

[Text version of pdf without cropped text; from personal notes]

2-22-2015

Dear Senator Graham,

Thank you for the letter dated 2-9-15 (received on 2-17-15).

You stated:

"Because your concern is legal in nature, it is outside of my official jurisdiction. Therefore, it would be inappropriate for me to intervene at this time."

Perhaps. I have been somewhat isolated from the outside world for the past 7 years (caring for my mother with severe dementia and with substantial responsibilities related to care of my father).

It is possible that the fundamental nature of our government has been redefined without enough public attention for me to notice via internet-based news sources. However, I doubt it.

The most likely scenario is that a member of your staff misunderstood my requests. Let me clarify my understanding of your jurisdiction and proper actions:

1. You are an elected member of the U.S. Congress with responsibility (i.e. jurisdiction) related to [Federal] legislative powers per Article I of the U.S. Constitution.
2. In a very broad sense, the Congress exists with a dual mandate to exercise legislative powers and check abuses within the executive and judicial branches of the Federal Government.
3. Congress has specific authority "To constitute Tribunals inferior to the supreme Court."
4. Congress has specific authority "To make all Laws which shall be necessary and proper for carrying into Execution ... all ... Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."
5. You are my [Federal] elected representative most closely tied to oversight of the judiciary.

[I have requested aid in getting a special prosecutor for criminal deprivations under color of law, etc. by two members of the N.C. Judiciary and one clerk of the U.S. Supreme Court (with additional criminal charges likely for more members of the Judiciary and the "Justice System" after a reasonable investigation by the Federal Bureau of Investigation; some charge against the Chief Justice of the U.S. Supreme Court is not unlikely).]

6. By current law, investigation and prosecution of Federal Judges is under the exclusive jurisdiction of the USDOJ's Public Integrity Section (PIN).

7. It is my understanding that investigations of deprivations (of Federal Rights) under color of law by a foreign state (North

Carolina) and the Federal Courts would fall to the Federal Bureau of Investigation.

8. I have contacted the Public Integrity Section with no result.

9. I have contacted the F.B.I. with little to no result.

10. I have notified your office that little to no process exists for the prosecution of members of the judiciary; no process to even file an effective complaint or obtain a reasonable investigation.

[Your response is confusing.]

11. You have responded that the matter is outside your jurisdiction and any action would be inappropriate.

12. Clearly, the lack of checks on abuses by the judiciary is dead-center bulls-eye within your jurisdiction.

13. Clearly, abuses by foreign state courts against citizens of your home state are within your jurisdiction.

14. Clearly, regulation of the courts is within your jurisdiction.

15. Clearly, reform of law to address deficiency of process and lack of accountability (on another branch of government like the judiciary) is within your jurisdiction.

16. Clearly, legislation clarifying rights and interstate interactions is within your jurisdiction.

[My notifications and requests were broad to allow you to choose appropriate responses within your jurisdiction.]

17. Nothing prohibits a member of Congress from utilizing his office to communicate with members of the executive branch.

18. A reasonable means to aid in getting a special prosecutor appointed is to have your office contact the F.B.I. and the DOJ's Public Integrity Section to make them aware that you have an interest in a case which alleges corruption within the judiciary; request updates (including when an initial complaint is accepted).

19. Beyond minimal contact, monthly follow-up calls by your office (hopefully with some contact at some point directly) would likely guarantee a more effective prosecution (and cure an improper bias against prosecution/investigation of the judiciary).

20. Clearly, contact with members of the executive branch is within your jurisdiction related to oversight of those offices (including power of the purse) and is a fundamental duty to provide a check on abuses originating within another branch of the government.

[My conclusion is simple.]

21. Clearly, nothing I have previously requested/mentioned exceeds your jurisdiction or would be inappropriate.

Again, I would like to request aid in getting a special prosecutor appointed. I also hope that you consider some of the other issues and a discussion begins in Congress to cure deficiencies related to individual rights, abuses by members of the judiciary, and accountability for members of "Justice System". The results of the DOJ's Public Integrity Section do

not appear to reflect the intent of the law to contain corruption in all public officials.

*I have noted previously that for the past two years where the report is available, the Public Integrity Section brought no cases against members of the Federal Judiciary. There only appears to be one case against any member associated with a State Judiciary during that time.

2012 = 1 state judicial official charged - United States v. Clark and Stephenson, Eastern District of Virginia (former magistrate)

2013 - 0 state judicial officials listed

2012 Summary:

Federal = 381 charges with 369 convicted (with 0
judicial)

State = 100 charged with 78 convicted (with 1 judicial)

2013 Summary:

Federal = 337 charged with 315 convicted (with 0
judicial)

State = 133 charged with 119 convicted (with 0
judicial)

[The statistics provided by the Public Integrity Section do not clearly break down prosecutions by branch of government. Common Sense would dictate that there would be proportional abuses within each branch of government (which strongly supports undue pressure and systemic repression of prosecution as the basis for practically no judges, clerks, and prosecutors being charged or even investigated).]

There is an interesting quote from the 9th Circuit Court of Appeals related to former Arizona Rep. Rick Renzi: "Congressmen may write the law, but they are not above the law". Shouldn't a similar standard apply to judges and members of the "Justice System"?

An additional quote from the opinion should also be considered: "The Constitution and our citizenry entrust congressmen with immense power, Renzi abused the trust of this nation, and for doing so, he was convicted by a jury of his peers." Shouldn't judges who abuse their power and criminally deprive citizens of their rights be held accountable for those abuses (even when there is no clear financial gain)?

[Quotes from:

<http://cronkitenewsonline.com/2014/10/appeals-court-upholds-convictions-of-former-arizona-rep-rick-renzi/>]

Again, please aid me in getting a special prosecutor appointed so that some executive agency will investigate and prosecute what I estimate at approximately 100-300 direct criminal violations (against me and my wife) by members of the judiciary; I need someone who has an incentive to actually take a formal complaint

rather than dismissing any allegation without inquiry (or paying lip-service by only taking information that is almost certainly insufficient to justify further investigation); I believe that a formal investigation into the direct charges will reveal a much clearer picture of entrenched corruption within the "Justice System" which extends far beyond the three individuals who I can directly prove have acted criminally and lay groundwork to much needed broader reforms.

There needs to be accountability within the Justice System (for judges, prosecutors, police, et cetera).

Currently no real process exists without public and/or political pressure.

Thank you for your time.

Sincerely,

Joey Berry

P.S. Copy of my complaint log to date:

[Complaint log omitted due to length limitation on your web submission form.]