

Is it possible D. A. Barnett is skirting Oregon Law?

County D.A. Barnett Skirting Oregon Law

County D.A. Barnett seems to be ignoring a law passed by our own State Legislature. Oregon is one of many states that does specifically allow a parent or guardian to use a spanking as reasonable discipline. Research at the local law Library uncovered Oregon Revised Statute 161.205, which reads as follows: "The use of physical force upon another person that would otherwise constitute an offense is justifiable and not criminal under any of the following circumstances: (1) A parent, guardian or other person entrusted with the care and supervision of a minor or an incompetent person may use reasonable physical force upon such minor...when and to the extent the person reasonably believes (emphasis mine) it necessary to maintain discipline or to promote the welfare of the minor or incompetent person." Several counties in Oregon are skirting this law and Lincoln County is leading the pack.

Spouses in Lincoln County Jailed For Disciplining their Child

In a cost-cutting effort, and to expedite their case loads, innocent fathers and mothers are often persuaded by multiple felony charges resulting from an ordinary disciplining to take an out of court settlement. In a review of several cases, the Defendant was charged with 2-4 felonies resulting from an average parental spanking.

For instance in many cases there is more than one child in the room during the disciplinary spanking. If D.A. Barnett discovers that in the Police report-it adds at least one more felony charge, due to the fact that another child may have "been aware" that a spanking was occurring to their errant sibling.

Do you remember the Clark Family incident awhile back? Well, that's merely one example of hundreds of similar cases that Bernice Barnett is using to attack and divide good, wholesome families. On occasion they are even targeting tourists as they pass through our county!

Parent is Barred from their Home

If that weren't enough-under penalty of imprisonment and fines-you shall have NO contact with your spouse or children!! You cannot even ask someone to tell your child that you love him or her, (that's 3rd party communication) and will promptly land you in Jail! In order to get out, you would have to post \$50,000-\$100,000! Ditto if you send your son or daughter a card for their Birthday, Christmas, Valentines Day, etc.! Bernice Barnett considers that interference with the state's witness!! Additionally, the "non-abusive" spouse is usually pressured to testify against their spouse, or face losing their children to Foster Care as they are threatened.

Malicious Prosecution Damage from County D.A. is Permanent

Regrettably, many of the families charged with this nonsensical abuse of power cannot afford an attorney and in many cases, the court appointed attorneys, have no financial motivator to "defend their client zealously" as defined by the Oregon State Bar Association. In addition, the Public Defenders' office has heavy case

loads making it difficult for the Court appointed Attorney to devote a lot of time and energy to each individual case. That's not to say that there aren't good Attorneys in our county, just that it too becomes another motivator to increase numbers of cases, as it spells job security for them.

For those Fathers and mothers able to afford their own attorney, the cost is \$7-\$10,000, or even up to \$15,000 or \$20,000 to defend their good name as a result of spanking their child. The financial burden on these families is enormous and often felt years later, as they pay down a 2nd Mortgage of the family home that became necessary to pay the lawyer bill.

The consequences of failing to mount an adequate defense, or accepting their plea bargain is extreme. Research has shown that victims of this type of Malicious Prosecution are then forever barred from owning a firearm. They are also permanently (for the remainder of their life) labeled a "Domestic Abuser." Such charges are not expungable-forever labeling the victim a felon as well.

Bernice Barnett, Lincoln County D.A. Motivated by State & Fed. Tax Dollars?

Are they doing this because they are receiving State & Federal tax dollars in their office to increase staff and to give themselves perks and raises? The Fed gives them money for each and every case that is called "domestic violence," (the term they will use if you spank.) They don't even need a conviction to score a win against hard working families and they still get their "bonus" funding from Federal tax dollars; all they have to do is bring an indictment. Well, we've all heard the saying, "you can indict a ham sandwich." In fact, in order to save the District Attorney's offices' time, they are hoping you will accept their plea bargain. On their books this is a win for them! Don't forget, this is a voluntary system.

Malicious Prosecution is also bad business for local economy as it will catch National headlines, scaring away the tourist dollars during the summer season, costing local businesses millions in lost revenue. We all remember the Country singer that received heavy handed treatment in Tillamook County, then made a popular song about it. It had a tune about "coming to Tillamook County on vacation and leaving on probation."

Truly, this is an abuse of the system and is an egregious exploitation of the power of the Lincoln County District Attorney's office, prosecuting loving parents merely performing their parental duties. If you know anyone that has been subjected to this type of malicious prosecution, please contact the Lincoln County PAC, so that we may publically investigate your case. The telephone number is: 541-336-1233. You may also mail documentation of your particulars to: 3824 River Rd. N. Box 188 Keizer, OR. 97303-4800. You are also asked to call your State Representative and State Senator. Rep. Dennis Richardson should also hear from you, as this type of waste of taxpayer money is used as an excuse to increase their budgets and Richardson heads up the Department of Human Services Budget, which controls the amount of money that Service to Children & Families receives. His telephone is 503-986-1404. Reference House Bill 5038, DHS' Budget Bill.

2 Times

owe \$25.88

PUBLIC SURVEY.....LINCOLN COUNTY PAC

1. County of Residence _____
 2. Sex M • F
 3. Political Affiliation Democrat • Republican • Independent • Other
 4. Age Range 18-25 • 26-30 • 31-38 • 39-49 • 50-65 • 65+
 5. Marital Status M • D • S
 6. Were you spanked as a child? Y • N
 7. Do you think it was okay? Y • N
 8. Do you have children? Y • N • 1 • 2 • 3 • 4 • 5+
 9. Do you regularly attend a Church? Y • N
 10. Do you believe it is okay to spank your child if needed? Y • N • Rarely
 11. Please list your occupation _____
 12. Do you think fishing to feed your family should be a constitutional right? Y • N
- Name & Phone (optional) _____ Signature _____

Send Survey to: 3824 River Rd. N. Box 188 Keizer, OR 97303-4800

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