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December 16, 2013

Via E-mail to Todd Giffen to Hand Deliver to the Court at Hearing

The Honorable Todd Michael
Lane County Circuit Court Judge

RE: *State v. Todd Giffen*
Lane County Circuit Court Case No. 221318198
Amicus Letter on Behalf of Todd Giffen

Dear Judge Michael and/or To Whom It May Concern:

Please be advised that I am General Counsel to Freedom From Covert Harassment and Surveillance (FFCHS, <http://www.freedomfchs.com>), a human rights organization of approximately 2,000 individuals that identifies and networks with victims of organized stalking and remote electronic assaults, educates society about covert harassment issues, and advocates for citizens victimized by covert criminal elements. Further be advised that I represent Todd Giffen with regard to his civil claims against The Oregon State Hospital, its physicians and staff, and others involved with organized stalking and remote electronic assault and surveillance.

I am writing in support of Mr. Giffen's request and motion for new counsel in the above-captioned case. It is my understanding that relations between Mr. Giffen and his current court appointed counsel, Jeff R. Johnson, have become irretrievably broken. This was a result of Mr. Johnson's lack of response to his requests for proper investigation resources, experts, etc., in addition to his prior requests for a defense attorney from another county. Further, it is my understanding that Mr. Giffen believes that Mr. Johnson serving as the Lane County Court Deputy Attorney presents a conflict of interest. Further, it is my understanding that upon conferring with Mr. Johnson with his concerns and requests, including new counsel, that Mr. Johnson stated to Mr. Giffen that he was no longer representing him, refused to return Mr. Giffen's calls, refused to review information provided by Mr. Giffen, and threatened to Mr. Giffen that he would order an Aid and Assist Evaluation in effort to have Mr. Giffen me mentally committed. Mr. Johnson further indicated to Mr. Giffen that Mr. Johnson would pick the doctor, which would be local physician Dr. Truahn, whom Mr. Giffen has had a previous negative relationship.

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Additionally, I have left several messages with Mr. Johnson regarding coordinating Mr. Giffen's criminal defense with the prosecution of his civil case. With no response to my calls, Mr. Johnson stated to Mr. Giffen that he would not call me back, did not want to talk to me, and stated that he would "find" an ethical reason not to do so.

Refusal to cooperate with Mr. Giffen's civil attorneys, his refusal to entertain Mr. Giffen's reasonable and necessary investigation requests, and Mr. Johnson's threat of requesting an Aid and Assist Evaluation as punishment in response to Mr. Giffen's request for replacement defense counsel is concerning and is not a good-faith basis for ordering an Aid and Assist Evaluation.

If Mr. Johnson proceeds with his punitive request for an Aid and Assist Evaluation, the Court should be advised that (1) I have worked with Mr. Giffen for some time and have no issues or problems whatsoever in dealing with Mr. Giffen and I also believe his investigation and other requests are not only reasonable, but necessary; and (2) that Mr. Giffen was found competent to stand trial by a Dr. Corbett who performed an evaluation in November, 2013, finding that Mr. Giffen understood all the legal issues, could cooperate in his defense, and was willing to participate. Further, an earlier report by Dr. Suckow report found only ADHD/depression.

In closing, I wish to appeal to the Court that Mr. Giffen is one of my most competent clients and that his requests for new defense counsel is wholly sound and based on reasonable requests from Mr. Giffen that are necessary for his defense in this matter.

Should the Court have any questions or requests for additional information or documentation, the same will be promptly provided.

Thank you for your consideration.

Respectfully,



GENERAL COUNSEL FFCHS

Cc: Todd Giffen