US District Court 9 Court of Appeals, California – Writ Habeas Corpus § 2241

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| Todd Giffen,  Petitioner,  Vs.  USA, President Barack Obama, Secretary of Defense Chuck Hagel, US Department of Justice, US Attorney General Eric Holder Jr., Federal Bureau of Investigation, FBI Director James Comey, Director of National Intelligence James R. Clapper, US Secretary of Homeland Security Jeh Johnson, US Department of Homeland Security, US Department of Defense, US Department of the Army, US Department of the Navy, US Department of the Air Force, NSA Director Michael S. Rogers, National Security Agency, CIA Director John O. Brennan, Central Intelligence Agency, Defense Intelligence Agency, Defense Advanced Research Projects Agency, National Reconnaissance Office, National Geospatial-Intelligence Agency, Defense Advanced Research Projects Agency, Defense Logistics Agency, Missile Defense Agency, Defense Threat Reduction Agency, Pentagon Force Protection Agency, State of Oregon Attorney General Ellen Rosenblum, Oregon Governor John Kitzhaber, State of California Attorney General Kamala Harris, and California Governor Jerry Brown.  Respondents. | No. 15-15125  Appeal Brief |

Appeal Brief

Hi, no further brief is really necessary and I feel the court is abusing me by forcing me to respond without appointing an attorney and while continuing to sit by and let the government mutilate and take out murder attempts. This court already has the record to which all evidence is in my favor, and nothing exists on the record that is not in my favor. Nothing contradicts me on the record at all. There is a state provided attorney in Oregon, named Jed Peterson, and his brief is attached, arguing that I have suffered civil rights violations, torture, murder attempts, and surveillance abuse along with psych evals, CIA, DOD, US DOJ, USIS employee emails and audio clips backing me up as a victim. The context of this case is the same whether it be state or federal court. The same arguments Jed Peterson made in state court apply to this case. Because the court has deliberately refused to provide a lawyer, I cannot argue the case further, and have no access to case law or the law to defend myself any further. I informed the courts that I was being irradiated and having my brain and body beat with electronic warfare signals, radiation directed from the United States military radar and satellite platforms into my body. This assault was done for retaliation for catching them commit crimes in Oregon including various illegal physical assaults, framing, and violations while using warrantless surveillance on me and other patients. It seems you’re vultures willing to let a citizen die and get abused, as you denied my motions for appointed counsel like they were nothing.

Let’s take a look at Jed Peterson’s brief from the record just to review:

“ORS 34.310 describes the purpose of the writ of habeas corpus and provides,

in part, “Every person imprisoned or otherwise restrained of liberty \* \* \* may

prosecute a writ of habeas corpus to inquire into the cause of such imprisonment or

restraint, and if illegal, to be delivered therefrom.” (Emphasis added.) The issue

in this case is whether plaintiff pleaded facts to support a claim that he is

“otherwise restrained of liberty” for purposes of ORS 34.310. To interpret a

statute, this court looks to the text and context of the statute, including any helpful

legislative history offered by the parties. State v. Gaines, 346 Or 160, 171-72, 206

P3d 1042 (2009); PGE v. Bureau of Labor and Industries, 317 Or 606, 610-12,

859 P2d 1143 (1993).

The plain text of the statute indicates that habeas corpus can address

restraints of liberty outside the context of an ongoing criminal case. “Otherwise”

can be defined as follows:

“1 : in a different way or manner : DIFFERENTLY \* \* \* 2 : in different

circumstances : under other conditions \* \* \* 3 : in other respects \* \*

\*”

Webster’s Third New Int’l Dictionary 1598 (unabridged ed 2002). When read in

context of the habeas corpus statute, ORS 34.310 applies to a person who is

“imprisoned” or in a different way “restrained or liberty,” and allows that person

“to inquire into the cause of such imprisonment or restraint.”

Plaintiff’s plain-text reading is consistent with how the Oregon Supreme

Court has interpreted the statute:

“That being ‘restrained of his liberty’ is not limited to being

‘imprisoned’ appears on the face of the statute. Doubtless the term

would include any physical restraint, for instance an allegation that

one is illegally kept chained, or in a straitjacket, or blindfolded,

though not confined in any closed space. One can be no less

restrained by means of the deliberate threat or use of violence to one’s

person. Upon such an allegation, the issue is not whether the person

on whose behalf the petition is filed is ‘restrained of his liberty’ but

whether the restraint is illegal.”

Penrod v. Cupp, 283 Or 21, 24, 581 P2d 934 (1978). Similarly, the Supreme Court

has interpreted the phrase to apply to restraint outside the context of an active

criminal case where charges are pending:

“The logical inference from the statute is that the kind of restraint to

which reference is made is a physical restraint within the state of

Oregon and within some county or judicial district of the state. A

person may be subject to physical restraint when under arrest by a

police officer or by any other person, without being in prison, but such

restraint differs in kind from that imposed by rule upon a parolee.”

White v. Gladden, 209 Or 53, 60, 303 P2d 226 (1956). Therefore, the plain text of

the statute supports plaintiff’s argument that habeas corpus applies to restraints of

liberty other than mere confinement pursuant to an ongoing criminal case.

Plaintiff’s reading is also consistent with case law that has held that habeas

corpus is available to challenge imprisonment as well as “collateral consequences”

from a conviction. For instance, in Baty v. Slater, 164 Or App 779, 782, 995 P2d

1176 (2000), this court rejected the state’s argument that “habeas corpus relief is

not available to an offender who has been released from custody,” instead

concluding that “a habeas corpus petition is not moot if there are collateral

consequences to resolution of the dispute that may result in plaintiff obtaining

relief from a restraint of liberty.”

Oregon courts have held that a restraint of “liberty” for purposes of ORS

34.310 is a state action that violates a person’s constitutional rights. See Dunn v.

Hill, 211 Or App 590, 603, 156 P3d 72 (2007) (“We conclude that plaintiff has

adequately pleaded facts that, if true, would constitute the deprivation of a

constitutional right requiring immediate judicial scrutiny.”). For instance, Oregon

courts have recognized habeas corpus claims that are framed in terms of an

allegation that the state is violating the constitutional right to be free from cruel

and unusual punishment. Billings v. Gates, 323 Or 167, 180-181, 916 P2d 291

(1996) (“To state a cognizable claim for habeas corpus relief under Article I,

section 16, a prisoner must allege that the prisoner has a serious medical need that

has not been treated in a timely and proper manner and that prison officials have

been deliberately indifferent to the prisoner’s serious medical needs.”). This court

found that habeas corpus was the proper way to address an alleged violation of the

Article I, section 13, proscription against treating an arrested person “with

unnecessary rigor.” Schafer v. Maass, 122 Or App 518, 523, 858 P2d 474 (1993)

(“In summary, the allegation that petitioner is being subjected to ‘ongoing and

periodical assaults’ is an allegation that he is being deprived of the constitutional

right to be free from unnecessary physical abuse.”). Habeas corpus also is the

proper vehicle to address alleged violations of due process rights. Bekins v. Cupp,

274 Or 115, 117, 545 P2d 861 (1976) (holding that habeas petition was the proper

procedure to challenge the placement of a prisoner in segregation, alleged to be a

violation of due process rights); Dunn, 211 Or App at 598-605 (addressing the

issue of whether the plaintiff had sufficiently alleged a deprivation of his due

process right to “access to the courts”).

Under plaintiff’s reading of ORS 34.310, the question in this case is whether

he sufficiently alleged that he was “restrained of liberty” by the state, meaning the

state is violating his constitutional rights in a way that limits, or “restrains,” his

freedom. “[P]etitions should be construed liberally and not voided for mere

technical defects.” Bedell v. Schiedler, 307 Or 562, 566, 770 P2d 909 (1989). As

an example of how liberally allegations should be read, this court engaged in the

following analysis in Fox v. Zenon:

“Taking as true his allegation that he has made several suicide

attempts, we infer that he cannot control his suicidal impulses and

that, at any time, he is likely to try again. Again taking his allegation

as true that he has requested to see a psychiatrist on 15 to 20 occasions

but that defendant has not provided him with any psychiatric or any

psychological diagnosis or treatment, we infer from his allegations

that defendant will continue to deny his requests to see a psychiatrist

or be diagnosed or treated.”

106 Or App 37, 40-41, 806 P2d 166 (1991). In Fox, the court read the allegations

liberally by taking statements of past actions to be read as alleging that the actions

will recur in the future.

When read liberally, plaintiff’s petition indicates that the dismissal of the

underlying criminal case has not rendered his case moot. Plaintiff alleged that he

is “experiencing numerous civil rights violations.” ER-1. Plaintiff has

experienced “abuses by the state, retaliations, and covert harassment and

surveillance” by state actors. ER-1. Specifically, law enforcement officers have

used “directed energy weapons and military technology” to cause plaintiff “serious

fatal physical/brain injury” and “‘chronic traumatic encephalopathy.’” ER-1.

Under the reading standard applied in Fox, plaintiff is alleging that the state actors

who have been causing him unwarranted physical harm will continue to do so.

That physical harm would constitute a restraint on plaintiff’s liberty cognizable

under ORS 34.310.

Plaintiff also alleged that his liberty was being restrained by violations of his

Fourth, Eighth, and Fourteenth Amendment rights. ER-1. “[U]ndercover agents

who work with the state to coordinate these abuses” against plaintiff “stalk[] and

follow[]” plaintiff and employ “a number of illegal surveillance tactics on

[plaintiff].” ER-1. Read liberally, plaintiff alleges that the state actors will

continue to engage in “warrantless surveillance and illegal searches/seizures,”

violating plaintiff’s Fourth Amendment rights. ER-1. Further, plaintiff alleges

that “[t]he abuse [he] has experienced,” which would include the physical injury

caused by the state’s “directed energy weapons and military technology,”

“constitutes cruel and unusual punishment under the Eighth amendment, and it also

violates my Fourteenth amendment rights to due process, including violating the

liberty interest of this right.” ER-1.

Plaintiff has sufficiently alleged that he is unlawfully restrained of liberty.

He has alleged that he is subjected to cruel and unusual punishment, in violation of

the Eighth and Fourteenth Amendments, based on the deliberate use of weapons

against him, causing him physical harm. Plaintiff has alleged that his liberty

against unlawful searches and seizures, in violation of the Fourth and Fourteenth

Amendments, has been infringed by warrantless surveillance by state actors who

are stalking and following him. Therefore, plaintiff’s case is not moot because his

petition contains cognizable claims that have not been resolved by the dismissal of

criminal charges against him. Cf. Anderson v. Britton, 212 Or 1, 5, 318 P2d 291

(1957) (“[T]he function of habeas corpus cannot be defeated by a transfer of

custody after a ruling in the trial court and pending appeal to this court. To hold

otherwise would permit the jurisdiction of the court to be thwarted after it has once

attached.”).

The trial court erred in dismissing plaintiff’s petition for a writ of habeas

corpus. This court should reverse the decision of the habeas trial court and remand

for further proceedings. See Bedell, 307 Or at 570 (after holding that the trial court

erred in granting the state’s motion to dismiss a petition for a writ of habeas

corpus, affording such a remedy).

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CONCLUSION

Plaintiff asks this court to reverse the judgment of the circuit court and to

remand to the circuit court for further proceedings.

DATED December 2, 2014.

Respectfully Submitted,

/s/ Jed Peterson

Jed Peterson

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Todd Giffen”

In addition to the claims made by Jed Peterson in favor of my petition stating a valid claim, and thus being the perfect venue for Habeas Corpus as a restraint of liberty and civil rights violation, I claim that I am actually seized illegally under the 4th amendment because the United States government is using high tech electronic warfare to physically and mentally control and render my body in their control, restricting from me my own ability to control what I do and to generate what I do, think, say, feel, and all that. I have been put into a mental prison, and all my brain and body sabotaged and they keep me sabotaged my impinging my fragile soft tissue with signals intelligence and radiation against my will 24/7 as well as control my visual, auditory, emotional, sensation processes through brain and nerve stimulation with these signals. This also violates the 1st amendment, as courts have previously decided that an invasion of a persons mind for psychosurgery constituted a 1st amendment violation by impeding ones ability to have or generate free speech and expression of ones self. I believe the radiation has damaged my brain in a similar fashion to psychosurgery, and the government is trying to make sure I cannot heal and thus remain crippled and incapacitated, while memory and brain function continues to deteriorate. This is 8th amendment cruel and unusual punishment while I am in custody without conviction. Life and limb is being taken without due process, 5th amendment violation. Counsel has been denied while under investigation and search/seizure, 6th amendment violation. Under Kyllo v United States the United States Supreme Court decided that warrantless surveillance done with through the wall and off the wall radar was real, and violated the 4th amendment. I would argue that radar can be used to electronically control subjects, and is two-way, serving both to spy on and to torture and seize objects remotely through a variety of energy/directed energy effects. This violation is because it was found to be an illegal search, and the decision was designed to make advanced forms of these searches illegal such as very long range land, sea, and space based systems used to track, monitor, and tap into human beings and do scans of their homes and effects (building penetrating tomography/interferometry). They’re using this on me now, it’s capable of seeing through the walls of my home, to watch and listen to me, to track my thoughts by brain scanning, decoding brain signals to track what is happening within me in a fully automated, computerized and patented fashion. The patents involved and information from government whistleblowers are provided in the record, including apparatus for remotely monitoring and altering brainwaves (by DOD contractor Dorne & Margolin Inc, filed 1974, specifically mentions using traditional military radar systems to target a person in stealth and without the persons knowledge or consent.). I provided information by Dr. Robert Duncan CIA, DOD, US DOJ, NASA whistleblower that all this technology is real and being used to torture and target innocent Americans, he would testify to such/notes this patent. Audio interviews of him are on the DVD exhibits and text documents/correspondence between me and him were provided the same. The imaging technology is an illegal search, it allows them to watch me, track my movements, so that they can focus and aim radiation at me from over the horizon radar and satellite systems. Besides warrantless surveillance and torture, and the other use is covert communication amongst officers by interfacing with officers brains to pass communications in stealth. Without the ability to physically image me or search me, they could not obtain body or brain scans for decoding allowing me to keep secrets such as what I’m thinking and doing, and also they could not aim the weapon at me allowing me to finally escape and live freely. Kyllo vs United States opinion:

“DANNY LEE KYLLO, PETITIONER v. UNITED STATES on writ of certiorari to the united states court of appeals for the ninth circuit

[June 11, 2001]

Justice Scalia delivered the opinion of the Court.

This case presents the question whether the use of a thermal-imaging device aimed at a private home from a public street to detect relative amounts of heat within the home constitutes a "search" within the meaning of the Fourth Amendment.

I

In 1991 Agent William Elliott of the United States Department of the Interior came to suspect that marijuana was being grown in the home belonging to petitioner Danny Kyllo, part of a triplex on Rhododendron Drive in Florence, Oregon. Indoor marijuana growth typically requires high-intensity lamps. In order to determine whether an amount of heat was emanating from petitioner's home consistent with the use of such lamps, at 3:20 a.m. on January 16, 1992, Agent Elliott and Dan Haas used an Agema Thermovision 210 thermal imager to scan the triplex. Thermal imagers detect infrared radiation, which virtually all objects emit but which is not visible to the naked eye. The imager converts radiation into images based on relative warmth--black is cool, white is hot, shades of gray connote relative differences; in that respect, it operates somewhat like a video camera showing heat images. The scan of Kyllo's home took only a few minutes and was performed from the passenger seat of Agent Elliott's vehicle across the street from the front of the house and also from the street in back of the house. The scan showed that the roof over the garage and a side wall of petitioner's home were relatively hot compared to the rest of the home and substantially warmer than neighboring homes in the triplex. Agent Elliott concluded that petitioner was using halide lights to grow marijuana in his house, which indeed he was. Based on tips from informants, utility bills, and the thermal imaging, a Federal Magistrate Judge issued a warrant authorizing a search of petitioner's home, and the agents found an indoor growing operation involving more than 100 plants. Petitioner was indicted on one count of manufacturing marijuana, in violation of 21 U. S. C. §841(a)(1). He unsuccessfully moved to suppress the evidence seized from his home and then entered a conditional guilty plea.

The Court of Appeals for the Ninth Circuit remanded the case for an evidentiary hearing regarding the intrusiveness of thermal imaging. On remand the District Court found that the Agema 210 "is a non-intrusive device which emits no rays or beams and shows a crude visual image of the heat being radiated from the outside of the house"; it "did not show any people or activity within the walls of the structure"; "[t]he device used cannot penetrate walls or windows to reveal conversations or human activities"; and "[n]o intimate details of the home were observed." Supp. App. to Pet. for Cert. 39-40. Based on these findings, the District Court upheld the validity of the warrant that relied in part upon the thermal imaging, and reaffirmed its denial of the motion to suppress. A divided Court of Appeals initially reversed, 140 F. 3d 1249 (1998), but that opinion was withdrawn and the panel (after a change in composition) affirmed, 190 F. 3d 1041 (1999), with Judge Noonan dissenting. The court held that petitioner had shown no subjective expectation of privacy because he had made no attempt to conceal the heat escaping from his home, id., at 1046, and even if he had, there was no objectively reasonable expectation of privacy because the imager "did not expose any intimate details of Kyllo's life," only "amorphous `hot spots' on the roof and exterior wall," id., at 1047. We granted certiorari. 530 U. S. 1305 (2000).

II

The Fourth Amendment provides that "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." "At the very core" of the Fourth Amendment "stands the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion." Silverman v. United States, 365 U. S. 505, 511 (1961). With few exceptions, the question whether a warrantless search of a home is reasonable and hence constitutional must be answered no. See Illinois v. Rodriguez, 497 U. S. 177, 181 (1990); Payton v. New York, 445 U. S. 573, 586 (1980).

On the other hand, the antecedent question of whether or not a Fourth Amendment "search" has occurred is not so simple under our precedent. The permissibility of ordinary visual surveillance of a home used to be clear because, well into the 20th century, our Fourth Amendment jurisprudence was tied to common-law trespass. See, e.g., Goldman v. United States, 316 U. S. 129, 134-136 (1942); Olmstead v. United States, 277 U. S. 438,

464-466 (1928). Cf. Silverman v. United States, supra, at 510-512 (technical trespass not necessary for Fourth Amendment violation; it suffices if there is "actual intrusion into a constitutionally protected area"). Visual surveillance was unquestionably lawful because " `the eye cannot by the laws of England be guilty of a trespass.' " Boyd v. United States, 116 U. S. 616, 628 (1886) (quoting Entick v. Carrington, 19 How. St. Tr. 1029, 95 Eng. Rep. 807 (K. B. 1765)). We have since decoupled violation of a person's Fourth Amendment rights from trespassory violation of his property, see Rakas v. Illinois, 439 U. S. 128, 143 (1978), but the lawfulness of warrantless visual surveillance of a home has still been preserved. As we observed in California v. Ciraolo, 476 U. S. 207, 213 (1986), "[t]he Fourth Amendment protection of the home has never been extended to require law enforcement officers to shield their eyes when passing by a home on public thoroughfares."

One might think that the new validating rationale would be that examining the portion of a house that is in plain public view, while it is a "search"1 despite the absence of trespass, is not an "unreasonable" one under the Fourth Amendment. See Minnesota v. Carter, 525 U. S. 83, 104 (1998) (Breyer, J., concurring in judgment). But in fact we have held that visual observation is no "search" at all--perhaps in order to preserve somewhat more intact our doctrine that warrantless searches are presumptively unconstitutional. See Dow Chemical Co. v. United States, 476 U. S. 227, 234-235, 239 (1986). In assessing when a search is not a search, we have applied somewhat in reverse the principle first enunciated in Katz v. United States, 389 U. S. 347 (1967). Katz involved eavesdropping by means of an electronic listening device placed on the outside of a telephone booth--a location not within the catalog ("persons, houses, papers, and effects") that the Fourth Amendment protects against unreasonable searches. We held that the Fourth Amendment nonetheless protected Katz from the warrantless eavesdropping because he "justifiably relied" upon the privacy of the telephone booth. Id., at 353. As Justice Harlan's oft-quoted concurrence described it, a Fourth Amendment search occurs when the government violates a subjective expectation of privacy that society recognizes as reasonable. See id., at 361. We have subsequently applied this principle to hold that a Fourth Amendment search does not occur--even when the explicitly protected location of a house is concerned--unless "the individual manifested a subjective expectation of privacy in the object of the challenged search," and "society [is] willing to recognize that expectation as reasonable." Ciraolo, supra, at 211. We have applied this test in holding that it is not a search for the police to use a pen register at the phone company to determine what numbers were dialed in a private home, Smith v. Maryland, 442 U. S. 735, 743-744 (1979), and we have applied the test on two different occasions in holding that aerial surveillance of private homes and surrounding areas does not constitute a search, Ciraolo, supra; Florida v. Riley, 488 U. S. 445 (1989).

The present case involves officers on a public street engaged in more than naked-eye surveillance of a home. We have previously reserved judgment as to how much technological enhancement of ordinary perception from such a vantage point, if any, is too much. While we upheld enhanced aerial photography of an industrial complex in Dow Chemical, we noted that we found "it important that this is not an area immediately adjacent to a private home, where privacy expectations are most heightened," 476 U. S., at 237, n. 4 (emphasis in original).

III

It would be foolish to contend that the degree of privacy secured to citizens by the Fourth Amendment has been entirely unaffected by the advance of technology. For example, as the cases discussed above make clear, the technology enabling human flight has exposed to public view (and hence, we have said, to official observation) uncovered portions of the house and its curtilage that once were private. See Ciraolo, supra, at 215. The question we confront today is what limits there are upon this power of technology to shrink the realm of guaranteed privacy.

The Katz test--whether the individual has an expectation of privacy that society is prepared to recognize as reasonable--has often been criticized as circular, and hence subjective and unpredictable. See 1 W. LaFave, Search and Seizure §2.1(d), pp. 393-394 (3d ed. 1996); Posner, The Uncertain Protection of Privacy by the Supreme Court, 1979 S. Ct. Rev. 173, 188; Carter, supra, at 97 (Scalia, J., concurring). But see Rakas, supra, at 143-144, n. 12. While it may be difficult to refine Katz when the search of areas such as telephone booths, automobiles, or even the curtilage and uncovered portions of residences are at issue, in the case of the search of the interior of homes--the prototypical and hence most commonly litigated area of protected privacy--there is a ready criterion, with roots deep in the common law, of the minimal expectation of privacy that exists, and that is acknowledged to be reasonable. To withdraw protection of this minimum expectation would be to permit police technology to erode the privacy guaranteed by the Fourth Amendment. We think that obtaining by sense-enhancing technology any information regarding the interior of the home that could not otherwise have been obtained without physical "intrusion into a constitutionally protected area," Silverman, 365 U. S., at 512, constitutes a search--at least where (as here) the technology in question is not in general public use. This assures preservation of that degree of privacy against government that existed when the Fourth Amendment was adopted. On the basis of this criterion, the information obtained by the thermal imager in this case was the product of a search.2

The Government maintains, however, that the thermal imaging must be upheld because it detected "only heat radiating from the external surface of the house," Brief for United States 26. The dissent makes this its leading point, see post, at 1, contending that there is a fundamental difference between what it calls "off-the-wall" observations and "through-the-wall surveillance." But just as a thermal imager captures only heat emanating from a house, so also a powerful directional microphone picks up only sound emanating from a house-and a satellite capable of scanning from many miles away would pick up only visible light emanating from a house. We rejected such a mechanical interpretation of the Fourth Amendment in Katz, where the eavesdropping device picked up only sound waves that reached the exterior of the phone booth. Reversing that approach would leave the homeowner at the mercy of advancing technology--including imaging technology that could discern all human activity in the home. While the technology used in the present case was relatively crude, the rule we adopt must take account of more sophisticated systems that are already in use or in development.3 The dissent's reliance on the distinction between "off-the-wall" and "through-the-wall" observation is entirely incompatible with the dissent's belief, which we discuss below, that thermal-imaging observations of the intimate details of a home are impermissible. The most sophisticated thermal imaging devices continue to measure heat "off-the-wall" rather than "through-the-wall"; the dissent's disapproval of those more sophisticated thermal-imaging devices, see post, at 10, is an acknowledgement that there is no substance to this distinction. As for the dissent's extraordinary assertion that anything learned through "an inference" cannot be a search, see post, at 4-5, that would validate even the "through-the-wall" technologies that the dissent purports to disapprove. Surely the dissent does not believe that the through-the-wall radar or ultrasound technology produces an 8-by-10 Kodak glossy that needs no analysis (i.e., the making of inferences). And, of course, the novel proposition that inference insulates a search is blatantly contrary to United States v. Karo, 468 U. S. 705 (1984), where the police "inferred" from the activation of a beeper that a certain can of ether was in the home. The police activity was held to be a search, and the search was held unlawful.4

The Government also contends that the thermal imaging was constitutional because it did not "detect private activities occurring in private areas," Brief for United States 22. It points out that in Dow Chemical we observed that the enhanced aerial photography did not reveal any "intimate details." 476 U. S., at 238. Dow Chemical, however, involved enhanced aerial photography of an industrial complex, which does not share the Fourth Amendment sanctity of the home. The Fourth Amendment's protection of the home has never been tied to measurement of the quality or quantity of information obtained. In Silverman, for example, we made clear that any physical invasion of the structure of the home, "by even a fraction of an inch," was too much, 365 U. S., at 512, and there is certainly no exception to the warrant requirement for the officer who barely cracks open the front door and sees nothing but the nonintimate rug on the vestibule floor. In the home, our cases show, all details are intimate details, because the entire area is held safe from prying government eyes. Thus, in Karo, supra, the only thing detected was a can of ether in the home; and in Arizona v. Hicks, 480 U. S. 321 (1987), the only thing detected by a physical search that went beyond what officers lawfully present could observe in "plain view" was the registration number of a phonograph turntable. These were intimate details because they were details of the home, just as was the detail of how warm--or even how relatively warm--Kyllo was heating his residence.5

Limiting the prohibition of thermal imaging to "intimate details" would not only be wrong in principle; it would be impractical in application, failing to provide "a workable accommodation between the needs of law enforcement and the interests protected by the Fourth Amendment," Oliver v. United States, 466 U. S. 170, 181 (1984). To begin with, there is no necessary connection between the sophistication of the surveillance equipment and the "intimacy" of the details that it observes--which means that one cannot say (and the police cannot be assured) that use of the relatively crude equipment at issue here will always be lawful. The Agema Thermovision 210 might disclose, for example, at what hour each night the lady of the house takes her daily sauna and bath--a detail that many would consider "intimate"; and a much more sophisticated system might detect nothing more intimate than the fact that someone left a closet light on. We could not, in other words, develop a rule approving only that through-the-wall surveillance which identifies objects no smaller than 36 by 36 inches, but would have to develop a jurisprudence specifying which home activities are "intimate" and which are not. And even when (if ever) that jurisprudence were fully developed, no police officer would be able to know in advance whether his through-the-wall surveillance picks up "intimate" details--and thus would be unable to know in advance whether it is constitutional.

The dissent's proposed standard--whether the technology offers the "functional equivalent of actual presence in the area being searched," post, at 7--would seem quite similar to our own at first blush. The dissent concludes that Katz was such a case, but then inexplicably asserts that if the same listening device only revealed the volume of the conversation, the surveillance would be permissible, post, at 10. Yet if, without technology, the police could not discern volume without being actually present in the phone booth, Justice Stevens should conclude a search has occurred. Cf. Karo, supra, at 735 (Stevens, J., concurring in part and dissenting in part) ("I find little comfort in the Court's notion that no invasion of privacy occurs until a listener obtains some significant information by use of the device... . A bathtub is a less private area when the plumber is present even if his back is turned"). The same should hold for the interior heat of the home if only a person present in the home could discern the heat. Thus the driving force of the dissent, despite its recitation of the above standard, appears to be a distinction among different types of information--whether the "homeowner would even care if anybody noticed," post, at 10. The dissent offers no practical guidance for the application of this standard, and for reasons already discussed, we believe there can be none. The people in their houses, as well as the police, deserve more precision.6

We have said that the Fourth Amendment draws "a firm line at the entrance to the house," Payton, 445 U. S., at 590. That line, we think, must be not only firm but also bright--which requires clear specification of those methods of surveillance that require a warrant. While it is certainly possible to conclude from the videotape of the thermal imaging that occurred in this case that no "significant" compromise of the homeowner's privacy has occurred, we must take the long view, from the original meaning of the Fourth Amendment forward.

"The Fourth Amendment is to be construed in the light of what was deemed an unreasonable search and seizure when it was adopted, and in a manner which will conserve public interests as well as the interests and rights of individual citizens." Carroll v. United States, 267 U. S. 132, 149 (1925).

Where, as here, the Government uses a device that is not in general public use, to explore details of the home that would previously have been unknowable without physical intrusion, the surveillance is a "search" and is presumptively unreasonable without a warrant.

Since we hold the Thermovision imaging to have been an unlawful search, it will remain for the District Court to determine whether, without the evidence it provided, the search warrant issued in this case was supported by probable cause--and if not, whether there is any other basis for supporting admission of the evidence that the search pursuant to the warrant produced.

\* \* \*

The judgment of the Court of Appeals is reversed; the case is remanded for further proceedings consistent with this opinion.”

My psych evals are on the record from multiple provided, not limited to the ones mentioned here. Dr. Seth Farber PhD clearly believes I’m a target of assassination and the CIA. Here’s what Dr. Seth Farber PhD had to say:

“To the Court,

I am a psychologist, an eclectic psychotherapist and author. I have been influenced by a number of therapists and theorists who adopted a model of psychology informed by the modern and postmodern critiques of Freudianism and biopsychiatry, and by the systemic critique of the linear causal medical model which is based upon the root metaphor of mental illness. For example I trained with family therapists like Dr Salvador Minuchin and Jay Haley. They did not believe that problems of living could be understood outside of the social-familial context, they did not believe that a troubled individual was afflicted by a disease process of which his unhappiness and eccentricities were symptoms. The individual was merely a unit in a larger gestalt, such as a nuclear family. Thomas Szasz and R D Laing both critiqued the traditional treatment of psychosis. Laing for example believed schizophrenics were engaging in an unusual way of communicating. However, contrary to modern psychiatry, Laing showed this anomalous communication was intelligible when viewed within its social context. Psychiatrist Thomas Szasz showed the construct of mental illness was based on a model of human behavior antithetical to our modern liberal enlightenment respect for individual autonomy and freedom. I was honored that Thomas Szasz wrote the foreword to my first book published in 1993.

One year ago I was contacted by TIs. I was unaware before of the extent of government invasion of our privacy, the abrogation of our privacy, integrity, and freedom by agencies of the government. Foucault described the geometric structure of the Panopticon as a metaphor for pervasive processes of surveillance and domination in modern society.

Today the Panopticon is so developed that the citizen has no barriers against intrusion into his mind, no protection against freedom and rape of the body and brain. The citizen is completely transparent and the elite is completely invisible and determined to remain that way. That gives them the illusion of ultimate control. I say illusion because the ego can never achieve ultimate control. It is the old problematic of the master-slave dialectic, as Hegel described it. The "master" is controlled by the process itself--by the pursuit of an illusion. But nonetheless I believe this situation of pervasive surveillance must be understood by all citizens, the guilty parties must be punished for violating our rights as citizens. This was a point made repeatedly by Thomas Szasz. Otherwise I believe it will continue until the elite had destroyed society.

As a psychologist I feel it would provide very little consolation for me to help clients who are TIs to "cope with" this problem. They are subjected to heightened level of surveillance and covert harassment. It is not only their living space that is invaded for purposes of surveillance. Their brains themselves are invaded and subjected to manipulations. Never before in "democratic" societies has there been this degree of interference with individual autonomy. This kind of Panopticonism is a profound social pathology, an atavistic regression that eats away at all the accomplishments of the Enlightenment. "Coping with" a profound social pathology leaves the fundamental problem untouched. That is not enough.

Thus, although it is not my area of expertise, I support TIs effort to expose the new Panopticon. I am working on this now with Ken Posner. I also support Todd Giffen (www.obamasweapons.com) who has a lawsuit and the work of www.freedomfchs.org.

Sometimes I write letters for clients who are TIs stating they do not have a thought disorder. I do not believe in the medical model but I do have clients who are "schizophrenics"--that is they have the traditional symptoms or behaviors associated with the schizophrenic construct. When I write a letter stating that Ken Posner does not have a thought disorder my hope is that the recipient will find it more difficult to dismiss Ken's claims which I believe are true. One of my problems with the mental health system is that it pathologies and stigmatizes persons who have beliefs about reality that deviate from the cultural consensus. During the Inquisition dissidents were labeled and persecuted as heretics or witches.

Hemingway's friends all thought he was paranoid because he thought he was being watched and followed. Years later his biographer discovered the FBI was following him and tracking his every movement. It is common for professionals to deem people "paranoid schizophrenics" if they say the CIA is watching them. But the CIA or NSA IS watching all of us. Laing observed that we call someone paranoid when she says someone is out to get her, and they are not. But there is no word to describe her if she thinks people are out to get her and they are. In other words there are certain beliefs mental health professionals proscribe one from thinking. Anyone who thinks someone is out to get them is ipso facto pathological. Laing called therapists "thought-police." In the age of the all pervasive Panopticon there are only a few therapists who defend the right to think freely, to be liberated from mind-control. The role of the therapist today must be to expose and protest conditions that make the preservation of individuality almost impossible. In these circumstances psychodiagnosis is an overtly political act. Like Laing I call upon therapists to abjure the role of social control agents, of "thought-police."

Considering the revelations of Edward Snowden, and what TIs are saying, mental health professionals have a moral and professional obligation to give up their dogmatism and stop policing thought. Many people are subjected to covert surveillance (all Americans to some degree) and harassment. The model of therapy that requires the therapist to tell people what to think is a modern version of the Inquisition. The patient has a right to her beliefs even if they are wrong, especially if they are wrong. Ultimately we cannot know. Hemingway's friends were certain he was paranoid.. I had a 75 year old client who claimed she was going to give birth to the Messiah. I thought she was wrong. But I saw the protective function these beliefs served. I refused to treat her as paranoid or schizophrenic, even though I believed she was mistaken. I refused to pathologize her merely because her beliefs were mistaken.

When TIs come to me, I usually believe them. Not always. In the best cases I can't be sure--we never can about most claims--but their beliefs are cogent. We must realize the degree to which we ARE being watched. This is a feature of our world today. Furthermore I have now read about MK-ULTRA and previous programs run by the CIA on non-consensual subjects. I used to think that America was controlled by a few corporations, as Noam Chomsky has argued. But I underestimated the power of intelligence agencies and police, which supplement the power of corporations. I now am convinced that the CIA maintains control through intimidation and assassination. They have assassinated everyone from JFK to John Lennon. Yet to make such a statement makes me susceptible to be labeled "paranoid," a "conspiracy theorist."

In my opinion our only hope for recovering the democratic immune system of our society, and defeating the totalitarian system with its invasive modes of control, is through public exposure of covert survellance. Actually this kind of mind control does not work effectively on TIs. They are tormented but they are resistant to mind control--they are among the most socially critical citizens in America. The CIA can't make them believe totalitarianism is right. They reject the thoughts planted in their brains.

They are an example of robust "mental health." Despite the pain of being tortured they do not succumb to "Big Brother."

The CIA, NSA, etc, work to intimidate and scare the masses and to eliminate charismatic individuals who could act as instruments of change. Max Weber believed the charismatic individual had the power to restore a democratic society. He was right and the CIA knows it. That is why charismatic or heroic individuals are removed, that is why exposure is prevented through persecution of Manning, Snowden, James Risen.

I want to see Robert Duncan, John Hall and others who are experts on this technology meet with defenders of civil liberties, including investigative journalists like Glenn Greenwald, Chris Hedges, Sy Hersh, Amy Goodman, Center for Constitutional Rights, Henry Giroux, and psychologists who refuse to be mind-police..We must recreate a sane and democratic society in which individual autonomy is restored..

I have already talked to people like Duncan. I have talked to Chris Hedges and a few therapists who oppose the use of therapy as a tool of repression. I want to help bring these disparate groups together in order to make more people aware of the covert invasion of the human brain, non-consensual experiments performed on unknowing subjects, the hallmark of a totalitarian society.

Thank you sincerely,

Seth Farber Ph.D.”

This is one of two evaluations provided by Dr. Seth Farber on the record.

Dr. Robert Duncan AB, SM, MBA, PhD educated at Harvard, Dartmouth, MIT, and Stanford, a government whistleblower from the CIA, DOD, US DOJ, NASA backs me up a victim targeted by the government, “ruthless people and software,” being “tortured” is present by his emails which are in the record. Here’s what Dr. Robert Duncan had to say,

“I know how angry you are. It is unlikely they will kill you but the torture sure feels like it. The real issue will

be if they can get you to kill someone else or yourself. That will be your internal battle for awhile. Lowering

your stress levels will slow the induction process and the rewiring of your brain. Valium helps. I wish I could

say it will end well but most likely this will be your eternal battle. You are up against a ruthless computer

program and people.

Aaron Alexis was obviously a target. No one can prove it to the FBI.”

In an email between Seth Farber PhD and Dr. Robert Duncan, Seth was asking Dr. Robert Duncan if he’d be willing to be interviewed by Chris Hedges a famous New York Times author, Dr. Robert Duncan had this to say in response:

“Hello Dr. Farber,

I appreciate what you do for TIs.

I don't get involved in individual cases at all. The problem has always been a sound strategy to stop the

abuse. Another problem is that these people operate above any laws and there are few skilled enough to

decipher the signal intelligence impinging upon the victim. Evidence is difficult to come-by and certainly not

understood by the common man that you would find in a court setting. Courts do not have the power to

stop this. Public understanding and opinion could sway things but this is a long journey of education. I do

what I believe can keep me out of prison and still help inform the populous.

Good luck,

R. Duncan”

Dr. Robert Duncan’s bio is in the record and published on the Internet. This particular clip in the record was provided by Coast to Coast AM, which is a radio show that gets 2.75+ million listeners per episode.

“Dr. Robert Duncan holds multiple degrees from Harvard University and Dartmouth College amongst others. He has had the most expensive American education money can buy. He is an investigator, author, and soon be movie producer on the topics of directed energy, neurological weapons, psychological, and information warfare. His movie is called "The Enemy Within - Psychic Warfare". A book he is co-authoring will be out in a few months called "Hacking the Human Mind".  
  
Dr. Duncan has worked as a business and information technology consultant to the Fortune 500. He has worked for companies like Oracle Corporation, BEA systems, HP, BBN, and as a professor at a college. For the department of defense he has written the artificial intelligence code to track the Soviet nuclear submarine fleet with passive and active acoustical arrays and has been to a couple secret NATA Navy underground bases in Europe.”

In another exhibit I provided excerpt’s from Dr. Robert Duncan’s book, The Matrix Deciphered which backs all this up and more. His bio from the book says:

“"True nobility is exempt from fear".

– King Henry the Sixth, Part II (Act IV, Scene I).

Call me The Saint. I am the all American - prep school, Harvard College graduating with honors in computer science and a minor in premedical studies, and advanced degrees from Harvard and Dartmouth in business and science. My famous ancestors are President Lincoln, King Duncan of Scotland, and Governor William Bradford, the first governor of Massachusetts.

My research interests have been neural networks, virtual reality, and EEG controlled robotics. Before graduate school I worked for the Department of Defense, Navy, NATO, and various intelligence agencies computer science projects. I have done business consulting and computer consulting for the largest companies in the world. I have been a professor, inventor, artist, and writer. I am one of the last Renaissance men.

My projects have included algorithms for Echelon and CIA natural language parsing and classification of document content, IRS formula for red flagging audits, writing the artificial intelligence code to automate tracking of the Soviet Nuclear Submarine Fleet and all water vessels, work integrating HAARP with SIGINT SIGCOM and SPAWAR. I have worked on projects for the Justice Department connecting local, state, and federal databases for the tracking of terrorists. I developed a system for the FBI to track license plates past toll booths and other locations. I worked on the soldier 2000 program to create body networks for reading vital signs and other information. A system I worked on called Snyper is operational in Iraq which triangulates on intercity conflict gun shots. I have been to a couple secret bases in the so called free world. I have developed telemedicine robotic surgery and virtual reality applications for the Army. For DARPA, I have worked on satellite computer vision target tracking applications and tank simulation as well as integration of the land, sea, and air surveillance systems like SOSSUS, towed arrays, and others.

Projects that I have worked on outside of government contracts include my thesis on computer generated holography, a project making paralyzed people walk again using choreographed stimulated muscles movements, face recognition, voice identification and recognition, finger print recognition, and neural network robotic controller. My research interests moved to enhanced reality heads up displays and wearable computing systems. My current research involves finding a cure for the mind control directed energy weapons fiasco. The integrated global surveillance grid is actually part of the holy grail of weapons and human control systems.

My apologies to the human race for my contribution to tyranny. I was tricked into thinking it would not be misused by corrupt government especially in my beloved country. I was wrong. The Joint Non-Lethal Weapons Directorate has Skip Green on the governing board. One of my old colleagues at a technology think tank in Cambridge partly in charge of the radio frequency weapons testing for neurological disruption now torturing and killing people worldwide. Several other US Navy and UK Navy scientists have been knocked-off and that is why I have come forward. I know my time maybe near. I am currently a professor in computer science and business, helping to educate the public on government corruption, greed, and stupidity. Like my ancestor Lincoln, I am fighting against mental slavery in a new Civil War engineered by the same useless elements in over 80 government agencies who have tested radiological, drug, and viral weapons on unsuspecting Americans for over 45 years.

I have great pride in the fundamental and constitutional values of America and mean no disrespect by my blasting the incompetence, apathy, and stupidity of those involved in the conspiracy of involuntary biological, chemical, and psychotronic human effects testing. There are so many brave men and women serving in the armed forces who fight and protect us for the American values they believe in. But because of the silos of information called compartmentalization in the security agencies and the lack of accountability and oversight of black operations and some top secret projects, diabolical elements become rogue or worse destroying the very country they are tasked with protecting turning it into a hypocracy rather than a democracy.

My goal is to awaken Americans to the continued horrific acts of military and CIA weapons testers in this country and the other branches of government’s inability to stop them and hold them accountable.

All I ask from the reader is to listen to testimony and validate facts presented here and come to their own conclusion. Then fight to win back America from this silent overthrow. This has been my project for about two years, investigating government corruption, incompetence, and cover-up upon which I accidentally stumbled one day while looking at a reverse MRI scheme to inject electromagnetic signals into the brain for virtual reality applications. I have interviewed over two hundred people and worked on the highest level of military projects for the U.S., NATO, and U.K. and have given videotaped testimony to senators and representatives on this topic resulting in lip service since they have no real power to enforce. Two high level FBI agents and a couple CIA agents have come forward to validate the existence of a MKULTRA like project that continues to grab random people for mind control experimentation. Two of these have since become part of the program and endure daily psychotronic tortures. All the torture can be done using directed energy psychotronic weapons with the so called continental ballistic missile surveillance defense grids.

I apologize to the human race for any contribution to these 4th generation weapons that I may have worked on that are more horrific than the nuclear bomb and whose cover-up is more pervasive than the Manhattan Project. And because of the horrific acts of violence being committed on as many as two thousand Americans as far as my research has uncovered and many others in other countries, I understand the extreme risk to my own welfare that publishing this material will have. But freedom is so important to me that I know full heartedly that the human race must have an open discussion on these weapons to decide their own fate before the point of decision is gone, that I am willing to risk divulging so called national secrets. All I offer you is the truth.

All information presented in this book was received through legitimate channels such as the Freedom of Information Act, military documents, victim testimony, and turned agents. I still hold valid the oath I took to keep secret the details of the projects that I worked on under DoD budgets. The majority of the proceeds of this book will go towards helping the psychotronic experiment survivors and surviving families of those that have perished. When the government fails, business and the citizens must look out for each other.”

Dr. Robert Duncan can be heard and seen on TV, the audio and video provided on the DVD1 and DVD2 exhibits.

Furthermore, a US Investigative Service employee name hidden because she leaked classified information to me, can be heard on DVD1 confirming her belief that I was a target, and she confirmed that USIS had documentation on the weapons platform that I claim was used on me. The type of weapons that spy on people “unwittingly” and “without their consent” and which can be used to assault a persons brain and body with radio energy. The clip verifies her statements and a transcript in text document is in the record as an exhibit of the full conversation which actually lasted an hour.

I located a witness, an employee from US Investigative Services in Oregon, who came forward after I told her what I went through. USIS is a military contractor who does background checks for the federal government, for the military, and also does other intelligence work. She told me that they had specifically documents at USIS on the weapon and surveillance tactics I was talking about, and that I was the first one outside of that organization that knew about it. She wanted me to have the information for my lawyer. Besides her husband and now me, she had never even told anyone she worked for USIS having kept it a secret. She obviously thought it was important enough to tell me. She had signed documents and the information was protected by classification. She told me she would be treated like a traitor if she told anyone about the secrets she knew, and could not go into further details besides “confirming this stuff exists.” She hoped I could somehow find a way to get inside the documents USIS had, or get someone else from USIS to come forward about this. Because she was afraid of prosecution, and issues that would impact her life/family. Audio clip of her talking about this is on DVD1 exhibit, and the transcript is also provided in the exhibits.

“1/7/2014:

<clipped, see transcript for full log. Listen to DVD1 for confirmation clip>  
…<USIS\_familiar\_person> But it might be worth checking out to see if there's .. cause I in the literature that we have it says that they're a group um so maybe there's somebody besides <P\_ATTORNEY> to work with. .  
< Todd> yeah, so if you get on my site and you have anything you wanna say about it, wanna look at it. Click on the Russell Tice or Remote Neural Monitoring. There's 17 videos, I got what I say happened. They brought in awesome militarized technology, to do the spying there. I became a target, I got an article I found from 2006 that I found about the technology. Then I got 4 patents, and actual military patents, various patents. One of them says using remote firing devices to uh control the brain or treat things, like depression, alzheimers effects, uh using it for communication, like a spy could be..  
< USIS\_familiar\_person> Unwilling communication.  
< Todd> Uh, yeah..  
< USIS\_familiar\_person> Like using people that haven't given consent basically ..  
< Todd> Yeah, absolutely, because they'd be monitoring your brain waves, and you'd have no clue or control over what they're going to get out of you. So it says using brainwaves as a method of communication, ... "so like if I was a spy in afghanistan, the Pentagon could receive the communications just based on my thought alone .. it's called synthetic telepathy, the patents really complex .. and it's like , you read over it, it's communication and also stimulating the brain with remote firing devices ..  
< USIS\_familiar\_person> I'm vaguely aware of it. I interned with USIS ... in college. US Investigative Services. And saw a few things .. related to that.  
< Todd> You did..  
< USIS\_familiar\_person> Yep. Not things I'm supposed to talk about. I am aware of some of those things. so... \*chuckles\*.  
< Todd> So.. what is your .. so you know about it. That's very.. what do you know? About it? What's your opinion of it. Because.  
< USIS\_familiar\_person> From what I know, .. from what I know of, and that, and this is, I interned with them in .... <MULTI\_YEARS\_EMPLOYMENT>, um.. at that time, it wasn't ... it was just a theory. it wasn't use. they didn't have, they had the concept developed, but they didn't have the method of employment developed yet at that point.  
< Todd> Now who is this place.  
< USIS\_familiar\_person> US Investigative Services. Is a, a contractor, kind of like, but not at all like... but kind of like, it's kind of like on the intelligence side, of like um, uh, they're military contractors. but they do more intelligence then they do combat type stuff.  
< Todd> (excited) so you worked for these guys? and they helped the government, they work with the military and stuff.  
< USIS\_familiar\_person> They basically get paid tons and tons of money .. by the government .... I mean, my particular job was just doing background checks on people who were going into the military. Um.. but different areas of the office I worked for did different things.  
< Todd> Well I'm actually really happy that you have some background .. because, most people I go around and talk to about this, they start off come from a position of not really knowing too much.  
< USIS\_familiar\_person> Right.  
< Todd> And they're like .. some of them know, like <J\_BLANK> knows some stuff about this. He knows a lot of history of the older conspiracy theory type stuff like HARRP, and going back, he knows a lot. He knows about the research. Brain-computer interfaces type stuff, so.  
< USIS\_familiar\_person> Right.  
< Todd> I don't always run into that, so I feel.. I'm just that you know something about it.  
< USIS\_familiar\_person> Yeah, it's kind of fringe sciency type stuff, but it's real .. a lot of people don't believe in it.  
< Todd> Yeah.  
< USIS\_familiar\_person> I know it exists because I've seen it on paper. But um.  
< Todd> Great. Ok. So the patents from 1998, and there's various other patents from 1975. That one mentions using radar systems to analyze brainwaves and another example, provided right in the patent. It says, a doctor could .. without having access to the patient, could get access to their thoughts, and do remote diagnosis, and other things that they can do with this technology. Yeah, so it's amazing. And I'll mention the other patent voice to skull, it uses pulse modulated microwaves which once absorbed into your skin or your bones create little vibrations which travel to the cochlea of the ear which makes it so only you can hear whatever's directed at you. You know, it's kind of like, uh, have you.. the effect that I think it works with, because of vibrations are so tiny, you know... um, the thermal energy, once absorbed, it's only effecting you, kind of like you know those tin can telephones, and you have a string between them for you to hear, kind of long range...  
< USIS\_familiar\_person> It's like invisible string.  
< Todd> Yeah, so, the string would be basically your connective tissue, that's unless you're connected to the person you wouldn't necessarily hear it. So there's a lot of. It's just amazing though, it's called voice the skull and the military is talking about . it's from 1996, it's when the patent was filed. Their idea was using it on like people, to make them hear the voice of god. Trick them into doing things, going onto the battlefield, and making them surrender.  
< USIS\_familiar\_person> Right.  
< Todd> But I think because the military doesn't get a lot of chance to use all this, they just end up using it on society. And there's.. I mean there's like police messing with it, and hurting people. .. They've got.. They've got it developed, and they've been using it for at least the past 10 to 20 years. And it's the ultimate surveillance gathering and messing with people they want to set up.  
< USIS\_familiar\_person> Right. I do know, and it's literally the stuff I can't ever say on the record. Because I've signed stuff that says I will be convicted of treason if I ever repeat anything that I saw. But um, I do know that, and this is something that in this particular um context that is very relevant is don't ever do like the psych experiments, or if they're like having experimental studies and stuff like that, because it's one of the methods they use to test these technologies.  
< Todd> acknowledgement, yea..  
< USIS\_familiar\_person> On people who don't realize ...  
< Todd> Yeah, and I have the idea they could be doing experiments up there, and they're spying on the patients, using them as experimentation subjects.  
< USIS\_familiar\_person> mm-hmmm... and a lot of, .. and it's through Universities on these experimental..  
< Todd> Universities, too? And this goes back to like MKULTRA style stuff back in the 50s, and 60s.. where the CIA was paying a lot of people, like doctors and other people to uh, conduct research experiments of both medications like LSD and radio wave weapons and other things.

<USIS\_familiar\_person> There's a guy who came in back in October .. but I'll see if he can come in, um, his name is <JJ\_BLANK>, his dad was a part of those experiments. Not as like a patient, but as a doctor. Um, and he did stay long to tell me most of his story, but his dad was involved as a doctor in those experiments in the 70s.  
< Todd> Have you spoken with <R\_BLANK> about any of this?  
< USIS\_familiar\_person> Um, just in brief. I have a hard time catching him.  
< Todd> Cause I'm working with him, and I don't now. But it's just amazing that you guys would have some background personally with it, and he might be interested in hearing what you had to know about it.  
< USIS\_familiar\_person> Well, possibly, but I can't really.. talk about it.. too much... I can't tell.  
< Todd> You can't really say too much.  
< USIS\_familiar\_person> I don't want to put myself in front of my family ...  
< Todd> Yeah.  
< USIS\_familiar\_person> ... ...but I have a child and a husband, um but.. I will say that I could confirm that this stuff exists.  
< Todd> Alright, ... well.. I don't have much more.  
< USIS\_familiar\_person> Ok. Well, thanks for stopping by, and please come tomorrow night. We'd be more than willing to have you here and hopefully we'll get some other people to be able to come.  
< Todd> Is the doctor going to be able to be there... cause he could..  
< USIS\_familiar\_person> Um, it's not the doctor, it's the son of the doctor. I have his email address and I'll contact him to see if he wants to show up. He actually reached out to me a few days ago to see if he could help out or volunteer.  
< Todd> Thank you.  
< USIS\_familiar\_person> Yeah, thanks for dropping by.

1/8/2014....  
< Todd> Discussing multiple hours of stuff ... nice convos, covering society, and other shit at a big meeting with a half dozens peeps there.  
< Todd> I got one question. The info you had said about the place, you worked at.  
< USIS\_familiar\_person> mm..hmmm.  
< Todd> That would be very helpful. And I just wondered if there's any.. what is the issue that prevents you from.. Is it NDA, or classified government stuff.  
< USIS\_familiar\_person> well.. 5 security clearance. and multiple documents I signed saying that I would not release any information.  
< Todd> ok, yeah.  
< USIS\_familiar\_person> under penalty of being treated like a traitor. so...... pretty severe to the point where I formally.. like, other than like, you, the only person that I've that even knew that I worked with them, was my husband. that obviously, um...  
< Todd> Well I appreciate it that you came forward with anything to say.  
< USIS\_familiar\_person> I just thought it was interesting that you brought it up because I've never heard anyone else mention it before outside of that organization. so...  
< Todd> Alright, thanks.  
< USIS\_familiar\_person> Sorry <J\_BLANK>...  
< J\_BLANK> It's all good.. I got off easy, they just threatened me with $500,000 and 5 years in prison. I was low level. I was nothing.  
< USIS\_familiar\_person> The census bureau.  
< J\_BLANK> Yeah, haha..  
< Todd> Oh, k..  
< USIS\_familiar\_person> Well, yeah, otherwise I would help you. But I can't.  
< Todd> Yeah I would have to, uh... um, be something, I'm going to look into it some more, maybe talk to you another time or something.  
< USIS\_familiar\_person> Maybe you could find somebody else who's willing to talk from the organization.  
< Todd> Yeah.  
< USIS\_familiar\_person> But I have a family. So.  
< Todd> Well that's interesting none the less.  
< USIS\_familiar\_person> Yeah. But at least you have the name of them now. They're not very well known. If you say USIS, nobody knows who that is. For the most part.  
< Todd> What's the name of them again.  
< USIS\_familiar\_person> USIS, US Investigative Services.  
< Todd> Ok. Alright. I'm going to head out.”

Cathy Meadows a Masters in Psychology, said in her included report:

“In 2008, Todd Giffen reports that, at this time in his incarceration, he began to experience an attack by at

least one remote weapon, which is also a common complaint amongst whistle-blowers. He said that his

heart rate sped up, according to doctor's reports. Also, at this point, he began to hear voices that he says

sound computer generated and not like human voices. This is known as "voice to skull" technology

amongst victims of covert harassment and surveillance.

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Sidebar

"Voice to Skull" is a military term for a weapons technology that many claim is being used on certain

individuals, worldwide, and is in an experimental phase. There are claims that it is being experimented

with on whistle-blowers, prisoners, and minorities in the civilian population, amongst others. If you do

research on the psychological status of the prison population, you will find that there is a much, much

higher percentage of prisoners who develop "psychosis" while in prison now then there was 10 years

ago.

There is no doubt that this technology exists and scientists who developed the technology are quick to

say that it's being used on the general population (Robert Duncan). It has become one of the leading

"conspiracy theories" of our time and has been featured on the hit T. V. show "Conspiracy Theory" with

Jessie Ventura. The name of the episode that it's featured on is entitled, Brain Invaders.

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Todd was released from the Oregon State Hospital in 2010. He continues to suffer the effects of the

traumatic harassment and abuse that he experienced while he was there and he continues to feel the

effects of the remote weapon's attacks. He went into the hospital with a diagnoses of "depression" and

he came out with a diagnoses of "psychotic." Furthermore, he wasn't hearing voices when he entered the

hospital however he was hearing voices when he left and continues to do so.

In conclusion, I found Todd Giffen to be a very out-going, unguarded, intelligent and friendly young

man. He doesn't appear to have any type of psychosis. He told his story sequentially and chronologically

and he was non-tangential and was easily understood. He doesn't appear to have a lot of anxiety at this

point in his recovery. Further, I believe that Todd Giffen is being honest with regards to the abuses that

he suffered while at the Oregon State Hospital. I believe him when he confides that he continues to suffer

with abuses because of his previous attempts to find justice. He was labeled as a "trouble-maker" (most

whistle-blowers are) and punished for it, however, he has helped to change the system for the better and

has instigated investigations into allegations of these types of abuses.

I believe that Todd's allegations should be taken seriously and that he should get any and all help that

can be given to him in order to protect his civil and human rights.”

This expert witness testified to the court in her report, that she believes the allegations I’ve made should be taken seriously and that the court should protect my civil and human rights. The court has not done so. Furthermore, she testifies that I had no sign of psychosis, so that must mean my allegations are true until refuted. The court nor the government has refuted my allegations.

In case the US District Court wanted to investigate this matter further, I obtained the names and information from expert witnesses that would assist in investigating the matter. Including Dr. Colin Ross just one witness and including other people I have mentioned already. In an exhibit provided to the court, Dr. Colin Ross a psychiatrist and expert on Military Mind Control, having worked with previous victims of government mind control and CIA programs and authored books, wrote this to me in an email:

“CIA mind control programs

rossinst@rossinst.com < rossinst@rossinst.com> Mon, Mar 31, 2014 at 8:14 PM

Reply-To: rossinst@rossinst.com

To: Todd Giffen <case@oregonstatehospital.net>

Hi - if a physician emailed me, I could answer a few questions but not likely more than that. I've never

testified in such a case. I'd be willing to consider it if a lawyer contacted me. The main problem, of course,

is getting objective evidence that a given person is in fact a victim of electronic harassment since it is so

deniable and all classified.

My position is that, given the history of experimentation on unwitting civilians with radiation, chemical and

biological weapons, hallucinogens etc, it is not plausible that non-lethal weapons have never been tested

on civilians. As far as how widespread it is, I have no idea.

Dr Ross

From: "Todd Giffen" <case@oregonstatehospital.net>

Sent: Monday, March 31, 2014 3:28 PM

To: "Colin Ross" <rossinst@rossinst.com>

Subject: RE: CIA mind control programs

Do you consult with other doctors if they contact you, and lastly do you think you do paid expert testimony

in court on these subjects?

Also are you familiar with the microwave or EEG heterodyning type mind control and is your belief this

type of weapon and surveillance system (as a remote mind reading/remote sensing app used by the

government to spy on us) is in wide spread use today?

On Mar 31, 2014 12:20 PM, "Colin Ross" <rossinst@rossinst.com> wrote:

Dear Todd,

Hi - I don't have a private practice so I can't help people directly. Educating the public and writing about

mind control is how I help.

Dr Ross

From: todd@strags.com [mailto:todd@strags.com] On Behalf Of Todd Giffen

Sent: Thursday, March 27, 2014 12:49 AM

To: rossinst@rossinst.com

Subject: CIA mind control programs

I was watching Ross's testimony on CCHR about CIA mind control program, MKULTRA.

Mail - CIA mind control programs Page 1 of 2

Do you know about Dr. Robert Duncan? He worked for the CIA/DOD/US DOJ and helped them develop

more modern weapons, using microwaves, which is built into all radar and satellite systems.

Based on Robert Malech's 1974 patent for reading and altering brain wave activity from radar systems, it

was deployed by the DOD/NSA in 1976. This is the basis of modern mind control today, in which peoples

brains are remotely monitored, and psychic attacks and simulated schizophrenia is taken out.

I have Dr. Robert Duncan's testimony and interviews and books on my website, plus my story.

I have emails sent by Dr. Robert Duncan to me on my homepage. Read it here:

http://oregonstatehospital.net/d/drrobertduncan\_responds.pdf

Aaron Alexis was a target of this directed-energy weapons system. More details on these weapons on

my website.

http://www.oregonstatehospital.net/d/russelltice-nsarnmebl.html Got the patents, videos, audio, and

more

I want to know, since you're savvy about MKULTRA... Can you help victims of these weapons attacks?

...

-Todd Giffen

405 W Centennial BLVD

Springfield, OR 97477

503-967-5202

<http://www.obamasweapon.com/>”

I provided on the record both video evidence and transcripts and a letter from Barack Obama’s BioEthics Committee. The BioEthics Committee was established by President Bill Clinton after the investigation he opened called the Human Radiation Experiments Advisory Committee. Mind control victims testified at the hearing, this video is on DVD1 EXHIBIT that was provided to the US District Court. The victims were children kept in cages, raped, dosed with drugs, radiation, tortured, and trained as CIA spys and prositites by their American captures. They tried to split the victims mind into deliberately created mental illnesses and mind control states. The victims testified to Bill Clinton’s committee with their Licensed Social Worker Valerie Wolf who also testified. A video with Bill Clinton acknowledging these acts and apologizing and recommending compensation was provided. He said what was done was wrong. He set up the BioEthics committee to prevent future abuses, so that there would not need to be another Human Radiation Experiments Advisory Committee in 50 years. But in 2011, victims of the same types of abuses I am going through, people being hit with radiation, mind controlled, shocked, tortured, and killed testified to Barack Obama’s BioEthics Committee in New York. Victims actually testified on two separate occasions, March 5th 2011 and May 17th 2011 in person for one hour each time during the “comments” section where the public was invited to comment, victim after victim experiencing attacks presented. July 27th 2011 a letter was sent to the victims indicating that the BioEthics committee was denying the victims help and told the victims the BioEthics committee had no ability to act against criminal issues. They informed the victims Barack Obama’s would be notified and that the information would be passed on. To date, Barack Obama has not acted and has continued to allow the abuses to occur. Here is the letter they sent again, which is also on the record for review:

“PRESIDENTIAL COMMISSION FOR THE STUDY OF BIOETI-IICAL ISSUES

July 27, 2011

Dear Commenter:

We are writing to advise you on our ongoing work and plans for the next meeting of the

Presidential Commission for the Study of Bioethical Issues. We appreciate the time that you

have taken to engage with us.

We would like to clarify for your information that the Commission is not investigating or

reviewing any concerns or complaints concerning claims about targeted individuals. This

includes claims concerning: MK-ULTRA; COINTELPRO; electromagnetic torture or attacks;

organized stalking; remove inﬂuencing; microwave harassment; covert harassment and

surveillance; human tracking; psychotronic or psychotropic weapons and radio frequency or

military weapons or other claims.

As such the Commission will not hear further testimony on these subjects. Many of these issues

have been investigated in the past. The Commission is not a law enforcement, regulatory or

legislative body. It does not control any federal monies. In addition, the Commission has no

involvement with the public or private grants and has no power to open or undertake criminal

cases.

As advisors to the President, we will ensure that all of your concerns, information and testimony

are provided to the White House. We sincerely appreciate your interest in the work of the

Commission and the time you have taken to share your personal history with us.

Sincerely,

Valerie H. Bonham

Executive Director

1425 NEW YORK AVENUE, NW, SUITE C-100, WASHINGTON, DC 20005

PHONE 202-233-3960 FAX 202-233-3990 WWW.BIOETHTCS.GOV”

My neurologist Dr. Stefan Harold reports that I have Chronic Traumatic Encephalopathy is my diagnosis, a condition that’s very hard to get without severe repetitive brain injuries as if I was hurt the way I claimed. Typically only football players get this condition after hundreds of thousands of concussions, but I was no football player. He claims that I suffered multiple insults to my brain while in the custody and care of the Oregon State Hospital, where the military assault and surveillance took place initially. Part of this report from Dr. Stefan Harold is in the record as an exhibit.

The record does not show anything but evidence that I’m a victim of government abuse. Every exhibit backs me up, nothing is entered to contradict any of the exhibits or statements but the judges own fallacy and corruption.

The record has nothing to dispute any of my claims. The trial court’s own judgment says that they didn’t want to “waste everyone’s time” by ordering a response from the other parties, denying me my right to a trial or hearing on the matter. Therefore they made no attempt to verify any of the claims, and no response from the government is entered on the record. Here is a quote of that, from Judge Boone’s Findings and Recommendations Dated October 11th 2014:

“…Under § 2243, it is the duty of the Court to screen out frivolous applications and to eliminate the burden that would be placed on the respondent by ordering an unnecessary answer. Allen v. Perini, 424 F.2d 134, 141 (6th Cir. 1970); see Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254 Cases. The Advisory Committee Notes to Rule 8 indicate that the Court may dismiss a petition for writ of habeas corpus, either on its own motion under Rule 4, pursuant to the respondent's motion to dismiss, or after an answer to the petition has been filed...”

Judge Boone further said this, despite the evidence that contradicts his statements:

“Petitioner's "claims," to the extent that they can be so characterized, are vague, unclear, and, though possibly real to him, patently incredible. Petitioner claims that the United States military has tortured him by sending energy into his body and mind. (Pet. at 1, 15). Petitioner has produced no credible evidence to indicate that the United States has taken any action against him or that he has been the subject of an investigation or convicted of a crime other than his March 13, 2011 arrest. Petitioner has presented no credible evidence that he has suffered from an electromagnetic weapon attack. Petitioner’s 50 exhibits merely show that there may be electromagnetic devices in existence at this time, but there is no evidence that Petitioner has actually been a victim of these devices. (LD2 1-50, ECF No. 4). The documents only reveal that Petitioner has Post-Traumatic Stress Disorder (PTSD) and that he has had repetitive injuries to his brain, but there is no documented correlation between his diagnoses and the alleged attacks. (LD 3-5. 11). Petitioner’s medical exhibits only reveal that he had high tachycardia for five hours during the course of the twenty-four hour observation period at Salem Hospital, but there is no further diagnosis or explanation about the tachycardia. (LD 12). Petitioner’s communications with Dr. Robert Duncan are a series of messages about the alleged use of electromagnetic weapons on the public, but Dr. Duncan never diagnoses Petitioner as a victim of electromagnetic weapons. (LD 13, 23).”

Therefore the court must take everything I stated as fact given there is nothing that disputes my claim on the record. Therefore you must take appropriate action in my favor as if the trial court errored in dismissing my petition.

Due to these mistakes and while the US District Court 9 has failed to act when informed so far, I have suffered even more injuries, and you have given the government complete and utter control over me to do whatever you please.

My brain injury has only gotten worse and worse.

What’s even worse is you attempt to make a crippled, near death, brain damaged, hardly can function, talk, write, etc plead his own case when he otherwise could have been appointed counsel to assist in the process and make sure no mistakes were made and that Petitioners life was looked after and protected, instead you made me do all this myself leaving me to get slaughtered. It makes me want to kill myself how much pain I am in, how much damage they can inflict in just a single day, they’ve been given months and months.

Thanks for not taking appropriate action. Time to replace this bitch of a court system with something that actually works for people. This is not my first go around with this incompetence, as I’ve been trying to get help for years having the court continuously refuse to hear my petitions, dismissing them without checking into my health, safety, and without performing any investigation. The court system is not doing it’s job to protect Americans from government overreach, mass surveillance, or military/intelligence/lawenforcement community abuse. You have failed the citizens of the United States. I will never be able to recover from my brain injury, my memories are wiped, my cognition destroyed. Recall my first petitions from 2013? I could have gotten help then, but I was not helped because of your incompetence. Yes I did appeal to the US District 9, and you did not help me. Those cases are in pacer, on the record.

Thanks to the courts incompetence and failures or flat out corruption and protection of these acts and abuses, no one even knows if I am a victim or not, and no action has been taken if I was a victim. That’s a dangerous mode of operation, where the court will go by fallacy and fantasy rather than demand truth, evidence and hold proper hearings with due process. “Yeah, Petitioner could be getting killed and tortured, but what do I care. Dismissed.”

Attached for good measure is Jed Peterson’s brief in lower court in it’s entirety, both on the record already from the lower court proceedings. None of the lower court judges who saw this or other documents acted knowing fully I was being abused, given how detailed and complete the petition was. Even a lower court attorney agreed. He was state appointed, too. His first thing was to make sure my claims weren’t “meritless” before writing his brief. ☺

Questions: How does the court tell if a persons in danger, without checking or verifying anything? What if a judge or court is corrupt, what kind of outside independent verification do we have, if the courts deny petitioners counsel when they qualify for it? What types of safeguards do the courts have, if they are so willing to bury petitioners and their claims? Doesn’t the US constitution mean something? Don’t citizens need to have some protection from evil deeds?

DATED:

Todd Giffen

3921 Weston Way

Modesto, CA 95356

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