

LIBERTY PARK INN®

A Syndicated Column

Name: Undercover Cop

By: David Henry © 2012

"Hi Carl," I said. "We haven't seen you in a while. Where have you been?"

"I've just been through the worst experience of my life," Carl replied.

"What happened," I asked?

"As you know, David, I'm an independent trucker. I own my own rig and I work for many different clients. Well, I was approached by a guy who said he was an undercover cop. He asked me to deliver some things as part of a sting operation. So I agreed to help."

"You're a good person," I responded. "Naturally you would want to help."

"Well it turns out the guy wasn't a cop at all. He was a crook pretending to be a cop so he could trick me into doing a real crime without my knowing it," Carl explained.

"Wow," I replied!

"At any rate," Carl continued, "I was arrested and put in jail. That's how I found out how our legal system really operates. Forget the constitution. Our legal system doesn't pay much attention to it.

"For example, although I didn't put up any resistance or bad mouth the cop when he arrested me, he was physically rough and he sneered at me and told me he knew I was an evil person and he was going to put me away for a long time. Apparently he doesn't believe we are innocent until proven guilty."

"It's too bad they didn't search your house and office so they could see that you didn't have anything illegal," I commented.

"That's one of the odd things about this," Carl replied. "They did. And they didn't find anything."

I thought for a moment and asked, "So did they drop the charges against you?"

"No." Carl replied "They filed seven felony charges against me. But the only thing they had actual evidence for was the delivery I made for the phony cop. Every other charge was bogus."

"That's hard to believe," I said.

"Yes. I would've thought so too. But I'm telling you, it's real. I found out later from a friend who is studying law that he read in one of his textbooks that they routinely do this. When they arrest someone they file charges for other related and sometimes unrelated crimes even though they have no actual evidence."

"They can't do that," I replied.

"Oh yes they can. That's exactly what they do. But it gets worse," Carl replied. "Then they try to get you to accept a plea agreement. They threaten to put you in jail for a long time but they offer to drop some charges if you take a plea agreement. The truth is that in many cases they are only dropping charges they already know they have no evidence for and shouldn't have charged you with in the first place. I found out that innocent people are routinely pressured into a guilty plea because of this scare tactic."

"That's amazing," I replied.

"Another problem with plea agreements," Carl continued, "is that there's an unspoken legal assumption that you're accepting the plea agreement because you know you're really guilty of much more. So to get the plea agreement, you have to give up your rights. You don't get a trial. And if new evidence surfaces you can't request a retrial or an appeal. You give up everything."

Carl continued, "One man told me that his attorney said it would cost too much to fight the charges, so he took a plea agreement instead. Then later, after he got out of jail, his probation officer asked him why he didn't go to trial since there wasn't enough evidence to convict him. This person's life was ruined. He lost everything he had. But he had no recourse at that point. He had given up all his rights. I'm convinced that people don't realize what they're doing when they accept plea agreements."

"If what you're saying is true," I commented, "our current plea agreement system essentially denies the accused person the right to have a trial."

"True," Carl agreed.

"Well then how did you finally get out," I asked?

"Fortunately for me," Carl explained, "I kept detailed records of my contact with the phony cop. I don't know why. I must have been thinking that I might need the information if they asked me to testify. I also told my wife and my business partner what I was doing."

"So you had proof of your innocence," I commented.

"Yes," Carl replied. "But the prosecuting attorney still believes I'm guilty. He sat across the table from me and said, 'We'll be watching you. Some day you're gonna slip up and we're gonna catch you.'"

"Did he really say that," I asked?

"Yes," Carl replied. "I also learned that if you plead not guilty, they automatically assume you're lying. To them you're guilty. There's no such thing as proving your innocence."

"That's unconstitutional," I said.

"I know," Carl responded, "but they get away with it. To them it's just business as usual. So you will understand me when I tell you that I no longer respect our legal system."

LPI-15 (847)

Notes: Original publication date: 11/12/2012

Except for the imaginary crime in this column, everything in this story is true and has happened to people the author knows personally. The author never ceases to be astounded at the flagrant abuses that our legal system is guilty of. We need to reign in our out-of-control government, including our legal system.

Liberty Park Inn® is a syndicated column about issues and current events featuring conversations in an imaginary hotel. You may contact the author through his website at www.libertyparkinn.com.