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Chapter 1 : Capcha | CaseMine

The item Criminal justice, are failing to safeguard the rights of poor defendants; Kirsten Anderberg; Judges are failing to safeguard the rights of poor.

The unlabeled street inland from SR as it passes the market is Western Avenue. To its north is Belltown. To its southwest are the central waterfront and Elliott Bay. Boundaries are diagonal to the compass since the street grid is roughly parallel to the Elliott Bay shoreline. Pressure by developers and the "Seattle establishment" soon got that reduced to a tenth of that area. Part of the market sits on what was originally mudflats below the bluffs west of Pike Place. In the late 19th century, West Street now Western Avenue, angling away from Pike Place was already a through street running more or less parallel to the shore. Railroad Avenue now Alaskan Way was built farther out on pilings; it was not filled in until the s. Nearby piers with warehouses for convenient stevedoring had already been completed by , two years before the Market opened. The dirt track rising at left is part of Stewart Street. The first Washington Hotel "â€", center, background sits atop the small, steep Denny Hill, regraded in "â€" This is taken from somewhere near Railroad Avenue, the present-day Alaskan Way. The intersection near the center of the map is the corner of First and Pike. Before the creation of the Pike Place Market in , local Seattle area farmers sold their goods to the public in a three-square block area called The Lots, located at Sixth Avenue and King Street. Most produce sold at The Lots would then be brought to commercial wholesale houses on Western Avenue, which became known as Produce Row. Most farmers, due to the amount of time required to work their farms, were forced to sell their produce on consignment through the wholesalers on Western Avenue. The farmers typically received a percentage of the final sale price for their goods. They would sell to the middleman on commission, as most farmers would often have no time to sell direct to the public, and their earnings would be on marked up prices and expected sales. In some cases, the farmers made a profit, but just as often found themselves breaking even, or getting no money at all due to the business practices of the wholesalers. During the existence of the wholesale houses, which far predated the Market, there were regular rumors as well as instances of corruption in denying payment to farmers. Revelle , a Seattle city councilman , lawyer, and newspaper editor, took advantage the precedent of an Seattle city ordinance that allowed the city to designate tracts of land as public markets. Through a city council ordinance vote on August 5, , he had part of Pike Place designated temporarily as a public market for the "sales of garden, farm and other food products from wagons Sensing that their land was about to appreciate in value, they began to heavily advertise adjoining plots for sale. The first building at the Market, the Main Arcade, opened November 30, The west side of the stall lines were soon covered in an overhead canopy and roofing, becoming known as the "dry row". Renamed to the Economy Market, it became an expansion to the Main Arcade. The so-called " mosquito fleet ", the precursor to the modern Washington State Ferry system, would bring shoppers from various islands in Puget Sound to shop, and Market vendors began to bring goods directly to the docks for sales. Colman Dock and Pier 54 then known as Pier 3 were within walking distance, and the persons coming to sell their wares at the market would disembark from the steamers at these docks. The area became a social scene, where young Seattle locals went to see and be seen. As the city government began to quickly lean towards the Westlake proposal, the farmers began to formally organize together for the first time to protect their interests. The deciding Seattle City Council vote in April was in favor of retaining the existing Market location, and the Goodwins immediately began work on their next expansions. The late Seattle historian Walt Crowley estimated that they might have been as many as four-fifths of the farmers selling produce from stalls. Roosevelt signed Executive Order February 19, , which eventually forced all Americans of Japanese ancestry in an "exclusion zone" that included the entirety of the West Coast states and southern Arizona into internment camps. Many assets were frozen, creating immediate financial difficulty for the affected aliens, preventing most from moving out of the exclusion zones. This was supported by the mayor , many on the city council , and a number of market property owners. However, there

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was significant community opposition, including help from Betty Bowen , Victor Steinbrueck, Ibsen Nelsen, and others from the board of Friends of the Market. Between and , more than 45, tiles were installed and nearly 1. From about the site held an armory, which was damaged by fire in The land was taken over by the city in , and the remnant of the armory was razed. In the land passed to park usage. The resulting Market Park was largely redesigned in At their last meeting before the August 1 deadline, the PDA voted 8â€™4, to notify the city of its intent not to renew the Agreement. The City Council did not accept the proposed substitute. The council and PDA extended the Hildt agreement 9 months and the council agreed to an extensive public review process in which the Market Constituency played a major role. The bad blood generated by the conflict spurred an audit of PDA practices by the City Auditor; the audit was critical of the PDA for occasionally violating the spirit of its Charter, but exonerated it of any wrongdoing. Basic infrastructure was failing and the nine-acre site had fallen well behind standards for safety, accessibility and environmental stewardship. The architecture firm SRG Partnership was hired to design the renovation. Completed in , [38] the renovation was designed to preserve the character of the campus while giving the buildings comprehensive upgrades that achieve full compliance with City codes and standards. It is overseen by a member volunteer council. Its members serve four-year terms. Four members are appointed by mayor, four by the current council, and four by the Pike Place Market Constituency. The Market PDA sets the policies by which the Pike Place Market is managed and hires an executive director to carry out those policies. Members of the member commission are appointed to three-year terms by the mayor. At any time, the commission consists of two members each from the Friends of the Market, Inc. They meet 22 times a year. The association connects market vendors to legal, accounting, bookkeeping, business insurance, and health insurance services [43] and provides free online advertising for its members. It also represents its members and attempts to advance their interests and opinions. All PDA tenants are required to be members; daystall vendors also have the option to join. The DTA formed in response to proposed increases in daystall rental rates. Similarly, the United Farmers Coalition UFC formed in to represent daystall farmers who sell produce, flower, and processed food; the UFC represents only these food vendors, as against craft vendors. Still, as noted above, they have two seats on the Historical Commission. They also give tours of the Market. Its charter mandates it to "ensure that the traditional character of the Public Market is preserved. Open-fronted, but rented on a lease, not as a daystall. As a result, they sometimes criticize the PDA for not implementing suggestions they believe would work for them and their close neighborsâ€™e. Then they conclude that the PDA is not taking their comments and suggestions seriously. As late as , there were about ten farmers markets in Washington. By there were more than sixty. It can stray from its traditional character or it can fail financially as a business entity. Both can rent daystalls. Daystalls are between 4 feet 1. Craftspeople have priority on the Desimone Bridge, the west side of the Market arcade north of the Desimone Bridge and the outdoor slabs between the arcade and Virginia Street; farmers have priority everywhere else. If farmers do not fill their priority tables, craftspeople may rent those, and vice versa. Farmers can pass permits through their family. To sell on a Saturday, vendors must sell at the Market a minimum of two weekdays of the preceding week. Senior Crafts Permit Holdersâ€™craftspeople who have sold in the Market for 30 years or moreâ€™need only rent and use a daystall once a week to maintain their seniority. There is also a broader category of supplemental farm products such as wild-harvested berries and mushrooms, non-edible bee products, or holiday wreaths. Rules vary significantly at different times of year. For performers, this annual fee is their only fee. Farmers and craftspeople pay day rent for any daystalls they use. There are also separate rents for lockers and coolers. There are only positions in a virtual line for each marked, sanctioned performance location. Queuing runs on an honor system. Each performance is limited to one hour if any other licensed performer is waiting for the spot. Electronic amplification is not allowed, nor are brass instruments or drums. Certain performance locations are further limited to "quiet" performances where for example even hand-clap percussion is not allowed. This policy was part of the reason that the PDA ran into the financial difficulties that led to its dealings with the Urban Group. Part of the Pike and Virginia Building can be seen at right. The Pike Market Medical Clinic provides primary care and ancillary services to

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3, patients. Most of these are either elderly, HIV -positive, or working poor. The clinic provides basic medical care, subsidized prescriptions, lab work, mental health counseling, drug and alcohol counseling, connections to other community services, and sometimes even assistance in finding housing. Services include hot lunches for low-income seniors, help in finding housing and jobs, and a variety of classes ranging from physical fitness and health to language, geography, art, and computer training. About bags of groceries are delivered weekly to homebound downtown residents. About families receive infant milk, baby food and diapers. Besides its educational aspects, the school provides these children with breakfast, lunch, and afternoon snacks and has a full-time, onsite child and family support professional to identify resources children their families might need and to link them to those resources. Eventually, the owner realized it was easier to station an employee at the table, to throw the fish over the counter. This attraction has also appeared on numerous prime-time installments of NFL games when the Seahawks host games at nearby CenturyLink Field. The store was opened by three partners: Founded in , the name which is Tibetan means "divine dumpling".

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Chapter 2 : Library Resource Finder: Table of Contents for: Criminal justice

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Chapter 3 : Trump Picked Kavanaugh. How Will He Change the Supreme Court? - POLITICO Magazine

Public defenders are failing to safeguard the rights of poor defendants / Kirsten Anderberg Judges are failing to safeguard the rights of poor defendants / Richard Klein -- 5. Circumventing police' knock and announce' rules violate civil rights / Radley Balko -- 6.

This is no longer a situation where public defenders can stand around and keep pointing fingers at those funding them, usually the state. At a certain point, public defenders become accomplices in these crimes against the poor Public Defenders Need to Go On Strike The situation with underfunded public defenders, and plea bargains being thrown around more often than not, with poor people caught in the mix, denied the rights given them legally, to fair and proper representation, needs to stop. Something must be done and I think what needs to be done is Public Defenders need to go on strike. Or else they are now accomplices. So this affects almost every person charged with a felony in the criminal justice system. Public defenders take out their frustrations and anger about being overworked and underfunding on innocent clients who just want to understand what is going on with their cases. It is no longer acceptable for public defenders to keep pretending they are giving a service all agree they are not. It appears quite standard knowledge that if you use a public defender, you have a much, much greater chance of going to jail than if you use a private attorney. None of these things are the fault of the poor who get entrapped in the criminal justice system. It is the duty of the courts to provide fair and equal representation to the poor. That goal has failed in America with flying colors. In a recent article by Philip Dawdy in the Seattle Weekly [http: Dawdy](http://www.seattleweekly.com) calls the public defender system that just received these cuts "a traditionally underfunded program that provides court-appointed attorneys for low-income and indigent people accused of crimes. And do not think that that stress remains within the locked boardrooms of the Northwest Defenders Association either. The clients are yelled at for wanting to understand their cases. The clients are barked at and told to be quiet and speak when spoken to, while in the middle of serious legal battles, as these public defenders yell at clients that they are overworked and they have more clients than they can handle. I have seen his behavior from employees and public defenders in King County with my own eyes. When I worked at the Kent County Law Library, I had many mothers come in with swollen red eyes, asking me to explain the charges that just incarcerated their sons. So, the best I could do was lead these desperate women to books that explained the crimes in as close to plain English as possible. It broke my heart that women were losing their children, and public defenders did not even have the time to explain to the mothers what the actual charges meant or what was going on. These public defenders not only do a disservice to their clients by providing insufficient and incomprehensible legal representation, but they also yell at their clients if their clients dare try to demand more. This is not a healthy situation for anyone, and it certainly is not blind justice by any stretch. And even if those were believable reasons to predict less need for funds in , that does not take into account the glaring reality that the public defense agencies have been functioning below par for years now, and something must be done. This email from Licata says, "Case load and standards for provision of services: Subsequently the Seattle City Council adopted Resolution in , adopting a framework and schedule for implementing recommendations contained in the Public Defender Salary and Caseload Review conducted by City Council staff. This led to the Council passing a City Council Budget Intent Statement establishing a case per-attorney, per-year limit. Specifically, this bill states that City agreements with indigent public defense service providers shall require caseloads no higher than cases per-attorney per-year and it also affirms the Washington State Bar- endorsed supervision standard of one full-time supervisor for every ten staff lawyers. If you do not like it, hire an attorney. That day, I watched Sam play stupid games over and over due to her annoyance with her case load. When I first arrived, I asked Sam, whom I did not know or recognize, as she would not meet with me before my actual hearing! She quipped I needed to go to the 12th floor. Her response was, "No, only the attorney can tell you that. She said I would have to talk to my attorney! She said my attorney would call my name eventually if I was on the roster Is this

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type of treatment of clients necessary? Would I continue to employ a private attorney who represented me in such a fashion? The article goes on to say, "The panel, whose 17 members include judges from the Washington Supreme Court on down, calls for new laws or court rules to address a litany of problems, including a lack of enforceable standards for public-defense lawyers, inadequate funding and the proliferation of fixed-fee public-defense contracts that invite abuse That report was given to the Board of Governors in May State Bar Association panel also wrote that the consequences of an inadequate defense "can be devastating for the individuals whose liberty is at stake, for the legal system, and for society as a whole. As a matter of fact, in my little romp with inadequate representation by public defenders in Seattle, the "investigator" in my case was a woman with no prior investigative experience, who was using this "internship" with a public defenders group for a new life experience I did work as a private investigator for years, and watching her bumble about, when my case was at stake, was unbelievable. In the end, not a thing she did was of use. In the end, the public defender in my King County case stood up in front of the judge and said, "Your honor, if Ms. Anderberg had had proper legal representation, she would not be here today. So we have people who are just curious about the system like the "investigator" on my case, doing an investigative internship, with little to no supervision, from what I could tell, from professionals in the investigative field. There is a Washington State law that requires counties and cities to pass legal standards on case loads for their public defenders. Specifically, this bill states that City agreements with indigent public defense service providers shall require caseloads no higher than cases per-attorney per-year Supreme Court judge, The Seattle Times, The Seattle Weekly, and more, echoing that these services the public defenders are providing are inadequate. Yet every day more poor folks are locked up, due to what we all acknowledge is inadequate representation. There is legal precedent for public defenders to go on strike right now. First, they have Constitutional precedent. Most of the agencies involved echo that this erosion of public defense funding and services is an erosion of integrity to the entire judicial system. It is time that the public defenders quit pretending they are giving a service they are not. And it is time they quit blaming others. If they cannot do their jobs, they need to admit it. Rather than doing half assed jobs where people go to jail as the payment for that half assed job. There are laws being violated by the state, city and county, from what I can tell, regarding these messes of public defender organizations used by the state. I feel the only conscionable thing for public defenders to do is to go on strike, and to burst the myth of equal representation. Is it fair that the poor pay in jails for this mess? No, it is not. Seriously, public defenders need to go on strike. And demand a legitimate way to provide equitable legal services to the poor. But they should not continue to provide questionable legal services, yelling at clients under stress. They should stop now, and fight for the rights of the poor. Beginning with a right to fair and equal representation. So how long are the poor going to be wrongly incarcerated for these crimes by attorneys and the state? How many families broken, how many criminals created, due to the lack of proper defense by public defenders? How long is this going to continue on? Public defenders have a DUTY to go on strike, is my take on this.

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Chapter 4 : Criminal justice - Brigham Young University

It War detainees have no right to habeas corpus / |r Andrew C. McCarthy -- |g 3. |t Public defenders are failing to safeguard the rights of poor defendants / |r Kirsten Anderberg -- |g 4. |t Judges are failing to safeguard the rights of poor defendants / |r Richard Klein -- |g 5.

Licensing Act Children and Young Persons Act It is illegal to sell, serve or offer alcoholic drinks to anyone under the age of It is illegal to sell or offer liqueur confectionery to anyone under the age of It is illegal to serve beer, wine or cider on licensed premises to anyone under the age of 16; and year-olds may be served if an adult orders with a meal not needed in Scotland. It is illegal to give alcohol to children under the age of 5 years on private premises. It is illegal to permit anyone under the age of 16 to smoke in England and Wales. Gambling Gambling Act National Lottery Regulations It is illegal to permit anyone under the age of 18 to enter a casino or licensed gambling premises, and to permit them to gamble. It is illegal to sell scratch cards or lottery tickets to anyone under the age of Children can work a maximum 40 hours per week, if they have reached the minimum school leaving age. To work full-time one must be at least 16 years of age. Some hazardous or high risk work requires a person to be 18 or over, working as a police officer or a firefighter for example and in some cases 21 and over working as a driving instructor or large HGV driver for example Fireworks Pyrotechnic Articles Safety Regulations Fireworks Regulations It is illegal to sell or possess adult fireworks category 2 and 3 under the age of It is illegal to sell or possess fireworks category 1 under the age of It is illegal to sell or possess "Christmas crackers" under the age of Video games and films Video Recordings Acts of and It is illegal to sell, rent or permit to see a movie to anyone under the approved age restriction. Films, as of the age ratings currently include, U Universal, recommended for all ages PG Parental Guidance, recommended for all ages, although some content may be unsuitable for younger children, typically under the age of 8 12 and over only suitable for persons 12 and over 12A only suitable for persons 12 and over, although a person under 12 may view a 12A in a cinema if accompanied by a person 18 or over. This is a special rating used only for the sale and viewing of pornography in licensed sex shops. It is illegal to sell or rent films to anyone under the approved age restriction. U and PG ratings are unrestricted Video games, as of the age ratings currently include, PEGI 3 only suitable for persons aged 3 or over PEGI 7 only suitable for persons aged 7 or over PEGI 12 only suitable for persons aged 12 or over PEGI 16 only suitable for persons aged 16 or over PEGI 18 only suitable for persons aged 18 or over It is illegal to sell or rent video games to anyone under the approved age restriction. Cruelty to persons under sixteen Children and Young Persons Act It is illegal to anyone 16 or over who has responsibility for any child or young person under that age to: Causing or allowing persons under sixteen to be used for begging Children and Young Persons Act It is illegal to let anyone beg in public places under the age of However, it is illegal for someone to have sex with anyone under the age of 16, or under the age of 18 for those in a position of trust. A person in a position or trust includes a person such as a teacher, doctor, etc. The act followed *Donoghue v Stevenson* [] UKHL to reflect the new law of negligence and demolition of the privity barrier in the law of contract. The new law recognised that the product manufacturer may be many parties removed from the ultimate product consumer and that the product may contain potentially hazardous but un-examinable content. This may be either through ingredient or packaging. Food intolerances are a simple example. The purchaser will be unaware of potentiality allergic content unless clearly advised by the producer. A parent procures for a child who is, potentially, the most vulnerable consumer. The approach is no different to employment health and safety, but for the consumer rather than the employee. It is the "manner" of acting that is important: Safeguarding the welfare of the child[edit] Child safeguarding follows directly from these principles. The list is both endless and, to the most part, obvious common sense. Failure by the responsible person is an offence of child cruelty on the grounds of failing to protect the child in circumstances consistent with the provision of safe and effective care. Just as in employment health and safety, the powers of parenthood can be delegated but not the duties. Parents should

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make arrangements for suitable and properly informed others to have responsibility for their children see also s. Health and medical treatment may involve some form of physical contact in which case lack of proper consent is a potential battery, or even assault, of the person. The procurer must be placed in a position to assess any potential risk to the child in the reliable use of the product. Welfare, risk assessment and the calculus of negligence[edit] Just as in all of life, the likely benefits of a procured product come with possible non-beneficial qualities. Procurement is a careful activity attempting to achieve the best value for money. The benefits of the product must be satisfactorily delivered as specified for performance in the law of contract. Just as in food intolerances and consent to examination and treatment, the procurer must be made aware of any potential hazards in their circumstances of a product that performs reliably. The calculus of negligence is a legal approach, in the spirit of procurement efficiency, that attempts to strike that balance on economic grounds. This is most easily understood in terms of insurance liability. Should a car driver have a duty of care towards unlit cyclists at night or should the cyclist have a duty of care to properly illuminate his bicycle at night? The costs of bicycle illumination are considerably less than the cost of driving with a duty of care to unlit cyclists. Failure to do so is, again, an offence of child cruelty under s. The best interests of the child[edit] Decision making[edit] Decisions made on all the necessary products: A child is a person, not an object of concern who simply lacks the capacity to give consent on her own behalf until Gillick Competent to do so. Failure of the responsible person to do so is an offence on the grounds of emotional neglect see, Part 2 B, 24, sentencing guidance, Overarching Principles: The welfare checklist[edit] Working Together to Safeguard Children extends mental capacity to parental capacity for a person with parental responsibility and the best interests consideration under s. Just as in employment health and safety, these are the risks of the present care environment. Decision making and legal disability[edit] There is both a business and social imperative to give all the opportunity for safely and satisfactorily consuming the offerings of producers. Some, may not have the capacity to be capable of giving proper consent or agreement for the products that best serve their needs to use those products safely. This is called Legal Disability. Disability is the difference between capacity and capability. In the case of parents parental capacity of Working Together and parental capability of s. Disability is defined as a mental or physical impairment with and adverse effect on normal day-to-day activities. A person without the use of their legs lacks the physical capacity to walk. They are not capable of carrying out the normal day-to-day activity of, say, shopping without some corrective measure such as a mobility scooter see s. A lack of mental capacity to process the information and make decisions is a legal disability leaving the person incapable of instructing a solicitor s. Physical health is the mental capacity to understand the effects of matter and energy on both self and others. That is, to understand how a person may be physically harmed which is called causality in the law of negligence. Moral health is the mental capacity to recognise the persons and environment that may be damaged by the acts and omissions in the law of negligence, the neighbour and neighbourhood. The offence of child cruelty under s. It means nothing more than setting a bad example in either behaviour towards others moral health or carelessness with potentially dangerous items, e. Emotional health is firstly intellectual health, the capacity to reason based on the understandings of physical and moral health when making decisions so as not harm a neighbour or neighbourhood. It is secondly the competencies to engage in social relationships, personal or business, under the terms of proper consent or agreement following that reasoning and decision making. Thirdly, it is the likely capability of applying those competencies to take opportunities in the cause of growth and well-being and then to perform reliably. Child development and parental responsibility[edit] The Department of Health Introduction to the Children Act described new notion of parental responsibility as "the authorities conferred by parental responsibility exist only for raising the child to physical, emotional and moral health". As a medical discipline, child welfare under s. Lord McKay also said when introducing the act, "The days when a child was regarded as a possession of his family, indeed to sue on their loss, are today buried forever". The child is socially and emotionally developed, whilst he lacks capacity, by full involvement in the decision making process in his best interests until he becomes competent as Gillick Competent. Disability, parental

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disability and social inclusion[edit] The Department of Work and Pensions disability assessment is a measure of physical and mental capacities under clinical or controlled conditions from occupational health in respect to employment performance. The test for disability is capability as "the mental or physical impairment with an adverse effect on day-to-day activities" as social performance. The assessment of capacity is used in a home based disability assessment under s. The services include advocacy services for advice and assistance in decision making when exercising the authorities of parental responsibility. This was another clear intention of the act described in the Department of Health Introduction as " To do so they must meet the public law thresholds that the child is suffering, or likely to suffer, significant harm attributable to the care it would be reasonable to expect a parent to give, the same criteria as for parental disability support. State intervention[edit] It is assumed that the parent has been given the necessary support for any parental disability under the terms of proper consent, that the welfare of the child has been safeguarded and the risk to the child is parental negligence. The test of parental negligence is, following Donoghue later called the Bolam Test , the same test as for professional negligence. If a care order is made the local authority acquires parental responsibility under s. These thresholds are highly controversial and poorly understood. A number of esoteric legal principles are involved and most easily understood in terms of employment performance and health and safety. A parent, just like the CEO of a corporate body, must be, and be seen to be a fit and responsible person. If called into question the court will firstly examine the facts. In employment health and safety there are the facts of accidents, the accident record book of harm suffered, [22] and the facts of the employment environment, harm likely to be suffered, [23] say, from a trip hazard. If so, do these found facts amount to a trip hazard? This conforms that the alleged events occurred and were unlawful but that is not enough there is next the issue of culpability or State of Mind. Negligence is a state of mind. This notion comes from the criminal law and the offence of child cruelty under s. What was the motivation, carelessness or malice? There is a defence of diminished responsibility , the offence occurred but was not voluntary or reasonably foreseeable by an impaired or incapacitated defendant. The offence of child cruelty allows a defence of parental incapacity on a wide range of grounds see sentencing guidance, Overarching Principles: Assaults on children Assaults on children and Cruelty to a child. To summarise so far, as a matter of fact found on the balance of probabilities, the child has suffered harm or been exposed to an unsafe environment. This is all based in the present and the final finding is as a fit and proper person to hold this responsibility into the future. Is there a track record of such irresponsible behaviour? Preventing child neglect and abuse[edit] The offence of child cruelty can be prosecuted concurrently with any assault on the child. If a child is assaulted, sexually or physically, then both the assailant and the person responsible for keeping the child safe from the assault are culpable for the harm suffered as physical abuse or sexual abuse. This completes the definitions of child neglect and abuse in Annex A of Working Together see also Preventing child maltreatment:

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Chapter 5 : Adversarial system - Wikipedia

Public defenders are failing to safeguard the rights of poor defendants / Kirsten Anderberg Judges are failing to safeguard the rights of poor defendants / Rich. Series Title: Opposing Viewpoints In Context.; Opposing viewpoints series (Unnumbered) Responsibility: David Haugen and Susan Musser, book editors.

Defendant appeals as of right his jury trial conviction of two counts of third-degree criminal sexual conduct CSC , MCL Sufficiency of the Evidence Defendant first argues that there was insufficient evidence to convict him of the third-degree CSC charges. We review de novo challenges to the sufficiency of the evidence in a criminal trial to determine whether, when viewing the evidence in the light most favorable to the prosecutor, a rational trier of fact could have found all of the elements of the charged crime to have been proven beyond a reasonable doubt. Defendant first argues that the evidence was insufficient to support a finding that the victim was mentally incapable because the victim attended school, was able to perform automotive repairs, could hold conversations and maintain relationships with people, and could choose his sexual partner. However, a review of the record indicates there was ample evidence upon which to conclude that the victim was mentally incapable of consenting to the sexual relationship with defendant. He explained that if compared to one hundred of his peers, the victim would function in the lowest three to five percent range, due to his lower intelligence, poor language development, and inability to adapt or be flexible when presented with new situations. He indicated that the victim has difficulty interpreting things, lacks self-insight or self-awareness, and does not think about his own behavior, but acts out and deals with the consequences later. A counselor with a significant history of treating the victim described him as impressionable, very susceptible to manipulation by others, and characterized him as a follower. He also opined that the victim is unable to recognize the consequences of a homosexual relationship, and that the victim would confuse a sexual relationship with his need for acceptance, thereby placing himself in a dangerous or jeopardizing situation. Viewing the evidence in a light most favorable to the prosecution, sufficient evidence was presented from which a rational trier of fact could find that the victim suffered from a mental disease or defect that rendered him incapable of appraising the nature of his conduct. However, several witnesses testified that the fact that the victim was mentally deficient is readily noticeable after only a short period of interaction. The psychologist opined that a reasonable person could discern within an hour that the victim has a mental defect, because the victim has inarticulate language, difficulty understanding words, and does not make inquiries typical of a seventeen-year-old. There was also evidence that defendant had ample opportunity to notice these limitations. The investigating police officer testified that defendant admitted to harboring the victim when he ran away from his foster home. Viewing the evidence in a light most favorable to the prosecution, sufficient evidence was presented from which a rational trier of fact could find that defendant knew or had reason to know that the victim was mentally incapable of consenting to a sexual relationship. Moreover, sufficient evidence was presented from which a rational trier of fact could find that all the elements of third-degree CSC were proven beyond a reasonable doubt; therefore, defendant is not entitled to relief on this issue. Consequently, our review is limited to plain error affecting substantial rights. *People v Carines, Mich , ; NW2d* In order to establish a Brady violation, a defendant must prove: Defendant has failed to establish a Brady violation. Defendant has not proven that the prosecution possessed evidence that was favorable to him, i. Additionally, defendant has not proven that had the evidence been disclosed, a reasonable probability exists that the outcome of the proceedings would have been different. Further, even if it was contemporaneous, a determination that the victim was competent to enter a plea has little, if anything, to do with the mental capacity to consent to a sexual relationship. For a new trial to be granted on the basis of newly discovered evidence, a defendant must show that: However, as noted above, the record does not show that evidence regarding the plea would make a different result probable on retrial. Again, defendant has failed to establish plain error affecting his substantial rights, and is not entitled to a new trial on the basis of newly discovered

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evidence. Prosecutorial Misconduct Defendant next alleges several instances of prosecutorial misconduct. We review de novo claims of prosecutorial misconduct to determine whether defendant was denied a fair and impartial trial. Prosecutors are free to argue the evidence and any reasonable inferences arising from the evidence, *id.* *Ackerman*, supra at ; *Aldrich*, supra at *Ackerman*, supra at Ineffective Assistance of Counsel Defendant next argues that he was denied the effective assistance of counsel because defense counsel failed to object to the alleged instances of prosecutorial misconduct. Because defendant failed to move for a new trial or for a *Ginther* [2] hearing, our review is limited to mistakes apparent on the record. Because counsel is not ineffective for failing to raise futile objections, defendant is not entitled to relief on this unpreserved issue. Scoring of Offense Variables Defendant next argues that the trial court erred in scoring offense variables 8, 10 and Further, in light of the sexual acts that subsequently occurred there, the transportation of the victim was to a place of greater danger. *Spanke*, supra at The investigating officer testified that defendant admitted to harboring the victim as a runaway from a foster home. This Court recognized that MCL However, this Court agreed with *People v Mutchie*, Mich App ; NW2d , that the proper interpretation of OV 11 requires the trial court to exclude the one penetration forming the basis of the offense when the sentencing offense itself is first-degree or third-degree CSC. Under *McLaughlin*, OV 11 was correctly scored. I must respectfully dissent from the majority opinion of my colleagues. The prosecutor withheld highly relevant exculpatory evidence that negated an element of the charged offense. Defendant was convicted of two counts of third-degree criminal sexual conduct for engaging in sexual acts with a mentally incapable young man. During discovery, defendant requested from the prosecutor all potentially exculpatory information and the criminal history of all prosecution witnesses. Rather than make all the requested disclosures, the prosecutor indicated that the criminal history of the witnesses would only be provided upon court order. It was not until the week before sentencing that defense counsel learned that the complainant, who was allegedly mentally incapable of consenting to a sexual act, was mentally competent to enter a plea in an unrelated criminal action. A prosecutor must, upon request, provide a defendant with any known exculpatory information or evidence. The prosecutor should have discovered this information in a timely fashion and made the required disclosure to defendant. Accordingly, I would find that defendant was entitled to a new trial. However, the nature of that plea would have no affect on this appeal or the lower court proceedings.

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Chapter 6 : Child protection - Wikipedia

Table of Contents for Criminal justice / David Haugen and Susan Musser, book editors, available from the Library of Congress. Table of contents for Criminal justice / David Haugen and Susan Musser, book editors.

Pablo tried to submit a conscientious objector CO application, but it was dismissed as not meeting proper criteria, leaving Pablo vulnerable to prosecution. He was convicted by a military court martial May 11 but received a lighter sentence than expected: The prosecution had asked for three times as much hard labor. During sentencing Paredes was permitted to explain his reasons for refusing to participate in the Iraq war: Sailors all over the world will want to know whether this will be tolerated. Sailors want to know whether doing what he did is a good way to get out of deployment. This was a very courageous move. What did you do the night before this action? I just kept it very simple. A few friends and an early night. I spoke with my wife over the phone for hours and hours, and got very little sleep. I guess it all happened too fast to prepare adequately. How did you weigh out these choices? How did you finally decide to take action and to let your conscience trump your fears? Well it was very spontaneous. One moment we were discussing irrational ways to get kicked out of the military, like drugs or injuries self induced when in the mix of all that, a calm and collected e-mail from a good friend in Japan changed everything. I have been inspired after the fact by people like Camilo Mejia and Carl Webb, but at the time I was not familiar with their situations. So in some ways it was liberating, it let me make some sacrifices that cleared my conscience of the stain that assisting our armed forces in the cause of war had put on it. I felt like I was doing a sort of penance. That is what I felt. In some reports I read, you say a stay in Japan recently changed many of your views in life. I wondered if you could expand on that? Japan today, is a very good place to compare to the US " in many ways to think critically about our state of affairs. It is a mirror economy and yet there are stark differences. In Japan homelessness is insignificant in comparison to the US. Crime is also minimal in comparison. In Japan the moral values that most people harbor, though more agnostic than we tend to think of ourselves in the states, are very strong. The culture values life, not just in rhetoric but in action. It is more obvious in their defense forces which can not be used for attack, or in their push for the Kyoto Protocol. But specifically what changed me most about Japan is the nationally accepted idea of personal responsibility to the whole. It sounds very simple and it is but it does not exist as social doctrine in the states, we tend to be more about accountability to ourselves. In Japan every one from the guy that packs your meat at the supermarket to your auto salesman are committed to excellence and treat the customer like the boss. This makes certain things work so well. I reflected on this social doctrine and how humanity could be if it were internationally accepted. This is the root of my objection to war. War is the ultimate example and expression of opposition to humanity. Have any of your friends died in the Iraq war? No, I am a Navy sailor and spent most of my days in a small ship that did not have much to do with the current aggression. I had a very safe job in the Navy. It consisted of maintenance and troubleshooting of a missile system. The current aggression does not use navy war vessels for anything more than cargo ships, realistically this is not a naval battle. I say this to emphasize the safety of someone doing my job, and to explain that my actions had not a thing to do with fear. I did what I did because it will take folks in safe cushy places to resist to bring this war to an end. When our politicians who never see the real images of war decide to resist and act on conscience not money and politics, then the killing will stop. I see some reports say you were denied CO status partially because you made public statements to the media saying you are not opposed to all wars, but did oppose the Iraq war. Did you understand before you made those comments the distinction between an objection to all wars and an objection to a specific war, as it applied to CO status? I never said I am not opposed to all war, I most certainly am. What the military has done is edit a few media excerpts into making such a case. If that means filing for CO then do so, if it means business as usual then who am I to judge? What advice would you give to others considering joining the military? Become very informed, and consider the source of your information. Do I want to give up my right to speak out against unjust war? There are millions

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of questions, and actions one should consider before joining, but unfortunately they sign you up at 18 and 17 when you are most likely to not ask those questions. Do you feel you are being used as an example and that other soldiers are watching you and your case to decide if they should risk following their conscience and refusing to fight the Iraq war? How does That responsibility feel? I am sure the Navy is aware I am the first Navy resister and in some ways that makes me an example. I would actually encourage people whose conscience is troubling them to seek CO. Imagine if half the military thought it out and filed a CO claim, there would be no illegal action, no one in jail, but it would definitely have an effect. If you think War is wrong, then you would be ill-advised not to consider CO an option. I take it one day at a time. I hope to teach at the university level one day, and I want to travel very much. Freedom is a beautiful word but we know nothing of it, we speak of freedom in the context that our government allows us to, that in itself is not freedom. Two years ago freedom meant checking out books in a library with no one investigating you, not anymore. Lawyers used to call it freedom to represent their clients without fear, after Lynn Stuart that has changed. Your impending court martial must be terribly frightening. How do you handle the stress so as not to just fall apart? I keep very active. I have been involved in so much since I took my stand, from forums to anti-recruitment, to March 19th protests, that it is hard to stop and realize the severity of the situation. Also, I want to keep grounded and know that as long as people like Mumia Abu Jamal and Leonard Peltier, and history with people like Nelson Mandela, provide me with role models who really faced persecution for their beliefs, then my cross is very small to carry. In a best case scenario, what do you hope to accomplish through your actions? End the War and Occupation in Iraq, and move only forward from there. Kind of ambitious, right? What have you learned from this?

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Chapter 7 : Rain and Thunder: A Radical Feminist Journal of Discussion and Activism

When I've been homeless, the hardest part has been the lack of privacy. The "privilege of privacy" is something many take for granted, but for those of us who have experienced homelessness firsthand, privacy becomes a mindset, rather than a physical reality.

The documentation of institutional history is important to protect people in institutions today. It is odd to me that so little has been written about an institution which held 7, patients at a time in its heyday. Currently, the old buildings are being grazed and remodeled, transforming old isolation rooms into dorm rooms, etc. I went there at age 8, in , when my parents were failing me as a child. I came to see the similarities between both MacLaren Hall and Camarillo State Hospital and then expanded them out to include many things which are common in all institutions where we have tried to lock away certain people. Authorities from Camarillo State Hospital would raid MacLaren Hall at night and take children from the one institution to the next, experimenting on children like animals. It disturbs me to know what goes on in these institutions due to what I saw as a child. I took a picture of one of the isolation rooms and sent it to some MacLaren Hall survivors I know. We were preyed upon inside MacLaren Hall by guards and other inmates, which is exactly what happened at Camarillo Hospital too. This site explores the hidden history of Camarillo State Mental Hospital. I am glad I got into the buildings in their old states before they began refurbishing them into a university campus. I got pictures of many of the original areas at Camarillo Hospital before they were torn down. Anderberg One thing I learned from being a child survivor of a state institution with questionable methods is the history of institutions is well hidden and even outright denied often. As a child, I tried to tell people about the abuses of children in MacLaren Hall that I saw, and no one wanted to hear it. Letter addressed to K. Anderberg when she was 8 years old in , inside MacLaren Hall, due to child abuse issues with her parents and police He said that I could not have made up such detail about something imaginary. He told me to draw what I remember of it. This terrified me, as if drawing it would bring it back to life. It took me months to get the courage to draw Mac Hall, but finally I did and it was quite liberating, making me feel like finally I was in control of it. All of a sudden, a ton of other survivors of Mac Hall wrote me emails, telling me that my words and experienced reflected theirs and many said they had never spoken about it to anyone. I actually know a lot about how to document the history of institutions in a professional manner, without the help of the state or institution, which is a special skill set, for sure. I am going into legal documents, public archives and old newspaper archives to document what people for decades have tried to pooh-pooh. The fact that so little can be found about this hospital angers me in the same way I am mad that Mac Hall was and still is hidden from view on the whole. I feel it is absolutely important that we take the veil off of the history of Camarillo State Mental Hospital. Ex-Camarillo Hospital employees Bob Malloy and Jon Pope in , from a picture posted on an ex-staff site from the hospital, looking back at the "fun" they had working there Perhaps this is considered fun and games to ex-employees Bob Malloy and Jon Pope, but I think it reflects mental illness on the part of the staff. Once I brought attention to this photo, that website quickly took it down, so apparently they, too, see how inappropriate it is, but if I had not brought attention to it, it would be still up on their site for all to see as if it is a great fun memory of time spent working at Camarillo Hospital. I understand there were qualified nurses and staff, who did care about patients at Camarillo Hospital, but it would be a flat out lie to say that there were not rampant aides and staff who were abusive to the patients as well. The problem with institutions is the staff attracts people who are abusive because they know these are people no one cares about, and people no one believes, so they can do anything they want to them, with no accountability. Those kinds of places attract pedophiles and sexual abusers, in addition to saddists. I saw it as a child in Mac Hall as guards raped children there, and I know it was true in Camarillo Hospital too. The look on the face of the guy holding Santa down in this pic horrifies me. Here are some links to important works in the area of Institutional History: When it was entered at indy film festivals, the State of Mass. The movie, "The Snake Pit," was filmed on the

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grounds of Camarillo State Hospital, and due to its disturbingly realistic portrayal of what goes on in mental institutions, 26 states changed their mental health laws after the movie became popular. In a L. Times article entitled, "Mental Hospital Sheds Image of Grim "Snake Pit"," James Quinn writes, "In the s, Camarillo State Hospital, like most mental institutions of the day, was a massive warehouse for the mentally ill, its drab wards bulging with more than 7, patients, most of them committed for years or for life. Crowding was so severe that many patients were forced to sleep on mattresses in hallways and to wait in line to use bathrooms or exercise areas, veteran employees said. Little effort was spent on treatment. Then as now, the huge hospital had the deceptive appearance of a college campus. The Mediterranean-style facility, with more than 40 buildings, sprawls over manicured grounds and is surrounded by lush farm fields four miles south of the Ventura Freeway. The facility has never been completely fenced. Now, instead of being confined for years or for life, patients at Camarillo are hospitalized for an average of only three weeks, then discharged or transferred to local mental health centers or board-and-care facilities. Walter Freeman, the father of the lobotomy, which was later banned in all 50 states. Thank goodness, others have copies and have posted them online. This book is shocking and horrifying, but as you can see in my book, "They Call Them Camisoles - Revisited," I connect the words of Nadine Scolla with those of Wilma Wilson, as well as grand jury indictment evidence, and you can see a running theme throughout of abuse. At Camarillo, ground-breaking cures for insanity were claimed to have been discovered, while Camarillo was simultaneously being accused repeatedly and constantly of patient abuses and negligent deaths. Most of their more celebrated treatments such as lobotomies, electroshock treatments, hydrotherapy shock treatments, isolation in restraints, etc. I am unsure as to the photographer. As you can see, there are beds lined up against each wall, and then women also lined up in chairs down the middle, due to not enough beds. This room is similar to ones I have photographed at Camarillo now that it is abandoned. I recognize the end walls always having that weird opening, in this pic, it is just to the left of the woman attendant. Below is a photo of a similar room at the abandoned Camarillo site. This is a photo of an old ward room at Camarillo, as it looks now in This unit was built in Note identical markings on this photo to the one above. The same ceiling, the door, the vent above, and the opening below in the middle of the end walls, and the windows with bars, and shape of room, all the same as the photo above. This is Ward 28 in the South Quad. The caption reads "Barren Dormitory: Layers of grates, bars, and locks are on everything The first buildings on site at the Camarillo Hospital were what later became known as "The House of Style," and also the Unit 11 building, both built in In , the Bell Tower building was built, and in the kitchen and dining area was added to the South Quad, and in , the rest of the South Quad buildings, all of those pictured on this page but for the one picture of a grate from the North Quad , as a matter of fact, were built. The south portion of the North Quad was built next, in , and then the northeast side of the North Quad was built in In , a small part of the southwest side of the North Quad was built, then in , the Receiving and Treatments building was added to the eastern end of the campus, and the northwest side of the North Quad was finished. Much of the old Camarillo State Hospital grounds were set up with these small isolated courtyards, such as you see in this photo. Times article by Ellen Hume. This tranquilizer cocktail was discontinued in March , due solely to people dying from it and grand jury inquisitions as to the circumstances of suspicious patient deaths at Camarillo. Michael Bradbury said his office is "looking hard" at 79 of the deaths, including cases of drug overdoses, strangulation and possible gross negligence by hospital staff. It is the second investigation of Camarillo to come to light in No changes have been filed in connection with the state probe. The Ventura County Probe includes examinations of the deaths of both children and adults, Bradbury said. Wilma was committed to Camarillo State Mental Hospital for 4 months for alcoholism in and wrote a book about her time there. This book includes the entire text and all sketches from the book "They Call Them Camisoles" with a new addition of over photographs of the places Wilma speaks of in the hospital, taken by K. This book also includes references to L. Times articles that illustrate what Wilma has written, as well as providing a history of the hospital. You can also get this book in Ebook format at <http://> I placed it up to the window above me, and clicked. I could not see inside the window when I took the photo. This was in the area that was supposedly the

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forensic court room, according to one historian I have met, but others have said it was a medical office area, I am not sure what it was, but it is in that last building before you turn to the right off the main road into the school, with the bars on the porch, now abandoned. The pink bar across the top of the photo is one of the typical bars on the windows at Camarillo Hospital. But I was shocked when it looked like a nurse in the picture! There is also a shadow which looks like someone in a wheelchair next to the partial nurse! I have not doctored this photo in any way but to reduce its size. It is just how I took it. It sure looks like a nurse in there, or part of a nurse, missing arms, but the uniform is there This ward was built in and housed psychiatric patients. There were many incidents of patients dying in restraints, heavily drugged, left alone in these isolation rooms. Barely large enough for beds, many of these rooms still have curtains in them, and this photo shows how close together the rooms were. He was wheeled to the acute psychiatric ward. Borel, told the grand jury that "he did not feel there was enough staff on the ward to subdue the patient without the heavy tranquilizers. B3 In an L. Times article published one day after the one just cited, more information emerged. Such holds allegedly are used in some mental facilities to subdue patients. Camarillo Hospital was open from and in its heyday, housed 7, patients at a time. Due to its proximity to Los Angeles, Camarillo Hospital had an abnormal amount of Hollywood connections. Life stories in this book range from the criminally insane to women who were committed due to controlling husbands. These stories range from Includes 22 photographs of the abandoned hospital taken by the author.

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Chapter 8 : Malcolm Turnbull - Wikipedia

As we recall from English class, if someone tells or writes a narrative using "I," that story is being told in the first person. There is a quite a growing body of "first-person homeless" literature, and Kirsten Anderberg is one of its shining lights.

Email In Austin, Texas, Michael Weathers has been charged with arson another report says felony reckless endangerment for a fire that burned up acres, causing severe damage to 10 houses and minor damage to six more. Dwellings have been destroyed, and people have been rendered homeless. This is a tragedy. Weathers turned himself in, which is more than a lot of white-collar criminals have ever had the guts to do. How many homeless families are created by one corrupt mortgage company? How many bankers go to prison? Weathers left the hot coals of a dying campfire unattended and went to buy beer. Yes, the fire was intentionally set, and that is an element of the crime of arson, despite the fact that there was no intention to destroy anything. Yes, the man who did it should be held accountable. Advocates say the problem stems from a lack of affordable housing and other services to help the homeless. Homelessness results from a lack of housing, that seems pretty obvious. And from about a hundred other factors, none of which are helped by generating an atmosphere of fear and rejection. But even so, the issue has more sides than a pomegranate has seeds. This point was brought up by Statesman reader Mary Ellen King: Even if affordable housing is an option as suggested in the article, many of them suffer from mental illness and will rarely sleep in shelters when afforded the opportunity. To go along with walls and roofs, what we need is a society that cares for its members. For the mentally ill, there has to be some happy medium between the old way incarceration in grim state institutions and the new way life on the streets. Maybe a small percentage prefer the al fresco life. Probably, most would prefer not to be there. But what else can they do? The Salvation Army shelter has space for bodies. At the Austin Resource Center for the Homeless , there are only beds. These have to be won by nightly lottery. ARCH is said to turn away as many as 50 people on a bad night. And now, because of the drought, the authorities have understandably announced a zero-tolerance policy toward open flames. Police officers have begun visiting local homeless camps, urging them not to have campfires or open flames of any kind. Troxell sent an email to colleagues that said, Perhaps it was carelessness or perhaps it was a gust of wind that blew up from a dead still as it did in my presence just 5 minutes ago. The state of Texas is in a high fire condition. One and one half million acres have burned this year already We all need to help one another and everyone is innocent until proven guilty either of arson or even carelessness. Debbie Russell contributed this to the discussion: I hope our leaders resist catering to the call for homeless-blood. One person is accused here; not a whole community. Mellow Austinites suggest that this is a good opportunity to increase general awareness of homelessness, because it would be helpful to understand how people get in this position. Well, one of the ways they become homeless is when their house burns down because a fire was started in a nearby homeless camp. In other words, homelessness is a societal force that tends to grow exponentially. So, yeah, understanding is good. Doing something is better. Now more than ever, Richard R. Richard says, If we work together and house the homeless, then we dissolve the scenario. We all share in the outcome.

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Chapter 9 : Universal Living Wage | House The Homeless

The situation with underfunded public defenders, and plea bargains being thrown around more often than not, with poor people caught in the mix, denied the rights given them legally, to fair and proper representation, needs to stop. Now.

Hamrick worked as then-Sen. Later, Hamrick started the New Partners consulting group with other former Obama campaign staff. He also has worked in various capacities for the Democratic Congressional Campaign Committee. Deputy Campaign Manager in charge of constituents and fieldwork, especially for early voting states. We have to act in a much more whole of government approach, as General Dempsey said. There are other ways to lead than at the end of a drone strike. And in the face of this humanitarian crisis, we need to step up. And those lessons are that we need to do a much better job as a nation of having human intelligence on the ground so that we know who the emerging next generation leaders are that are coming up to replace a dictator when his time on this planet ends. But he did not have the tools. We have failed as a country to invest in the human intelligence that would allow us to make not only better decisions in Libya, but better decisions in Syria today. To keep sea lanes open and provide humanitarian assistance. To prevent terrorist safe havens and nuclear proliferation, including a nuclear armed Iran. Response to ISIL "Many of the things Secretary Clinton said are absolutely true, but they underscore a lack of investment that we have, as a nation, failed to make over these last 15 years in intelligence gathering, intelligence analysis, intelligence sharing. Not only in theater, in Syria and Iraq and other places where we embark ph ourselves in toppling dictators without having any idea what comes next, but here in the homeland, as we protect people from this threat of the lone wolves and these changing tactics and strategies. We have to increase the battle tempo, we have to bring a modern way of getting things done and forcing the sharing of information and do a much better job of acting on it in order to prevent these sorts of attacks in the future. Keeping America safe and staying true to who we are is not a zero-sum choice. They are our first line of defense. And we are going to be able to defeat ISIS on the ground there as well as in this world-- because of the Muslim-Americans in our country and throughout the world who understand that this brutal and barbaric group is perverting the name of a great world religion. And now like we never before-- we need our Muslim-American neighbors to stand up and to-- and to be a part of this. Our role in the world is not to roam the globe looking for new dictators to topple! And we must rise to this occasion in collaboration and with alliances to confront it. And invest in the future much better human intelligence so we know what the next steps are. We are a large nation and we are not a shrinking nation. And we must do better in the face of this humanitarian crisis. You have to enforce no-fly zones, and I believe, especially with the Russian air force in the air, it could lead to an escalation because of an accident that we would deeply regret. I support President Obama. I think we have to play a long game, and I think, ultimately -- you want to talk about blunders? Americans have a long, proud tradition of providing comfort to the weak and weary. The United States must not be a bystander on the sidelines. We must not let bureaucracy hamstring us. We should be leading on this issue. Doing so would not only uphold our values, but would be fully consistent with U. I support the call from humanitarian and refugee organizations for the United States to accept at least 65, Syrian refugees next year. If Germany " a country with one-fourth our population " can accept , refugees this year, certainly we " the nation of immigrants and refugees - can do more. With more than 4 million Syrian refugees fleeing war and famine, they now comprise the second-largest refugee population in the world. Part of those talks have to include a fair and safe and adequate access to religious sites in Jerusalem and elsewhere. But also, we have to continue to wage peace, and in this context, waging peace means pushing for a two-state solution. The number of rockets that have been fired at Israel, the tunnels used to attack Israel, all of these things, the basics of border security, need to be addressed here and I hope our country can be a broker for peace and help bring about a resolution. But I think it holds a lot of promise. And I think this is how an effective foreign policy works, not merely using our military powers, but also our diplomatic. We have to also be about waging peace. And perhaps this deal is the path forward. If, on the other hand, Iran is found to

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be cheating, its leaders must know that we stand ready to institute the full array of sanctions that decimated their economy. Constitution does not affirmatively guarantee the right to vote. Passing a constitutional amendment that enshrines that right will give U. Our current laws have failed to protect this fundamental right for too many people. That all of us are created equal, and that we are endowed by our Creator with the rights to life, liberty, and the pursuit of happiness. With these words, the American dream began. All of us are included. Black and white people. Jewish, Christian, and Muslim Americans. Workers and business owners. Gay, lesbian, transgender and straight Americans. Every person is important, each of us is needed. There are discrepancies in how we administer the death penalty on the basis of race. Defendants accused of murdering white victims are significantly more likely to face a death sentence than those accused of killing non-white victims. Although African Americans represent 43 percent of all death row inmates, they make up only 13 percent of the population at large. And a minority defendant is three times more likely to receive the death penalty than is a white defendant. We need a public advocate, we need to develop jurisprudence so that we can develop a body of law that protects the privacy of Americans in the information and digital age. We need to figure this out together. We need a collaborative approach. We need new leadership. The way that things work in the modern era is actually to gather people around the table and figure these things out. The federal government should have to get warrants. I would like to see us go further in terms of a role for a public advocate in the FISA court. As a lawyer myself and by training, I think our national security and our rights would be better served if we had a bigger role for a public advocate in the FISA court. We need to ensure that privacy issues are directly and adequately addressed in order to build the trust necessary for businesses and other organizations to work with the government on the safeguards we need to protect both. But we were able to save a lot of lives doing things that actually worked to improve police and community relations. We created a civilian review board, gave them their own detectives. We required the reporting of discourtesy, use of excessive force, lethal force. As a nation, we have to embrace this moment and make our departments more open, more transparent, and more accountable. Just as we require every major department, every county to report its major crimes, we should require police departments to report their discourtesy, brutality, excessive force. We need to do it now as a nation. This is our time and our opportunity to do that. We have to make all our institutions more open and transparent. Join us by signing our Pledge to Combat Bigotry, and use NoBigotry on social media to hold candidates accountable and thank candidates who stand against it. And I will sign up as one who is totally opposed to his fascist appeals that wants to vilify American Muslims. He was putting his 10 and year-old boys to bed the other night. And he is a proud American Muslim. And one of his little boys said to him, "Dad, what happens if Donald Trump wins and we have to move out of our homes? We need to speak to what unites us as a people; freedom of worship, freedom of religion, freedom of expression. And we should never be convinced to give up those freedoms in exchange for a promise of greater security; especially from someone as untried and as incompetent as Donald Trump. Houses of worship have been denied permits, protests sometimes set ablaze, worshippers exiting the mosque in Phoenix and greeted with protestors carrying assault rifles. A year-old in Texas could not take his science project to school without being arrested. That tells me we are moving to a more connected, generous, and compassionate place, and we need to speak to the goodness within our country. You cannot scapegoat your way to the presidency. Democrats understand that the enduring symbol of our nation is not the barbed wired fence, it is the statue of liberty. We must say no to hate and racism. This hateful rhetoric has no place in our country. That was a mistake on my part and I meant no disrespect. I did not mean to be insensitive in any way or communicate that I did not understand the tremendous passion, commitment and feeling and depth of feeling that all of us should be attaching to this issue. But there is no substitute for having comprehensive immigration reform with a pathway to citizenship for 11 million people-- many of whom have known no other country but the United States of America. It is flat-out wrong to hear Secretary Clinton echo failed policy and sentiments that are more at home in the Republican Party, especially when their field is fueled by intolerance and false hysteria towards immigration. The enduring symbol of our nation is not the barbed wired fence; it is the Statue of

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Liberty. But, we took our case to the people when it was petitioned to referendum, and we won with 58 percent of the vote. We need to understand that our country is stronger in every generation by the arrival of new American immigrants. I mean, we are a nation of immigrants, we are made stronger by immigrants. We need comprehensive immigration reform. I believe we need to talk about this as a national economic imperative. To continue to attract the next generation of strivers, dreamers, and risk-takers, and to be true to the values we hold dear, it is imperative that we pursue a dynamic, modern approach to immigration policy.