

Excerpt for the book, *The Second Coming of Common Sense* by A J Wildman

**Proposal 10 – Zero Tolerance for Free-Will Crime by All People (aka, The Obvious Guilt Death Penalty Law)**

**Issue/Problem**

This National program area aggressively targets what is referred to repeatedly in CS2 as “freewill” crime and how America as a Democratic and Christian-based nation will resolve to finally deal with the people that commit serious criminal acts. This proposal relates directly to our American Themes – the Civil Responsibilities of all American citizens, as well as the Accountability for their Free-Will actions.

**Zero Tolerance** — does not offer a specific program or system. However, it will implement specific legislative changes within the Judicial System having to do with serious crimes and declaring the pre-determined, no plea-bargaining punishment for anyone committing certain harsh offenses. This proposal addresses how the invisible bar of Freewill Accountability will be raised in our country — and how “reasonable civil rules and strictly enforced laws” will be applied to **all** Americans with simplicity, fairness, and in specific cases with extreme punishment – something called justice!

**The Point of Control**

In American society today, the violent freewill “criminal” activities that a minority of our citizens cause do not fall under the stern control of an absolute monarch and/or a religious dictate — as is the case in other countries that often experience far **less crime** — and also have far **fewer lawyers**. Go figure.

Unfortunately, in American society today the violent criminal activities of a minority of our citizens (and worse non-citizens) falls under the less than stern control of the US Criminal Justice System. Several years ago, I created a working label for the ever-growing Criminal Justice System and the increasingly dysfunctional (there is that word again) results it produces for American society. I call it the **Judicial Legal Complex (JLC)**.

A name similar in intent and uncomplimentary tone to the late 1950’s term Military Industrial Complex (MIC) used to label the fast growing American Defense Industry. President Dwight David Eisenhower (from 1952 to 1960) warned us about the MIC and referenced it in his farewell address the night before President John F. Kennedy’s inauguration. See the movie on DVD, “Why We Fight”. He was very right to warn us, because unfortunately all that he predicted has come to pass. More on that later – watch the movie!

Our Criminal Code (crime = punishment) is therefore one *not* driven by a dictator or religious dictate, but by the Common Agreement of *We the People*. And it is that Common Agreement that America will now need to debate, clarify, and toughen because the JLC is failing to provide every person, family, and business with a safe and secure society in which to experience *Life, Liberty, and the Pursuit of Happiness*.

**Severe Reductions Required**

Further, we will be addressing many of the problems and issues that American society has with the dysfunctional JLC as a simple by-product of eliminating well in excess of 50% of all violent freewill crime!

The day-to-day public results of the refined Criminal Code within the JLC will in a relatively short time free-up valuable dollars and people resources for better uses — say repatriating IOs and Homeland Security

for example. Some could be transferred and begin inspecting food shipments from China!

A viable public benefits of this proposal will be the reduced the number of Americans seeking careers in the currently “growing field of Criminal Justice” simply because the JLC will begin shrinking! I cannot stand it when I hear those commercials – it is admitting continual defeat! Our people will logically move toward far more positive careers Information Technology, math, the sciences, nursing, medicine, business ownership, teaching, and the environment — all of which the nation needs for a better future. There will more rewarding careers helping to build a better future for our nation. The right stuff!

To be addressed in particular is the hardening of penalties for certain predatory criminal offenses, with a deliberate targeting of “freewill” crimes involving the **physical or financial assault** of one person on another.

I have often commented when discussing this proposal with people that the reason that we have so much crime in our country, is simply because we allow it. And the time has come for us to stop allowing it.

### Simple Rules Make for Civil Societies

Revisions will be enacted to existing legislation that governs our JLC, with the informed and **Common Agreement** — By the People. The resulting positive changes in our day-to-day society and the severe reduction in serious crime will clearly demonstrate to our people and the world — that a free, Democratic, and religiously open society that is rooted in the Christian value of *forgiveness*, is able to declare and enforce strict laws against socially unacceptable behavior. Further, that will all be accomplished with publicly acceptable, stern penalties enforced against freewill offenders.

The JLC revisions will be a binding public reconciliation between:

- a person’s Civil Responsibility to society,
- a person’s Civil Liberties within our society,
- a basic set values common to all religions,
- and, a person’s absolute accountability to civil society for their freewill actions.

Basically, this public reconciliation will result in the creation of an acceptable national *Civil Code of Conduct*. A Common Civil Code by which well over 90% of all American citizens already live our lives by. The Masses will be dealing constructively and decisively with the negative Few. The benefits will be less crime and will decrease any justification for an increasingly oppressive legal authority over the Masses, such as are contained in some provisions of the Patriot Act.

And *We the People* will see to it that the damage done to the *U.S. Bill of Rights* by the Bush II Administration is reversed. Period.

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If we do not act now to prevent the freewill incidents of crime by both our people and in particular anyone that is not a citizen – then the avoidable death, injury, and imprisonment of our people will continue. We can either decide to have Peace in our streets – and Demand it now – or we will most assuredly be looking at an America right out of one of those movies about a future society (see the movie, “*V for Vendetta*”) that is a virtual police state — and we would not be any the safer for it.

That dismal future is where we are slowly, yet undeniably headed for today — and that grim image of our future is not any part of the acceptable National Vision that we are painting in CS2.

**Crime will be reduced — permanently.**  
Our neighborhoods will once again be safe for children and ourselves.  
**If we are bold enough to do what must be done!**

## The People's Sense

### Public Perspectives on Crime

This presentation is a prime example what is meant by the term *Intelligent Design in Civil Policy* — when government is truly working to resolve avoidable public problems in the interest of the Common Good. You know, doing their job.

The following are clear examples of solution-oriented, legislative policy and the acceptable public understanding required for them to be implemented into law. These should ignite a most lively public debate! Again, all of these items have been reviewed with regular Americans, have been refined by their direct feedback, and have received majority acceptance. So if you find yourself appreciating what you are reading, you are not alone.

### **The Death Penalty as Society's Viable Tool**

As first identified as a *publicly acceptable* tool under the provisions of the National Drug Reform (NDR) Proposal is the deliberate use the Death Penalty (DP) by lethal injection, as determined to be applicable for certain freewill criminal acts. I did warn you upfront that the message of CS2 is as serious as a heart attack!

Under the NDR, the use of the DP will only be targeted at person's that continue to traffic and/or distribute hard drugs after a nationally publicized and mandated Hard Drug Sale Cut-off Date. To be clear, the DP will never to be used against the drug users, only the hard drug provider network of human predators.

As a side note, we will also be ending the publicly abusive law enforcement practice under the existing National Drug Policy that leads to the arrest of well-over 600,000 drug users a year.

### **Physical or Financial Assault**

As mentioned, in the near future prescribed harsh penalties such as the DP will be deliberately used against those that decide of their own freewill to commit certain types of serious crime upon our people. The initial primary targets of this clarified Criminal Code will be crimes involving *physical or financial assault* on another person or persons.

THEY, like to say “we as a society cannot legislate morality.” That is true if laws are only written on paper.

The public's Sword must be used at times in order to insure the individual compliance with laws written with society's Pen. The critical point being that it must be *the Public* that first determines the laws that everyone will be held accountable for honoring – not an oppressive monarch or religious entity.

We are with absolute certainty going to start punishing an individual's rejection of society's civil law to the extent required to first attain Peace in our streets — and then to maintain it permanently. The JLC is not currently maintaining that peace, so some things are going to change.

However, this type of policy could be a very slippery slope so the *Liberal's* will need to keep a watchful eye on this, but they must also accept that going forward people will be held accountable for deliberately inflicting harm on other citizens. Be encouraged non-Liberals, in discussions with many hard-core Liberals I learned that they too have limits with regard to how much should be tolerated from those that society is actively trying to help, but that help is unappreciated and disrespected. Yes, Liberals do have limits, too. Believe it!

## The Assault Prevention List

The following are the initial pieces of legislation to be passed by the U.S. Congress and to be applied as law in all 50 states and DC — with a target effective date March 1, 2009 — if not sooner.

- **Pre-Meditated Murder** – if a person in the performance of a crime of robbery, car theft, gang activity, etc., unfortunately kills a person(s) **and** it is proven beyond a shadow doubt in a standard court of law that they are guilty of the murder(s), there will be no appeal and no plea-bargaining available to them.

A special Grand Jury process could be implemented for a final and swift review of the case and final validation of the jury's verdict, but that is all.

It may be argued that when they walked into that business with a gun they had no intention of killing somebody, but things took an unexpected turn and that “somebody” died. So whether or not it was their “intent” to kill someone in the process of their freewill criminal action does not matter to the public – someone died and now so shall they!

The person will remain in custody for three (3) months from the day of the Grand Jury's final validation of the court's verdict and then the Death Penalty (DP) by lethal injection will be administered – period, end of story.

**Let's all agree that guns, knives, and bombs do not kill people. People exercising their own freewill on other people do!**

And I can guarantee you that at least 8 of 10 Americans will vote for what you just read *and* are about to read.

- **Pre-Meditated Rape** – this is the second crime which will earn those who choose of their own freewill commit it — the DP.

A person that premeditatedly attacks and rapes a person (a woman, a minor or a man) and their obvious guilt is proven a standard court of law with certifiable evidence and all the forensics currently at our disposal – they too will remain in custody for three (3) months from the day of the Grand Jury's final validation of the court's verdict and then have the DP by lethal injection administered to end their life...

They will never have the opportunity to do it again. We will not pay for multiple trails or to try and figure out why they decided to do it in the first place. *We do not care why.* And we will not warehouse them for decades on the taxpayers tab and possibly be paroled. We the People will declare never more!

To be clear, we will differentiate “premeditated” from “date” rape situations. The latter can be the subject of questionable charges and so will not be included under this law. It would be fair to say that such cases may be reduced in occurrence with the implementation of the former.

### One Big Reality Check

The other side of this Sword is that we will be required to open legal, public brothels. Yes America, we will acknowledge basic human need and oldest profession in the world rather than trying to suppress or ignore it, and locking people for doing it. Reality must finally rule in America.

**And I am not for a moment saying or inferring** such human demand could be the primary cause of such predatory attacks. And I will not engage in that worn-out debate. As you will hear a few times in

CS2, America is not Fantasyland. Therefore, we will quit living under unrealistic and oppressive laws that were made there in our nation's past.

We will in the process also put some nasty pimps out of business! This realistic social approach will surely initiate high-pitched reactions with those that will be in favor of the first, but will be shocked by the latter. Their screams will be drowned-out in time and/or be over-taken by the applause of former victims. It would theoretically be great if such policies were not necessary, but day-to-day life is not theory.

- **Pedophilia — Crimes Against Children** – this third crime was added due to direct feedback “volunteered” by people (mothers, fathers, and others) that I asked for their opinion on the first two. People told me to add it. I had thought about including it in the initial set, but was uncertain until receiving such direct feedback from the public. An clear example of how public feedback shaped this Agenda.

A former 20-plus year U.S. Marshall that then turned lawyer for many years summed it up pretty well. His long held personal attitude was that pedophiles could be rehabilitated — cured. However, as he spent more time in the legal profession and the more grim cases he heard about from fellow lawyers it became clear that such rehabilitation is only an academics dream.

Thus, we will add this hideous crime to the short list. We will not continue to warehouse these predators. We will not be maintaining expensive tracking systems on them. We will not waste years trying to figure out what if anything in their past may have caused them do such terrible things. The American public does not care! And this is a case of one (1) strike – or one more strike if they have a history of such activity – and they are out!

Therefore, going forward the individuals in this ‘predator group’ will know their life choices — either to permanently cease such activities or move to a country that allows such deviant behavior (and sadly there are those). For the very next time they are caught – they are finished! No exceptions and no plea-bargaining. One-by-one they will be eliminated.

And our children will again be safe.

- **Other pre-meditated crimes** – involving financial assault will be added to the list of DP-level offenses as American society slowly turns the screws down on free-will crime in America. The first types of financially oriented offenses to be considered for inclusion are:
  - Identify theft of individual credit accounts
  - Identify theft involving person's Social Security Number
  - Deliberately Swindling of people out of their savings and/or property
  - Cyber-crimes of invasion against corporate or government facilities
  - Cyber-crimes involving the distribution of destructive computer viruses

This will be the deliberate and unfortunately very necessary National *process of elimination* of those that would choose of their own freewill to perpetrate physical or financial assault.

They will be warned well in advance and then they will decide their own fate.

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Please Try to Appreciate

In the odd case you are thinking these types of problem resolutions are easy to consider, develop, and write about — think again! These are the very hard, complex, and often painful public issues involving the lives of millions of our fellow citizens that are being boiled down to a precious few sentences — and there are more of them to come.

I am an average citizen. I am herein attempting of my own freewill — as a Systems Analyst and problem solver — to serve the country that I love so very much. I have cried many tears over these words and topics, and will shed more of them before I may finally write “The End” on CS2.

This is not an academic exercise – this is personal.

Across the scope of the public issues in An American Agenda there are very “human statistics” representing various grades of real human pain and suffering. And I think about them as I struggle with how to offer corrections to the conditions within our National System that allow such suffering to exist and continue.

We can imagine and see the counts — the thousands and thousands that have been murdered, raped, and the children that have been assaulted over the years and how many have suffered this very year-to-date. What we will be blessed to *never know* are the names of those in the future that will be spared such grief if We the People do what needs to be done and put an end to such *avoidable* chaos.

Consider, that today in real life, you or someone you love may be one of the many thousands of people that are only alive *now* because of the laws that Mothers Against Drunk Driving (MADD) were successful putting in place. Because one person, a mother, stood up and said enough! And then acted!

We know that thousands and thousands have been saved — we just have no idea which ones they are.

Appreciate that the Changes to laws and to the National System that you are now reviewing will save so many more. *We the People* need to stand together on many of these issues and say enough!

I needed to write that down.

### **National Laws and Local Agreement**

In dealing with serious issues such as the use of the death penalty and realistic reform of National Drug Policy, both federal and state lawmakers need to get in lockstep with each other, to say nothing about the Supreme Court.

While States Rights need to be protected, the national environment needs to have certain laws and penalties that are standardized to provide predictable and consistent law enforcement across the nation so that citizens, non-citizens, and IOs will know the rules. Ant that the rules will be enforced!

Further, in order to assist local prosecutors in enforcing the law there need to be Common Agreements at the national level that are coordinated, publicly accepted, and evenly applied in all states and DC. In cases like these one size needs to fit all.

### **Drug Reform and the DEA**

With the coming full legalization and decriminalization of marijuana by 2009, the ongoing struggle between many of the states trying to legalize it for at least medicinal purposes and the DEA/Justice Department will mercifully come to a practical end. For some years now, even after the voters of a given state have approved

legislation for medical use of marijuana in public clinics to help those undergoing cancer treatments and with Aids, with no appetite — the DEA that is just doing their job could and does randomly charge-in, slam the facility, and lockup the mostly volunteers working there.

The decades old, failed Prohibition on Cannabis will finally end and our people with illnesses will be helped by a low cost, naturally growing, non-chemically treated, and God-given weed!

And the Pharmaceutical Industry will hate it! Amen...

### **Witness Intimidation**

It appears that the courts in some cities are experiencing a growing number of instances where witnesses to various crimes are being threatened with physical harm to themselves and/or their family to the point where they will not testify against “obviously guilty defendants.”

This known fault in the dysfunctional JLC needs to be legislatively addressed at the national level to provide public safety relief at the local level. To keep the bad guys from winning!

This legal problem would be addressed using a special Grand Jury to review the given case situation and if it is determined that Witness Intimidation Law (to be written) had been violated, it will be assumed that the defendant is guilty of the charges in question and the penalty for said crime(s) will be automatically assigned by the court. Yes, we can do that. Remember, we make the rules...

Such viable public policy is not rocket science, just *more common sense* (incidentally that was the original title of this book). Going forward society will greet harsh criminal activity, with thoughtful, fair, deliberate, and prevention-oriented penalties.

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Again, some people would say these do sound like a reasonable laws to establish, but how could we do that.

We must begin to realize and act as though it is our country. We can and must determine the rules of our society that will shape our nation’s destiny, and that destiny starts in 2008 if We determine to make it happen.

We need only assert our Common Will upon the political system and make it crystal clear the politicians that we elect that they are to take care of our Common Good. The re-establishment of our Common Power must be felt by candidates for all offices from your local candidates to those desiring White House, leading up to Election Day 2008!

### **Obvious Guilt**

Here is raised the issue of reconciling a person’s Civil Right within the American Criminal Justice System to a “fair trail” in determining their innocence or quilt versus society’s reasonable expectation of a “somewhat” cost-effective Judicial System. To that end, let us review the publicly prudent, legal concept and definition of “*Obvious Guilt*”.

Victims Rights groups are going absolutely love this, and most law-abiding people (and tax-payers) will, as well. There are countless situations where a person is absolutely, undeniably, and with all certainty GUILTY as charged. And in spite of that, their trial turns into a multiple appeal, multi-year if not multiple decade ordeal. The Public Good is not being served and the victims and/or their loved ones are made to suffer as it is re-played over and over again.

However, the self-perpetuating JLC keeps rolling right along, worshipping ‘The Law’ and writing its own meal ticket with little regard for public safety. That wasn’t written too sarcastically was it? How is your coffee doing?

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One PARTICULAR case convinced me to confront issue — the all too common and absurd legal recycling of cases within our “alleged” Criminal Justice System. As stated, the courts have made the letter of the almighty “Law” their chief concern, as opposed to the Common Good of American society and safety in our neighborhoods — which the laws are supposed to insure. What a concept!

I would label any related legislative changes, **The Sniper Laws**. Anyone living in the mid-Atlantic region knows what you mean when you ask about “the Snipers” and the endless multi-county and multi-state trials and retrials of two (2) obviously guilty criminals — who of their own freewill randomly selected and executed by ambush, thirteen (13) innocent human beings.

The **American Criminal Justice System** will be changed to allow “a” fair but expedient trial and prosecution of such criminals and nothing more, in such cases! Again, an open Grand Jury process could also be fairly utilized to conclude such litigation.

Consider that the primary “reason” that we have so much crime in this country, is that our Criminal Justice System – the self-perpetuating Judicial Legal Complex allows it!

If the freewill taking of another person’s life is not punishable by swift and terminal punishment then what crime is? Society then has no rules – anything goes – chaos will follow. We the People will end this madness starting in 2009, or, sit and watch as our society descends into a bad movie.

### **Twelve Angry People – One Too Many**

And finally, the current Criminal Justice System procedurally requires 12 out of 12, or 10 out of 10 jurors to agree on the guilt of a person will be altered to be 11 out of 12, or 9 out of 10 to reach the same conclusion.

Our Judicial System was created by the Founders to insure that the Common citizen received a fair trial by a jury of their peers, in fair determination of their guilt or innocence — period. As simply stated to the King in the *Declaration of Independence*,

*For depriving us in many cases, of the benefits of Trial by Jury:*

It was not designed with the intent of allowing guilty individuals to walk free due to some technicality of the “Law” or through the sick science of jury selection by defense attorneys, where dollars too often equals freedom from the law.

**If, We the People,  
are determined to have Law and Order  
there must be swift Justice with predictable Penalty  
assigned to those that of their own freewill choose to violate it.**

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