

BADGER FLATS GAZETTE

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L.B. CONFIDENTIAL

The Players

THE MAYOR



Tommy (No Prints) Jones

THE DA



Larry
"No Choice" Morse

THE POLICE CHIEF



Gary
"The Fixer" Brizzee

THE JUDGE



Judge Frank
"Look the Other Way"
Dougherty

THE MAYOR'S MINION



Anthony "The Stooge"
Donaldson

THE PRESS



LBE Reporter Corey
"It's Cuz' We're Black"
Pride

PRINCIPAL



OLF Catholic School,
Connie "Butch" McGhee

THE COUNTY SUPERVISOR



Jerry O'Banion



Gene "The Badger" Forte

L. B. CONFIDENTIAL

By Gene Forte

OFF THE RECORD, ON THE QT & VERY HUSH-HUSH...
(Until the Badger Returned)



A CASE STUDY: THE CORRUPTION GAME

Where Everything Is Suspect, Everyone Is For Sale, and Nothing Is What It Seems...

Are the same players with different names in your town?

PREFACE: I'm Gene Forte, publisher of the Badger Flats Gazette (BFG). I and my family are the subject of death threats issued through a Los Banos High School student of Mayor Tommy Jones, Mr. Anthony Donaldson Bates.

It is my belief that an unbiased investigation will show that the death threats were done with the knowledge, direction, and influence of Jones. Due to information I exposed and submitted to the Fair Political Practices Commission (FPPC), Jones was busted for taking bribes from Ranchwood Homes Developer Greg Hostetler. I

organized a Recall against Jones and dared to report Jones' arrest for the possession of crack cocaine in 1999 when Jones was a Los Banos City Councilman.

The Los Banos Police Department, LB City Council members, the Merced County District Attorney's Offices, and even Judge Frank Dougherty of the Merced Superior Court bench are doing everything within their power to keep a lid on the matter.

The cover-up is aided by the silence of The Los Banos Enterprise that has not printed a word about the death threats to the public.

The attack of Jones and the LBPd upon my family is far reaching. My wife and I were forced by Ms. Connie McGhee, principal of Our Lady of Fatima Catholic School, to remove our children from OLF because we were unwilling to provide a letter saying that the death threats did not exist.

I submit that the irrational letter was suggested to McGhee by OLF parent and police officer, then Commander Gary Brizzee, who I firmly believe is one of the main orchestrators of the cover-up for Jones. Both McGhee and Brizzee have their own self interests at stake and Machiavellian agenda which will be touched upon later.

Please bear with me as I lay some ground work why this has come about and the self interested motives of the parties involved in participating in the cover-up.

THE END

BRUTE FORCE



Los Banos Police Department with Commander (now Chief) Gary "The Fixer" Brizzee (center) at the helm, forcing Forte away from City Hall to prevent him from speaking at the City Council Meeting. Why? They knew Forte was going to play recordings of ex-Chief Knapp and others admitting no investigation was conducted regarding Jones' involvement in the death threats against Forte.



Forward Done Backwards
by Gene Forte

If you are a Badger aficionado, you know this is where I prepare Badgers for what they are about to read. It is the last piece that I write, ergo it's my forward done backwards. It lets me see when I may point something out or add a panel of information to help fill in the gaps.

Writing *L.B. CONFIDENTIAL* was a toughie for me with some surprising twists. I had to strip away any and all concerns about personal attacks or reprisal from folks I grew up with—folks who, by their silent obedient consent, permit Mayor Jones and Crooked Public Officials (CPOs) to reign terror over me and my family.

You will find the reasons why I have to publicly expose parents of Our Lady of Fatima Catholic School (OLF) and parishioners of St. Joseph Church who stood silent on why my children were forced out of OLF by principal Connie McGhee.



It is directly connected to the cover up of the death threats by Los Banos Police Department Commander, bucking for position of Chief, Gary "The Fixer" Brizzee for the concealment of OLF's own dark secret.

The initial title of this issue was a very stark "Citizens' Alert" informing people in about the death threats made against me.

I envisioned it as a meat and potatoes document, with no mocking sarcasm, showing why the corrupt Good ol' Boys of Merced County are panicking due to the evidence I have that could put a whole slew of them behind bars, or at minimum, into public exile.

But, as I started to compile their outrageous arrogance and acts, such as Judge Frank "Look the other Way" Dougherty's statements trying to pull Mayor Tommy Jones' bacon off the griddle, I couldn't do it. Citizens need to know that these CPOs aren't tough guys. They're overgrown bullies that were voted in by a majority of the minority (in other words, not many people) of citizens that vote.

If a bully is popped in the mouth, they will sleaze away and turn on their co-bullies to save themselves. They are cowards through and through. The only thing that keeps them in power is the silent obedient consent given by citizens that are bluffed into thinking nothing can be done to hold them accountable.

The corrupt Good ol' Boys have been forced to take desperate steps to cover for Jones. I believe Jones would be revealed as the perpetrator of the death threats if legitimately investigated...not white washed in two hours by the investigation done by LBPD Commander Gary "The Fixer" Brizzee, who has since been appointed Chief of Police by City Hall.

The cover up of terrorist acts against me by the CPO's law enforcement minions started before the death threats. But, it is the pimple that is about to pop.

FELONIES FOR ATTACKING A JUDGE LOWERED TO A MISDEMEANOR----- WHY?

DA Larry Morse told my wife and I that he could not even investigate the alleged triple felonies I was arrested for (see Pg. 40). Supposedly, I attacked a judge in a courtroom and obstructed justice. Face it folks, if I really attacked a judge in a courtroom in the presence of five Merced County Deputies in February 2009, I'd already be convicted and sitting behind bars. In fact, I bet I wouldn't have been arrested at all, but actually riddled with bullets.



So why did DA Morse lower supposed felonies committed by me in the presence of officers and file only

misdeemeanor charges of resisting arrest, disturbing the peace, and misdemeanor assault?

Was it because I fooled some corrupt public officers into thinking that the officers involved in arresting me succeeded in deleting audio files from my hand held recorder that would prove my innocence? These audio files prove that they falsely arrested me, slammed my head against a door after I was handcuffed, and conspired to file false police reports. The officers involved includes Merced County Deputy Sheriff John Picinich, Leuchner, and Hill, LBPD Officer Anthony Parker California, Highway Patrolman Erickson, Melden, and others.

What else could the CPOs do.....they knew that I had them by what is sometimes called the short hairs.



If Morse didn't file charges, I would be able to sue the LBPD, the California Highway Patrol, Merced County Sheriff's Department for false arrest and police brutality.

The lawsuit would also put coins in my war chest which the CPOs know I would use to throw more public heat on them. No mistake about it, the CPOs do not want me to have money...and it is for that reason I am asking all citizens to help fund my efforts to Badger 'em Down.

Another level of the CPO's concern is that my visibility would lead to other evidence that I have which has put seven judges into retirement in Monterey County. It leads back to C.I.A. Director, Mr. Leon Panetta, who comes from Monterey, and is a member in good standing with the Monterey County corrupt Good ol' Boys.

Who knows? Perhaps disenfranchised citizens who have not voted for years would re-register and come out in droves if I should decide to run for public office....such as for Mayor of Los Banos. (Just threw that in to

(FORWARD, see page 3)

(FORWARD, from page 2)

scare the snot out of the corrupt Good ol' Boys.)

SILENT WITNESS PROVES THE CRIMES OF CROOKED COPS



As an offer of proof of the trouble the crooked public officials (CPO) are in once before a jury, I have included the entire transcript of the audio recording of my arrest of July 21st, 2010. The police perpetrators thought they deleted the audio by pulling the battery out of my recorder. What dummies!

The transcript has never before been made public. The CPOs are still in a state of denial thinking I have been bluffing about having it. Well, as they say in poker as I place my cards face up, Read'em and Weep CPOs... Read'em and Weep.

Compare the transcript, which is backed up by the audio recording, and Deputy Picinich's sworn report that contains blatant lies. [The audio recording is available for listening at www.badgerflats.com]

The sworn police reports of LBPDParker, CHP Erickson, Deputies Picinich, Hill, and Leuchner who participated in the false arrest of me show that they adhered to the adage of, "One lies and the other swears to it."

"The Fixer" Brizzee, who conducted an internal investigation of Parker based upon my complaint to the LBPDP, refused to listen to the recording prior to concluding that my complaint was "unfounded."

Curious coincidence....the FPPC first said that my complaint against Jones was "unfounded" ...but I then took the deposition of Jones, gave it to the FPPC, and made the FPPC eat those words. The FPPC found Jones guilty of breaking conflict of interest laws in January 2010 based upon my complaint.

Frankly, I could care less if "The Fixer" Brizzee eats his words...I want his badge and gun for participating in covering up the death threats that I believe an honest investigation would reveal Jones and his attorney Ratliff made against myself and family. I allege that it was only signed and

delivered by a Jonesler youth, Anthony "The Stooge" Bates. (See THE JONESLER LBHS INDOCTRINATION CAMP, pg. 16.)

CROOKED PUBLIC OFFICIALS FILE RETIALIATORY PROSECUTIONS

Every criminal attorney that I have told of my conversation with Morse can't phantom why Morse would put himself in a position to be so easily found guilty of retaliatory prosecution. Morse openly admitted that he could not file any charges against me due to litigation I had filed against him prior to my arrest in February 2009. So, what would cause District Attorney Morse to risk ruination of his career?



Well, I tell you candidly that public officials for years have used me as a bartering chip to get what they want from other CPOs by agreeing to keep silent about the evidence I have on them. Do I think that Morse did such in this case? Yes I do...but with a twist.

Therefore, I suggest the answer to why Morse filed charges may be wrapped within the riddle why Sonoma County Superior Court Judge Kenneth Gness on December 2nd, 2009 lowered the 12 year prison vehicular manslaughter sentence of DA Morse's 19 year old son, Dylan Morse, to 3 years.

The disparity of the sentence between that of Dylan and that of 20 year old Dos Palos resident, Ms. Aubree Hogue is unsettling. Hogue is now in her 3rd year of a 10.5 year sentence for vehicular manslaughter that was prosecuted behind the scenes by District Attorney Morse.

Commander Brizzee has been announced as being the next LBPDP Chief. Read the excerpts from the LBE article written by Cory Pride accompanied by the photo of Brizzee (see pg. 12). The guy with the stupid grin is none other than Reverend Steven Hammond who is also a LB city planning commissioner aligned with Jones.

Hammond's adopted son is also

sitting alongside Anthony Donaldson in a video that was attached to the death threats sent by Donaldson. Hammond's son who is also African American was not asked if he spoke to Jones about the threats. The LBPDP did not ask any questions of Hammond's son either.

When I say that the Los Banos Enterprise is smearing me and not telling you accurately what is going on, I have proof of it.

Read what Gene Lieb, Publisher of the Los Banos Enterprise, wrote in his commentary (Pg. 16) saying that the citizens of Los Banos owed Mayor Jones an apology for my supposedly calling Jones a lying nigger. Then, read the full context of my speech at City Hall of June 6th, 2009 and what I actually said. Lieb lied to you, plain and simple.



You will find that I did not call Jones a lying nigger. When I say that African American Corey Pride, reporter for the LBE, spreads the false rumor for Jones that I am a racist, I have written proof that he does. Now that's what this little Wop-a-Gee calls one lying negro.

All of you old Italian, or Portuguese closet racists that called and still call African Americans "niggers" behind their backs ought to stop faking that you're now these liberated open minded folks...my own brothers included.

All persons, and I mean all, that I have shared the death threat with immediately says, "That wasn't written by a high school kid." A criminal attorney of 28 years said that a lesser threat she once saw by another person resulted in a felony conviction.

What *L.B. CONFIDENTIAL* shows is that I am being prosecuted not for what I did, but for what I write. What I write is what you need to know to fight back against government corruption when it comes knocking on your door...and it will when you least expect it. You can enjoy reading about the torment that I have been put through without suffering yourself. Help do something to stop it, or I'll pray for you (as the song by Jaron describes). **THE END**

TERRORIST DEATH THREAT (PENAL CODE 422)



On February 24th, 2010, for what I say was in retaliation for my reporting on the crimes of Jones, death threats were emailed to me by a Los Banos High School Student of Jones, Anthony Donaldson Bates.

Bates said that his vowed acts of violence against me were done "out of respect and love for his teacher, Mayor, and close family friend, Tommy Jones". It is my belief that Jones and his attorney, Benjamin Ratliff, authored the letter, and then influenced and directed Donaldson to send it.

In simple terms, I am alleging publicly that Jones and his attorney Ratliff used Donaldson, a juvenile, as a juvenile shield for Jones' criminal death threats against me.

Jones would not be so stupid as to put his own name on the death threat, just as he made sure there were *allegedly no fingerprints* on the bag of crack cocaine he was arrested for in 1999.

(NOTE: Jones is still prosecutable for possession of crack cocaine despite the supposed lack of fingerprints on the bag found in his possession ...except by a crooked DA Gordon Spencer who was forced to retire due to embezzlement.)

See the full text of the death threats as they were sent to me with what I assert are intentional typos included. See page 3 (right).

The death threats were covered up by the Los Banos Police Department, semi-retired Chief Mark Knapp, the newly appointed Chief Gary Brizzee, Detective Townsley, the Los Banos City Council, Merced County Supervisor Jerry

O'Banion, and The Los Banos Enterprise.

On February 25th, 2010, the LBPD Detective Townsley made contact with Donaldson at the LBHS. Donaldson confessed that he had sent them, but he was not arrested.

Townsley also failed to ask Donaldson if he had spoken to Jones about the threats. Townsley failed to question Jones, and did not contact me until I phoned him after the "don't ask



questions you don't want the answer to" investigation of Donaldson.

The joint effort to cover for Jones' crimes is a domino toppling against all participants. It will crack open the long known corruption of the Los Banos Chapter of the Merced County corrupt Good ol' Boys that has been aided by Los Banos residents who vote for them, get favors from them, and many times are related to them.

THE END



WHAT REALLY HAPPENED TO THE \$1.7 MILLION STOLEN FROM LOS BANOS CITIZENS by Gene Forte

Let me just lay it out for you why I think crooked Los Banos public officials are sweating bullets and doing everything in their power to punish me and defame me before citizens.

It's because I don't buy the story that a clerk, Mary Ann Jones stole the money all by herself, and I certainly can prove why the investigators that determined she did cannot be trusted.

The Los Banos Police Department under the direction of Chief Gary "The Fixer" Brizzee" was applauded by now retired Judge Frank "look the other way" Dougherty and District Attorney Larry "No Choice" Morse of conducting an outstanding investigation.

Well, of course, it led away from the real perpetrators that I'm betting are in their own crooked ranks.

It's thieves patting each other on the back while laughing under their breath at citizens buying such a stupid act. I can show that from what they did to me, and what they are doing to me, that they are a bunch of charlatans.

Read the June 11th, 2010 letter to Deputy District Attorney Alan Turner (Pg. 6). Read it carefully and look at the supporting documents that prove that Detective Townsley and LBPD Chief Brizzee covered up the death threats that I say were issued by Mayor Tommy Jones.

Dougherty broke all rules of court to throw out a gratuitous statement that Jones was not connected to the death threats. There was no hearing on the matter. There was no evidence presented either way. Dougherty was just whistling out of his ass. I assert the reason why is that Dougherty is feeling the heat of the Badger moving towards him.

Like I said at the City Council meeting, one of the first bank accounts I would have checked for the missing \$1.7 million is Dougherty's, the next would be

City Manager Steve Rath, Councilman Joe Sousa, Chief Gary Brizzee, Detective Townsley, and of course the dishonorable Mayor Tommy Jones.

Next in line for subpoenas would be the cheaper supporting crooks like Gene Lieb of the Los Banos Enterprise.

While Dougherty pontificated that the Badger was only about me, and what has happened to me, the jack ass proves my point. It is from my own experience and the recorded evidence I have that I can prove there are crooked public officials in Los Banos/Merced County.

Only a fool would believe after seeing how LBPD Chief Brizzee and Detective Townsley let Anthony Donaldson Bates off the felony hook of making death threats to me to cover for Jones would believe those same crooked bastards would not cut off any trails leading to themselves, and their buddies in robbing citizens of \$1.7Million in cold hard cash.

My letter to DDA Turner basically says it all. (Pg. 6-9). Read it and think about it.

THE END

THE DEATH THREAT AGAINST FORTE

(actual content of emails including typos)



Anthony Donaldson Bates



Bates' friend, Reverend Steve Hammond's Adopted Son who was pictured on a video attached to the death threat email. His father is a good friend of Mayor Jones (pictured below).

I swear on my life and my honor if i see Mr. Forte in the streets i will conduct my self in a propper manner and that propper manner will be in such a manner that i knock Mr. Forte back into the past life that he spoke of in this council meeting.

Mr. Forte you are lucky I was not at this meeting because out of respect and love for my teacher, mayor, and close family friend Tommy Jones, I would knock you so hard you would become color blind and lose your ability to speak so you can never again refer to someone in such a racial manner...

Mr. Forte I swear if I ever catch you in the streets, no matter where it might be I will ask you your name, confirm your identity, and proceed, without further warning, to beat the living hell out of you with my bare hands until my fist are bruised and red from my own blood from hitting you so hard.

I do strongly believe in the first amendment which grants all of us as Americans the freedom of speech which allows us to say what want when we want as long as it is in no way threatening to national security but I also believe in what we call in the streets a trial by fury and if I ever see you in the streets that is what you will be granted, and as expected I will be tried for my "wrong doings" in of court and will be sentenced to jail time for the amount of damage I inflict upon you, but I will know I have served you justice for everyone who could not sleep on the night this council meeting took place, everyone who was present at this council meeting and had to hear it, and every young child who watched this on the community channel and was caught in a maze of confusion as our current mayor was called a "lying *****".

I don't know if you Mr. Forte are a man of God but I do know for a fact that if Tommy Jones was not the Christian he is, and is ignorant as you make him out to be, he would have leaped from his chair and served you the beating you deserved. You have some nerve. I am not a the type of person who will make threats over the internet knowing you will never read them, or knowing I will never see you to keep up with the words I have typed in this comment box... no that's not the type of person I am.

instead I hope everyday that I see you because my fists are burning to meet your knose, jaw, eyes, forhead, and cheak bones, and I hope for your sake that you read this or someone reveals this to you so you can prepare and be ready for the fury I will unleash upon you on sight. I put my life on it. No matter where it may be... no matter who you are with... no matter who is present...

I give you my word I will keep up with everything I have stated on this post and you will know how I feel about what has been said. After which I will turn myself in for what I have done and do my time with a smile on my face.

Your fellow Los Banos Citizen, Anthony Donaldson



Mayor Tommy Jones presents his close buddy, Reverend Steve Hammond (left), LB City Planning Commissioner, with an award at the May 5, 2010, city council meeting, for leading the city with prayer.

California Criminal Threats Law

California Penal Code 422

Section 422 of the California Penal Code makes it illegal to make criminal threats (formerly called "terrorist threats"). A criminal threat under California law is a threat of immediate harm made to another person when the defendant intends to, and does, cause fear in the person threatened.

The punishment or penalty for criminal threats in California is up to three years state prison. Criminal threats is also now considered a strike under California's three strikes law.

Merced County
District Attorney
JUN 14 2010

Badger Flats Gazette

June 11th, 2010

Deputy District Attorney Alan Turner
Merced County District Attorney
445 I Street
Los Banos, CA 95340

CERTIFIED MAIL/HAND DELIVERED

Re: Request for the Arrest/Prosecution of Anthony Donaldson Bates for the Violation of Penal Code 422

Dear Mr. Turner:

I write this letter after our conversation of today at the courthouse wherein you told me, my wife and Ms. Barbara O'Neill that Penal Code 422 only applied to threats made in the presence of the person being threatened by the person doing the threatening. It is abundantly clear from the reading of PC 422 that you are grossly incorrect.

Prior to contacting the Los Banos Police Department, I contacted criminal attorneys who informed me after reading the threats issued to me by Mr. Anthony Donaldson Bates who made them "out of respect and love for my teacher, mayor, and close family friend Tommy Jones" provided that *in their legal opinion* they had no doubt that it was a clear violation of Penal Code 422. I will also say that Ms. Barbara O'Neill upon reading the threats said that she knew of a person that was convicted of a felony for a threat that was far less menacing than the one issued by Bates to me.

I have underlined and bolded the sections of the PC 422 that indicate that your interpretation of the code is wholly incorrect.

CALIFORNIA CODES PENAL CODE SECTION 422-422.4

422. Any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement, made verbally, in writing, or by means of an electronic communication device, is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, shall be punished by imprisonment in the county jail not to exceed one year, or by imprisonment in the state prison.

For the purposes of this section, "immediate family" means any spouse, whether by marriage or not, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.

"Electronic communication device" includes, but is not limited to, telephones, cellular telephones, computers, video recorders, fax machines, or pagers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

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688 Birch Court, Los Banos, California 93635
Phone: (209) 829-1116 email: geneforte@badgerflats.com

As you can clearly see from PC 422, there is no provision saying that the threat must be done in the presence of the person threatened. An honest reading of PC 422 indicates quite the opposite, i.e. **in writing, or by means of an electronic communication device.**

My family and I are presently and reasonably in greater fear for our safety now than when the threats were first issued due to the inaction of the LBDP Department which I assert in my Grand Jury complaint is in fact orchestrating a cover-up for Mayor Jones. Anthony Donaldson Bates is a loose canon waiting to go off who now feels empowered by the retaliatory prosecution of me and no doubt with his close family friend and benefactor of the threats Jones boasting that he has an injunction against me when I tried to hold him accountable.

You will find attached the faxes I sent to the Los Banos Police Department on February 24th, 2010 clearly indicating that I wanted charges brought against Bates for violation of PC 422. You will also find attached the narrative supplement by Detective Townsley which intentionally misstates my request saying that I had requested Bates be charged with a 653(m) misdemeanor. I never said such. I never had conversations with Townsley, and I never told any LBDP officer to charge Bates with a PC 653(m). Townsley, after concocting this lie with Commander Brizzee (now Chief), then released Bates back to the custodial care of the Los Banos High School. Bluntly, that is the way that the cover-up was orchestrated by the LBDP and requires that you order an investigation of the investigation conducted by the LBDP.

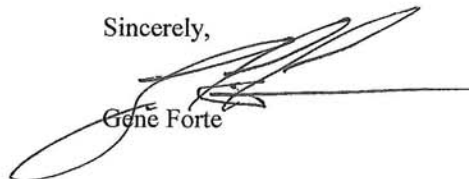
Therefore, I am formally again demanding that you arrest Anthony Donaldson Bates for what is a clear violation of PC 422 and **based upon the fact that he confessed to sending the death threats.** I also request that you investigate the link between Mayor Tommy Jones as the benefactor of the threat made by a juvenile under his custodial care at the Los Banos High School. My family and I are citizens and are due equal protection under the laws. If the arrest is not made, and charges are not filed, it is clear that we are being denied such rights due to the vindictive nature of District Attorney Larry Morse who is your boss and who wants to keep us in fear for our lives.

I request that you confirm to me by speaking with DA Larry Morse that he had informed me and my wife on July 31st, 2009, that your offices could not investigate any charges against me, or file any charges against me due to his being sued by me in the case of Tetra Tech vs. Marion Santos. Please confirm with DA Morse that he informed me that his actions would be considered unethical, retaliatory, and vindictive. You informed me today that you were not "one" of "all his prosecutors" in the DA's offices that DA Morse said agreed with him that there was a clear conflict.

Please respond in writing to me no later than June 16th, 2010 that you have arrested Mr. Bates for my families' protection and that charges are being filed. Until Bates is arrested, our family continues to be in fear for our lives and safety. Both my wife and I are in fear that our daughter who begins high school this year will be in danger from students who may have been friends of Bates and who now feel empowered due to us not being provided equal protection under the law.

You are putting our lives in danger due to political powers that wish to drive us from Los Banos. It is unconscionable and illegal. I will not relent on this matter until we have been provided equal protection under the law for my family's safety. I seriously do not think anyone would blame me or criticize me for the position that my wife and I have taken.

Sincerely,



Gene Forte

cc: B. O'Neill

Attached: Fax to LBDP, Townsley Supplement, Death Threat

Badger Flats Gazette
688 Birch Court, Los Banos, California, 93635
Phone: (209) 829-1116 Fax: (209) 829-1952

Fax

To: Officer Bowling	From: Mr. Gene Forte
Fax: 209-827-7085	Fax: 209-829-1952
Phone: 209-827-7070	Phone: 209-829-1116
Date: 2/24/2010	Pages: 1 (Including Cover Sheet)
Subject: Arrest Anthony Donaldson/422	

Notes: You have infomred me that Commander Breezi has told you not to go out and arrest Anthony Dondaldson. Not acceptable. I demand that for my protection and that of my family that Donaldson be arrested immediately.

California's Penal Code § 422, which states:

Punishment for (Terrorist) Threats Any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person with the specific intent that the statement made verbally in writing or by means of an electronic communication device is to be taken as a threat even if there is no intent of actually carrying it out which on its face and under the circumstances in which it is made is so unequivocal unconditional immediate and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety shall be punished by imprisonment in the county jail not to exceed one year or by imprisonment in the state prison.

BADGER NOTE: Forte clearly states in his fax to Officer Bowling that he wanted Bates charged with a violation of PC 422. Chief Gary Brizzee and Detective Townsley cooked up the scheme of writing in the incident report that Forte only wanted Bates charged with a 653m a misdemeanor so they would not have to arrest Bates and put him on the hot seat to rat out Mayor Jones, who Forte alleges is the real author of the threats. LBPD Officers Bowling and Officer Todd Pricolo have not been named in the Grand Jury complaint filed by Gene Forte. Forte is not out after all LBPD officers, but only the suspected perpetrators Brizzee, Knapp, Townsley, Westbrook, Torongo and Llanez that evidence supports orchestrated the cover up.

INCIDENT REPORT - NARRATIVE

Agency Name:	ORI #:	Report Date/Time:	OCA #:
LOS BANOS POLICE DEPARTMENT	CA0240500	2/24/2010 5:47:27 PM	201003640

Title: 201003640/TOWNSLEY/974/SUPPLEMENTAL
SUPPLEMENT: ON 02/25/2010 AT 0900 HRS BY DET TOWNSLEY

SYNOPSIS:

THE PURPOSE OF THIS SUPPLEMENT IS TO DOCUMENT THE CONTACT OF [REDACTED] AND DOCUMENT THE STATEMENT PROVIDED.

SUPPLEMENTAL NARRATIVE:

ON 02/25/2010 AT APPROXIMATELY 0900 HOURS I RECEIVED THIS REPORT. INFORMATION ON [REDACTED] WAS PROVIDED BY SERGEANT TORONGO. IT WAS BELIEVED THAT HE WAS CURRENTLY AT THE LOS BANOS HIGH SCHOOL. I CONFIRMED WITH SCHOOL STAFF THAT HE WAS IN FACT AT THE SCHOOL. I WAS ABLE TO CONTACT [REDACTED], WHO ALSO GOES BY THE LAST NAME OF [REDACTED]

I CONTACTED [REDACTED] AT THE HIGH SCHOOL AND READ HIM HIS RIGHTS TO WHICH HE STATED HE UNDERSTOOD HIS RIGHTS. I INFORMED HIM OF THE REASON I WAS CONTACTING HIM. [REDACTED] ADMITTED THAT HE WAS RESPONSIBLE FOR THE COMMENTS LEFT ON THE INTERNET SITE. I HAD COPIES OF THE E-MAILS AND SHOWED THEM TO [REDACTED]. HE CONFIRMED THAT THEY WERE THE MESSAGES HE SENT. I ASKED [REDACTED] WHY HE MADE THE COMMENTS. [REDACTED] SAID HE KNOWS AND RESPECTS MR. JONES AND [REDACTED] BELIEVED JONES WAS UNJUSTLY DISRESPECTED. [REDACTED] SAID HE WAS ANGRY AND WAS VENTING THAT ANGER; HOWEVER HE NEVER INTENDED TO HARM ANYONE. AFTER [REDACTED] WAS DONE SENDING THE MESSAGES TO FORTE HE REGRETTED IT. [REDACTED] SAID HE WANTED TO DELETE HIS COMMENTS, HOWEVER HE COULD NOT.

I ASKED [REDACTED] IF HE EVER HAD ANY INTENTIONS OF CARRYING OUT THE THREATS AGAINST FORTE, AND HE SAID NO. [REDACTED] SAID HE DOES NOT EVEN KNOW WHO FORTE IS OR ANYTHING ABOUT HIM, OR WHERE HE LIVES. I INFORMED [REDACTED] THAT FORTE REQUESTED TO FILE CHARGES AGAINST HIM FOR THE THREATS IN VIOLATION OF CALIFORNIA PENAL CODE 653M. DUE TO THE FACT THAT THE VIOLATION IS A MISDEMEANOR, [REDACTED] WAS TURNED OVER TO THE CUSTODY OF THE SCHOOL ADMINISTRATION.

I WAS ABLE TO CONTACT [REDACTED] INFORMED ME THAT HER SON SHOULD HAVE KNOWN BETTER, HOWEVER HE IS NOT A VIOLENT CHILD AND SHE WAS SURPRISED BY THE E-MAILS. [REDACTED] SAID [REDACTED] HAS EXCELLENT GRADES AT SCHOOL AND DOES NOT GET INTO TROUBLE. I INFORMED HER THAT THIS REPORT WOULD BE SENT TO THE JUVENILE PROBATION FOR REVIEW.

CASE STATUS:

CLOSED.

FORWARD A COPY OF THIS REPORT TO JUVENILE PROBATION FOR REVIEW OF THE CHARGE OF PC653M, ANNOYING AND HARASSING.

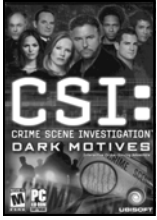
BADGER NOTE: The above incident report by Detective Townsley falsely states that Forte requested Bates be charged with a 653m which is a misdemeanor for basically making a harassing or annoying phone call.

Read the fax (pg. 8) sent to Officer Bowling the night of February 24th, 2010 specifically stating that Forte wanted Bates arrested and charged under the violation of PC 422 which is a felony. Forte had requested such on February 24th, 2010, after speaking to criminal attorneys that said without a doubt that is the crime that Bates committed. Townsley never spoke to Forte prior to closing the investigation on February 25th, 2010. Notice how the report attempts to shadow PC 422, but still can't get around the fact that Bates even though he says he did not intend to carry out the threat would still be guilty of a felony. Was it Bates words, or was it Townsley and Brizzee filling in the gaps for Mayor Jones?

Commander Gary Brizzee, now LBPD Chief, told Officer Bowling not to arrest Bates on the night of February 24th, 2010. Deputy District Attorney Alan Turner said he knew nothing about charging Bates with a 653m. Officer Torongo said it was Turner who said it was a 653M.

Remember that it was Townsley and Brizzee that investigated Mary Ann Jones. Why in the world should you trust anything they say or investigate?

THE WHY.... JONES' MOTIVE FOR DEATH THREATS



In March 2008, I filed a complaint against Mayor Tommy Jones of Los Banos with the Fair Political Practices Commission (FPPC). The complaint alleged that Jones was taking bribes from Ranchwood Homes Developer Greg Hostetler, concealed in the form of undisclosed loans from Hostetler to Jones. The Badger Flats Gazette was credited by national newspapers for breaking the story.

The March 2008 Badger Flats Gazette issue titled, "Three Strikes You're Out," provided evidence of the undisclosed loans. It highlighted that all of the Los Banos City Council members knew about them but kept it hidden to the detriment of citizens and as a favor to Jones for their own political agenda.

Councilman Manuel Faria told me that he feared Jones would say he was a racist if he brought the information to the citizen's attention.

The LB City Council stood silent in contradiction to their sworn duty to citizens. It was and is my position that they all should be ousted and be prevented from holding public office in Los Banos ever again.

On December 3rd, 2009, Jones was contacted by the FPPC and was questioned about the bribes (undisclosed loans) from Hostetler. By January 7th, 2010, Jones had his attorney Benjamin Ratliff file a motion (which he lost) in the lawsuit I have against him for saying that I was a dangerous member of the Ku Klux Klan (I am not).

Ratliff asked that my lawsuit against Jones (not the City of Los Banos) be dismissed because:

- 1) I had filed an unfounded complaint with the FPPC,
- 2) I spoke at City Hall meetings,
- 3) I organized a recall effort against him, and
- 4) My articles in the Badger Flats Gazette paint public officials in a bad light.

On January 14th, 2010, the FPPC found Jones guilty of taking bribes (breaking conflict of interest laws) from Ranchwood Homes Developer Greg Hostetler based solely on information provided and filed by me.

On February 24th, 2010, Jones, who is a teacher at Los Banos High School, influenced his LBHS student, Anthony Donaldson, to send me what is by law considered a terrorist death threat (Penal Code 422). It is a felony

whether or not there was actual intent of following through on the threat. I immediately filed a police report with the Los Banos Police Department.

Donaldson, in the written death threats, said his vowed violence against me and my family were done "out of respect and love for his teacher, mayor, and close family friend Tommy Jones."

When death threats are made for the beneficial interest of someone else, (the beneficiary in this case would be Jones), that person is considered a prime suspect.

LBPB dispatcher Kate Strauch submitted a sworn declaration for Jones to get a permanent injunction against me stating, "Mr. Forte had previously received an email from a former student of Mayor Jones threatening to attack Mr. Forte. The mayor was not mentioned in these emails." She committed perjury.

On February 26th, 2010, after two days of not hearing from the LBPB, I went to meet with Chief Mark Knapp at about 11:00AM with my attorney, Mr. Charles Belkin. Knapp told Belkin and I that the LBPB had made contact with Donaldson at the Los Banos High School. Donaldson confessed to the LBPB that he had sent the death threats.

Knapp said that Donaldson said he was sorry for doing it. Knapp also said that Donaldson's mother had contacted him saying that she feared for her son's life from me and wanted to know the process of taking out a Temporary Restraining Order against me.

During the meeting, I asked Knapp if Donaldson had been arrested. Knapp said he was not sure. I asked Knapp if Donaldson was questioned whether Donaldson had spoken to Jones at anytime about the death threats. Knapp said he did not know.

I asked Knapp if Jones was questioned about the death threats done by Jones' student for Jones' honor and respect. Knapp then said he didn't think so.

When I asked why not, Knapp stood up, said the meeting was over and the investigation had been completed. Knapp said if I was dissatisfied with the result of their investigation, I could file a citizen's complaint with the LBPB (which Knapp, Brizzee, and Townsley would investigate themselves).

I then told Knapp because the LBPB did not enforce the law and arrest Donaldson, they have escalated the danger to me and my family. I also told Knapp that Donaldson, Jones, Ratliff, and any other unknown accomplices would feel they could get away with murder with no questions asked.

By the time I returned to my home around 12:00PM from the meeting with Knapp, I had received two more death threats directly connected to the ones from Donaldson. One of the death threats had a video attached of a series of violent street fights.

Donaldson, in his death threat for Mayor Jones stated,

"I also believe in what we call in the streets a trial by fury and if I ever see you in the streets that is what you will be granted, and as expected I will be tried for my "wrong doings" in of court and will be sentenced to jail time for the amount of damage I inflict upon you..."

There was no further investigation of the new additional death threats.

On the evening of February 27th, 2010, after repeated phone calls to the LBPB about the new death threats, Officer Todd Pricolo read me the completed police report over the phone. Pricolo said he was surprised that I had not been contacted by the LBPB, informed of the results of the investigation, or provided a copy of the report to assuage my family's fears.

It was at that time that I confirmed from being read the police report that Donaldson had not been arrested, and had not even been taken down to the police station for questioning. I also confirmed that Jones had never been questioned.

Donaldson was simply called to the school's office to meet the officers unobtrusively. Bates then admitted to sending the death threats and then told to go back to his classroom. It was the age old police cover-up technique of "don't ask questions you don't want to know the answer to."

Every attorney I have spoken to and every other law enforcement agency outside of Los Banos has said unequivocally that Donaldson should have been and must be arrested, and Jones interrogated. If you doubt that, talk to an attorney or contact another police department.

A homemade video was attached to Donaldson's emailed death threats. The video portrayed Donaldson and his best friend, the adopted son of LB City Planning Commissioner, Reverend Steven Hammond of Bethel Community Church. Hammond's son was not contacted by the LBPB or asked any questions regarding his knowledge of the death threats sent by his best friend Bates.

THE END

THE RETALIATION

SMEAR AND FEAR CAMPAIGN

WAGED BY PUBLIC OFFICIALS AND THE LOS BANOS ENTERPRISE AGAINST ME

The smear campaign against me has a two-fold purpose. It is a better defined as a smear and fear campaign.

The first purpose is to discredit me to the public at large to cover up the death threats made through a Los Banos High School Student for Mayor Tommy Jones.

The second purpose is to instill fear in citizens that public officials and the police force under their control will do the same thing to anyone that stands up to them with me. It is an illusion and a bluff on their part. There are a lot more citizens than there are of them.



The Los Banos Enterprise has not printed a word about the death threats or my being forced back at gunpoint by the LBPd on March 3rd, 2010 so I could not speak at the City Council meeting to tell citizens of the death threats. They have not printed a word about the injunction that was issued against me by Judge Frank Dougherty for Mayor Tommy Jones or the failure of the police to properly investigate the threats.

I have been silent for many months concerning the alleged embezzlement by MaryAnn Jones of \$1.7 Million from the city. I can tell citizens from my direct courtroom experience with Judge Dougherty that, in my opinion, one of the first bank accounts that should be checked is that of Frank Dougherty.

Dougherty ignored blatant perjury on material issues by Los Banos Police Dispatcher Kate Strauch and Pro tem Judge James Padron in their declarations submitted for Jones when Jones sought and was granted a permanent injunction against me by Dougherty.

Mayor Jones said he feared for his physical safety, that I would be violent towards him, because I sat in a car with Marion Santos waiting for the police to show up and arrest Jones on a citizens' arrest. The police did not show, but instead, told Jones we were there. Obviously, Jones was not in

fear of Forte at all or he would have had the police come to his home. When the police did not show, we left.

Dougherty, then out of the blue, based his ruling on perjury. Dougherty knew exactly what he was doing, ruling against the law.

The smear campaign is far reaching and caused my children to be kicked out of Our Lady of Fatima Catholic School on March 23rd, 2010, because Principal McGhee said that my behavior was abusive and against the core Catholic values of OLF.

McGhee did not provide any details of what behavior of mine was abusive. McGhee also did not mention in the letter that she was demanding that we sign a letter saying that the death threats against our children and ourselves no longer existed.

The request for such letter was buried within an email sent to me by Mr. Richard Sexton, Superintendent of Catholic Schools on March 4th, 2010. I didn't read this email until after returning from my hospitalization in Pleasanton, California.

It was done after Ms. Connie McGhee put me under Citizen's Arrest on February 28th, 2010 for alleged trespassing while I was attending and cooking for my child's OLF 6th Grade Fund Raising Breakfast. (See page 19 for more details.)

I emailed a letter on April 20th, 2010 at 4:15PM, to the attorneys (WEAKLEY, ARENDT & MCGUIRE) for the Fresno Diocese. (Page 22).

I also sent copies going to McGhee, Ms. Kathy Nerell (8th grade teacher), Ms. Debra Cabral (6th grade), Mr. Bob Gamel (Father), and to Mr. Richard Sexton, Superintendent of the Catholic Schools.

The letter exposed that McGhee had kicked four families and their children out a few years back because their parents asked questions about lesbian pornographic material discovered on a personal computer donated by herself and her alternate life style partner and housemate, Nerell.



The letter also exposed that the law firm representing the Diocese was the same law firm that had been defending Mayor Jones in my lawsuit against him for the last two years.

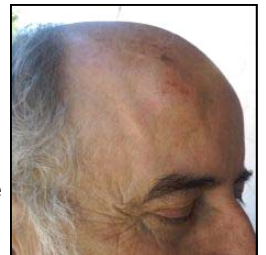
The letter also identified Commander Brizzee, another OLF parent, as a stealth confidant of McGhee. Brizzee admitted that he spoke to McGhee about the death threats of Jones but refused to provide any details.

On the morning of April 21st, 2010, a day after I emailed her my letter, McGhee announced in a newsletter sent home with OLF children that she would not be returning for the next school year.

It is not that the LBPd is covering up for Jones because they like him. Their reasons are double fold.

First, Knapp, Brizzee, Townsley, Torongo, and other LBPd officers are concealing that I was falsely arrested and assaulted while handcuffed by Merced County Deputy John Picinich at the Los Banos Courthouse on July 21st, 2009. LBPd Officer Anthony Parker participated in the false arrest of me. The recorded evidence that I possess show that the officers participating in the arrest thought they had deleted my recording of the incident before they turned my recorder off. (See pg. 29).

After they thought I had no audio recordings, the officers filed false police reports of what took place and willfully lied in unison. (Pg. 34-38 for some examples). Brizzee, in conducting an internal investigation, found my complaint *unfounded* thinking again that I had no recorded evidence to catch them in their lies.



Not only do I have a recording of the arrest on July 21, 2009, but I have another recording of that same day showing that Deputy Sheriff Picinich slammed my head into a door after I was handcuffed and peaceably going with him into the Sheriff's Office. (See injury to head, above.)

Luckily for me, my son had turned on his cell phone recorder after they had turned off my recorder, handcuffed me, and were leading me away.

Oh, the fickle web they weave when they first start to deceive!

The second reason for the cover-up for Jones is the benefit they receive when they can say, "Jones, we know what you did, but don't worry, we'll take care of it, but you have to choose one of us, a LB Good ol' Boy, as the next chief!"

Well, what do you know! On May 7, 2010, the Los Banos Enterprise printed an article talking about the upcoming appointment by the City of Los Banos for the position of Chief of Police — Commander Gary Brizzee! THE END

Scenario of corruption: Feasible? Believable? Sure is!!

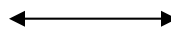
SCENARIO: The now Chief Gary Brizzee, orchestrated a cover-up aided and abetted by officers Townsley, Westbrook, Dolzadelli, Provencio, Torongo and Knapp, of terrorist death threats (PC 422 Felony) made to Forte by Donaldson so that it would not be discovered that Donaldson was acting for Jones. Brizzee falsely classified the death threats as a violation of PC 653m.

MOTIVE 1: Brizzee wanted to be appointed Chief of Police. Brizzee would use his knowledge of Jones being the one behind Donaldson to extort Jones into appointing him Chief. It was announced on May 7th, 2010, that the nationwide search for a new chief was terminated with Jones saying, "*Mayor Tommy Jones said Brizzee was the 'right man at the right time' for the position. Jones denied that the city wasted money searching for candidates out of state.*"

MOTIVE 2: Brizzee conducted an internal investigation of LBPD Officer Anthony Parker's participation with Merced County Deputy John Picinich on July 21st, 2009 in the assault of Forte. LB ADA Turner was prosecuting the case against Forte. DA Morse, ADA Turner, and Sheriff Mark Pazin needed to make sure that Forte did not generate any public support. They needed to malign Forte in every way they could and keep the stress up on Forte.

Friday, May. 07, 2010/LOS BANOS ENTERPRISE

New Los Banos police Chief Gary Brizzee came up through the ranks
By Corey Pride / cpride@losbanosenterprise.com
Los Baños will have a new police chief within the next two weeks



[Excerpts from LBE Article]

"The city has been searching for a new police chief the entire year. In order to continue to qualify for his retirement benefits, Knapp was only allowed to work 960 hours during the fiscal year.

By February, the city had received 42 applications for the police chief position, many from people living outside the state.

Mayor Tommy Jones said Brizzee was the 'right man at the right time' for the position. Jones denied that the city wasted money searching for candidates out of state.

'We wanted to compare him to people from everywhere. And he was the best of all the other candidates,' Jones said.

Last month, Rath said he expected to name a new police chief in June as opposed to his self-appointed April deadline.

'It's more important to find the right individual for the position,' he stated in an e-mail to the Enterprise last month.

Rath released a statement Thursday indicating he now believes he's found the right individual."



Chief Gary Brizzee: The man to the right is Reverend/ City Planning Commissioner Steve Hammond. Hammond regularly leads the prayer at LB City Council meetings. Hammond's adopted son is seen sitting alongside Anthony Donaldson in the video attached to the death threats.



Comment posted on www.badgerflats.com website:

Are you serious? I've known Gary Brizzee since he was a kid. I worked with his sister for years and I know his parents.

Gene, I went to school with you. What are you doing?

Sounds like what you are doing is running an "Enquirer" type newsletter!

All of the Brizzee's are wonderful people. Submitted by Toni Oliver Lamb, (909) xxx-xxxx



Badger's Response:

Hey Toni!

Walk a mile in my shoes. You can think Gary Brizzee is the greatest thing since sliced bread....the evidence I have proves the opposite. Thanks for your comment. Gene Forte



Gene and Eileen Forte's Wedding Party.



Gene Forte and Dr. Carl Galloway, one of his closest friends.

The No Good "Good Ol' Boys"
By Gene Forte

Old time Los Banos natives and church going supporters of Jones are unwilling to blow the whistle on relatives or fellow church members.

Los Banos natives know that I speak the truth. They know that I always have the hard evidence (generally digitally recorded) to back up what I say.

It is also for that reason that many native Los Banosans who are related to LBPD officers, City Council members, or who are church members of some of the culprits guilty of the crimes against me are keeping silent while my family and I are tormented.

As a collective group, they are called the Good ol' Boys. It is a misnomer.

There is nothing good about them. They are evil and cruel to the bone currying favors for each other while they trample upon other citizens' rights who are not socially or politically connected.

The Good ol' Boys' power comes from the votes that are cast by a very small number of Los Banos citizens that do vote.

Jones, an African American, regularly uses the color of his skin to cajole church goers into thinking that Jones is a repentant sinner deserving of forgiveness.

City Councilman Joe Sousa, knowing that the old Italian and Portuguese voters of Los Banos are no longer going to the polls, seeks to cozy up to Jones for his support, hoping to be the next Mayor of Los Banos.

Councilman Manuel Faria and Michael Villalta do the same and jumped on the band wagon to accuse me. There is a dual purpose in their wanting to conceal the crimes of Jones. They need to hide their own crimes committed when they knew Jones was breaking conflict of interest laws at the time it happened, but were afraid to bring it to the public's eye.

When Jones was arrested for the possession of crack cocaine in 1999, Jones said the drugs were planted on him by the LBPD because he was black.



Jones used the same worn out race card trick when he told people that he knew for a fact that I was a dangerous member of the Ku Klux Klan when I wrote about his arrest and questioned whether the police here were crooked as Jones had alleged.

Read on about the self interests of participants in an orchestrated smear campaign against me by the LBPD officers under the direction of semi-retired Chief Mark Knapp, Commander Gary Brizzee, Sergeant Tourongo and Detective Townsley. THE END

JONES' SAYS HE KNOWS FOR A FACT THAT I AM A DANGEROUS MEMBER OF THE KU KLUX KLAN

In May 2007, Mayor Tommy Jones, who is an African American, told me and Mr. Clinton E. Galloway, who is also an African American, and was the best man at my wedding to my Chinese American wife, (see photo above) that Jones "knew for a fact that I was a dangerous member of the Ku Klux Klan."

I gave him a written request to make a public apology, or be sued.

When there was no response from Jones, I then filed a lawsuit against Jones individually, **NOT AGAINST THE CITY OF LOS BANOS.**

The lawsuit against Jones has not been reported to the public by the Los Banos Enterprise. Corey Pride, a reporter for the LBE, is a supporter of Jones and fellow African American.

Pride posted comments on a now defunct Los Banos Blog site that I was a known racist.



THE END

THE LOS BANOS ENTERPRISE, PROPAGANDA ARM OF CORRUPT PUBLIC OFFICIALS

by Gene Forte

*"It's all about the off-white color
of my skin"*

Throughout *L.B. CONFIDENTIAL*, I state how the Los Banos Enterprise (LBE) has slandered and maligned me. Mr. Cory Pride, LBE's token African American reporter, hates me with a passion because I took the race card that African American Mayor Tommy Jones threw at me and crammed it up both Pride's and Jones' ass (pardon the French but derriere just didn't sound right).



Play the Race Card

For those of you who may get their knickers in a knot because I dare to emphasize the color of Jones' and Pride's skin had best wake up and smell the coffee. Or, I suggest you to reserve comment until you read what I actually said at the Los Banos City Council of June 3rd, 2009, and compare it to "Our View" by LBE publisher Gene Lieb, titled "Mayor owed an apology" written on June 6th, 2009. See page 16.

Lieb uses a propaganda technique known as "The Big Lie" by saying that I called Jones a "nigger." I did not. Granted, I did use the word "nigger" that night but Lieb took it out of the context it was used in.

After falsely stating that I called Jones a "nigger," Lieb then rambles without mentioning extremely pertinent facts in my speech leading to my using the word "nigger."

Lieb's propaganda for the no good Good ol' Boys did not mention that I

stated I was a member of an African American family (The Galloways) for 40 years, my best man at my wedding was Clinton Galloway, and that my brother, Carl Galloway, who died in my arms, was standing next to me during the speech.

The intent of Lieb's Commentary was to incite people to hate me, ostracize me from the community, and justify the bad conduct of the LBPD who did not arrest Pride when he assaulted me in their presence after the meeting. The page opposite Lieb's Commentary was "Reporter Subject of Complaint." (pg. 17) When the two articles are combined, it was telling the public at large that it was open season on anyone wanting to batter me or my family.

Lieb's and the LBPD no good Good ol' Boys' strategy worked....but it is now coming back to haunt Lieb.

Anthony Donaldson "The Stooge" Bates' death threats, done for the honor of Mayor Jones, were based upon what Bates said he would have done if he had been at the meeting of June 3rd, 2009. Watch the video of my speech on YouTube. Then ask yourself how in the world Bates, if he has half a brain, could conclude I deserved death threats.

Ask yourself that if Bates was outraged to the point of fanatic terrorism to what I said at a LB Council meeting of June 3rd, 2009, why did he wait nine months until February 24th, 2010 to send me the death threats? Being such a close family friend of Jones', I'm sure Bates heard about it when it happened. I would bet that question was not asked of Bates by that LBPD "The Fixer" Brizzee and ex-LBPD Chief "Don't Ask Questions" Knapp.

(Hint: Jones was found guilty of breaking conflict of interest laws on January 14th, 2010 by the FPPC based upon my complaint..... a motion filed by Jones in the case of *Forte v. Jones* was to be withdrawn by February 26th, 2010, or "No Fingerprint" Jones and "The Rat" Ratliff could be responsible to me for over \$13,000.00.)

Gee, I wonder if that had anything to do with "The Stooge" Bates timing of sending me the death threats?

You might as well know that it has

been confirmed that any letters to the LBE that mention my name, or says anything positive about me are not printed. Give it a try.

With the above said, please read some of the other evidence that suggests that you shouldn't even insult your cats by using the LBE for kitty pan liner.

A special note to Lieb and Pride, please kiss my white ass, and don't accuse me of being prejudiced or racist for saying so....Lieb is white too.



THE END



NEW MUSIC: NAS – 'Be A Nigger Too'

Definition:

In essence, performer Chris Rock defines the word "nigger" to be a black person who lives without pride in themselves, without self-respect and decency in doing the right things. Rev. Rahelio Soleil of "The New Black Magazine" says it's similar to the term "write trash." NAS, above, is calling his new album, "Be a Nigger too."

Question:

Why do African Americans use the word "Nigger" when they hate it so much?



The Galloway Brothers (from left): Glen (Nubbs), Tommy (Brüh), Gene (Gino), Clinton (The Birdman), Elliot (Gorgeous George) and Mr. Ted Egans, a long time and dapper friend of the Galloway clan.

**CITY COUNCIL PUBLIC FORUM
JUNE, 2009**

I AM NOT A RACIST. I DID NOT CALL JONES A LYING NIGGER.

Forte: "My name is Gene Forte. I live at 688 Birch Ct. Please watch that timer Mr. Jones. You made a letter of apology the last time I was here. I was forced out of the meeting by our now ex-chief Gallagher under threat of arrest. I'm glad to see we got rid of that bad apple, but we've still got a few left...Mr. Rath. Everybody else ought to be aware of this.

I have had it beyond limits. First question I'm going to ask you is, you apologized in a letter to me for cutting my minutes short.

Are you willing right now to grant me an additional five minutes on top of these five minutes for what you did before? Yes or no?

If you want to take a break and discuss it with the council, let's do it. Stop that timer right now while you give me that answer please. Mr. Vaughn?"

Mayor Jones: Proceed on with your five minutes.

Forte: "Excuse me, I want to know. Are you going to go ahead and give me an additional five minutes now, yes or no?"

Male in audience: No.

Female in audience: No.

Male in audience: No.

Forte: "Excuse me. You don't have anything to do with this folks. If that's Norm Donovan back there, or whoever's back there...I don't need to talk to the audience. I'm talking to this man right here. Do I get the additional 5 minutes that you cut short before?"

Yes, or no, sir?

William Vaughn: I'm going allow you to reply for five minutes

Forte: "And not the additional five minutes you cut short? That's the subject of the lawsuit. Now, let's go ahead and turn to this flyer prior to it being distributed (Holds up V is for Recall). I want to go ahead and direct you to someone—there's somebody else standing alongside of me at this podium right now.

His name is Dr. Carl A. Galloway, an African-American physician and my brother, who died in my arms in April, 2008. Any of these people here who are not close-eyed will see that I am part of a black family from New York, they are my brothers.

They say that I was probably a black man in a previous life and they killed me then....and if I was black man in this life, they'd have killed me already.

Mr. Jones, when I pick up the paper and I see that Mr. Corey Pride, another African-American over there starts yelling racism at individuals, and you have Mr. Joe Souza, hey Joe, nice conduct. Outrageous sir.

When you throw the race card at somebody, you better be ready to back it up. Because you, Mr. Jones, at the depositions that Mr. Vaughn sat at through, the depositions that were taken on CD.... about the lawsuit that I have against you, *not the City of Los Banos*, for saying that you knew for a fact that I was a dangerous member of a Ku Klux Klan..... You said that to Mr. Clint E. Galloway, another African-American...my best friend for 40 years...my best man at my wedding.... and he signed a declaration saying you said that.

Now, what you say as a black man....you say that the other black man is lying. Why...because he has a white guy as a friend.

Let me tell you Mr. Jones....and I'm going to ask this officer over here (motioning to Chief Fitchie), kindly sir, is that after the meeting, after you finished all of your business for the day and for the city, I'm requesting that he put you under Citizens Arrest on my behalf.

It doesn't mean you got to be locked up, doesn't mean you got to be put in a jail cell. It doesn't mean you got to be handcuffed..., but you're going to turn yourself in.

And if you don't do it sir (motioning to Chief Fitchie), respectfully, you're violating my rights as a citizen. It's my responsibility and my liability. It will all fall upon me. And I don't have to prove you're guilty. Of what?

One for committing perjury during your depositions. Perjury when you said you didn't break conflict of interest laws to the FPPC. Just because the FPPC didn't prosecute you...these people don't know. The FPPC can't prosecute anybody. They got to call the DAs. They're not going to call the DA.

My timer's going. Here's what I got to say Mr. Jones.

Turn yourself in for Citizens Arrest, you (motioning to Chief Fitchie) go ahead and take him in. If it doesn't happen, I'm going to call the National Guard next...and if that doesn't work...I'm going to assemble what will be called the Badger Flats Militia for the peaceful transition and the turning over the government of California to federal authorities.

(PUBLIC FORUM, from page 15)

For my brother here, Carl Galloway here's what he's said and my brothers...you look here folks (holding the V for Recall flyer up).
You all will see who I am with these black people.

They (the Galloways) said, you know, what we'd call you, as we sit around as a bunch of home boys.... "you're one lying nigger Tommy Jones".

And that comes from you lying on another black man.

Go ahead and hiss all you want, that's what it is (to the audience).

If that doesn't hit national TV with channel 47 over there (motioning to camera in courtroom.... Well, it won't because we're going to show why no one wants to have me going in to court with you guys 'cause I'm going to take all you guys down.

Thank you very much. You people don't know nothing.

Mayor Jones: Thank you very much for your comments.

Forte: Yeah, sure.

THE END

POLICE

Reporter subject of complaint

Resident claims he was assaulted

ENTERPRISE STAFF REPORT

A police report was filed following Wednesday night's City Council meeting in which a Los Baños resident claims to have been assaulted by an employee of the Los Baños Enterprise.

Local resident Eugene Forte, publisher of the Badger Flat Gazette, alleges in the report he was assaulted by Enterprise reporter Corey Pride as he attempted to interview Pride inside the council chamber following the Wednesday meeting.

Pride was not arrested but was interviewed by police Thursday morning at the Los Baños police station.

Police officials said the report will be forwarded to the Merced County District Attorney's Office once it is completed.

Pride has been employed by the Enterprise since November, 2004.

- Kim Yancey

OPINION

Friday, June 5, 2009

LOS BAÑOS ENTERPRISE

OUR VIEW

Mayor owed an apology

That Eugene Forte, the publisher of a local newspaper, should stand at a televised public meeting and call the mayor of Los Baños the "N" word is abominable.

The word is beyond disparaging, beyond reprehensible. It is the ugliest, most hurtful word in the English language and holds the full measure of the hatred and bigotry of which this country has been trying to rid itself for generations.

What is even more disturbing than Forte shouting the word in public is that not a soul attending Wednesday's meeting, including the other



GENE LIEB

members of the City Council, stood at the podium and specifically condemned it. Does that mean everyone agreed with Forte's remark? Were they intimidated by Forte's demeanor? What reason could they have for not publically objecting?

It doesn't matter what one may think of mayor Jones'

politics or of him as a person. No one deserves to be called such a name - no one.

Sure, Forte has the right to use such a word but he should be ashamed of himself for doing so. No matter what he thinks of Tommy Jones or the status of his lawsuit against him, he owes the mayor a public apology. So do the rest of us who said nothing to condemn the outburst.

Mr. Mayor, please accept our apology.

Gene Lieb is publisher of the Los Baños Enterprise. He can be reached by phone at (209) 826-3831 or by e-mail at publisher@losbanosenterprise.com

THE JONESLER YOUTH INDOCTRINATION CAMP: LOS BANOS HIGH SCHOOL

*He alone, who owns the youth,
gains the Future!*

-- Adolf Hitler,
speech at the Reichsparteitag, 1935



Preface: If you think that my imagination is running wild as I compare Mayor Tommy Jones and the corrupt Good ol' Boys' influence over the minds of underage voters to Adolf Hitler's indoctrination program.....prepare yourself for shocking surprises that strongly support my contentions. I use, as a piece of evidence, the video of the March 3rd, 2010, Los Banos City Council meeting.

What was said by my wife Eileen, what was said and not said by Anthony Donaldson (admitted issuer of the death threats for Jones), what was said and not said by Jones, what was said and not said by Merced County Supervisor Jerry O'Banion, what was said and not said by LB council members.....all done in the presence of Ms. April Latta's LBHS Government Class students who had accompanied her in support of their fellow government class student, Anthony Donaldson Bates.....should send shivers up your spine. It should also outrage you to the point of demanding that Jones and Latta be removed as teachers from LBHS.

Adolph Hitler would have given Jones and the corrupt Good ol' Boys a hardy, "**Sieg Heil!**", for utilizing Jones' position as a Los Banos High School teacher to indoctrinate future voters to the benefits of living life their way...and under their tyrannical rule. It's a page right out of the propaganda book of Nazi Germany.

Jones is a legend among LBHS

students for getting arrested for the possession of crack cocaine, not being prosecuted for it, suing the city and the police department, and then being elected mayor. But, his dubious heroic exploits didn't end there. Jones was busted for taking undisclosed loans from Ranchwood Homes Developer, Greg Hostetler, but still won re-election.

Jones can now add to his accolades that he can have students sign their names to felony death threats done in his honor, and Jones will not even be questioned about it! Golly gee, what a great role model!

The corrupt Good ol' Boys' using the color of Jones' skin, his influence over juveniles, his unholy alliances with Reverend/City Planning Commissioner Steve Hammond who preaches "God demands you must forgive any of Jones' sins" to voting parishioners, can ward off any attacks for Jones' scandalous conduct and hit their target goal which is to "gain the future" of the City of Los Banos...and Merced County.

The terrorist fanaticism of Donaldson spewed in the death threat "done out of respect and love for my teacher Mayor and close family friend, Tommy Jones," bespeaks of Jones' torrid influence. Bates would have had a shiny bronze Hitler Youth Proficiency Medal pinned on him.



March 3rd, 2010 City Hall OPEN FORUM

What I call the LBHS Jonesler Youth Group, under disguise as Ms. April Latta's Government Class, just happened to be assembled at the March 3rd, 2010 City Council meeting with her in tow. Was it a stroke of luck for Jones and Bates? Or do you think Jones could



have called Latta to goosestep them on down for a Sieg Heil?

Kids going down there on their own to support a classmate is one thing, a whole LBHS government class going to City Hall led by Latta is quite another. Oh, by the way, Bates and the adopted son of Hammond are also part of the class.

You can see the members of the Jonesler Youth Group, I mean Latta's LBHS Government class, laughing while my wife read the death threats from Bates for Jones. (www.badgerflats.com) After my wife read the threats, there was no comment from Jones, or any of the City Council members about it. You should remember that these same city council members didn't say a word about the under the table loans Jones had received from Hostetler either, which they knew about. Why break a winning cover-up formula?

Then came Bates to the podium who read the following from a paper:

"I am here to apologize for the things I posted on Gene Forte's YouTube account.

I did not mean the things I said. I said them out of anger and I let my temper get the best of me. In doing this, I feel that I have dishonored my friends, my family, church members, teachers, along with my teammates and football coaches.



So, I would like to apologize to them also.

I would also like to apologize to all who were indirectly affected negatively by my actions. I am very sorry to all of you.

I'm not doing this as an attempt to dismiss what I did because I did post those comments and it was extremely stupid and immature and I'm very sorry for it.

(JONESLER, see page 18)

(JONESLER, from page 17)

The things I posted were way out of my character and I once again want to apologize to Mr. Forte. Thank you for your time.”

The cameras run by the Jonesler crew zoomed in on Jones who then pursed his lips as if he were about to cry and sniffled as he said a solemn thank you to Bates. It must have been an extremely painful thing for Jones...NOT!

Bates, the little poop head, in his first sentence didn't apologize to me, *he apologized for what he posted on the Badger Flats YouTube*. There is a difference. Next, Bates apologizes to everyone he has embarrassed by his conduct, and closes with a “once again I apologize to Mr. Forte.” Before you can apologize “once again,” there has to be a first time, there was not.

I wasn't in the room to hear it because Jones had taken out a TRO that afternoon against me, and the Gestapo police under commander “The Fixer” Brizzee used that as a ruse to force me to stand in the rain a 150 yards away from City Hall. I had every right to be at that City Hall meeting and to speak at the open mike regardless of the TRO.

The LBDP could have frisked me, and stood right next to me at the podium. It would have been virtually impossible for me to bring any harm to Jones unless I was Rambo on steroids.

The speakers that followed during the open forum didn't mention or make any comment about the threats read by my wife. They acted as if it never happened. Like, hell, what's the big deal...so what?

It wasn't until the end of the meeting after Merced County Supervisor Jerry O'Banion was asked by Jones to say a few words, which he did about nothing, that Jones let his feelings pour out for poor little Jonesler Youth member Bates.

Here is what Jones said:

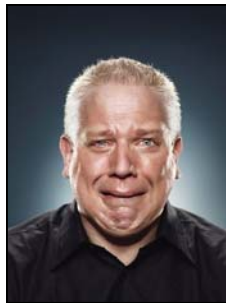
“On the last thing, I want to thank Ms. Latta, she's here and this is her government class that's here with her and I think it is a great experience bringing them.

As I close the night, I want to

thank a young man that came up and made an apology tonight. I don't know about any other senior but I was young once and I didn't always do everything the right way. I remember having a temper and making mistakes too.

But I think it shows a lot and it teaches a lot when you can come and apologize when you do something wrong and ask for forgiveness.

So I want to let him know that I appreciate the fact that he tried to step forward and do the right thing even if he did make a mistake. Okay, with that, the meeting is adjourned.”



The camera then focuses on Jones who now is visibly holding back the tears of sorrow he feels for Bates. What a crock! Talk about a D- acting job.....nothing but a show of unadulterated cheap theatrics.

In summary here is what I believe the meeting shows:

Jones was able to get Latta to goosestep down her LBHS students of a government class to marginalize the death threats by Bates against my family by having them laugh while my wife read them.

Jones was able to keep me out of the room and away from the open mike with the assistance of Brizzee who intentionally overstepped the purpose of a TRO to keep me from revealing that the LBDP were covering up the death threats I believe were actually made by Jones.

O'Banion got up and didn't say a word about the death threats read by my wife, which again, marginalizes what took place to me, and what Jones may be involved with.

No wonder fear grips the parents and relatives of students who attend LBHS, or plan to attend. My own sister-in-law Ms. Virginia Forte was unwilling to stand alongside me at the March 3rd, 2010 City

Council meeting.

In hindsight, she would have wasted a trip because I was prevented from entering. Her excuse for not doing so was that she feared reprisal to her grandchildren who attend LBHS from Jones' fanatical student disciples, and/or friends of “The Stooge” Bates.

In some ways, I can't blame her... but in many, many, more ways I damn well can. The audacity of citizens, including my own brothers and sister-in-laws Joe, Virginia, John (Jr.) and La Verne to cower while I am given death threats is disgusting, and un-American.

Fortunately, my father Johnnie Forte is not alive to see what has happened to his alma mater LBHS, or that my two older brothers have joined the ranks of what I refer to as “Cowardly Lions.”



THE END

INDOCTRINATION

The word "Nazi" has been thrown about a lot lately. A Nazi by definition was any German who was a member of Adolf Hitler's **German National Socialist Party**. The rise of Nazism in Germany started with Hitler's indoctrination of the German youth. Here's why Hitler's strategy was successful.

1. Hitler used his image as a father figure (Jones as mentor and teacher.)
2. Hitler extinguished dissent.
3. Hitler used an organized program to keep his kids occupied.
4. Hitler made certain that children were kept as ignorant as possible.
5. Hitler used the Jews as a focus of blame. (Jones uses racism in accusing others as racist as a focus of blame.)
6. Hitler used a propaganda program. (Jones uses Corey Pride, reporter for the Los Banos Enterprise to control the media and their reporting.)

THE END

FORTE CHILDREN'S FORCED REMOVAL FROM OUR LADY OF FATIMA



The smear campaign is far reaching and caused my children to be kicked out of Our Lady of Fatima Catholic School on March 23rd, 2010. Miss Connie McGhee, the principal, says that their removal was required due to my abusive behavior that was against the core Catholic values of OLF. It is a ruse.

On February 28th, 2010, I went to St. Joseph's hall with my wife and OLF 6th grade son. It was the 6th grade pancake breakfast fundraiser for which I had volunteered to be on the cooking crew, and for which I bought tickets.

I attempted to make the cooking crew parents aware of the death threats that I had received. There were no breakfast attendees there yet, but OLF parent Mr. Mike Palazzo, who says he is the local representative of Senator Jeff Denham, told me that if I wanted to do that, I had to get out.

Palazzo then made fun of me and said I was crazy when I begged

him to listen. An audio recording of the entire event shows that while I read the death threats, Palazzo and other parents were talking over the top of me, laughing, and filling serving trays with food prior to the arrival of attendees.

A letter emailed by me on April 20th, 2010 at 4:15PM, (pg. 22) to the attorneys (WEAKLEY, ARENDT & MCGUIRE) for the Fresno Diocese, exposed that McGhee had kicked four children out a few years back because their parents asked questions about lesbian pornographic material discovered on McGhee's personal computer donated by herself and her alternate life style partner and house mate, OLF 8th grade teacher Kathy Nerell.

The letter also exposed that the law firm representing the Diocese was the same law firm that had been defending Mayor Jones in my lawsuit against him for the last two years.

The letter also identified Commander Brizzee as a stealth confidant of McGhee. Brizzee had admitted that he had spoken to McGhee about the death threats of Jones but refused to provide any details.

Last fall, McGhee had assured all families that she would not be retiring. However, on the morning of April 21st, 2010, McGhee announced in a newsletter sent home with OLF children that she would not be returning for the next school year.

It is not that the LBPD is covering up for Jones because they like him. Their motives were twofold. First, Brizzee and the other LBPD officers are concealing that I was falsely arrested and assaulted while handcuffed by Merced County Deputy John Picinich at the Los Banos Courthouse on July 21st, 2009. The recorded evidence that I possess show that the officers participating in the arrest thought they had deleted my recording of the incident.

After they thought I had no audio recordings, the officers filed false police reports of what took place and willfully lied in unison. Brizzee in conducting an internal investigation found my complaint unfounded thinking again that I had no recorded evidence to catch them in their lies.

Second, in covering for Mayor Jones, Brizzee was rewarded by being selected by the City as the new Chief of Police. Recorded conversations contradict the police reports filed by the police regarding the death threats. (See pgs. 29-38).

THE END

OLF Particulars

You will find the motives of an overwhelming number of Our Lady of Fatima Catholic School parents, such as Mr. and Mrs. Michael and Nicole Palazzo, Mr. and Mrs. Tag and Andree Soares, Mr. and Mrs. Anthony and Karen Forte, Mr. and Mrs. Pat and Lisa Gallichio, and Ms. Anna Stewart, to name only a few, that have stayed silent about Ms. Connie "Butch" McGhee's vindictive and coercive false Citizen's Arrest of me for trespassing.

Ms. Andree Soares is also on the board of supervisor of the Los Banos

Unified School District and fellow eighth grade parent.

What OLF parents have been concealing, out of fear of McGhee's wrath, is that McGhee and the 8th grade OLF teacher, Ms. Kathy Nerell, are closet lesbians that have long lived together and are alternate life style partners. Let me make this clear from the get go, I hold no prejudices against lesbians or gays, but I dare McGhee to be



such a hypocrite and throw my children out of school based on what she alleges was my abusive behavior that was against "core Catholic" values.

When McGhee and Nerell donated their personal computer a few years ago, prior to my children being enrolled, lesbian pornographic material was found on it, and a lesbian pornographic website was listed on its internet favorites list.

When four OLF families asked questions about it, McGhee forced them to remove their children from school.

(OLF, see page 20)

(OLF, from page 19)



After that, Soares and all the other OLF parents lived under the fear of removal of their children if they dared to say anything. It is my opinion that Ms. Soares, who is also a public elected school official, should have known better than to let an out of control private school

administrator such as McGhee treat students and parents as such.

It is this same Ms. Andre Soares that will decide if Jones, a unified school district employee, should be brought to task about influencing his LBHS student to send me death threats. If Ms. Soares can diffuse, or cover up the seriousness of the matter for Jones, it ripples down to covering up the activity of McGhee and the LBPD harassing me for attempting to bring the death threats by Jones to the attention of OLF parents.

At what point does looking the other way and covering up stop? If it were known to parents that McGhee had molested children, would Ms. Soares and the other parents cower in a corner instead of bringing it to the attention of the public and authorities?



It was the intent of LBPD officers and McGhee to harass my family and me by standing over the top of us while we were eating our breakfast. I demanded that they step away from our table after trying to reason with them for 20 minutes. It was a ploy by them to make it seem that it was I who was being harassing and disrespectful to them.

The audio recording of the conversation between me LBPD Officer Reyna, McDonald, and I show that it was the LBPD harassing me during my breakfast.

When I stood my ground, McGhee placed me under Citizen's Arrest for criminal trespassing. LBPD officers told McGhee that they could not arrest me because I had not done anything wrong, but they would if she signed a citizen's arrest form.

It is my contention that Brizzee, also an OLF parent, on February 28th, 2010, advised McGhee to perform an unlawful Citizen's Arrest upon my person for criminal trespass while I was attending my OLF 6th Grader's Benefit Breakfast that I was on the cooking crew for, and that I had purchased a ticket for. LBPD officers called to the scene by McGhee told her that they could not arrest me because I had broken no laws.

The Citizen's Arrest for criminal trespassing was a ruse by Brizzee to conceal that he had covered up LBPD Officer Anthony Parker assaulting me with Merced County Deputy Sheriff John Picinich. It was a ruse by McGhee to conceal that she donated a computer to OLF containing lesbian pornographic

material with her alternate life-style partner, Ms. Kathy Nerell, the OLF 8th Grade teacher, and drove four families out of OLF for asking any questions about it. They knew I was exposing them.

The real motive of McGhee and Brizzee was to remove from the tables 50 copies of the Badger Flats Gazette entitled "Death Threats," and paint me in a bad light to fellow OLF parents and parishioners of St. Joseph's Catholic Church as I was walked out in handcuffs. **THE END**

hyp·o·crite
(hip'ə krait)
Function: *noun*

Meaning:

1. a person who puts on a false appearance of virtue or religion
2. a person who acts in contradiction to his or her stated beliefs or feelings

**If you don't walk the walk
It's probably best not to talk the talk**

JOINT EFFORTS

The joint effort to cover for Jones' crimes will become a domino toppling against all who have participated in it. It will crack open the long known corruption in Los Banos' City Hall, aided by residents who vote for them, get favors from them, and many times are related to them.



Even though I was extremely stressed, tormented by fear for the safety of myself, wife, and children, I am in total control of my mental faculties. I have two back to back police ordered County health mental evaluations to prove it. After the psychological examiners read the death threats, they determined that I was not delusional, the threats were real...and I was justifiably stressed.

Cmdr. Brizzee ordered the first evaluation on the evening of March 5th, 2010. I passed. On March 6th, 2010, when my family fled to Pleasanton, Ca. seeking police protection from another jurisdiction, Brizzee again triggered another evaluation of me through the Pleasanton Police Department. I also passed that one. But, the events which led to it caused me to incur a hospital bill of \$32,000.00. **THE END**



**THE FALL OF
CONNIE "TRENCHBULL" MCGHEE**
by Gene Forte



Speaking bluntly and personally, I could care less if Our Lady of Fatima's now ex-principle Ms. Connie "Butch" McGhee spent 24-7 performing cunnilingus on her lesbian partner, 8th Grade OLF teacher Ms. Kathy Nerell.

What I did take issue with is when McGhee thought that she would conceal her vindictive and un-Christian like attitude by stating that her reason as to why my children had to be removed from OLF was due to my abusive behavior that was against the core catholic values of the church.

What a lying witch. McGhee was ticked off at me because I mentioned in an article in the "Legend of the Lunging Badger" that years ago a faculty member donated a computer with lesbian pornography on it and that parents that brought the issues up were forced out of OLF.

In hind sight, I shouldn't have given McGhee a break then by not mentioning her name..but I did. My letter of April 20th, 2010, to the Fresno Catholic diocese kicked McGhee right in her balls where she long deserved it.

What is more outrageous is the conduct of OLF 8th grade parents putting out the spin that the reason McGhee was leaving OLF was due to McGhee calling Tag Soares a Cry Baby in an email to Carol Etchevarry.

The OLF Parents' purpose in doing so is to deflect away from the bad conduct of Mr. Michael and Nicole Palazzo, Pat Gallichio and Louis Amabile kissing the ass of McGhee when she falsely placed me under Citizens' Arrest for trespassing at my child's OLF breakfast.

If anyone really thinks that McGhee was forced into retirement for calling Tag Soares a Cry Baby, and not for falsely arresting me, and forcing my children from school two months away from my eight grade daughter's graduation, they certainly have more than a few screws loose.



Another purpose for the OLF Parents not wanting to admit that it was I, and I alone, that pushed McGhee into retirement



Our Lady of Fatima School
1625 Center Avenue
Los Banos, California 93635
(209) 826-2709 Fax (209) 826-7320

23 March 2010

Gene Forte
688 Birch Court
Los Banos, CA 93635

NOTICE OF REMOVAL OF CHILDREN

The Parent/Student Handbook of Our Lady of Fatima School states on page 7: *"The pastor and administration reserve the right to require the withdrawal of any family who consistently is non-supportive of school philosophy, policies and/or the administration of the school."*

I am writing to notify you that, effective today, your two children are no longer enrolled at Our Lady of Fatima School. Due to your abusive conduct and failure to cooperate with the school's administration, Rev. Robert Gamel, pastor of the school, and I have decided to require the withdrawal of your children. I will direct the teachers of your children to provide me with any personal items left on campus. These items will be mailed to you. Please return any school property to the school office.

Your final tuition statement will recognize the days your children have not attended school. Your children's academic records will be sent to your children's new school – please provide us the name and address of this school. As required by law, I will be informing the local public school administration that your children are no longer enrolled.

Your behavior is abusive and unacceptable. It violates the core Catholic values of this school and will not be tolerated.

Sincerely,
Miss Connie McGhee
Ms. Connie McGhee, Principal

Cc: Rev. Robert Gamel
Mr. Richard E. Sexton, Superintendent

and her face into the dirt is because it shows that I did what they did not have the balls to do. I promise McGhee that it has only just begun and I will hold her accountable for her actions.

Ms. Andre Soares, as member of the Unified School District Board, knows that the vindictive conduct of McGhee throwing the previous children out years ago and the conduct of McGhee throwing my children out is not acceptable for a school administrator.

Not one eighth grade parent, including Andre, contacted us and asked how our children or we were doing. Not even after they knew of the death threats, and knowing what McGhee did..and they all know precisely what she did.

Andre, when I spoke to her after a little league game our children were playing against each other, only said she wanted to put it all behind (referring to Tag being called a Cry Baby).....with no mention of our

children being forced out of school. What a tormenting thing for the poor self interested Soares'....having to be exposed as cowardly cry babies after kissing the ass of McGhee for all of these years. Remember that when you go to vote for school supervisors in the future.



Where does the covering up of bad conduct stop? If these same OLF parents, including LBUSD Supervisor Soares, knew that Priest Father Bob Gamel was boinking little boys (not saying he is), would they keep their mouths shut so they could continue to sell drive-thru OLF dinners?

If these same OLF parents suspected that McGhee, Nerell, or Debra Cabral were molesting little girls (not saying they are), would they speak up?

What? Do you think that the molesting of children is exclusive to men and not women? Boy, you had better wake up and smell the year 2010!
THE END

Badger Flats Gazette

Tuesday, April 20, 2010

Ms. Leslie Dillahunty
WEAKLEY, ARENDT & MCGUIRE, LLP
(Formerly: WEAKLEY, RATLIFF, ARENDT & MCGUIRE, LLP)
1630 East Shaw Avenue, Suite 176
Fresno, CA 93710

EMAIL

Re: Our Lady of Fatima Expulsion of Noel & Juston Forte
OLF vs. Forte, CV000941
Jones vs. Forte, CV00864

COPY

Dear Ms. Dillahunty:

On the morning of Monday, March 23rd, 2010, at 10:01AM, my wife and I emailed to Mr. Richard Sexton with copies going to Ms. Lane Windecker and Ms. Kathy Nerell. The email requested that we be informed as to why our children were being denied access to their classes at Our Lady of Fatima School.

The letter also documented that Ms. Connie McGhee, who I later found had surreptitiously had Ms. Lane Windecker, and Ms. Kathy Nerell unannounced in the room, told us during the phone conversation that it was my acts that were barring my children from school, not hers. It was during such conversation that Ms. McGhee demanded that we provide some type of a "letter" saying that our children were no longer under threat of violence.

Prudence dictated that the stealth witnesses for Ms. McGhee, be put on notice that we were aware of their potential complicity in any vengeful and desperate acts against me by Ms. McGhee who should certainly be concerned of the matter of her false arrest of me. I also wish to point out that even though I hold no prejudices against lesbians or homosexuals, a reasonable person would doubt the neutrality of Ms. Nerell, who is widely rumored to be the "alternate life style partner" of Ms. McGhee (so much for "core Catholic values"). *The email was NOT sent to Ms. McGhee, it was directed to Mr. Sexton.*

On Tuesday March 24th, 2010 at 6:55AM my wife and I emailed and faxed a letter again addressed to Mr. Sexton and this time to Ms. McGhee (*directed to her under protest*) requesting that we be provided a draft of the letter that Ms. McGhee said was required prior to our children being allowed to attend school.

The letter that Ms. McGhee demanded was to somehow have us state that our children were no longer in danger from the criminal threats of violence received from Mr. Anthony Donaldson Bates who stated that he did it out of respect and for the honor of his close family friend Mayor Tommy Jones.

As you know and as we discussed, Mayor Jones was your client until January 2009, when your former law partner, Mr. Benjamin Ratliff, left your firm, and took the case of *Forte v. Jones* with him to his now sole practitioner law firm. It needs to be also clarified that Mr. Ratliff stills represents Mr. Jones, and in fact obtained a TRO against me and now as an injunction hearing set for April 22, 2010.

Do I think that the two of you are working together in order to disrupt my litigations against Jones and defame me to the public at large? Yes, I do.

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688 Birch Court, Los Banos, California 93635
Phone: (209) 829-1116 email: geneforte@badgerflats.com

What would be your motive you may coyly ask? One motive would be to start to gear up your defenses to cover for the vengeful acts of Ms. McGhee of falsely arresting me and then throwing my children out of school due to my alleged, but yet unspecified abusive conduct, with Mayor Jones singing in the choir.

Our letter of March 24th, 2010 explained that we did not understand why the letter saying our children were not in danger was required, and it requested that we be provided a draft copy of what OLF/Diocese demanded we sign...and for Mr. Sexton to provide us the page and line number in the Diocese's procedure book where it was covered.

Then, at approximately 11:45AM, on March 24th, 2010, we received a box with our children's school items delivered to our door accompanied by a letter dated March 23rd, 2010 telling us that our children were removed from the school due to some unspecified alleged "abusive behavior" by me that were against the core Catholic values of the school.

There was no mention in the March 23rd, 2010 removal letter of any letter that my wife and I had been demanded to sign. We then sent a fax on March 24th, 2010 again requesting to tell us what conduct of mine was abusive. There was no response. *We had no further contact with OLF until April 12th, 2010.*

Then, on April 12th, 2010, we had an email exchange with Mr. Sexton. Mr. Sexton, in response to my emails that day sent at 8:28AM and 9:00AM, requesting a phone call and response to our letter of April 12th, 2010, had his secretary inform us by email at 10:11AM that he would only communicate with us by email or USPS.

Following Mr. Sexton's directive we then emailed at 12:19PM on April 12th, 2010 to him copies of the letters of March 24, 2010 and April 12th, 2010, again requesting that they be responded to concerning the removal of our children, and to identify what conduct of mine was abusive.

Then, at 1:38PM on April 12th, 2010 I was informed by email by Mr. Sexton that I was to have contact with you and your law firm "with regard to the issue of your (my) contacts and actions at the school."

Upon my contacting you according to such directive, you informed my wife and I that you had been trying to serve me with a Temporary Restraining Order for the past 5 days (presumably since April 7th, 2010) preventing me from going to St. Joseph's Parish or making contact with OLF personnel. I want to emphasize that I have not stepped foot on the grounds of OLF since I last picked up my child Noel on I believe March 19th, 2010, nor have I attended St. Joseph's Church since Ms. McGhee enacted her vengeance upon me on February 28th, 2010.

You first told us that you didn't have any knowledge of matters concerning the removal of our children from OLF and only acquiesced to the knowledge of their removal when I read you the removal letter dated March 23rd, 2010 from Ms. McGhee. Candidly, both my wife and I sensed you actually seemed dumb founded, as if you didn't incredibly have any knowledge of our children being removed by order of Ms. McGhee. *You also stated adamantly that you had nothing to do with Ms. McGhee's Citizen's Arrest of me for criminal trespass after I had purchased a ticket for my child's OLF 6th Grade Pancake Breakfast that I was attending, and in fact, was on the cooking crew for.*

I submit that Ms. McGhee false Citizen's Arrest of me was in retaliation for my writing an article about her and Ms. Nerell's donation of a personal computer which was said to have a Lesbian Pornographic Website on its Favorite list in the "Legend of the Lunging Badger" distributed at the 2009 OLF Silent Auction (Contractual right to distribute sponsorship material by \$5,000.00 donation).

Ms. McGhee's past vindictive and retaliatory conduct in dealing with her indiscretions reveals that she ordered the removal of four OLF Families who dared to question the lesbian pornographic connection between her and her rumored closet alternate lifestyle partner Ms. Nerell.

I submit that is what this is really all about. It is no different than the actions of the Catholic Church in concealing the abuse of children by priests. Ms. McGhee being brought out into the light as to what she and Ms. Nerell did to other OLF Parents that dared to raise questions about anything is where the real issues lie. It is all about Ms. McGhee's abusive behavior.

Ms. McGhee, I assert, thought the climate was perfect for an all out attack upon me, which she believed would be supported, and was in fact supported by the efforts of Commander Gary Brizzee of the Los Banos Police Department and who is also an OLF parent. McGhee had me arrested and removed from the OLF Breakfast because she wanted to remove from the ends of tables the Badger Flats Gazette edition entitled "Death Threats" informing citizens of the death threats made upon me by a student of Mayor Tommy Jones...the same thing that the LBPd did not want to have the public know of, which they didn't investigate or talk to Jones about.

Commander Brizzee, along with other LBPd officers, have participated in aiding and abetting the crimes of Mayor Jones and his supporters against me due to their involvement in trying to cover up that their own LBPd Officer Anthony Parker brutally assaulted me on July 21st, 2009, with Merced County Sheriff John Picinich and an officer from the California Highway Patrol.

Mr. Ratliff is well aware of all of the above matters, and for you to try and proffer one day that you and he have never had any conversations about your joint efforts to defame me to the public with tandem TROs is just not going to be believable.

I have very little doubt that when all the smoke settles, it will be readily discernable to neutral parties that Ms. McGhee threw my children out of OLF because she is a vindictive out of control person that "thinks she was revealed." Someone should tell Ms. McGhee and Ms. Nerell to do a reality check. OLF parents have long been tolerant to Ms. McGhee and Ms. Nerell's alternate life style choice even though I can't imagine that very many old time St. Joseph parishioners would believe that their conduct stayed within the "core values" of the Catholic Church.

For the record, it is now April 20th, 2010 and I have not yet been served with the complaint of OLF v. FORTE. It appears that your lawsuit against me, which has not yet been served, was nothing but another attempt to harass and intimidate me from asking questions that must be answered by the Diocese and OLF as to what specific conduct of mine was abusive that required the removal of my children.

With the above said, prudence dictates that due to the bizarre posturing of your law firm's *purported* legal representation of a stealth suit not yet provided to me, or served upon me, your not responding to my previous inquiries, your admitted non-representation of Ms. McGhee's Citizen's Arrest of me for alleged criminal trespass and your firm's relationship with Mayor Tommy Jones and his counsel Benjamin Ratliff, a copy of this letter is being sent to all parties mentioned so that they are on notice that they very well should consider the legal jeopardy that Ms. McGhee has put them in and seek independent legal counsel.

Quite bluntly, even if I were served a lawsuit by OLF and Ms. McGhee, there is nothing that prevents one non-attorney party from communicating directly with an opposing party even when they are represented by counsel. But, we certainly are not even there yet, and I have not yet been provided any evidence of your lawsuit against me, or the basis for it.

I look forward to a response as to what conduct of mine was abusive. Thank you.

Sincerely,



Gene Forte

Cc: LBPd Chief Mark Knapp, B. Ratliff

**LETTER TO ALL RESIDENTS OF
MERCED COUNTY,
HELP BADGER'EM**

Contained within in these pages is the tip of the iceberg of the incestuous corruption in Los Banos that I have put myself in harm's way to reveal.

It was not intentional on my part, but it was necessary for me not to back down. If I did, there be would no solid evidence of public officials covering up the crimes of each other. They have gone too far. The price that I have paid can now benefit every citizen of Merced County and the United States.

If you have ever hoped that you could be part of giving that corrupt cop, or public official, the comeuppance, now is your chance. I am willing with every beat of my heart to continue to Badger'em with the evidence they are trying to conceal, but I need resources, people, and money.

Was the recent promotion of Commander Gary Brizzee to Chief of Police a pay off from Mayor Jones to Brizzee for covering up the death threats? Or, was it was Brizzee extorting Jones and other city officials into giving him what he wanted? Either way, I was used as the bartering chip.

When a corrupt public official knows that I have the goods on one of their compadres, they use that information to get what they want for themselves. There is no mileage for a public official to turn on the corruption they can politically profit from within the corrupt good ol' boys' dark circle.

If you want a clearer understanding how that works, watch "L.A. Confidential." Corrupt cops aren't necessarily creative ...they just watch a lot of movies with corrupt cops in them and mimic what they see.



My strategy in bringing down the corrupt Merced County Good ol' Boys is very simple. Badger'em to the public and force them to explain the unexplainable in my cases such as:

Why, on February 24th, 2009, when I was arrested by Merced County Sheriff

John Picinich for double felonies (\$117K Bail Bond) for allegedly attacking a judge in a Merced courtroom in the presence of six deputies, after supposedly running around chasing witnesses and blocking the doors of the courtroom so people could not leave or enter for over an hour, were the charges lowered to misdemeanors of disturbing the peace?

Perhaps a companion question is why wasn't I shot, tasered, or maced while supposedly terrorizing a courtroom for over an hour in the presence of six armed deputies?

Why, on July 21st, 2009, when arrested by the same Picinich for allegedly again attacking a peace officer in the presence of four other police officers including LBPD Anthony Parker and charged with another felony (\$17K Bail Bond), was it also lowered to a misdemeanor of disturbing the peace?

It was then that Picinich, after having me handcuffed, slammed my head against a solid wooden door to teach me a lesson. Well, it didn't.

All it did was force Brizzee to conduct a cover-up internal investigation finding that my complaint against LBPD Parker was "unfounded." What cooks the goose and fries the eggs of all these nefarious gents is the digital recording I have (that Brizzee was tricked into thinking I didn't have) which prove that Picinich and Parker filed felony false police reports and assaulted me.

The three felony charges were grouped together in September 2009 as misdemeanors of disturbing the peace. Three Merced County public defenders assigned to me have fled saying they had conflicts of interest. The Honorable Judge Frank Dougherty has been letting the attorneys out and moving the cases two weeks out since December 2009.



Do I believe that I have good reason to wonder if the Honorable Judge Dougherty is not so Honorable? Yes, I certainly believe I do!

Court records show that on March 3rd, 2010, Jones' attorney filed two identical

Requests for Issuance of Temporary Restraining Orders against Mr. Marion Santos and me, based upon what Jones alleged were criminal threats of violence against Jones by us, stemming from the same incident, and were put before Dougherty for his signature. Dougherty signed the TRO against me on March 3rd, 2010, but supposedly did not sign the TRO against Santos until March 4th, 2010, the following day (did I hear a shredder in the clerks' office...a very big PERHAPS?)

The TRO was based on the following incident. Santos and I were sitting in a parked car two houses down from Jones' house with our emergency flashers on, waiting for the LBPD to arrive to enact a Citizen's Arrest upon Jones for the death threats.

At no time did we get out of the car or approach Jones' door. We had gone there after the LBPD had taken my request for a Citizens' Arrest at 2:00AM March 3rd, 2010. The LBPD officers told me they were going directly over to arrest Jones. After finding that they lied at about 3:45AM, I contacted dispatch and told them that Santos and I were en route to Jones' residence and would wait for them in our car.

So why did Dougherty sign the TRO against me and hold back the one against Santos?

Sad to say, what followed across the next few days, coupled with information from reliable confidential sources, court filed documents, along with Dougherty having a brain fart during the injunction hearing against me, gives me reason to believe that it was done to give Brizzee, Jones, and the boys time to negotiate a deal with Santos to betray me. Marion has not talked to me since March 5th, 2010.

I have been informed that when Santos was given a head's up about the TRO, either directly from Dougherty or a member of the LBPD, Santos told them that he had over 500 guns, and they would be tagging them for a week.

When I asked Dougherty at my injunction hearing why Santos was not sitting alongside me, Dougherty grinned like a cat who just ate the canary and

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said that maybe something was "worked out" between Jones and Santos.



It is common knowledge to Los Banos citizens in the know that I came to the rescue of Santos about three years ago when he was under attack from the Merced County Department of Health. By applying my investigative skills of smoking out public officials on the



take, I showed Santos how his own attorneys, Somach, Simmons, and Dunn sold him out to Tetra Tech, Inc., a billion dollar remediation firm that his attorneys did not disclose

they had a relationship with.

The long and short of it was that I prevented Santos from being burned for at least \$1.5 million in cash within 30 days of my entering the scene. For more details, you can go online to BadgerFlats.com and read the issues "Silence is Golden" and "The Buck Stops Here."

The arrangement for providing my expertise, pro bono for Santos was no secret. I wrote about it. I agreed to accept loans from Santos to cover all of my living expenses and any costs associated with my work in continuing to build my case against the corrupt Good ol' Boys. This meant that Santos also signed for the printer that the Badger is printed on.

Any payments Santos made on the printer were marked down as loans to me. By doing so, I had no reportable income because I had no income. All I have to show for saving Santos millions of dollars is a financial debt to him of \$324,000.00 accumulated across three years.

To silence any possible gasps from local good ol' boys that would like to somehow assert that Marion Santos was being taken advantage of as to the value of what I bring to any scenario...for the record, the last year that I had an income

from being a professional executive recruiter was \$585,000.00, and I earned it all by myself.

At any rate, I became what I call, a "facilitator of communications" for Santos. I did not provide any legal advice. I am not an attorney. I was not his agent, or employee. Across the three years Santos became accustomed to, and made use of, my unique talents. I was the guy that stopped anyone coming at Santos dead in their tracks.

Santos witnessed and benefited from my reputation that is a well guarded secret of the good ol' boys which is "don't get Forte looking in our direction." It was a sweet deal for Santos....I was like an indentured servant....buried in debt to



him while guarding him in exchange for the money he loaned me. I, being the fool that I sometimes am, trusted that Santos would never sell out a person that had done so much for him.

Court records show that an attorney, Mr. Charles Belkin, who was representing me in the Forte v. Jones sent me a letter on March 4th, 2010 saying that I had fired him on March 1st, 2010.

It was an outright lie. I had just paid Belkin \$3,300.00 on February 26th, 2010, for the month of March, which I had borrowed from Santos. Belkin literally dropped out of sight on March 1st, 2010, to the point that I actually filed a missing person report with the Patterson Police Department where he resides.

Belkin was supposed to provide me with a declaration from our meeting with an FBI Agent which took place on March 1, 2010. We drove back in the car from Fresno on March 1st, 2010, and the 90 minute audio of the trip shows us discussing the next steps in the case and his needing to be present at the LB City Council meeting of March 3rd, 2010. Belkin was to inform citizens that Jones' attorney, Ratliff, on March 1st, 2010, told us that he didn't know anything about the

death threats sent to me by Donaldson out of respect for Jones.

Now, imagine that? All this time, I was pushing forward the issue of the death threats with the LBDP, that I believe were written by Jones and Ratliff and given to Donaldson to send to me with Donaldson's name on them. It is unbelievable that Jones did not discuss it with Ratliff. The only people that would disingenuously believe that would be Ratliff's and Jones' mommies and of course, Judge Frank "look the other way" Dougherty.



Even at that, they would probably spank them in private and send them to their room as OLF Principle, Ms. Connie (Butch) McGhee said in an email she would do to Mr. Trajan (Tag) Soares (Advanced Eyecare Associates) for his being a "whining cry baby."

Belkin also was to file extremely important opposition documents in the case of Forte vs. Jones by March 23rd, 2010, to prevent a default being entered against me by Jones which would have dismissed my case against Jones.



But, instead of doing such, Belkin traveled with Santos and his son, Mr. Michael Santos, behind my back to



meet with a Monterey attorney, Mr. Shawn Mills, that I had arranged to represent Santos in the Tetra Tech case, on March 15th, 2010. Santos then directed Belkin to have Mills dismiss me out of the Tetra Tech case.

By doing so, the Merced County D.A's office and the Merced County

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(BADGER 'EM, from page 26)

Department of Health, Santos' attorneys and Tetra Tech, that I had sued within the lawsuit to reveal the crimes they enacted against Santos, and slandered me, would escape accountability. Santos was able to leverage the evidence I had against the Good ol' Boys I was fighting for him....and Santos was able to get what he wanted.

The benefit to Santos was multi-fold. Belkin and Santos could cut a deal in the litigation, stop providing me loans, and work a deal with Jones to stop the restraining order against Santos which would require him to turn in his rumored 500 guns. Santos got what he wanted.

There are details which lead me to believe that Santos may have stabbed me in the back. Now, feeling that he could be capable of under the table dealings, I need to reassess what Santos asserts was the embezzlement of over \$450K under his nose by an employee of his by the name of Ms. Brenda Sousa.



Santos filed a claim with his insurance carrier and received about \$100K back. But, when I looked at his insurance policy I suggested that he request an additional amount. The request resulted in Santos getting another \$100k. Therefore, he was still allegedly out of pocket about \$250K.

It was in February 2010, when I first found that Santos had not looked to his accountants who purportedly did not catch the embezzlement across four years. Santos' accountant during such time was the O. Ray Sheets Accountancy Firm. It was at that time that I spoke to Ms. Janet Rath, who had purchased the firm from Sheets.

Rath is the wife of Los Banos City Manager Steve Rath, who, under his watch, had \$1.7 Million of city funds stolen supposedly by a low level clerk, Ms. Mary Ann Jones, all by her lonesome. The investigation that concluded such was conducted by the LBPd under the watchful eye of Brizzee and Detective Townsley with search warrants issued by Judge Dougherty.



Conversations I had with the parents of Ms. Mary Ann Jones reveal that Dougherty was very possibly signing search warrants against them that were totally unwarranted. But, it certainly was a good show. Deeds of trust on their home were seized. These deeds were paid for long before their daughter was arrested for supposedly being the sole mastermind of stealing funds under the vigilant watch of Rath and Mayor Jones.

When the LBPd came to the home of Jackie and Elouisa, Mary Ann's parents, they brutalized Elouisa and handcuffed Jackie. The LBPd threw Jackie in their squad car while they searched his home. Afterwards, they took the handcuffs off and let him go.

As I said at a LB City Council meeting of May 5th, 2010, based upon what I now know about what Dougherty did in granting the injunction for Mayor Jones against me, I would suggest one of the bank accounts, along with those of Mayor Jones, Steve Rath, Joe Sousa, Brizzee and Townsley, that should be checked for the missing \$1.7 million should be Dougherty's (in my opinion). Mary Ann Jones only accounted for \$400,000—where is the rest?

Crooked officials really don't expect citizens to be so stupid as to believe that the \$1.3 million still missing can't be found if they look for it in the city's books. What they believe is that citizens are too scared to stand up to them and demand answers.



My opinion is based upon: 1) Dougherty's prejudicial signing of the TRO against me for Jones while holding back the signing of the TRO against Santos, 2) Dougherty trying to slide in a nonsensical statement that there was no probable cause for me to believe that Jones was involved in the death threats when it was not a probable cause hearing, 3) Dougherty ignoring the clear cut perjury of a LBPd dispatcher and that of a pro tem judge James Padron, and 4) then using such perjury to nonsensically rule that an injunction should be granted against me which says I am not to make disparaging remarks about Jones for

three years.

I've attempted to contact Marion Santos on June 16th, 2010. I left a message asking that he call me so I can have resolution in my mind as to why he did what he did. I've told him that I have to sell my classic car to have money to move into another home. Marion knew that in February the owners of the house we had leased for four years had been foreclosed upon. There couldn't have been a worse time for Marion to cut off his support of me.

Or maybe it was the most opportune time by the crooked public officials I was fighting for Santos...if the plan was to break me by having a comrade betray me? I've got to face it that with death threats from Bates for Jones, a smut ball motion by Jones, being falsely put under Citizen's Arrest by McGhee, brutalized by the Pleasanton PD, and McGhee saying my children had to leave school due to me... it was quite a bit for my old ticker to take after being sliced open once before.

I told Marion in the message that I held no ill will toward him I just wanted to know why he did what he did, and why he hasn't spoken to me to tell me why our relationship ended. I would really like to know. Wouldn't you if you were me? Or am I asking too much?

THE END

POLICE BRUTALITY
Because we can.

COWARDLY PEOPLE KNOW: IT CAN HAPPEN TO YOU!....SO WATCH YOUR STEP AND KEEP YOUR TRAP SHUT!!

A Lie is a Lie is a Lie

In February of 2009, the Merced Sun Star Reported that Forte "lunged at a judge" and was arrested with over \$100,000 bail. In reality, Forte had leaned to the side to speak around Deputy Picinich (yes, the one and the same brute), to inform pro-tem judge James Padron that Forte was putting him under a citizen's arrest for obstruction of justice.

That was when Picinich assaulted Forte.

What had happened? Three months prior, the entire Merced County Superior Court had disqualified itself, and a judge out of Stanislaus County, Judge Mayhew, was assigned to the case.

Therefore, Padron had no jurisdiction. Forte informed him and the court of such by filing an objection prior to the hearing, but Padron insisted on keeping the case management conferences under his control. This was the second time Padron did this.

In March of 2010, Mayor Tommy Jones sought a restraining order because he said he felt threatened by Forte. This was based upon Forte sitting in a car down the street waiting for the police to put Jones under arrest based on the citizen's arrest form they had accepted from Forte. (No show by the police.)

Pro-tem judge Padron, an attorney temporarily acting as a judge, filed the declaration (upper right) to support Jones' restraining order. He swears he had to go get the bailiffs who came and threw Forte out of the room into the hallway forcibly, and had to forcibly restrain Forte from attacking Padron over and over until finally, Forte AGAIN lunged at Padron.

According to the police report submitted by bailiff Deputy Sheriff Prock (see right), it was Forte that asked for an escort to Padron's room, Forte who was already in the hallway that asked Prock to come back as he was walking away, and Forte that was sitting on the bench in the hallway peaceably.

Who's lying? Who's committing perjury? It's a felony to commit perjury, and a felony to submit false police reports. Apparently, attorneys lie and judges let them. **THE END**

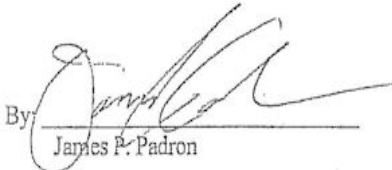
7 3. For my own safety and because Mr. Forte would not leave when asked to do so, I
8 made the decision to leave Room 1202 to summon the bailiffs at the security checkpoints located at
9 the front doors of the courthouse. A number of bailiffs responded and Mr. Forte was forcibly ejected
10 from the conference room into the hallway where he continued his efforts to force his way back into
11 Room 1202 to affect his citizen's arrest on me. Each time that I opened the door of the conference
12 room to announce the next case, Mr. Forte had to be forcibly restrained from attacking me. As I
13 recall, this went on for about an hour until the bailiffs and I decided to request a substitute Judge Pro
14 Tem to relieve me for the morning calendar. When the substituted Judge Pro Tem arrived and I
15 began walking out into the hallway, Mr. Forte again lunged at me in the presence of at least four
16 bailiffs. He was then arrested and removed from the building.

17

18 I declare under penalty of perjury that the foregoing is true and correct.

19

20

21 DATED: 3/12/2010 By: 

22 James P. Padron

23

MERCED COUNTY SHERIFF'S DEPARTMENT
MARK N. PAZIN SHERIFF-CORONER
700 W 22ND STREET
MERCED CA 95340

REPORT - SUPPLEMENTAL

CASE NUMBER: 20090005698 REPORT NUMBER: 4
REPORTING OFFICER: PROCK 5535 TYPED BY: LIBBY 5719

NARRATIVE SECTION

ON 02/24/09, AT APPROXIMATELY 0900 HOURS, I WAS WORKING AT THE FRONT DOOR OF THE MERCED COUNTY SUPERIOR COURTHOUSE. AT THAT TIME I WAS ASKED BY EUGENE FORTE TO ESCORT HIM TO ROOM 1202, CASE MANAGEMENT OFFICE. I ESCORTED FORTE TO [REDACTED] AND THEN PROCEEDED TO RETURN TO THE FRONT DOOR.

THIS IS WHEN I HEARD MY NAME CALLED FROM BEHIND ME. I TURNED AND FOUND FORTE STANDING IN THE MIDDLE OF THE HALLWAY CALLING MY NAME. I RETURNED BACK TO [REDACTED] THIS IS WHERE I MET WITH JUDGE PRO-TEM JAMES PADRON AND HE ASKED TO HAVE FORTE ESCORTED OUT OF THE BUILDING. AT THAT TIME FORTE TOLD ME HE WANTED PADRON PUT UNDER A CITIZEN'S ARREST. WHEN I ASKED FORTE WHAT WAS THE REASON FOR THE CITIZEN'S ARREST ON PADRON, HE REFUSED TO GIVE ME A REASON.

I SPOKE WITH PADRON INSIDE [REDACTED] ABOUT THE SITUATION. PADRON TOLD ME THAT FORTE WAS THERE FOR A COURT CALL AT 0900 HOURS. PADRON SAID FORTE ARRIVED ABOUT FIVE MINUTES AFTER 0900 HOURS. PADRON STATED THAT THE CASE WAS CONTINUED UNTIL 05/26/09. I LEFT [REDACTED] AND INFORMED FORTE, WHO WAS SITTING ON THE BENCH IN THE HALLWAY, THAT I HAD TO TALK TO MY SUPERVISOR.

July 21, 2009 – Forte's Arrest in Los Banos Courthouse

(Audio Transcript 99.9% accuracy needs noise reduction for higher clarity) Listen to the actual audio at www.badgerflats.com/090721_picinich_assault_and_arrest.wav

[Upon arriving at Security entrance: Two female security attendants]

Forte: I don't think you're allowed to drink in there. I'm going to throw it away.

Eileen: No, just take your time. We're so early. Just drink it. Just stand right there and drink it.

Forte:the same door.

Eileen: Drink it or you can give me the cup and I'll put it back in the car. Take five minutes here and we can stand in the shade right here.

Forte: I want to get this over with, hold my cup.

Eileen: Okay.

Attendant: Sir, can I help you?

Forte: What?

Attendant: Can I help you?

Forte: Yeah....come on.

Attendant: Boy, you may take your.....bag up.....before you leave.

Forte: That's a recorder. [Recorder is ON]

Attendant: Where you going?

Forte: Ultimately I'm going inside the courtroom. I know I can't have it on in the courtroom.

Attendants: Yeah, but you have to take it back to your car.

Forte: No, I don't have to take it back to my car. I'm here, and if you're going to have to do that, it's not you personally, what we have to do is, I want you ladies to get out the rule that says this recorder cannot come inside of this building, ok? I need to see that and that is what we are going to do today. That's why we came down here plenty early.

Attendant: What are you talking about?

Forte: You're saying this recorder....

Attendant:cannot come inside the building. [Speaking over Forte]

Forte: [VERY CALMLY] That's not correct. What it can't go inside of...Actually, it can go inside a courtroom, but, it cannot be turned on. That's what the laws are. There is no problem with having a recorder inside any of these areas here, okay?

But it cannot be turned on during a courtroom proceeding. That's what the rule is. [Note: This is a correct reading of the California Rules of Court 1.150]

Attendant: Okay, let me call a Deputy over here.

Forte: Sure. Thank you.

Attendant: Your belt?

Forte: Oh, my belt too.

Eileen: Are you allowed to bring a drink in?

Attendant: No, not in a container.

Forte: Just go ahead and throw it away, Eileen. .89 cents, you can throw it away. You get a great deal, you know, over at Circle K. If you bring your own cup, you can get your own, like you know, iced coffee and they have whipped cream and all the flavorings there. Just like the stuff you get at the, you know, other places, Starbucks – five bucks.

[ATTENDANT IS TALKING TO SOMEONE ELSE— UNINTELLIGIBLE, SOUNDS OF OTHER PEOPLE GOING THROUGH SECURITY GATE, PUTTING ITEMS ON CONVEYOR BELT, ETC.]

Picinich: How're you doing sir?

Forte: Just fine. If I had this, which I am allowed to have inside the courtroom building,

Picinich: Uh-uh....[

Forte: You would be in a lot more trouble than what you are now....

Picinich: ...okay....

Forte: ...inside the lawsuit, because you know what you did to me that day was improper. So, now what I am telling you is....

[INTERMITTENT METAL DETECTOR BEEPS DUE TO FORTE HOLDING RECORDER IN HAND IN FRONT OF HIM & OTHERS GOING THROUGH DETECTOR GETTING BEEPS FOR THEIR ITEMS]

Picinich: Sir, I don't know who you are. [Speaking over Forte]

Forte: Gene Forte? The guy you arrested for a double felony for attacking a judge, remember, you and your buddy Jackowich, remember?

Forte: Do you recall that now?

Picinich: Yeah, ok.

Forte: February 22nd?

Picinich: [STAMMERING] But, you, you can bring that recorder inside the building, but you can't bring it inside the courtroom.

[DEPUTY AFFIRMS FORTE CORRECT, ATTENDANT INCORRECT]

Forte: Absolutely correct.

Picinich: Uuhmm..

Forte: Absolutely correct.

Picinich: Because this is, we have the sheriff's department here, we have, uh, court services here, we have probation here, we have the county recorder here.

[INTERMITTENT METAL DETECTOR BEEPS]

Forte: I know.

Picinich: Okay.

Forte: I can bring this inside of this building. Where I cannot bring it, where I cannot bring it in, I cannot bring it inside the courtroom. Actually I can bring it in the courtroom...

Picinich: No. [Talking over Forte.]

Forte: ...I just cannot....

Picinich: No. [Talking over Forte.]

[INTERMITTENT METAL DETECTOR BEEPS]

Forte: Excuse me, I cannot, see, here's the thing today. You don't have the ability to throw... well, you do have the ability to throw handcuffs on me, but, the last time you did that, my friend, you're still in so much trouble, you don't even know yet.

That's why Larry Morse asked me in front of your boss Mark Pazin, if I would drop everything and not file a lawsuit against you guys. That's not going to happen. So, what I am telling you is this, the rules of the courthouses, this recorder, can be brought in to a courthouse building. It can....

Picinich: This building in specific, yes. Though the, uh, Merced Courthouse, you'd have to check with them.

Forte: Uh, no, actually that one too. It's the same. I've already seen the rules there. We already looked at them one day.

Picinich: What is your purpose here today? Do you want to come in...or..?

Forte: Oh yeah. My purpose is I'm going to come in here today because my son is....

Eileen: It's beeping....the thing [SECURITY GATE]...

[SECURITY GATE BEEPING DUE TO FORTE HOLDING RECORING IN FRONT OF HIM WHILE SPEAKING]

Forte: Excuse me. My, my son is appearing for a traffic ticket.

[BACKGROUND NOISE OF OTHER PEOPLE GOING THROUGH GATE, ATTENDANTS ASKING FOR THEM TO PUT ITEMS ON TRAYS, BUSINESS AS USUAL]

Picinich: Okay.

Forte: So, we are going to be in the courtroom, but I'm not going to have this on in the courtroom.

Picinich: Nope, you're not going to bring it inside the courtroom.

Forte: Let me explain this to you one more time, I'll tell you...

Picinich: Let me explain this to you one more time, you're not bringing that device inside the courtroom.

Forte: Okay, stop. What you are gonna have to do, for you to stop me from bring this court, I can bring this in a courtroom, I can, listen to what I'm gonna say...

Picinich: Sir, you're not....

Forte: Let me finish...

Picinich: You're not bringing it into the courtroom. That's the final answer. [SPEAKING OVER FORTE]

Forte: 5, 4, 3, 2, 1, you finished? Now, let me talk.

Picinich: No, are you finished sir? You're not bringing that inside the courtroom.

Forte: Let me talk, quit over, quit talking over the top of me.

Picinich: Sir, you're not bringing that inside the courtroom.

Forte: Let me tell you this. Let me tell you this. Don't walk, don't take one more step towards me.

Picinich: Sir...

Forte: Back up.

Picinich: Sir, you're sir, you're not taking....

Forte: Excuse me...

Picinich: Sir, you're not taking that...[TALKING OVER FORTE]

Forte: Excuse me, officers? Come here, please. Officer, what's your name, officer?

Parker: Parker.

Forte: Parker. Officer Parker, the Los Banos Police Department?

Picinich: You're not taking that device inside the courtroom. [TALKING OVER FORTE]

Forte: Los Banos Police Department, sir? Okay, would you call Chief Fitchie, if you want. Excuse me? Mr. Picinich, back over here please because I'm not finished talking to you.

Picinich: You're not going to tell me what to do. [SPEAKING LOUDLY OVER FORTE]

Forte: Listen.

Picinich: You're not bringing that inside the courtroom, that's it! [CONTINUING TO SPEAK LOUDLY OVER FORTE]

Forte: Excuse me. Stop. Let me tell you this one more time...

Picinich: You're not gonna tell me anything, sir. You're not bringing that inside the courtroom. [SPEAKING OVER FORTE]

Forte: I'm gonna take a breath. Let me explain this to you again. Go and get then, the rules of court right now. I want to see them that prohibits me from having this recorder....

Picinich: Sir, you're not bringing that inside the courtroom. [SPEAKING OVER FORTE]

Forte: I'm bringing it inside this building.

Picinich: You can bring it inside the building. [SPEAKING OVER FORTE]

Forte: Let me explain this. I'm gonna tell you one more time...

Picinich: You can't bring it inside the courtroom... [SPEAKING OVER FORTE]

Forte: Let me tell you one more time....I'm gonna tell...

Picinich: You can tell me as many times as you like, but you are not bringing that inside the courtroom. [SPEAKING OVER FORTE]

Forte: You finished? Go and get the regulation that says I cannot have this recorder on....

Picinich: I'm not going to go and get any regulations.... [SPEAKING OVER FORTE]

Forte: Quit talking over me, Picinich.

Picinich: Sir?

Forte: Excuse me. You're nothing but a civil servant, and let me tell you, the last time, you're in so much trouble already.

So, let me tell you again. I am speaking loud enough for the people here in this lobby to hear, to hear that I'm asking, I am requesting you to go to contact, if you want, contact Mark Pazin....

Picinich: I'm not going to contact Pazin [TALKING OVER FORTE]

Forte:bring the, bring the book that you have back there, the code book regarding instruments that can be brought into the courthouse and the courtroom.

That's what I want to see now, and I am waiting here to see that.

Picinich: You can wait as long as you'd like sir. But, that's not going to happen.

Forte: Are you refusing to go ahead and tell me which the law is you're telling me that prohibits me from doing this?

Picinich: Yes sir, I am telling you that you are not to bring that instrument in.....

[BACKGROUND NOISE OF ATTENDANTS TALKING TO PEOPLE GOING THROUGH SECURITY GATE UNOBSTRUCTED BY FORTE]

Forte: Are you telling me, are you refusing to tell me what law you are using to prohibit me from bringing a recorder that is turned off inside the courtroom? Now you turned

your back on me. You're sitting over there talking again. [DIRECTED TO CHP]

[ACTUALLY, "SITTING" WAS REFERRING TO CHP OFFICER ERICKSON. PICINICH WAS TALKING TO OTHER OFFICERS INTO HIS MIKE ON HIS COLLAR AND IN THE DIRECTION OF ERICKSON WHO WAS RESPONDING BUT FORTE COULD NOT HEAR WHAT WAS BEING SAID.]

These people should know, this man, along with five other sheriffs, is the one that falsely arrested me inside of a hallway that cost me \$150,000 bail—which by the way, has all been revoked and changed. All changed, because why? DA Morse asked me if I was gonna go ahead and do it. I gotta talk loud enough because...

CHP: (Inaudible)

[SOUNDS OF ATTENDANTS CHECKING PEOPLE THROUGH SECURITY GATE, BUSINESS AS USUAL]

CHP: No you don't...(inaudible)

Forte: Pardon me? No. Here's what I'm gonna have happen. There's plenty of witnesses. Look, what is your name, officer? Excuse me, CHP. What is your name?

CHP: Don't worry about me.

Forte: No, I need to know your name.

CHP: No, you don't.

Forte: Yes, I do. I am requesting you, as a public official officer, to tell me your name. What's your name?

CHP: Its right here, you can read it. [POINTING TO HIS NAME TAG. FORTE STANDING ABOUT 20 FEET AWAY FROM HIM]

Forte: Excuse me. Cell phone. [TALKING TO SECURITY ATTENDANT WHILE GOING THROUGH METAL DETECTORS.]

[FORTE HANDS ITEMS TO SECURITY AND GOES THROUGH METAL DETECTOR.]

[PICINICH WAVES WAND OVER FORTE.]

Fine, Picinich.

Excuse me, move out of the way so I can get that other officer to take his picture. [FORTE SPEAKING TO PARKER AND HILL. FORTE TRYING TO TAKE PICTURE OF UNKNOWN CHP]

You gonna do that? [No response, just a stare.]

Would you please move so I can get, never mind. [THEY DIDN'T MOVE OR RESPOND, JUST STARED BACK.]

Hey Picinich, did Sheriff Pazin talk to you yet about what you guys did?
[NO RESPONSE FROM PICINICH]

I think that's a no, huh?

[BACKGROUND NOISE OF PEOPLE GOING ABOUT THEIR BUSINESS, LAUGHING, TALKING]

[SOUND OF REPEAT ECHO FROM UNKNOWN RECORDER OTHER THAN FORTE'S REPEATING FORTE SAYING...NEVER MIND]

Okay, let me make this clear to you, excuse me. I'm bringing this tape recorder in, but I'm not going to bring it inside of the courtroom. Is that okay with you now?

Picinich: You're not allowed to bring a tape recorder inside the courtroom, that's correct.

Forte: Yeah, but I can bring it in here, open area. And I'm going to request, I'm going to send a letter to you specifically and your watch commander requesting you to provide the line in the book and the reason why I'm making such a big deal about this, if I had this recorder when you guys did what you did to me, you would be in more trouble than you are right now. The surveillance tapes disappeared from the cameras upstairs. You're in trouble.

[NOISE FROM SECURITY AREA, UNINTELLIGIBLE]

Forte: ...just a second. Which one's which? [TALKING TO ATTENDANT]

Picinich: You need the, uh, make sure that the tape recorder stays outside, sir.

Forte: Let me ask you, Picinich. When you went ahead and assaulted me that day, how did that make you feel?

Picinich: [Talking over Forte] I never...I never assaulted you, sir.

Forte: What did you do?

Picinich: Sir, I never assaulted you.

[PICINICH STARTS WALKING TOWARD FORTE FROM ABOUT 12 FEET AWAY]

Forte: Stand back. Do you want to try it again?

Picinich: Sir?

Forte: You see what's he's doing?

[TALKING TO OFFICERS PARKER, HILL, ETC., AND WITNESSES]

Picinich: You need to move.

[STATING THIS WHILE WALKING DIRECLTY TOWARD FORTE WITH 4 FEET OF OPEN SPACE ON EACH SIDE OF FORTE]

Forte: This is what he did before.

Picinich: You need to move.

[STATING THIS WHILE WALKING DIRECLTY TOWARD FORTE]

Forte: Stand back.

Picinich: Sir, you need to move.

Forte: Don't encroach upon my personal space. Back off.

[PICINICH NOW STANDING WITH HIS FACE WITHIN 4 INCHES OF FORTE' FACE]

Picinich: I am trying to enter the courtroom, you need to move please.

[COURTROOM DOOR 35-40 FEET FROM FORTE'S BACK]

Forte: You have bad breath.

Picinich: You need to move.

[PICINICH GRABS FORTE'S LEFT HAND WITH PICINICH'S LOWERED RIGHT HAND, THEN BUMPS FORTE WITH HIS RIGHT SHOULDER WHILE PULLING FORTE'S LOWERED LEFT HAND TOWARD PICNICH]

Forte: See that!? He just touched me. Ow! Did you see that!? Did you see that!? What he did to me, did you see that!? Did you see that!? Did you see this!? Did you take a picture? Get your hand off that recorder! Get your hands off that recorder!

[WHEN PICINICH DID THE GRAB AND BUMP FORTE, FORTE WAS HOLDING HIS RECORDER WITH HIS RIGHT HAND IN FRONT OF HIM. FORTE TOOK A SMALL STEP BACK WITH HIS RIGHT FOOT REVEALING THAT IT WAS PICINICH WHO HAD HOLD OF FORTE'S LOWERED LEFT HAND PULLING FORTE. PICNICH THEN STARTED TWISTING FORTE AROUND WHICH WAS WRESTED FROM FORTE'S HAND BY CHP ERICKSON]

Picinich: Come over here.

[FORTE WAS NOT RESISTING ANY MOVEMENTS EXERTED BY PICINICH. IT WAS PICINICH EXERTING PRESSURE AND TWISTING FORTE AROUND LIKE A RAG MUFFIN BECAUSE FORTE WAS NOT PUTTING UP ANY RESISTANCE TO PICNICH]

Female CHP: Take him down! Take him down!

[CHP PEGGY MELDEN COMES RUNNING FROM THE COURTROOM ENTRANCE ABOUT 35 FEET AWAY YELLING]

Forte: Take him down? Folks. Ouch! Excuse me. Let go of me, I will go peacefully with you. Please, people, let me go!! Let me go!!

[THE RECORDING SHOWS THAT THERE WAS AN INCREDULOUS TONE IN FORTE'S VOICE LIKE HE COULDN'T BELIEVE THIS WAS HAPPENING]

Eileen: You're hurting him!

Forte: Let me go! I am not going to fight you!

Eileen: Stop!

Forte: Let me go!

Eileen: He's not violent!

Forte: I am not fighting you! Eileen, get that recorder! He's trying to erase the recorder.take that recorder away from him....

[CHP ERICKSON WHO WOULD NOT PROVIDE HIS NAME EARLIER GRABBED THE RECORDER FROM FORTE'S OUTSTRETCHED HAND. ERICKSON THEN IS SITTING ON THE BENCH, ABOUT 2 FEET AWAY FROM FORTE, FUMBLING WITH THE RECORDER BUTTONS TRYING TO DELETE THE FILE.

ERICKSON WAS SMILING AT FORTE WHILE OFFICER PARKER WAS PUSHING HIS KNEE ON FORTE'S LEFT SIDE OF HIS HEAD AND GRINDING IT SO FORTE'S EAR WAS LACERATED AGAINST THE GROUND AND STARTED BLEEDING PROFUSILY.]

] Eileen: Gene, try to relax. Where's the recorder?

Female CHP: Step back.

Forte: (unintelligible) Eileen! Get the recorder! He's trying to.....he's trying to....

Eileen: Okay. Relax Gene, relax. Relax Gene. It's okay. He's not going to hurt anybody! Stop it!

Female CHP: Get back please.

Forte: You bastards....you bastards. There I said it twice.

Eileen: Did you see what he did? He went like this to my husband and then attacked him saying that he had moved, he didn't move. The same thing he did at the Merced County courthouse.

Forte: ... Picinich, you're so in much trouble....

Eileen: I was watching him to make sure he's okay, I'm not going to touch anybody.

Female CHP: Get back.

Officer: Relax....

Eileen: I want to see my husband. He has a heart condition, he had open heart surgery. Please. That's not necessary.

[SOUNDS OF OFFICERS LAUGHING]

Forte: Please.... Eileen, turn on the recorder! Turn on the camera! Take a video!

Picinich: Let's go. On your feet sir.

Forte: See the blood on the floor right here?

Picinich: Roll over.

Forte: Hey!

Picinich: Roll over.

Forte: Excuse me.

Picinich: Roll over.

Forte: Call, call Dan Fitchie.

Officer 1: Is that drugs?

Forte: Los Banos Police Officer?

Officer 2: No, this is the recorder right here, Sergeant Smith.

Forte: Look at you,huh?

Officer: How do you turn it off?

Picinich: On your knees sir. Come on, roll up.

Male voice: He can't move...

CHP:we need to make any money? I refused to continue to look at him. [OFFICERS LAUGHING AND PLOTTING OUT THEIR STORY TO SUPPORT PICINICH.....]

Officer: We need to look at it...

Forte: Who're you?
[RECORDER STOPS, OFFICERS PULLED BATTERY OUT OF BACK THINKING IT WOULD DELETE RECORDING]

THE END

July 21, 2009 – transcript of recording after Gene Forte was handcuffed and was taken into the Sheriff's Office. The recording taken on Forte's son's phone as he stood by the security area just beyond the metal detectors.

[unintelligible noise from security area/lobby.]

Forte: [From within the Sheriff's Office] What are you doing to me!!? What are you doing to me!!?

[unintelligible noise from security area of courthouse.]

[Loud bang/thump heard.]

Forte: Ow!! You banged my head against the ... Ow.....!!

Security: [speaking to Mrs. Forte, pointing to the floor where baseball cap, recorder and sun glasses were laying] Want to get your property....Ma'am, you want to come get your property please?

COMPARE RECORDING TRANSCRIPT TO POLICE REPORTS.

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MERCED COUNTY SHERIFF'S DEPARTMENT
MARK N. PAZIN SHERIFF-CORONER
700 W 22ND STREET
MERCED CA 95340

RECEIVED

AUG 18 2009

MERCED COUNTY DISTRICT CLERK

REPORT AREA: 08 REPORT TYPE: FELONY ARREST REPORT
CASE NO: 20090023282 REPORTING OFFICER: PICINICH 5224
SECTION-CODE: PC69 CLASSIFICATION: OBSTRUCT/RESIST EXECUTIVE
INCIDENT DATE/TIME FROM: 072109 1010 TO:
REPORT DATE: 072109 REPORT TIME: 1010 TYPED BY: DAVIS 5705
LOCATION OF OCCURRENCE: 445 I ST LOS BANOS

ARREST/BOOK/CITE SECTION
INVOLVEMENT: ARR REPORT DATE: 07 21 09
NAME: FORTE, EUGENE ESMOND
ADDRESS: 688 BIRCH CT
CITY: LOS BANOS STATE: CA ZIP: 93635
SSN: 572747186 DLN: S0876433 DL STATE: CA
DOB: 02 26 52 SEX: M WGT: 215 HGT: 510
EYES: BRO HAIR: GRY RACE: W PHONE: 209 829-1116 PHONE TYPE: H
CII: VEHICLE STOP RELATED: N
CHARGE: PC69 WAR-NUM: CITE-NUM:
REMARKS: EVIDENCE TAG

ADDITIONAL CHARGE SECTION
CHARGE: PC148(A)(1) CHARGE LEVEL: M CLEARED CASE NUM:
ARREST WARRANT#: ORIGIN:
REMARKS:

ADDITIONAL OFFICER INVOLVED
OFFICERS NAME: ERICKSON, REID ID/BADGE #:
AGENCY: CALIFORNIA HIGHWAY PATROL PHONE:

ADDITIONAL OFFICER INVOLVED
OFFICERS NAME: MELTON, PEGGY ID/BADGE #:
AGENCY: CALIFORNIA HIGHWAY PATROL PHONE:

ADDITIONAL OFFICER INVOLVED
OFFICERS NAME: ORTEGA, MARIA ID/BADGE #:
AGENCY: MERCED COUNTY SHERIFF'S DEPART PHONE:

ADDITIONAL OFFICER INVOLVED
OFFICERS NAME: PARKER, T ID/BADGE #:
AGENCY: LOS BANOS POLICE DEPARTMENT PHONE:

ADDITIONAL OFFICER INVOLVED
OFFICERS NAME: HARR, STACY ID/BADGE #:
AGENCY: PROBATION PHONE:

ADDITIONAL OFFICER INVOLVED
OFFICERS NAME: GARCIA, JASON ID/BADGE #:
AGENCY: PROBATION PHONE:

PROPERTY SECTION
INVOLVEMENT: EVD DATE: 07 21 09

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Recording shows that Forte was not yelling as reports state.

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CAT: P ARTICLE: PAPERS BRAND: Make: MODEL:
SERIAL NO: OAN:
DESCRIPTION: 1-1 COURT CALENDER FOR VALUE: \$0.00
TYP-CAT: CALIBER: OFFICER: 5224
REMARKS: 07-21-09

NARRATIVE SECTION

ON 07-21-09, AT APPROXIMATELY 1000 HOURS, I WAS CONTACTED OVER THE RADIO BY SECURITY SCREENING ATTENDANT ORTEGA, C-10, AT THE FRONT DOOR OF THE LOS BANOS COURTHOUSE. WHEN I ARRIVED AT THE FRONT DOOR, EUGENE FORTE WAS STANDING THERE DEMANDING ENTRY WITH A RECORDING DEVICE. FORTE YELLED AT ME SAYING THAT I WAS IN SO MUCH TROUBLE. FORTE WAS AGITATED AND LOUD, DEMANDING ENTRY. FORTE HAD BEEN TOLD BY THE SECURITY SCREENING ATTENDANTS THAT RECORDING DEVICES WERE NOT PERMITTED INTO THE COURTROOM. I TOLD FORTE HE COULD COME INTO THE BUILDING WITH THE PHONE AND RECORDER, BUT HE WOULD NOT BE ABLE TO ENTER THE COURTROOM WITH THOSE DEVICES.

Forte did not demand entry.



INSIDE THE LOBBY WERE CALIFORNIA HIGHWAY PATROL OFFICERS REID ERICKSON, PEGGY MELTON AND LOS BANOS POLICE DEPARTMENT T. PARKER. FORTE YELLED AT THE CALIFORNIA HIGHWAY PATROL OFFICERS TELLING THEM AS PUBLIC OFFICERS THEY, ERICKSON AND MELTON, SHOULD CONTROL ME. FORTE YELLED AT LOS BANOS POLICE DEPARTMENT OFFICER, PARKER DEMANDING THAT HE GET HIS POLICE CHIEF OVER HERE. FORTE THEN YELLED AT ME TO GET PAZIN AND MORSE OVER HERE TO CONTROL ME. FORTE CONTINUED SCREAMING AND YELLING INSIDE THE LOBBY AND THEN MOVED TO THE SIDE OF THE SCREENING STATION, PULLED OUT HIS CELL PHONE AND RECORDER AND BEGAN TO ATTEMPT TO RECORD THE CALIFORNIA HIGHWAY PATROL OFFICERS AND LOS BANOS POLICE DEPARTMENT OFFICERS AWAITING ENTRANCE INTO THE COURTROOM.

Control Picinich? Didn't demand any such thing.



I STEPPED APPROXIMATELY THREE FEET IN FRONT OF FORTE AND TOLD HIM TO PUT THE PHONE AND RECORDING DEVICES AWAY. FORTE AGAIN YELLED AT THE CALIFORNIA HIGHWAY PATROL OFFICERS, LOS BANOS POLICE DEPARTMENT OFFICERS, AND MYSELF DEMANDING US TO COME TO HIM. I TOLD FORTE TO CALM DOWN, AND THEN HE WOULD BE ALLOWED INSIDE THE BUILDING, BUT THE RECORDING DEVICES WOULD NOT BE ALLOWED INSIDE THE COURTROOM. FORTE BECAME LOUDER AND ANGRIER. FORTE WAS SO DISRUPTIVE AND INCREASINGLY LOUDER THAT I CONTACTED DISPATCH TO ADVISE THEM.

Picinich did not tell Forte to put the phone and recording devices away.



Forte did not demand officers "come to him." Picinich did not tell Forte to calm down.



DEPUTY HILL, 5169, AND DEPUTY HOWARD, 5525, THEN ARRIVED. FORTE BECAME INCREASINGLY LOUDER AND MORE AGITATED. THE LOBBY BECAME CROWDED WITH CITIZENS AND PERSONNEL FROM PROBATION, (DPO HARR AND DPO GARCIA). FORTE WAS YELLING AT ME SAYING THAT I WAS NOT GOING TO STOP HIM FROM BRINGING IN THE RECORDING DEVICE AND THAT I WAS THE ONE WHO ARRESTED HIM LAST TIME, THAT I AM IN SO MUCH TROUBLE, AND I AM AN IDIOT.

You can hear other people going through screening station. Forte not blocking anyone. Forte was not yelling.



WHILE FORTE WAS YELLING, SCREAMING AND ATTEMPTING TO RECORD AND TAKE PHOTOS, THERE WERE PEOPLE THAT WERE TRYING TO ENTER THE LOBBY, BUT COULD NOT COME THROUGH THE SCREENING STATION, DUE TO OUR ATTENTION TOWARDS FORTE, AND FORTE BEING IN A POSITION BLOCKING THE SCREENING STATION. FORTE TOLD ME HE WAS BRINGING THE RECORDER INTO THE COURTROOM, "NO MATTER WHAT" AND "I WAS NOT GOING TO STOP HIM". FORTE YELLED AT ME DEMANDING ME TO BRING HIM THE RULES OF THE COURT FOR RECORDING DEVICES AND TO GET PAZIN AND MORSE DOWN HERE. SIGNS ARE POSTED AT THE ENTRANCE DOOR, SCREENING STATION AND ENTRANCE INTO THE COURTROOM PROHIBITING RECORDING DEVICES.

Did not call Picinich an idiot.



FORTE CONTINUED WALKING IN AND OUT OF THE METAL DETECTOR EACH TIME COMING ABOUT HALF WAY THROUGH. THE METAL DETECTOR KEPT SOUNDING THE ALARM EACH TIME FORTE WALKED IN AND OUT. FORTE CONTINUALLY YELLED AND BLOCKED THE ENTRANCE. I DID NOT KNOW IF FORTE HAD ANY OTHER METAL

A lie, recording shows that Forte's wife told Forte that his recorder in his hand was beeping the metal detector as he waived his hands while talking.



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ITEMS OR WEAPONS ON HIM. FOR APPROXIMATELY FOUR TO FIVE MINUTES, I TALKED TO FORTE TRYING TO CALM HIM DOWN AND TELLING HIM THAT HE COULD ENTER THE BUILDING, BUT THE RECORDING DEVICES WOULD NOT BE ALLOWED IN THE COURTROOM. FORTE CONTINUALLY YELLED AND BLOCKED THE ENTRANCE SCREENING STATION PROHIBITING OTHER CITIZENS TO ENTER THE LOBBY. I RE-EMPHASIZED TO FORTE THAT HE COULD COME INTO THE BUILDING, BUT COULD NOT BRING THE RECORDING DEVICES INTO THE COURTROOM

Forte did not yell.



Didn't happen, Picinich did not tell Forte to put all metal objects onto x-ray machine.



I FINALLY WAS ABLE TO CALM FORTE DOWN. I CONVINCED HIM TO PLACE ALL METAL OBJECTS ONTO THE X-RAY MACHINE AND PASS THROUGH THE SCREENING STATION. FORTE THEN PASSED THROUGH THE DETECTOR. I TOLD FORTE TO MAKE SURE HE LEFT THE RECORDER OUTSIDE OF THE COURTROOM. FORTE THEN GRABBED HIS RECORDER AND CAMERA PHONE FROM THE X-RAY MACHINE AND STEPPED IN FRONT OF ME, LESS THAN SIX INCHES AWAY, FACING TOWARDS ME IN A CONFRONTATIONAL MANNER WITH HIS CHEST BOWED OUT AND HIS FACE WITHIN TWO INCHES OF MINE. FORTE HAD ALREADY PASSED THROUGH THE SCREENING STATION. FORTE DID NOT CONTINUE TOWARDS THE COURTROOM, CHOOSING INSTEAD TO BLOCK THE PUBLIC PATHWAY FROM THE SCREENING STATION TO THE COURTROOM AS I TRIED TO WALK FROM THE SCREENING STATION TO THE FRONT DOOR OF THE COURTROOM TO UNLOCK IT IN ORDER TO BEGIN THE 10 O'CLOCK COURT CALENDER. I TOLD FORTE TO MOVE OUT OF THE WAY. FORTE BECAME

Forte told Picinich to stand back, not to encroach upon his personal space, and to back off. Who approached who?



Forte never said, "you're not going to stop me." They were both still standing just beyond the metal detector, approx 30 feet from the court room door.



LOUD AND ANGRY, AGAIN YELLING, "YOUR NOT GOING TO STOP ME". I WAS UNABLE TO ACCESS AND UNLOCK THE COURTROOM DOOR BECAUSE FORTE WAS STANDING IN FRONT OF ME WITH HIS CHEST EXTENDED OUT, ARMS PARTIALLY RAISED IN AN AGGRESSIVE MANNER, WITH CLINCHED FISTS, HOLDING HIS RECORDER AND CELL PHONE REFUSING TO MOVE. I AGAIN TOLD FORTE TO MOVE OUT OF THE WAY AND I STEPPED TO MY RIGHT TO TRY AND WALK AROUND FORTE. WHILE FACING ME, FORTE MOVED TO HIS LEFT AND BLOCKED ME AND THEM BUMPED ME WITH HIS CHEST AS I TRIED TO WALK TOWARDS THE COURTROOM DOOR. I THEN TOLD FORTE HE WAS UNDER ARREST, GRABBED HIS LEFT HAND WITH MY LEFT HAND AND ATTEMPTED TO PLACE HANDCUFFS ON HIM. FORTE THEN SPUN AROUND WITH HIS OTHER ARM FLAILING, TRYING TO MOVE AWAY AND RESISTING. I TOLD FORTE TO QUIT RESISTING. FORTE CONTINUED YELLING, SPINNING AND PULLING AWAY WHILE FLAILING HIS ARMS. I TOOK FORTE DOWN TO THE GROUND BY TURNING TOWARDS MY RIGHT USING FORTE'S MOMENTUM AND HOLDING HIS RIGHT SHOULDER BY THE SHIRT, WHILE HE WAS FLAILING HIS ARMS AND SPINNING TOWARDS ME. FORTE AND I FELL TO THE GROUND SIMULTANEOUSLY. FORTE KEPT PULLING HIS ARMS AWAY, RESISTING, KICKING HIS LEGS AND TRYING TO GET UP. I AGAIN TOLD FORTE TO STOP RESISTING. FORTE KEPT TRYING TO FIGHT ME, PULL HIS ARMS AWAY AND GET UP UNTIL I WAS ABLE TO LEAN ON TOP OF HIM AND CUFF ONE HAND WHILE ANOTHER DEPUTY GRABBED HIS ARM AND HELD IT UNTIL I COULD GET THE OTHER HANDCUFF ON. I AGAIN TOLD FORTE TO CALM DOWN. I THEN ASSISTED FORTE IN SITTING UP AND SAW THAT HE WAS BLEEDING FROM HIS RIGHT NECK AND I WAS BLEEDING FROM MY RIGHT ELBOW AND RIGHT INDEX FINGER. WHILE HOLDING ONTO FORTE BY THE HANDCUFFS, I TOLD FORTE TO COME WITH ME. FORTE FORCEFULLY TRIED TO PULL AWAY FROM ME AND I PLACED MY LEFT ARM IN BETWEEN HIS ARM AND HANDCUFF AND HAD TO PHYSICALLY ASSIST FORTE IN ORDER FOR HIM TO MOVE. FORTE KEPT PULLING AWAY, BUMPING INTO THE WALLS AND FORCEFULLY RESISTING. I ESCORTED FORTE INTO THE INTERVIEW ROOM OF THE LOS BANOS SUBSTATION. I THEN TOLD FORTE TO SIT DOWN AND RELAX AND THAT I WOULD CALL MEDICAL ATTENTION FOR HIM. FORTE GOT UP FROM HIS CHAIR MOVED TOWARDS ME WHILE YELLING, "YOU SON-OF-A-BITCH, YOUR GONNA GET IT, YOU SHOULD SWALLOW YOUR GUN TONIGHT". I WALKED OUT OF THE INTERVIEW ROOM AND DEPUTY HILL ENTERED AND TOLD ME THAT MEDICAL WAS ON THEIR WAY.

Picinich never told Forte he was under arrest, never told him to quit resisting, or to calm down.



Forte did not resist at anytime. Picinich wanted to hurt Forte because Picinich is a....



PARAMEDICS ARRIVED AND ATTENDED TO FORTE. DEPUTY HOWARD ACCOMPANIED THE PARAMEDICS AND FORTE TO LOS BANOS MEMORIAL HOSPITAL.

Forte actually told him that when he started drinking tonight, not to put that revolver in his mouth until after Forte took his deposition.



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MERCED COUNTY SHERIFF'S DEPARTMENT
MARK N. PAZIN SHERIFF-CORONER
700 W 22ND STREET
MERCED CA 95340

REPORT - SUPPLEMENTAL

CASE NUMBER: 20090023282
REPORTING OFFICER: LEUCHNER 5130

REPORT NUMBER: 3
TYPED BY: POMETTA 5716

NARRATIVE SECTION

ON 07/21/09 AT APPROXIMATELY 0950 HOURS, I WAS OFF DUTY IN CIVILIAN CLOTHES AT THE LOS BANOS SUBSTATION. I WAS STANDING IN THE CLERKS OFFICE IN THE RECEPTION AREA TO THE SHERIFF'S SUBSTATION WHEN I HEARD A LOUD AGGRAVATED VOICE COMING FROM THE COURT SECURITY SCREENING STATION LOCATED OUTSIDE THE FRONT DOOR OF THE SHERIFF'S OFFICE.

WHEN I ENTERED THE HALLWAY TO THE [REDACTED], I COULD SEE DEPUTY PICINICH, 5524, STANDING INSIDE OF THE METAL DETECTOR SCREENING STATION AND THERE WAS A WHITE MALE WITH GRAY HAIR APPROXIMATELY IN HIS LATE 50'S, YELLING AT DEPUTY PICINICH. THE WHITE MALE WHO WAS LATER IDENTIFIED AS EUGENE ESMOND FORTE, WAS YELLING STATING HE HAD THE RIGHT TO BRING RECORDING EQUIPMENT INTO THE COURTROOM. DEPUTY PICINICH WAS ATTEMPTING TO EXPLAIN TO FORTE THAT HE WAS NOT ALLOWED TO BRING RECORDING DEVICES INTO THE COURTROOM.

DEPUTY PICINICH HAD TO TRY SEVERAL TIMES TO TALK TO FORTE, BUT WAS INTERRUPTED BECAUSE FORTE WAS IRRATE AND WOULD NOT LET HIM EXPLAIN. I DID NOT HEAR THE COMMENT MADE BY A CALIFORNIA HIGHWAY PATROL OFFICER SITTING ON THE BENCH IN THE HALLWAY, BUT FORTE'S ATTENTION WAS ADVERTED TO THE OFFICER AND FORTE WAS BEING VERBALLY ABUSIVE TO THE CHP OFFICER. FORTE ATTEMPTED TO PHOTOGRAPH THE CHP OFFICER AND WAS YELLING AT THE CHP OFFICER TO GIVE HIM HIS ID NAME AND BADGE NUMBER. THE CHP OFFICER REFUSED TO GET UP FROM THE BENCH WHERE HE WAS SEATED AND COMPLY WITH FORTE'S COMMANDS.

DEPUTY PICINICH STEPPED IN FRONT OF FORTE AS FORTE ATTEMPTED TO GO AROUND THE METAL DETECTOR STATION AND AVOID THE SCREENING MEASURES AT THE ENTRANCE. DEPUTY PICINICH ONCE AGAIN ADVISED FORTE THAT HE NEEDED TO STOP AND COMPLY WITH THE RULES AT THE COURTHOUSE. FORTE BEGAN RANTING AND RAVING TO DEPUTY PICINICH ABOUT THE COURTHOUSE BEING OPEN TO THE PUBLIC.

DEPUTY PICINICH FINALLY GOT A CHANCE TO EXPLAIN TO FORTE THAT THE COURTHOUSE WAS OPEN TO THE PUBLIC BUT HE WOULD HAVE TO GO THROUGH THE SECURITY SCREENING MEASURES BEFORE HE WAS ALLOWED IN. DEPUTY PICINICH THEN EXPLAINED TO FORTE THAT HE COULD BRING HIS RECORDING DEVICES INTO THE BUILDING BUT HE WAS NOT ALLOWED TO BRING THEM INSIDE THE COURTROOM WITHOUT APPROVAL FROM THE JUDGE.

AT THIS TIME, FORTE APPEARED TO COMPLY AND HE PLACED HIS PERSONAL ITEMS IN THE TRAY TO GO THROUGH THE X-RAY STATION AND HE WALKED THROUGH THE METAL DETECTOR. HE SET OFF THE METAL DETECTOR AND DEPUTY PICINICH SCREENED FORTE WITH A HAND-HELD WAND.

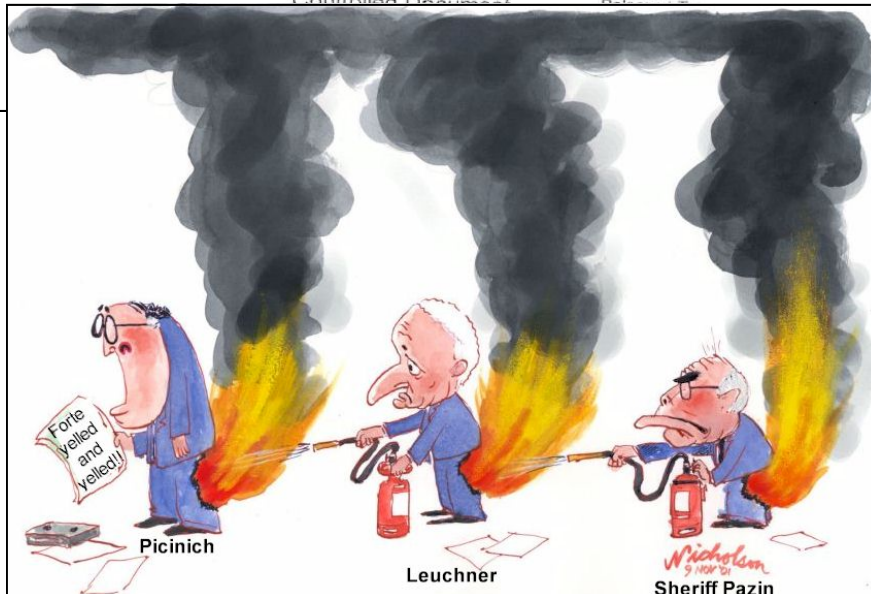
THERE WERE OTHER MEMBERS OF THE PUBLIC THAT WERE TRYING TO GET IN BUT HAD BEEN HELD UP BY FORTE'S INTERUPTION. FORTE'S WIFE AND SON HAD ALSO GONE THROUGH THE SCREENING AND THEY WERE STANDING IN THE HALLWAY OF THE [REDACTED]

AT THIS TIME, FORTE WALKED PASSED DEPUTY PICINICH TOWARDS THE LOCATION WHERE THE CHP OFFICER WAS SITTING ON THE BENCH. I SAW WHAT

Liar, liar,
pants on
fire —
and this
time
you're
caught!



Never told
Forte this
this!!



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APPEARED TO BE FORTE EXCHANGING WORDS WITH THE CHP OFFICER AS DEPUTY PICINICH STARTED WALKING IN THE DIRECTION OF THE COURTROOM.

BY THIS TIME, DEPUTY HILL, 5169, AND COURT DEPUTY HOWARD, 5525, WERE STANDING IN THE HALLWAY. BOTH DEPUTIES HAD RESPONDED BECAUSE EARLIER WHEN FORTE WAS IN A VERBAL ARGUMENT WITH DEPUTY PICINICH, HE CALLED FOR EXTRA DEPUTIES WITH HIS RADIO.

IT WAS AT THIS POINT THAT FORTE TURNS HIS ATTENTION BACK ON DEPUTY PICINICH AND HAD WALKED UP TOWARDS DEPUTY PICINICH AND HAD BLOCKED HIS DIRECTION THAT HE WAS WALKING. FORTE ONCE AGAIN BEGAN RAISING HIS VOICE AND WAS VERBALLY HARASSING DEPUTY PICINICH.

DEPUTY PICINICH ATTEMPTED TO ANSWER FORTE'S QUESTIONS ABOUT RECORDING DEVICES IN COURTROOMS AND OTHER RANTING AND RAVING THAT FORTE WAS DOING AT THIS TIME. DEPUTY PICINICH WAS UNABLE TO ADDRESS FORTE WITH HIS IRRATIONAL BEHAVIOR.

DEPUTY PICINICH ATTEMPTED TO GO AROUND FORTE HOWEVER, EACH TIME FORTE WOULD STEP IN FRONT OF DEPUTY PICINICH AND CONTINUE TO HARASS HIM.

I WAS APPROXIMATELY EIGHT FEET AWAY FROM WHERE FORTE AND DEPUTY PICINICH WERE, STANDING BEHIND FORTE'S WIFE, WHEN I HEARD DEPUTY PICINICH GIVE FORTE SEVERAL VERBAL ORDERS TO STEP OUT OF HIS WAY. FORTE DID NOT COMPLY AND CONTINUED TO VERBALLY HARASS DEPUTY PICINICH AS HE ATTEMPTED TO PLACE FORTE UNDER ARREST. DEPUTY PICINICH HAD ATTEMPTED TO PLACE FORTE IN A CONTROL HOLD BUT FORTE RESISTED AND BEGAN TO PHYSICALLY SCUFFLE WITH DEPUTY PICINICH.

DEPUTY PICINICH HAD AHOLD OF FORTE'S LEFT ARM AS OTHER DEPUTIES AND OTHER OFFICERS THAT WERE PRESENT IN THE HALLWAY, ATTEMPTED TO SUBDUE FORTE. AT THE TIME, FORTE'S WIFE BEGAN TO MOVE TOWARDS THE INCIDENT AND I INSTRUCTED HIS WIFE TO STAY OUT OF IT.

FORTE WAS TAKEN TO THE FLOOR AND HE CONTINUED TO STRUGGLE AND KICK HIS LEGS IN AN ATTEMPT TO RESIST THE DEPUTIES AND OFFICERS. FORTE CONTINUED TO YELL AND RESIST BUT HE WAS EVENTUALLY HANDCUFFED AND HE WAS TAKEN INTO THE SHERIFF'S DEPARTMENT SUBSTATION.

FORTE'S WIFE ATTEMPTED TO FOLLOW DEPUTIES INTO THE SUBSTATION AND I TOLD HER NOT TO. I IDENTIFIED MYSELF AS AN OFF DUTY DEPUTY SHERIFF AND I SPOelled MY LAST NAME FOR HER.

I WENT BACK INTO THE LOS BANOS SUBSTATION AND CHECKED ON DEPUTY PICINICH WHO HAD A SMALL RED BRUISE ON HIS RIGHT ELBOW. HE WAS TRYING TO FIX HIS BROKEN GLASSES AND FORTE WAS IN THE INTERVIEW ROOM YELLING THAT EVERYONE WAS GOING TO GET FIRED. AT ONE POINT I HEARD FORTE YELL OUT, "HEY PICINICH, WHEN YOU'RE HITTING THAT BOTTLE TONIGHT, TAKE THAT SERVICE REVOLVER OF YOURS AND EAT IT."

FORTE CONTINUED TO YELL THREATS THAT HE WAS GOING TO TALK TO THE DISTRICT ATTORNEY AND HAVE EVERYONE FIRED. I REMAINED IN THE SUBSTATION UNTIL RIGGS AMBULANCE SERVICE ARRIVED AND PLACED FORTE ON A GURNEY. RIGGS PERSONNEL REMOVED FORTE FROM THE SUBSTATION AND TRANSPORTED HIM TO THE HOSPITAL.

I GATHERED UP MY PERSONAL ITEMS AND LEFT THE SUBSTATION FOR THE WEEKEND. NO FURTHER ACTION TAKEN AT THIS TIME.

LEUCHNER 5130 / KLP 07/23/09

_____ THIS IS THE END OF THIS REPORT _____

_____ Above Report Approved By: S-03 _____

False police reports are a felony.

Picinich is the one that bumped into Forte pushing him backward.

Did Leuchner know Picinch was going to brutalize Forte and that's why he told Forte's wife not to go into the public area of the Sheriff's Office?

DA Larry Morse is adamant that he has a conflict with investigating or prosecuting Forte.

DISTRICT ATTORNEY

DISTRICT ATTORNEY
Larry D. Morse II

CHIEF DEPUTY
DISTRICT ATTORNEY
David W. Moranda



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April 1, 2009

Gene Forte
Badger Flats Gazette
688 Birch Court
Los Banos, CA. 93635

Dear Mr. Forte:

I am in receipt of your letter of March 25th and a copy of your letter to Executive Court Officer Kathleen Goetsch from March 31st. We are reviewing the police reports that were sent to this office in the aftermath of the incident involving you, James Padron and members of the Merced County Sheriff's Department on February 24th, 2009 in the Merced County Superior Court.

The Merced County District Attorneys office has a conflict in this matter as at least five members of our office are eyewitnesses to portions of the events of that morning. I directed all said employees to provide written statements of their observations which they did. Those statements were forwarded to the Sheriff's personnel conducting the follow-up investigation.

In view of the fact that five members of our office have given statements concerning the events of February 24, 2009, I do not believe we can prosecute this case. In such instances, we routinely request the California Attorney General to intercede. That request was made in this case. However, while the Attorney General's office agreed that a conflict did, in fact, exist, we were informed that because of budget considerations the Attorney General's office will no longer accept "conflict" cases from District Attorneys.

I am seeking the assistance of one of my colleagues from another county to assume jurisdiction of this case to determine whether or not a criminal prosecution should be initiated and to handle that prosecution if one is in fact initiated. In the meantime, our office will not be involved in responding to requests for information you believe should be discovered to you in connection with this matter. Should a prosecution be commenced, any material relevant to the events of February 24, 2009 that is in the possession of the prosecuting agency and the investigating agencies would be provided to you pursuant to the rules of discovery.

Your kind words regarding my son's situation were appreciated.

Regards,

Larry D. Morse II
District Attorney



DISTRICT ATTORNEY LARRY MORSE SAYS HE HAS CONFLICT

IT IS ANNOUNCED TO ALL PARTIES CALLING MY PHONE PRIOR TO BE TRANSFERRED TO ME THAT CALLS MAY BE RECORDED FOR BROADCAST AND BY SPEAKING ON THE LINE, THAT THEY HAVE GIVEN THEIR EXPRESS CONSENT TO BE RECORDED.

July 31, 2009 Telephone call from DA Larry Morse (Excerpts)

Morse: Yeah. Gene, here's what's going on with your cases. I'll just level with you about what's going on. I cannot handle any of your cases because you have sued me. Right? Uh, I'm a cross complainant in the uh, suit with uh, Marion. And ethically, I cannot make a decision on any of your cases uh, while I'm, you know, after having been sued by you.

I mean it's just unethical on its face. Uh, it looks either punitive or retaliatory or that I'm currying a favor with you in some way no matter what I do.

Morse: Everyone I have spoken to about this in my office and in other counties agrees that I have a, a conflict.

Morse: The problem is, I believe, and you know my chief investigators, we've discussed this a lot, and we all believe that we have a conflict. The incident in the jail or in the courts, the first one uh, involving uh, oh, what's his name? Was acting as pro tem?

Morse: Padron, yeah. That was the one we were looking at when we talked over at the Sportsmen's Lodge...and that's when I had spoken to you about it and I said, can we work this out in some way? Because Padron, he was not you know uh, all that enthusiastic about pursuing uh, uh, you know the case?

Morse: So, but, we sat down and talked about it in the office and uh, immediately we said, isn't, uh, uh Mr. Forte uh, suing you? And I said, yeah, I think so. And I can't keep track of who's all suing me but, we went and pulled the uh, you know pulled the papers and I'm being sued.

Well there's a specific uh, section that you know that's applicable in the ethics manual for prosecutors that you can't uh, you know, you can't file a complaint against somebody who has a lawsuit against you. Now if you had sued me after I had filed a complaint against you or something else that's a different story. But, if you had a standing uh, legal action which I'm the named defendant and I understand somewhat peripherally but, I am a named defendant.

Morse: As I understand it, is that there was someone, I don't know what exactly you were charged with.

Morse: The problem here is, that I can't even review these cases to make a filing decision, because of the conflict that I have.

Morse: I can't even make a determination whether I think there's enough here to file on against you or against anybody else in this matter. Uh, so, that doesn't even give you the opportunity to challenge us you know, being the prosecuting agency.

Morse: So, here's what I want. I'm back, and you know, I've explained this to the Attorney General's Office. I'm ordinarily happy to comply and find one of my fifty seven colleagues to swap the case out, but, I can't do it with your particular case. So, I am telling the Attorney General's Office by God, I have an ethical conflict in this case.

We all agree with this, you need to take this case, evaluate these matters, decide what if anything should uh, should be filed against Mr. Forte and set this thing in motion so he can avail himself of all his legal rights, uh, and actions. And if nothing's gonna be filed, etc., etc., there needs to be some clarity and some closure on this.

And I have just been frankly getting the run around from the AG's Office. And so, it leaves me in a, you know, state of suspension, I can't help you get this thing moving one way or the other until I get some fricking clarification from the Attorney General's Office.

Morse: I, I told him I was going to call Jerry Brown after thisI'm gonna go see Jerry and I'm gonna present to him all this stuff

that stands in favor of a conflict that demands that I have a ethical conflict that precludes me from evaluating whether I'm filing these cases.

Forte: Larry, I know, Larry I understand it. But, you know what the issue here really comes to be? Those officers were also involved, and it's all on this recording. They thought they deleted the recordings, off this machine, and what had actually happened is they were trying to figure out how to do it and they figured wrong.

Forte: Right to the point where you can hear them laughing, officers picking up a recorder, me yelling at them, saying, "put that recorder down, put that recorder down. Eileen, get the recorder, they're trying to delete the recordings." And the guys saying they're trying to delete the recording.

Then, as I'm being taken up, he goes ahead and you hear him on the recorder talking about what they're doing and they stop it and laughing, throw it back down on the ground. And the security guard, the one's that talked to Eileen, told her to pick our stuff over there.

So, really what they're doing is taking a piece of evidence, knew that it was there, and stole the piece of evidence away from me.

They went ahead clearly and tried to destroy evidence, tamper with evidence, exculpatory evidence, and what I said from the very beginning would show everything from the minute I hit that gate, to the end.

Morse: hmmm..

Forte: Then they threw it back down on the scene? Hey, you know who the guy that was holding the recorder was, it was the CHP officer. Hello CHP, who is the guy that put his...?

Morse: Gene, here's, here's, let me, let me interject here a second, have you talked to Pazin?

Forte: No, how can I talk to Pazin? What I've been trying to do Larry is, you're the only one I trust and I wanted to get through to you first, cause I'm telling you...

Morse: I unfortunately am the one's whose hands are really tied in this thing. You know, I am really sort of, I'm stuck.

THE END



ARE YOU AN UNAMERICAN GUTLESS WONDER Or ARE YOU A FREEDOM FIGHTER FOR AMERICAN JUSTICE?

The information being read by you in this L.B. Confidential is extremely important to every American. It is not just a "personal matter" that involves me like Judge Frank "look the other way" Dougherty asserts.

All I have ever done is seek justice through the proper legal channels only to find that public officials cover up each other's crimes. When I exposed it to the public and got Mayor Jones busted with the FPPC, I received death threats from a student of Jones.

Commander Gary Brizzee covered the threats which I say were made by Jones because if he didn't, all hell would break loose on what most people call the good ol' boys.

Imagine what would have happened if Anthony Donaldson Bates were arrested for the felony he confessed to?

Bates' parents would have Jones' hide nailed to the wall, the Los Banos Enterprise could not conceal it, and newspapers across the country would have picked up the story.

Headlines would read, African American Mayor makes death threats through high school student to citizens' reporter exposing public official corruption.

The real reason why Merced County is the most blighted area in the United States would be shown! It's due to corrupt public officials run amuck with citizens standing like cowards while it happens.

No matter what takes place, no matter if not even one person reading this comes to aid me in our fight against the tyranny of government....I have already won. The story will be told in my books.

If you want to help support me during the time of my writing, you can share in the profits...if there are any. I never did this for money...I did it because it is what a true American and man is supposed to do..and for the future of all American children.

If you want to help and can, please do so, if you can and don't, then I'll pray for you every night that something really bad happens to you. God Bless or God Damn you as the case may be. Gene Forte

EMAIL TO A FRIEND ABOUT HYATT TERROR

My sensitivity to the matter is that I realize how difficult it is for anyone to phantom that my act of giving one of the "Death Threat" Badgers casually to one of the clerks at the Hyatt Summerfield Suites caused them to call the Pleasanton Police Department to try and have us forcibly removed from our room.



Looks like Sergeant Mickleburgh is looking at the Badger Flats Gazette while calling Brizzee at the Los Banos PD. Is Brizzee telling him I'm crazy?

BRIEF SUMMARY OF EVENTS

So it is clear, we had checked in on March 6th, 2010, at about 4:30AM and pre-paid for two nights.

At 9:45AM, I woke up because I wanted get to the breakfast buffet (before it closed at 10:00AM) and grab some food to bring back to the family who was still asleep in the room.

(Note: There were only two guys sitting at a table drinking coffee and one woman sitting near the front desk when I left.)

I had three Badgers with me that I had been proofreading like I usually do for a few days after I first print them to keep cleaning down typos, etc.

On the way back to my room, going past the front desk, I left one casually (without discussing it) with the attendant.

When I returned to the room, I received a call from the assistant manager (who I never met or spoke to) asking me if I had a complaint about the food. Surprised, I said no, not at all.

She then (out of the blue) told me that we had to leave. I told her that was ridiculous and asked her why. She gave no response and told me that I had to leave, or she would call the police.

I told her that we would not leave unless

she could provide me some rational foundation besides some blanket accusation.

She then hung up the phone.

Within five minutes, there was knocking on our door that had the DO NOT DISTURB sign up. I asked who it was; she said it was the manager, and that I had to leave.

I told her to please not disturb our occupancy, and if she was going to try and force us out, I was going to call the Police.

It was at that moment that there was a louder pounding on the door saying it was the Pleasanton PD. (Note: She had brought the PPD with her.)

I cracked the door open with the security latch still on and asked them what they were there for.

The PPD said that I had to vacate the room due to the manager saying she didn't want us there.

I then explained to them calmly that we had our rent paid, we had done nothing to violate our peaceful occupancy of the room and to please call the LBPD.....and they could verify that we were in route seeking police protection from another jurisdiction due to the death threats from Jones that the LBPD was covering up. My attorney had actually been calling and faxing other jurisdictions through the night.



Pleasanton PD ponder the next step outside of hotel room.

I told them if they had eviction papers, or a search warrant of some kind, or could provide me a legal reason as to why they were there to take us from the room to please do so.

The officer said that because the manager wanted us to leave, we had to leave.

(Note: That is absolutely false and not according to any law in the United States).

(HYATT, see page 42)

The PPD then said they feared that my family might be in danger from me.

It was at that time that I said, "Excuse me that's outrageous and insulting. I'm going to close the door and go the window.



Sergeant Mickleburgh peers in hotel room window at Forte kids.

I then went to our window, opened the drapes with Eileen and the kids all standing there telling them we were all fine but to please leave and stop bothering us, we were starting to feel frightened.

I asked them again to call the LBPD and read the "Death Threats" Badger which explained what we were under torment from.

They kept saying they were not going to call the LBPD and that I was in Pleasanton.

It was at that time that we heard the door unlock with a pass key, and they were starting to stick a sharp object through the door to break the security latch off.



Gene holds door and recorder.

I ran back to the door and forced it closed, the jamming device pierced my hand.

There was no way in hell that I was going to let these police officers that were acting not according to law, but as thugs breaching my room (which was our legal domicile).

Who knows what they would have done to me, Eileen, and my children behind closed doors.....dropped a bag of drugs in the room?

I certainly knew they knew they were already in trouble when they breached that door.

I continued to hold the door tight, trapping the jamming device with my hand bleeding covered with a towel, and spoke through the door for one hour and 33 minutes. (It is all on digital audio and video that prove everything I say.)



Pleasanton Police at Hyatt Summerfield Suites take a break from trying to jam the door open.

Across that time, there came a total of about eight officers standing outside of our room.

Finally, an officer came that said he had called the LBPD (that was a lie, we found out later that they had called the LBPD prior to their coming to the room with the manager).

I asked them why in the world were they acting as they did. It was scaring us and the kids.



Officer reads "Death Threats" issue of Badger.

He then said he would remove the jamming device from the door with him agreeing that they were no longer going to try and breach the door. I then released the pressure against the door so they could do so.

It was agreed that we had done nothing wrong and that we should have not been disturbed.

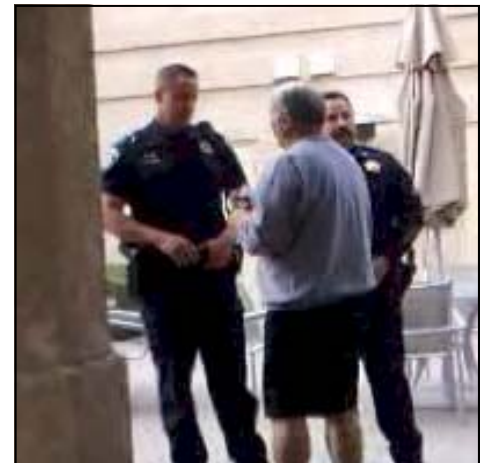
I then told them through the door (cracked open with the security latch still intact) that my family

and I were going to come outside and sit by the pool so I could show the kids, who were terrorized, that they didn't have to fear every police officer they met.

I then went out with Gaby, Jordan, and Justin...Eileen and Noel were still in the room.

I was speaking with one of the officers asking why in the world had they conducted themselves as they did. After about five minutes, I heard Eileen screaming by our room that was about 15 yards away (we had a bottom suite near the pool).

When I went there, she was standing between two big officers who were blocking the door. They had reached around behind her when she walked out and pulled the door shut.....they didn't know that Noel was still inside. Eileen was frantic for Noel who



Police tells Forte he did nothing wrong, asks him to come outside to talk.

was now screaming from inside the room. One officer had his hand on his service revolver; the other had pulled out a stun gun.

I calmly said, officers back down, while I approached and took Eileen by her hands from in between them.

I then went back to the officer that I had been speaking to and asked him, how in the world did he expect me to not have to address this matter without a lawsuit?

A few minutes later while still speaking to him, a new officer, the sergeant watch commander, came out by us. He was grinning like a cat eating poop, while holding Eileen's purse in one hand and my jacket in the other while asking "Whose are these?"

I walked up to him and said, "Now, you have gone further over the edge, you've broken into our room and stolen our items. Have you lost your mind?"

I still continued to be polite to the officers but it was getting harder (all of this is on audio and cell phone video).

Then the Sergeant who had grabbed our items from the room, said "Gee, your hand's bleeding, it looks like you need medical attention."

I told him no, I'm fine, I will take care of it.

Then all of a sudden, he started laughing saying "No, we think you do!" and five officers grabbed me, pushed me down.....then lifted me up..... and slammed me down onto a gurney that they had brought in from the back. They then handcuffed me to it.



Suddenly, four PPD officers push Forte onto ground.

All the while, I actually stayed relatively calm saying that I was not fighting them, or resisting arrest. They said they were not arresting me, they were getting me medical help.

I was then rolled out to an ambulance in the parking lot. When they checked my blood pressure it was 191/135.

What happened next was tortuous.

The ambulance attendants refused to



PPD force Forte onto gurney insisting, against Forte's will, that he needs medical help for the cut caused by the jamming device.

give me any aspirins or anything to try and lower my blood pressure, or stop my blood from thickening.

The ambulance attendees remained parked for about 30-45 minutes with the officer that had instigated this entire cabal standing outside the doors to the ambulance which were open...they were talking back and forth loudly and intentionally for me to hear, laughing and poking fun at me saying that they thought I was a nut case in claiming that I was under threats of death from a Mayor....and that they had had death threats from mayors themselves, etc..

I kept begging them to please bring me to the hospital due to my open heart surgery and the elevation of my blood pressure. I actually thought I was going to have a heart attack and I was not going to see my family again.

They continued laughing back and forth, making fun of me saying that it really sounded like what I really needed was a good shrink .

I found out later that while this was going on, Eileen and Gaby were in the room.

The two officers that had blocked the door were telling them if Eileen did not leave, Gaby was old enough to take care of the kids, and they would arrest Eileen. They said that the manager was going to credit back the payment on the room.

The officers told Eileen that they were sending me over to a psychiatric ward in Concord for mental evaluation.

Eileen told them there was nothing wrong with me and that, in fact, the LBPD had tried that just the day before by having the Merced County Health Department call us and evaluate me on March 5th, 2010. (Note: When I provided MCHD with the death threats we had received, they gave me a clean bill of health and asked if I was okay.)

Who in the heck would not feel concerned or stressed over getting something like that.....as you pointed out it was not written by a high school kid.....I know it was actually done by Mayor Jones and his attorney and delivered through the kid they used as a shield. When I asked MCDH, "A person would be crazy if they weren't concerned, right?", they agreed.)

When Gaby pulled from her purse a recorder she had going, Eileen and Gaby say the officers' mouths dropped and they looked concerned.

Finally, the ambulance drivers and the cop standing outside, after realizing that I was not going to let them goad me into losing it, brought me over to the Pleasanton General Hospital.

My medical bills for two days and overnight stay with the heart checks cost \$32K and are still climbing. Due to my heart attack, I have been



Paramedics strap Forte down to take him for a psychological evaluation. (Psychologist said he's fine and released him after \$32,000 of cardio tests.)

unable to have health insurance for myself. Thank god I was able to get it for the family.

All of this matter and the harassment of me by the Pleasanton Police Department were triggered by the assistant manager reading the Death Threat publication, which is as legally protected under First Amendment rights as the New York Times, and then the PPD talking with Commander Brizzee (or other LBPD officer under direction of Brizzee) at the LBPD prior to the PPD coming to our room.

I also want to say that a PPD Officer told Eileen that he recognized our name, because his son goes to Central Catholic High School with our son.

He said that he read a copy of the death threats and was shocked at the conduct of the LBPD not arresting Donaldson, or questioning the Mayor. He told Eileen that she had to contact the LBPD and tell them she was back in town so that if anything happened to her or the kids while I was gone, the LBPD would be responsible.

I wanted to take the time to explain this in more detail to you, and I have done it on the morning of Mother's Day. It is very painful for me to re-live, but what you think of me is important to me.

I would never want you to think that I would ever put my family at risk...I am in a mode now that I have got to stop this beast once and for all.

My daughter starts LBHS next year and Jones teaches there...and of course has minion students there he has blinded.

Eileen and I have not yet decided if we are going to stay in a town that has lost all sense of American values. If we do leave we will continue exposing publicly the corruption that every citizen needs to be aware of.

(HYATT, see page 44)

(HYATT, from page 43)

It should also be pointed out that I WAS NOT ARRESTED BY THE PPD, meaning that I committed no crime by not letting them into my room. They committed a violation of my civil rights by trying to break into my room without probable cause, or a legal right to do so, this isn't Russia!



You should realize that on March 3rd, 2010, I was prevented by a TRO of Jones from entering City Hall and going up to the open mike at the City Council Meeting to tell citizens about the death threats.

(Note: The TRO should not have prevented me from entering City Hall or the council meeting.....but the LBPD did not want me to play the recording that showed they are involved in covering up the death threats for Jones. The main LB newspaper hasn't told citizens about the death threats made to me.

I was put under Citizen's Arrest by the closet lesbian principal (McGhee) of Our Lady of Fatima Catholic School on February 28th, 2010, for Criminal Trespass.

Please remember that the LBPD said they could not arrest me themselves because I was not trespassing or causing any disturbance. The LBPD goaded a willing McGhee who had already had discussion with LBPD Commander Brizzee (a fellow OLF parent and coordinator of the cover up) and did not want me to tell OLF parents on the cooking crew about the death threats.

Aftermath: McGhee was forced to retire (or was terminated). Actually, I've heard she hasn't been seen at the school since April 21st, 2010, the day after my letter April 20th, 2010, letter to the attorneys for the Diocese.

The LBPD officers who came with McGhee said they could not arrest me themselves but would only put me under Citizen's Arrest for McGhee.

The LBPD said I was not trespassing and it was totally up to McGhee. The arrest was done to discredit me to the public at large and cover up what the LBPD was covering up for Jones.

I hope that better explains what took place in Pleasanton.....it is not easy for me to talk about. Gene

THE END

May 11, 2010

Pleasanton Police Department
P.O. Box 909
Pleasanton, CA 94566

RE: Eugene Forte's Request for Incident Report

Dear Sir/Madam:

I am writing to request the police incident report regarding an incident that occurred on March 6, 2010 between approximately 10:00am and 12:00pm at the Hyatt Summerfield Suites, 4545 Chabot Drive, in Pleasanton.

Per the dispatcher's telephone conversation, please find the \$1.00 fee for this report enclosed. You may mail the incident report to in the self addressed stamped envelope also enclosed:

Gene Forte
688 Birch Court
Los Banos, CA 93635

If you have any questions, please call me at (209) 829-1116. Thank you.

Sincerely,

[Handwritten signature]
Gene Forte

Enclosure: \$1, SASE envelope

The report requested is a confidential report and not releasable to any one.

[Handwritten signature]
5/17/10

925-931-5100



DISCLOSURE/DISCLAIMER

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PLEASANTON, CALIFORNIA JUST ANOTHER L.B. CONFIDENTIAL?



Above is the letter with the handwritten note we got back when we asked for the police report of the Hyatt incident.

So...how many times have you heard of a person not being able to get a copy of the police report of an incident involving themselves?

What about *never* according to all the attorneys we've spoken to.

Los Banos Police Chief Gary Brizzee has suckered the Pleasanton Police Department into a mess they never saw coming.

The folks of Pleasanton are about to get a dose of the Badger Flats Gazette.

