

# Badger Flats Gazette

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Monday, August 3<sup>rd</sup>, 2009

Mr. Gene Lieb  
Mr. Kim Yancey  
Mr. Corey Pride  
McClatchy Newspapers/Los Banos Enterprise  
1253 West "I" Street  
Los Banos, CA 93635

## **DEMAND FOR RETRACTIONS/CORRECTIONS/DISCLOSURES**

**(CERTIFIED MAIL)**

Re: Statements of False Facts, i.e., reporting to the public at large and Recall Committee that Gene Forte is a known racist and should be "shown the door," and statements of false facts, incorrect picture in article, Los Banos PD Officer Parker, CHP Officer theft/tampering of digital recorder/evidence

Dear Mr. Lieb, Mr. Yancey and Mr. Pride:

I write this letter to request/demand that you immediately post corrections and supplements to your article of July 24<sup>th</sup>, 2009, "Man arrested after courthouse confrontation" and inform the public that such report was an almost verbatim reprint of the report from the Merced County Sheriff's Department who are subjects of a claim filed by me against them for a previous assault upon my person by the same Deputy Picinich who I say assaulted me on February 24<sup>th</sup>, 2009.

As of this date, you have not yet revealed to your readers that McClatchy Newspapers and some of its reporters are defendants in the lawsuit of Forte v. Knight Ridder so that they can take your writings with a grain of salt. The Los Banos Enterprise/McClatchy Newspapers continues their assault upon me while covering up public official corruption. Please inform readers that you are defendants in a lawsuit with me.

Notwithstanding the fact that you were aware that statements from individuals could be biased, such as the department I have the claim against, you made no attempt to get my side of the story. Instead, you did as I alleged in the complaint against McClatchy Newspapers et al. You are continuing to assassinate my character in order to detract away from the public officials' bad conduct that you are in league with to cover the truth.

As example, your report states, "Forte suffered a minor injury to his neck" and provided the arrest picture from February 24<sup>th</sup>, 2009 leading citizens to believe that was what I looked like when I left the hospital to be booked on July 21<sup>st</sup>, 2009. You did not tell citizens you used an old photo. Admit to what you did publicly and put the correct photo of my arrest in the newspaper.

If you would have included the actual photo of my arrest after leaving the hospital, it would show clearly that I suffered a major contusion to my forehead. It was caused from my head being intentionally slammed against a solid wood door by Deputy Picinich while I was handcuffed behind my back and willingly going with him.

You will find attached complaints filed with the California Highway Patrol, the Los Banos Police Department, the City of Los Banos, and claims filed with the County of Merced that are self explanatory.

The complaints and claims derive from the incident of my arrest of July 21<sup>st</sup>, 2009 that you reported upon. Therefore, since you reported upon the matter, you should continue to report upon it. See attachments.

Several times, you refer in the article to “the deputy” and fail to inform the public that there were in fact several law enforcement officers involved in the incident of July 21<sup>st</sup>, 2009.

Inform the public that you did not do anything to verify the veracity or accuracy of the report provided you by the Merced County Sheriff’s Department and that you did not inform the public that the arresting officer who wrote that report, Deputy Picinich, was the subject of a previous complaint by me for assault.

The audio recording that I have in my possession of the event of July 21<sup>st</sup>, 2009 contradicts virtually all of the statements in your story and in the report issued by the Merced County Sheriff’s Department. The audio itself is the best evidence which shows in part:

1. Upon arriving at the security entrance at the Los Banos courthouse with my wife and son Jordan I was told that I could not bring my hand held digital recorder into the building and that I would have to go and put it in my car.
2. I did not become agitated and begin yelling when the security personnel told me such.
3. I told the security ladies that they were incorrect and they told me again that I could not bring the recorder in the building and I asked to see the court rules they were referring to.
4. They said they were going to get a deputy.
5. I then chatted with them about how good the ice coffee at Circle K was.
6. Deputy Picinich then arrived.
7. I then told Picinich that if I had the recorder the first time he arrested me, he would be in a lot more trouble than he is now.
8. Picinich said that he didn’t know who I was.
9. I refreshed Picinich’s recollection by telling him of his prior arrest of me in February 2009.
10. I did not refuse to go through the metal detectors.
11. I requested Deputy Picinich not to come towards me.
12. I requested Picinich not to invade upon my personal space.
13. I requested Officer Parker and others to observe what Picinich was doing to me.
14. I did not resist arrest.
15. I was never told I was under arrest.
16. An unknown CHP officer was trying to delete recordings and destroy evidence off my recorder.
17. The officers were laughing about doing so.
18. Picinich assaulted me in front of Officer Parker, my wife and son and others at the courthouse that morning.
19. I never told deputies or any deputy that they were not going to stop me.
20. California Rules of Court does not prohibit a hand held digital recorder to be in the courtroom, and only specifically states that a party who wishes to turn on and use the recorder must ask the judge of the courtroom if he may do so.

The rules for allowing television cameras, etc., are different in that a formal motion must be made and granted by the court. I was not bringing in film and audio equipment to broadcast a courtroom hearing.

I was in fact not even going to a “court” but to a probation hearing office for my 16 year old son who had received his first traffic ticket.

The other audio recording in my possession evidences a loud thud against a door with an excited utterance of "OW!! You hit my head against the door!"

I request/demand that the Enterprise begin running public statements and apologies for stating that I am a "known racist" and issue a written statement to the Recall Committee that you have no evidence that support your statements that I am a known racist.

At anytime that you would like to listen to the audio recordings yourself, you may do so in my presence with another recorder on recording our meeting. I also suggest that we have civil standby Los Banos PD officers for my protection to insure that I am not again assaulted by your Mr. Corey Pride.

Please acknowledge receipt of this request for corrections and retractions, etc. and make such corrections, etc. as soon as possible and publish them in a location that is clearly noticeable to readers of your rag.

No thanks is due you bunch of scoundrels!

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Forte".

Gene Forte

Attachments: Complaint of Public Dissatisfaction to LB Police Department re: Officer Parker  
Citizen's Complaint to the CHP re: CHP Officer Melden  
Claim Against Merced County re: Deputy Picinich  
Claim Against the City of Los Banos re: Police Chief Fitchie