATION that CANTO was DEALING DRUGS around this period in time. WE HAVE NOTHING TO RELY ON except self-serving declarations. (Tr. 1772)

ONCE AGAIN, CORROBORATIVE EVIDENCE WAS FOUND IN THEIR FILES THAT SHOWS EVERYTHING THEY SAID, ABOVE, IN COURT WAS PERJURED:

LAPD INVESTIGATION FILE # 920333564

[NOTE: Besides NOT TURNING THIS EVIDENCE OVER TO US, AS REQUIRED UNDER Brady/Kyles RULINGS, the GOV'T took the EXTRA measure in CHANGING the FILE to 930333564, which contained NONE of the MATERIAL DETAILS FOUND HERE, IN THE ORIGINAL FILE]

FILE #920333564:

This crime occurred on 10-22-92 at 1650HRS. Due to the SERIOUS INJURY it was initially assigned to South Bureau Homicide Dets. J. Johnson 15200 & J. Freitas 22920. A basic SYNOPSIS OF THE CRIME IS AS FOLLOWS:

A 15y/o male black .. was walking w/b 27th St . A blue colored Hyundai Lic. 3ALN622 [ID'd as CANTO's].... occupants in the vehicle began shooting at the victim, & 2 OTHER unidentified male Blacks....

South Bureau Homicide ofcrs RECEIVED at LEAST 2 TIPS

F/DIFFERENT OFFICERS about the SHOOTER BOTH TIPS IDENTIFIED BERNARD SHAW OR BERNARD CANTO w/an AKA of 'BREAD & BUNS.'... This investigation was re-assigned to Dets. H. Fan Fassian & V. Corella. By 2-1-93 [the EXACT DATE A PROBATIONARY HOLD was placed on CANTO] these investigators DISCOVERED THE FOLLOWING INFO:

Earlier in 1992 a member of the Belizian Posse Associate w/a male Belizean named Francis Zelaya [NOW FOUND TO HAVE HAD A CONNECTION TO THE PROSECUTION'S REBUTTAL WITNESS!] was KILLED in NEW YORK CITY - poss. in Harlem. This is POSSIBLY RELATED TO A DRUG WAR & possible UNK incident IN BELIZE.

Approximately June of 1992 Francis Zelaya went to New York to check out a problem w/in his New York operation. Apparently Mr. Zelaya SOLD DRUGS in New York, Los Angeles & other parts of the country.

Apparently, Mr. Zelaya went to a underground party .... At the location Mr. Zelaya was KILLED by a SUSP \*\*\*\* as PART OF AN ONGOING DRUG WAR....

[SUSP] ALONG W/BERNARD CANTO then returned to Los Angeles TO TAKE CARE OF THE REST OF HIS COMPETITION.

On 10-22-92 [SUSP] & BREAD & BUNS found \*\*\*\* [a FRIEND of Zelaya's ("FRIEND")] ... on the street corner of 27th... & BREAD & BUNS OPENED FIRE ON ["FRIEND"] w/a poss. TEC 9. ["FRIEND"] returned fire w/a 44 Magnum. After ["FRIEND"] fired his (6) rounds he dropped his gun & fled on foot; STILL being CHASED by [SUSP] & BREAD & BUNS.

Apparently, ["FRIEND"] ran past this [15y/o]... & BREAD & BUN formed an opinion that this [15y/o] (INNOCENT VICTIM) & ["FRIEND"] WERE CO-DOPE DEALERS.

... BREAD & BUNS then SHOT this [15y/o] VICT. in BOTH LEGS, BOTH ARMS & ONE TIME IN THE HEAD. [15y/o] VICT... IS NOW TOTALLY BLIND.

.... While at S/W Station ["FRIEND"] CONFIRMED the ABOVE incident. He was shown a photo 6 pack CONTAINING SUSPECT CANTO. ["FRIEND"] POSITIVELY IDENTIFIED CANTOS AS THE SHOOTER of HIM & [15y/o] VICTIM....

On 1-11-94 Dets. Vanina [sic] & Hanley (FBI) LOCATED CANTOS & ARRESTED HIM. He was BOOKED for ATTEMPTED MURDER.... [See FBI REPORT, BELOW]

....On 1-12-94... I/OS spoke w/[15y/o] VICTS MOTHER... MOTHER ADVISED that her SON IS STILL TERRIFIED but HE WILL PROSECUTE THIS CASE.

It ALL comes together, right? The VARIOUS IDENTITIES; the BULLETPROOF VESTS, one with A BULLET-HOLE; &, the guns, including an UNTRACEABLE AR15, a weapon of CARNAGE. Canto was not, ONLY a DRUG DEALER, but AN ACTIVE SOLDIER IN AN INTERNATIONAL DRUG WAR... WANTED BY LAW ENFORCEMENT AGENCIES. Yet, the PROSECUTION PUSHED HIM OFF AS JUST A "HONEST BUSINESSMAN" THAT WE WANTED "TO DISPARAGE."

Lastly, a recent FOIA (FREEDOM OF INFORMATION ACT) REQUEST on CANTO REVEALS that this PROSECUTION WAS, "SECRETLY," TELLING THE FEDS something COMPLETELY DIFFERENT from what they PROFESSED to the JUDGE & JURY: THAT THEY DID AGREE WITH MY TESTIMONY:

On 1/11/94, the subject [CANTO] was ARRESTED at his residence in Gardena, CA.... On a DRUG WARRANT & ATTEMPTED MURDER. The subject [CANTO] was ALSO A SUSPECT IN A MULTIPLE HOMICIDE IN NEW YORK CITY....

On 8/9/94, the subject [CANTO] was shot several times... while IN HIS CAR on a Gardena Street. At the same time, Allen was shot several times.... GARDENA POLICE BELIEVE THE SHOOTINGS STEMMED FROM A DRUG DEAL THAT THE SUBJECT [CANTO] WAS INVOLVED IN. [Redacted] dob: [Redacted] has been CHARGED in the murder of Allen & the attempted murder of the subject [CANTO]. A second ACCOMPLICE REMAINS UNIDENTIFIED.

(FBI MEMO: 88A-LA 167258, DATE: 9/14/94 [NOTE. CANTO'S  
Federal File LABELS HIM: "ARMED & DANGEROUS"])  
(Bates #5371) (Exn. 182)

TWO things JUMP OUT in this FBI MEMO: 1) I was arrested on 9/16/94, 2  
days AFTER this memo (People v. Harris 37 Cal. 4th 310, @ 324),  
THEREFORE, SOMEONE ELSE WAS ARRESTED FOR THIS CRIME WHOM we were NEVER  
apprised of; & 2) PRIOR to my arrest, 9/16/94, this PROSECUTION KNEW of  
the BAD DRUG DEAL, & ALL THE CRIMES CANTO WAS WANTED FOR; Seeing that,  
Det. Davila, of the GARDENA POLICE, BEFORE BECOMING the INVESTIGATOR in  
MY CASE WORKED WITH THE FEDS TO BRING DOWN CANTO:

I [DAVILA] recall I had taken part in the ARREST of BOTH  
VICTIMS SEVERAL MONTHS AGO, ASSISTING LAPD & THE FBI.  
Victim CANTO was ARRESTED for MULTIPLE COUNTS of HOMICIDE  
out of NEW YORK CITY & victim Allen on outside local  
warrants. Both had been taken into custody by LAPD under  
the control of Det. Vanna [sic], LAPD FUGITIVE WARRANT  
DETAIL... The FBI Agent was Scott Hanley... [THE LAPD  
INVESTIGATION LIST THESE VERY SAME AGENTS, see p.11]  
(Det. Davila's FOLLOW-UP REPORT, Disc. #147)

Despite knowing Det. Davila FIRST MET CANTO, as his report states, in  
JAN. '94, the prosecution ALLOWED HIM TO COMMIT PERJURY DURING MY TRIAL:

Def Did you eventually meet the person you knew as  
CANTO in person?

Davila: To be PERFECTLY FRANK, I DON'T EVER RECALL  
MEETING MR. CANTO. You must understand that  
almost immediately after the crime occurred,  
the case was transferred to Det. Bashe, & I  
was no longer lead investigator. [EVENTUAL-  
LY, HE BECAME THE LEAD AGAIN.]

Pros.: OBJECTION, NONRESPONSIVE.

Davila: I CAN'T RECALL MEETING MR. CANTO. (Tr. 267)

IN CONCLUSION

WE BELIEVE THAT ALL BLACK PEOPLE SHOULD BE RE-  
LEASED FROM THE MANY JAILS & PRISONS BECAUSE  
THEY HAVE NOT RECEIVED A FAIR & IMPARTIAL TRIAL.

WE BELIEVE THAT THE COURTS SHOULD FOLLOW THE  
U.S. CONSTITUTION SO THAT BLACK PEOPLE WILL  
RECEIVE FAIR TRIALS. (Black Panther Party  
Platform, Oct. '66)

Det. Davila's PERJURY displays just how MACHIAVELLIAN this prosecution  
was in DENYING ME A FAIR TRIAL. On the surface, seems harmless, however,  
it was a DIABOLICAL STRATEGY to CONCEAL the CIRCUMSTANCES OF HIS INITIAL  
MEETING WITH CANTO; Thus, ALL the CRIMES CANTO COMMITTED, FROM THE JURY.

As evidenced in the Panthers Platform, 50 years ago, this strategy, of  
NOT DISPENSING FAIR TRIALS, HAS BEEN IN PLACE FOR GENERATIONS, WHICH LEAD  
US INTO THIS 'STATE OF MASS INCARCERATION,' i.e., THE NEW JIM CROW.

On that note, an EXCERPT, from a FEDERAL COURT OPINION REGARDING A CASE  
WITH SIMILAR PROSECUTORIAL VIOLATIONS.

THE PROSECUTION FAILED, HOWEVER, TO DISCLOSE MULTIPLE  
PIECES OF CRITICAL IMPEACHMENT EVIDENCE THAT COULD  
HAVE BEEN USED TO UNDERMINE THE CREDIBILITY OF [INFOR-  
MANT].... THE WITHHELD INFORMATION WENT TO [INFORANT'S]  
SOPHISTICATION & MOTIVATION... TO HIS GENERAL PROPENSITY  
FOR DISHONESTY... THE EVIDENCE WITHHELD REVEALED THAT  
[THE INFORMANT]... WAS COMPLETELY UNRELIABLE, A LIAR FOR  
HIRE. [&] READY TO PERJURE HIMSELF FOR WHATEVER ADVAN-  
TAGE HE COULD SQUEEZE OUT OF THE SYSTEM.... BECAUSE [IN-  
FORMANT'S] TESTIMONY IMPLICATING [DEFENDANT] WAS CRITICAL  
TO [DEFENDANT'S] CONVICTION, THE JURY'S ASSESSMENT OF  
THE [INFORMANT'S] CREDIBILITY WAS CRUCIAL TO THE OUTCOME  
OF THE TRIAL. IF THE JURY HAD NOT BELIEVED [THE INFORM-

ANT, THE DEFENDANT] MAY NOT HAVE BEEN CONVICTED. THE PROSECUTION'S FAILURE TO DISCLOSE THIS IMPEACHING EVIDENCE UNDERMINES CONFIDENCE IN THE OUTCOME OF [DEFENDANT'S] TRIAL, & THE CA SUPREME COURT'S DECISION TO THE CONTRARY WAS AN UNREASONABLE APPLICATION OF BRADY.

WE REVERSE... JUDGEMENT & REMAND WITH DIRECTIONS TO THE STATE TO PROVIDE [DEFENDANT] WITH A NEW TRIAL IN A REASONABLE AMOUNT OF TIME OR RELEASE HIM.

(Maxwell, v. Roe, 628 F.3d 486, @ 512)

HOPEFULLY, LADY LIBERTY WILL SHINE SOME OF HER JUSTICE, EQUALLY, IN MY DIRECTION!!!

#### NOTES

1. This is one of those false premisses that prosecutors use to fuel the Prison Industrial Complex. 2 examples of WRONGFUL CONVICTIONS based on this FALSE THEORY AT SCENE = GUILT.

1. Sunny Jacobs & her husband at the time, Jesse Tafero were convicted of a double murder for 'BEING AT THE SCENE. She was released 17 yrs later, when the real murderer confessed. Jesse wasn't so lucky, he was EXECUTED, THEN PROVEN INNOCENT. The N.Y Times 1/18/11, covered Brooke Shields playing Sunny in, off Broadway play "The Exonerated." (Human Kindness Foundation Newsletter, Fall 2013)

Next, 2 brothers were convicted for 'BEING AT THE SCENE' where a dealer was murdered. Released, yrs LATER when the actual people f/ THE SCENE came forward to explain what happened that night: they went there to buy some weed, & the real killers pulled guns on them, so they "RAN f/ the SCENE." Therefore, were INNOCENT, AS WELL.

2. To VIEW the VIDEO of federal judges chewing out this SAME ATTY. GENERAL'S OFFICE, for INCESSANTLY resorting to this unethical practice. <https://www.youtube.com/watch?v=2sCUrhgXjH4>

3. An Aug. '15 article in Wired mag., "AR15: Secret weapon," by Andy Greenberg, touches on why this lethal weapon, w/o the serial #, is a menace to public safety, "It's called a GHOST GUN... because it's an UNTRACEABLE SEMIAUTOMATIC RIFLE w/no serial number. It exist BEYOND LAW ENFORCEMENT'S KNOWLEDGE & CONTROL." (p.77); "to obtain a gun w/o a serial # w/o a background check, & w/o a waiting period. Law enforcement would be ENTIRELY IGNORANT OF MY GUN'S EXISTENCE." (p.78); "2013... John Zawahri... used one to kill 5 people in Santa Monica... buying or selling a GHOST GUN IS ILLEGAL." (p.78); & "In CA they don't like you to have AR-15s." (p.82)

This begs the questions: "Why was this CA prosecutor SO INDIFFERENT about CANTO, a SUSPECT IN MULTIPLE MURDERS POSSESSING THIS LETHAL, ILLEGAL WEAPON? And, WHY wasn't 'NOTHING FILED ON,' or HIS PROBATION REVOKED?"

## SOURCES

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