

Dear Oregon State Senate Rules Committee (and fellow State Senators & House Representatives):

SENATE BILL 596: VOTE "YES"!

SB 596 is a long overdue step in the right direction to make our legislative process more transparent and friendly to the public. While the Oregon Legislature still has a very long way to go to effect real transparency and honesty within the legislative process, this bill would be a positive step forward in the right direction. For example, I believe step two would entitle Oregonians and the public to be able to testify on any *final version* of legislative bills, after bills have been amended by committee, *prior to final consideration on the floor by the respective Oregon Legislative bodies.*

PLEASE VOTE "YES" ON SB 596, PASSING THIS BILL OUT OF THE OREGON SENATE RULES COMMITTEE. Thank you.

SCHOOL HOUSE ROCK IS SMARTER & WISER THAN MOST MODERN ELECTED OFFICIALS (LOCAL / STATE / FEDERAL LEVELS OF GOVERNMENT):

Growing up, as we all know, life as a child is much simpler, honest and true. Adulthood seems to be where most persons and individuals somehow get off track.

As a child, starting about age four, I distinctly remember and value the education, wisdom and honesty of *School House Rock* in between Saturday morning cartoons (e.g., the Superfriends and the Hall of Justice) providing very basic, fundamental and true knowledge about what it means to be an *American* and how government works. Themes such as how a bill becomes law, the American *Constitution* and *Bill of Rights*, the three distinct branches of government, American history and our nation's (colonies') formation (separate and sovereign from English/British rule), the Boston Tea Party, the electoral college process, the history and meaning of July 4th and Independence Day, money, taxes, and many more authentic, genuine, non-partisan lessons of *basic* American history, civics and citizenry. If only we all could be perpetual child-minded persons in such a complex world; what a much different, productive, innocent and peaceful world it would be.

I would assert and argue today, there is more truth and honesty in *School House Rock* songs and lessons, than is likely taught to students at some middle school and/or high school grade levels. U.S. history, civics classes and the like have fallen out of favor and importance - i.e., a well rounded liberal arts education - to subjects such as basic english language, math and science. However, more public money is being spent on K-12 education than ever before; college tuition prices have exponentially skyrocketed; and, the outcome product and knowledge imparted to kids and young adults seems so obviously mediocre, minimal or even non-existent (e.g., high school seniors graduating who can barely read, write or perform basic mathematics). As you are well aware, Oregon ranks a shocking 49th out of 50 states, in successful high-school graduation rates, toward future college educational opportunities.

Some might argue America is facing a very dire future, simply from the current state of our educational paradigms and outcomes alone. Forget about the current state of affairs elected officials, politicians, government generally, and the irresponsible toleration the American electorate and public has gotten itself into on such other critical subjects like: the economy and jobs, national defense and security (e.g., a seemingly

endless War on Terror,...in large part created, funded and maintained by U.S. own policy and politicians), our devastating national debt (e.g., the tens upon tens of millions/billions of soon-to-be phony Federal Reserve notes fraudulently and corruptly given to nations such as Afghanistan and known corrupt "leaders" such as President Karzai's recently disclosed CIA monetary payoffs, and numerous other corrupt international officials around the world), et cetera. The world is much more complex; seemingly growing moreso exponentially every year and certainly every decade. Will the rabbit hole have a bottom; or, will it be a bottomless abyss, leading to likely U.S. and/or international chaos and destruction (e.g., as is seemingly happening at various locations around the world such as Europe's economic crises, or the Middle East affairs, or North Korean crisis, or any number of known human/political/economic/security/environmental/social crises in effect in our modern world)?

As a reminder to Oregon elected officials, I provide the following lessons via icon songs and cartoons of the 1970's - 1990's era of *School House Rock*. Laugh if you shall. I'll take these basic, fundamental and true lessons over the current state of politicians and government any day. Well educated, diverse kids and young persons I would assert, may very likely be vastly more competent and capable to lead, guide and progress our states and nation forward, than most current politicians at either the local, state and/or federal levels of government. I provide a history lesson via the following *School House Rock* classics:

<http://www.youtube.com/watch?v=H-eYBZFEzf8>

<http://www.youtube.com/watch?v=300yU4O80i4>

<http://www.youtube.com/watch?v=t-9pDZMRCpQ>

<http://www.youtube.com/watch?v=tEPd98CbbMk>

<http://www.youtube.com/watch?v=oylFqf3XH24>

<http://www.youtube.com/watch?v=Y6ikO6LMxF4>

<http://www.youtube.com/watch?v=ZTY0V8GaeFI>

<http://www.youtube.com/watch?v=cFSPVydoA58>

<http://www.youtube.com/watch?v=6Q3NPgHZzDo>

<http://www.youtube.com/watch?v=0efqnvYz4YI>

<http://www.youtube.com/watch?v=0efqnvYz4YI>

<http://www.youtube.com/watch?v=N9iZfxElc1A>

Our Founding Fathers (Mothers, Sisters, Brothers, Aunts, Uncles, Nieces, Nephews, Cousins, Kinfolk, citizens and neighbors) are very likely turning over in their collective graves, in the knowledge of the current state of affairs in America. Are we to be a state and/or nation squandered to the relics of history? Or, that oft spoken about shining, illuminating city on a hill, or nation within a dark world? To quote The Big Lebowski,..."This is a league game. There are rules. We just don't know, Dude."

PYLES v. WINTERS (ET AL) FEDERAL CIVIL LAWSUIT:

I turned 42 years old in February 2013. *Never* in my life, would I have dreamed, expected or believed I would see such injustice, unfairness, dirty-tricks or corruption as I have experienced in Oregon (*very unexpectedly*, out of all U.S. states), as I have experienced first hand since the *unprecedented* true criminal and civil conspiracy effected by the Oregon Department of Transportation, the Oregon State Police, the Jackson County Sheriff's Office and the City of Medford Police, that occurred at all relevant periods from March 4, 2010 to March 8, 2010 in Medford, OR. In February 2004, I was hired by the State of Oregon from out-of-state, half-way across the country, from America's heartland (Iowa and Illinois). I have lived in seven U.S. states in my life, from WV and VA, to NJ (briefly as a child), to FL and to OR. Excepting Hawaii, I have traveled within and experienced all U.S. states first hand. At age fourteen, I had the incredible, awesome privilege of touring Israel and the Holy Land, as well as Egypt and the ancient archeology of amazing historic civilizations, established thousands upon thousands of years ago. The trip to Egypt I experienced as a young person, today for an American in their teens, or even most adults, simply would be too dangerous to even contemplate, much less effect, given the current political, social, economic and security climate in one of the longest historical cultures and civilizations on the planet. *Never* would I have expected the absolute and unprecedented corruption, dishonesty and dirty-tricks I experienced in March 2010, as a state employee of the Oregon Dept. of Transportation. Nor, the systemic corruption, coverup and suppression of those matters which remain in full and complete effect by (local city/county and state government and their officials) through to present.

Those events concerned the ODOT, and at least three (3) management / human resource officials, making an after the fact, *ex post facto*, false "threat" police report to various law enforcement agencies and officials, **following the OSP and JCSO illegally, unlawfully and unconstitutionally sharing NICS (federal) / FICS (state) firearms purchase records data with ODOT officials!** To my knowledge and understanding, *none responsible have been appropriately held accountable to date*. The State of Oregon's corruption has irrevocably, adversely harmed and damaged by professional, personal and financial life! The key players at ODOT involved were: Paul Mather, Mindy Swain, Jerry Marmon, Terry Harbour and Jody Frasier (and possibly other Association of Engineering officials, e.g., Joelle Davis, co-executive director). The OSP key players were: Jeff Proulx, Tonya Henderson (i.e., via committing an unprecedented external agency unfair labor practice on 03/04/10, along with ODOT's own unfair labor practices), Steve Mitchell, Captain Duval, and others. The key JCSO officials were: Sheriff Mike Winters, Deputy Phil Cicero, Undersheriff Rod Countryman, Charley Retzer, and a host of numerous other Sheriff's

Office officials. The key MPD officials were: Chief Randy Schoen (in 2010), Deputy Chief Tim George (now Medford Police Chief), Scott Clauson, William Ford, and Officer Garr, and others. *I assure you, I shall spend a significant portion of the remainder of my adult life, speaking out and advocating against the unprecedented corruption and conspiracy I have experienced in Oregon at the hands of some very dirty and dangerous agencies and officials. My story and Oregon experience is going to make on hell of a non-fiction book!* Such are the lessons learned, and *earned*, by the State of Oregon.

In closing, I leave you with the most recent, unjust, biased and corrupt decision below by U.S. Magistrate Judge Mark D. Clarke, within the pending *Pyles v. Winters (et al)* federal lawsuit. See the e-mail below, and also two key attachments. It is very likely, given the establishment, status quo power and authority at play in Oregon, that I shall never see truth, fairness, objectivity and justice in this federal civil suit. *The unprecedented events of March 2010 effected by the ODOT, the OSP, Jackson County and the City of Medford are simply too egregious, too outrageous, too fundamentally dishonest, illegal, unlawful and unconstitutional, as to effect the complete and comprehensive exposure and discovery of the case study corruption that occurred in Oregon from circa June 2009 to March 2010; and, its continuous systemic coverup to date, through to present.* Like I said, it shall make for one hell of a book, documenting and exposing Oregon's unique brand of earned immoral, unethical and unjust misconduct and malfeasance by government. The good-old-boys-and-girls that run the state, and that are responsible for the events of March 2010, shall face their own shameful actions via an honest and complete telling of my story and personal experience in Oregon.

When the recent Presidential 23 Executive Orders, and specifically those dealing with and addressing medical / mental illness / mental health / mental "[insert any desired false fear here]" are implemented, and Obama "Care" health insurance corporation reform (not actual, true or honest health *care* reform for the American people) takes full effect beginning January 1, 2014,...and, understanding that the *Diagnostic and Statistical Manual of Mental Disorders*, edition V (5), effective May 2013,...in combination with the current *de facto* American police state paradigms and to large-degree phony "public safety and security" theater charade takes full effect, *it may be very likely that a complete second American political revolution shall rise and take hold in our nation*, if the current state of the (false, dishonest, dirty-tricks, incomplete, partisan) "debate" concerning the Second Amendment and the egregious emotional exploitation of mass tragedies and select singular evil events continues in its present form.

As former White House Presidential Chief of Staff, and current Mayor of Chicago, Rahm Emmanuel once said, "Never let a [often manufactured, desired] crisis go to waste." Given my brief 42 year life experience, I assure you, America and the State of Oregon may not have any more crises to exploit or "waste"; period. *America*, the greatest democratic-republic nation on the face of the planet, and the greatest most (beneficial, and yet also arguably adversely) impacting and diverse civilization the world has ever produced and known, *cannot afford,...literally, to maintain its status quo crises-mode politics and paradigms.* We as its citizens, and the world of nations, deserve so

much more of our elected officials and of our government, than is currently being produced and applied. The outcomes of a nation in decline are self-evident, obvious and pervasive. Are we to continue along this trajectory? Are we capable to overcome such vast challenges? Are *you* as Oregon elected officials contributing positively, or negatively, to the condition via true *leadership* and *public-trust-building*?

I pray - I honestly get down upon my knees and pray to God, the *One universal Creator* - that each of you are working genuinely, authentically and with great and true purpose to effect positive leadership, public trust and change in Oregon, and therefore to the greater common good of our *United States of America*. Being un-United as a state, or a nation, does not benefit *anyone*. The adverse opportunity costs for Oregon's and our nation's future, given any other distracting, divisive or adverse efforts, are simply too great and too precious to risk.

God bless each of you as Oregonians, as State elected officials and as *leaders*. God bless Oregon (although at times, based on my experience since 2010, I have earned the right to question that very sincere Christian blessing). God bless a united, strong and prosperous *America* and *American peoples!*

Do the right, highest and best ethical, professional, authentic and honest things as leaders and Oregonians!

Sincerely,

David J. Pyles,

Plaintiff *pro se* (by no fault of my own; and, due to the corruption, dirty-tricks and true criminal/civil conspiracy of Oregon's "legal" system and Oregon government), *Pyles v. Winters (et al)*, 9th Circuit, U.S. District Court, Medford, Division, case no. 12-CV-00346-CL.

Defendant/Appellant, (to the false arrest, charge, prosecution and since 03/14/13 wrongful conviction, prior to pending appeal), *State v. Pyles*, Jackson Co. Circuit Court case no. 12-4489-MI.

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----- Forwarded Message -----

From: "info@ord.uscourts.gov" <info@ord.uscourts.gov>

To: nobody@ord.uscourts.gov

Sent: Friday, April 26, 2013 7:36 PM

Subject: Activity in Case 1:12-cv-00346-CL Pyles v. Winters et al Findings & Recommendation

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**U.S. District Court
District of Oregon**

Notice of Electronic Filing

The following transaction was entered on 4/26/2013 at 4:36 PM PDT and filed on 4/26/2013

Case Name: Pyles v. Winters et al

Case Number: [1:12-cv-00346-CL](#)

Filer:

Document Number: [86](#)

Docket Text:

Findings & Recommendation: This Court understands Plaintiff David Pyles' strong objections to the actions of the defendants, including the large number of police personnel involved. He emphasizes the fact that he was found not to be a danger to himself or others by the medical evaluation at Rogue Valley Medical Center. Indeed, the right to be free from unlawful seizure is one of the most fundamental rights protected by the United States Constitution. The defendant police agencies and officers, however, were presented with specific information that clearly presented a serious potential danger to plaintiff and public safety, regardless of whether the information presented ultimately turned out to be true or false. It may be that plaintiff's safe transport to the hospital could have been accomplished with less police personnel. However, the defendants risk their lives every day, and they have to err on the side of safety for themselves and the public. No evidence in the record suggests that defendants acted with ill will or as part of a conspiracy to target the plaintiff. Defendants acted in good faith to protect the plaintiff and the public and, overall, did so in a lawful, fair, and courteous manner. Based on the information available, the defendants reasonably determined that the risk of doing nothing was simply too great. This Court will not second-guess that decision. For these reasons, defendants' motions [38] and [47] should be GRANTED. All other pending motions should be DENIED. Signed on 04/26/2013 by Magistrate Judge Mark D. Clarke. (rsm)

1:12-cv-00346-CL Notice has been electronically mailed to:

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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF OREGON
12 (Medford Division)

13 DAVID J. PYLES,
14 Plaintiff,

)
)
) No. 12-cv-00346-CL
)

15) **COMPLAINT**

16 vs.

17) Action at Law for Violation
18) of Civil Rights, False Arrest,
19) Intentional Infliction of Emotional
20) Distress

21 MIKE WINTERS, PHIL CICERO,
22 JACKSON COUNTY, SCOTT CLAU-
23 SON, and the CITY OF MEDFORD,
24 Defendants.

25) Jury Trial Demand
26)
27)

28 Plaintiff alleges:

Jurisdiction

1.

This Court has jurisdiction over the subject matter of plaintiff's claims

1 arising under 42 U.S.C. §1983 pursuant to 28 U.S.C. §§ 1331 and 1334, providing for
2 jurisdiction over claims arising under the laws of the United States, and over claims for
3 the vindication of civil rights, respectively. This Court has jurisdiction over plaintiff's
4 claims arising under the common law of the State of Oregon pursuant to 28 U.S.C.
5 §1367. Plaintiff is entitled to jury trial of all claims herein and demands trial of all claims
6 by a jury.

7
8 Parties

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10 2.

11 At all material times plaintiff was a resident and citizen of the State of Oregon and
12 subject to its jurisdiction, and was thereby vested by the 14th Amendment of the U.S.
13 Constitution with rights and liberties including:

14 A. Not to have his freedom of speech abridged in violation of the First
15 Amendment of the U.S. Constitution;

16 B. Not to be prohibited from keeping and bearing arms in violation of the
17 Second Amendment of the U.S. Constitution;

18 C. Not to be subjected to unreasonable seizures of his person or property in
19 violation of the Fourth Amendment of the U.S. Constitution;

20 D. Not to be subjected to unreasonable searches of his home and effects in
21 violation of the Fourth Amendment of the U.S. Constitution; and

22 F. Not to be deprived of his liberty or property without due process of law.

23 At all material times plaintiff was eligible to purchase, own, and carry firearms including
24 handguns pursuant to 18 U.S.C. §§922 *et seq.* (Public Law 103-159, 107 Stat. 1536,
25 also known as the Brady Act.) At all material times plaintiff was employed by the
26 Oregon Department of Transportation.

27 3.

28 At all material times defendant Jackson County was a municipal corporation

1 chartered and existing pursuant to the constitution and laws of the State of Oregon as a
2 political subdivision of the State of Oregon. At all material times defendant Mike Winters
3 was the Sheriff of Jackson County, Oregon and acting in his official capacity, and was
4 the county's official and final policy maker for all policies, customs, and usages relating
5 to firearms purchasing and records, cooperation and coordination of law enforcement
6 functions with other law enforcement agencies, and searches and seizures of persons,
7 places and things. At all material times defendant Phil Cicero was a deputy of Winters
8 and acting in his official capacity. At all material times the Jackson County Sheriff's
9 Office was a designated Point of Contact (POC) as defined in 28 CFR 25.2, acting as an
10 intermediary between Federal Firearms Licensees in Jackson County and the federal
11 National Instant Criminal Background Check System (NICS).

12 4.

13 At all material times defendant City of Medford was a municipal corporation
14 chartered and existing pursuant to the constitution and laws of the State of Oregon as a
15 political subdivision thereof. At all material times defendant Scott Clauson was a
16 police officer employed by the City of Medford acting in his official capacity and pursuant
17 to the official policies, customs and usages of the City.

18 5.

19 Plaintiff timely communicated notice of his claims against defendants Jackson
20 County and the City of Medford arising under the laws of the State of Oregon, pursuant
21 to ORS 30.275.

22 Common Allegations

23 6.

24 During the years 2009 and 2010, plaintiff commenced several formal employee
25 grievances, either individually or jointly with a collective bargaining unit of which he was
26 a member, complaining of what he believed to be unlawful or wrongful personnel actions
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1 by his employer and specific management officials. Plaintiff also made verbal
2 complaints regarding what he believed to be mismanagement and abuse of authority by
3 management officials. During the said period, plaintiff purchased firearms from licensed
4 dealers in Jackson County, which licensed dealers duly and lawfully utilized Jackson
5 County as a Point of Contact to verify plaintiff's eligibility to purchase the said firearms,
6 by means of the NICS. On the occasion of each such purchase, plaintiff was found to
7 be eligible to purchase and own the said firearms by NICS, and that eligibility was
8 verified by Jackson County to the said dealers.

9
10 7.

11 Pursuant to ORS 659A.200 to 659A.224, plaintiff's said speech was privileged
12 against disciplinary action by his employer, the State of Oregon. Nonetheless plaintiff's
13 supervisors were offended by the content of the said protected speech, and complained
14 to law enforcement agencies that plaintiff was a "disgruntled employee" who was
15 believed to own firearms and thereby was considered by the said supervisors to be a
16 threat. In response to the said complaints, defendants Jackson County and Winters
17 convened a meeting at 6 p.m. on March 8, 2010 attended by defendant Cicero and at
18 least 10 other law enforcement personnel including defendant City of Medford police
19 officers, at which meeting plaintiff was identified as a "suspect" and detailed plans were
20 made for a Special Weapons And Tactics team from the Medford Police Department to
21 arrest plaintiff, search his home, and seize his firearms. At no time did defendants
22 request a warrant for such arrest, search and seizure and at no time did defendants
23 have probable cause to believe that plaintiff had committed or was about to commit any
24 crime. At no time did defendants or any other person present evidence seeking
25 authority to civilly commit plaintiff to a magistrate, and at no time did defendants have
26 probable cause to believe plaintiff to be dangerous to himself or any other person; or
27 that he was in need of immediate care, custody or treatment for mental illness; or that

1 plaintiff suffered from any mental illness. During the said meeting, defendant Cicero
2 disclosed all records of plaintiff's purchases of firearms which had received a
3 designation of "allow" from the NCIS, and which nonetheless had been retained by
4 defendant Jackson County and not destroyed as required by law. Jackson County
5 Sheriff's deputies Rich Fogarty and Charley Retzer went to plaintiff's place of
6 employment and examined all contents of the hard drive of plaintiff's work computer.
7 They confirmed that there were no threatening documents toward anyone or implying an
8 intention to harm anyone or himself, but identified an unfiled form for a workers'
9 compensation claim alleging workplace stress. Based on the facts set forth in this
10 paragraph, Jackson County opened a criminal investigation file identifying plaintiff as the
11 suspect of "suspicious circumstances" who was "possibly a danger to himself or others."
12 No attempt was made to contact or interview plaintiff.

13
14 8.

15 Commencing at or about 2:30 a.m. on March 9, 2010, the Medford Police
16 Department SWAT Team "staged" in the vicinity of plaintiff's home on Effie Street in
17 Medford. Sniper teams were deployed so as to prevent plaintiff from leaving his home
18 or resisting seizure of his person and effects. Neighbors of plaintiff were advised that
19 they were in danger from plaintiff, who was alleged to be armed and prepared to shoot it
20 out with the police. The SWAT team continued staging and observing plaintiff's home
21 until approximately 5:46 a.m., at which time defendant Clauson commenced calling
22 plaintiff on his home telephone. Plaintiff was asleep at this time and had no idea that his
23 home was surrounded or that he was the subject of any criminal investigation. Plaintiff
24 answered the telephone and demanded to know who was calling. Defendant Clauson
25 identified himself as the crisis negotiator for the Medford Police Department SWAT
26 team, and that he was there to investigate information he had received about plaintiff's
27 employment situation and his health. Plaintiff hung up and called the Medford police

1 dispatch center, which confirmed that his home was surrounded by a SWAT team.
2 Plaintiff then called Clauson at the number given him by the dispatcher, and asked
3 Clauson whether he had done something wrong. Clauson told plaintiff that he was not
4 suspected of any crime and that Clauson only wanted to insure that he was not a danger
5 to himself or others. Plaintiff asked Clauson whether he had a warrant to enter his home
6 or arrest him. Clauson answered that there was no warrant, and plaintiff replied that he
7 would prefer to simply have a face-to-face conversation with Clauson in his front yard to
8 demonstrate that he was not mentally ill or dangerous. At 6:33 a.m., Clauson again
9 called plaintiff who answered and told him that he had been talking to his union
10 representative on the telephone, and that she had informed him that ODOT
11 management officials had informed co-workers that he was insane and homicidal, and
12 that she feared for his life as the victim of a setup. Plaintiff asked Clauson whether he
13 was going to be arrested, and asked Clauson if he could guarantee that he would not be
14 arrested, shot, assaulted, handcuffed or forced to undergo psychiatric treatment if he left
15 the house to speak to Clauson personally. Clauson assured plaintiff that he only
16 needed to speak to him and he would not be arrested, handcuffed, injured, or medically
17 examined. Plaintiff believed Clauson's assurances, and responded that he would take a
18 quick shower and come outside. Plaintiff informed Clauson that he was not armed.
19 Defendants had arranged for local television news crews to be present at plaintiff's
20 home to film the arrest of plaintiff. Plaintiff then emerged from his front door, holding a
21 cell phone in one hand and the leash to his dog in the other hand. He closed the door
22 behind him. As he did so he was ordered to attach the leash to the front porch post and
23 continue into his yard with his hands raised above his head. Plaintiff was then
24 immediately and forcibly seized by several police officers, while others pointed firearms
25 at his head at close range from several directions. The officers handcuffed plaintiff
26 tightly and painfully. Plaintiff requested to speak to an attorney, and was told that he no
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1 right to an attorney. At this point the SWAT team's tactical armored vehicle was driven
2 into plaintiff's yard, with bright floodlights on the vehicle focused on plaintiff in handcuffs
3 in full public view. Plaintiff then noticed that one of the SWAT team members had
4 opened his front door and was starting to enter his home, and he verbally objected.
5 Plaintiff was then "perp-walked" before the television news cameras to the street where
6 he was placed in the back of a patrol car in handcuffs, and was then aggressively
7 interrogated about his employment and familiarity with firearms for about 10 minutes,
8 including demands that he admit plotting violence. Plaintiff again asked to have a lawyer
9 present, but was told that he had no right to an attorney because he had not been
10 arrested. Defendants told plaintiff that unless he cooperated verbally and by
11 consenting to a search of his home, the Medford Police Department would easily obtain
12 a warrant from a judge authorizing them to seize and keep all of his firearms. Plaintiff
13 asked if he were to show the police the location of his firearms, whether the officers
14 would agree not to ransack his home and keep or destroy his property. Defendant
15 Clauson told plaintiff that he could eventually recover his firearms if he cooperated, and
16 he was allowed to re-enter his home while in custody to show the officers where each
17 firearm was secured. All firearms were then seized by the Medford police and plaintiff
18 was again "perp-walked" in full public view to the patrol car, and transported to Rogue
19 Valley Memorial Hospital and confined in a secure psychiatric holding cell, still in
20 handcuffs. The cell was filthy, with dried blood and feces on the floor, walls, and bench
21 where plaintiff was commanded to sit. The Medford officers removed the handcuffs
22 when a physician came into the room to interview plaintiff. Plaintiff was confined for
23 approximately 4 hours. At the conclusion of this period, the psychiatric staff at RVMH
24 found that plaintiff was not mentally ill and not a danger to himself or others and there
25 was no basis to hold him. Plaintiff intended to walk home, but Clauson insisted that the
26 police drive him home in the police car and that he would not be permitted to walk home.
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9.

On March 12, 2010, defendant Clauson and other officers returned to plaintiff's home and returned his firearms. The defendants arranged for one or more local television news crews to return to Plaintiff's home to film their entry to his home.

FIRST CLAIM FOR RELIEF - 42 U.S.C. §1983 claims

Count I – Fourth Amendment (Jackson County, City of Medford, Clauson)

10.

On or about March 9, 2010, defendants City of Medford and Clauson, at the request of and in concert with defendant Jackson County and under the color of law, subjected plaintiff to an unreasonable seizure of his person, an unreasonable search of his home, and an unreasonable seizure of his personal property; all absent warrants or probable cause to believe that plaintiff had committed any crime, and in violation of plaintiff's rights secured to him by the Fourth Amendment of the Constitution of the United States.

11.

The unreasonable seizures and search as hereinabove described were undertaken by defendant Jackson County pursuant to its policy and custom, expressly authorized by defendant Winters, of utilizing an unlawful "mental health hold" to intimidate plaintiff and to disarm him. The said seizures and search were undertaken by defendant City of Medford pursuant to its custom and policy of utilizing a SWAT team with televised news coverage to take plaintiff into custody to intimidate and disarm him, and to so injure his reputation and standing in the community that he would be deterred from asserting and vindicating his legal and constitutional rights; and by utilizing lies and deception to seize his person and property in the absence of any warrant or legal basis to seize him or search his home.

1
2 12.

3 As a consequence of the said unlawful seizures and search, plaintiff has been
4 caused to suffer pain, terror, humiliation, injury to his reputation, and severe emotional
5 distress, all to his general damage in the sum of \$500,000. Defendants Jackson
6 County and City of Medford are jointly and severally liable for the said damages.

7 13.

8 The unreasonable seizures and searches of plaintiff on the part of defendant
9 Clauson were undertaken by him in reckless disregard and wanton indifference to
10 plaintiff's clearly established constitutional rights, and plaintiff is thereby entitled to
11 recover of defendant Clauson punitive damages in the sum of \$250,000.

12 Count II – Fourteenth Amendment (City of Medford and Clauson)

13 14.

14 On or about March 9, 2010, defendants City of Medford and Clauson, acting
15 under color of law, deprived plaintiff of his liberty absent due process of law by
16 subjecting plaintiff to a "peace officer mental health hold" absent probable cause to
17 believe that plaintiff was in need of emergency mental health treatment or was a danger
18 to himself or any other person, in violation of ORS 426.228 and of plaintiff's right to due
19 process of law secured to him by the Fourteenth Amendment of the Constitution of the
20 United States.

21 15.

22 The deprivation of plaintiff's liberty as herein described was undertaken by
23 defendant City of Medford pursuant to its custom and policy of utilizing a SWAT team
24 with televised news coverage to take plaintiff into custody to intimidate and disarm him,
25 and to so injure his reputation and standing in the community that he would be deterred
26 from asserting and vindicating his legal and constitutional rights; and by utilizing lies and
27 deception to seize his person and property in the absence of any warrant or legal basis

1 to seize him or search his home.

2 16.

3 As a consequence of the said deprivation of his liberty, plaintiff has been
4 caused to suffer pain, terror, humiliation, injury to his reputation, and severe emotional
5 distress, all to his general damage in the sum of \$500,000.

6 17.

7 The deprivation of plaintiff's liberty on the part of defendant Clauson was
8 undertaken by him in reckless disregard and wanton indifference to plaintiff's clearly
9 established constitutional rights, and plaintiff is thereby entitled to recover of defendant
10 Clauson punitive damages in the sum of \$250,000.

11
12 Count III – Second Amendment (Defendants Jackson County, Winters, Cicero, and City
13 of Medford)

14 18

15 At all material times, defendants Jackson County, Winters, Cicero and City of
16 Medford, acting under color of law, conspired together to infringe plaintiff's right to keep
17 and bear arms as secured to him by the Second Amendment of the Constitution of the
18 United States; and in violation of plaintiff's rights as a qualified purchaser and owner of
19 firearms pursuant to the Brady Act; and did so infringe the said rights.

20 19.

21 The infringement of plaintiff's rights as herein described was undertaken by
22 defendant City of Medford pursuant to its custom and policy of utilizing a SWAT team
23 with televised news coverage to take plaintiff into custody to intimidate and disarm him,
24 and to so injure his reputation and standing in the community that he would be deterred
25 from asserting and vindicating his legal and constitutional rights; and by utilizing lies and
26 deception to seize his firearms in the absence of any warrant or legal basis to seize him
27

1 or search his home. The infringement of plaintiff's rights as herein described was
2 undertaken by defendant Jackson County pursuant the custom and policy of defendant
3 Winters of unlawfully utilizing records of purchases allowed by the NICS to identify and
4 monitor the purchasers of firearms for use in future investigations absent any evidence
5 of criminal conduct by the said purchasers.

6
7 20.

8 As a consequence of the said infringement, plaintiff has been caused to
9 suffer anger, terror, humiliation, injury to his reputation, and severe emotional distress,
10 all to his general damage in the sum of \$200,000. Defendants Jackson County and
11 City of Medford are jointly and severally liable for the said damages.

12 21.

13 The infringement of plaintiff's Second Amendment rights on the part of defendants
14 Winters and Cicero were undertaken by them in reckless disregard and wanton
15 indifference to plaintiff's clearly established constitutional rights, and plaintiff is thereby
16 entitled to recover of each of them punitive damages in the sum of \$200,000.

17 Count IV- First Amendment (Jackson County)

18 22.

19 On or about March 8, 2010, defendant Jackson County acting through defendant
20 Winters undertook to chill the exercise of plaintiff's rights of free speech and to petition
21 the State of Oregon for redress of grievances, by arranging for the unlawful seizure of
22 his firearms and of utilizing a SWAT team with televised news coverage to take plaintiff
23 into custody to intimidate and disarm him, and to so injure his reputation and standing in
24 the community that he would be deterred from asserting and vindicating his legal and
25 constitutional rights. The said abridgement of plaintiff's rights as secured to him by the
26 First Amendment of the Constitution of the United States was undertaken by Jackson
27 County pursuant to the custom and policy of defendant Winters to identify persons

1 prosecuting employee grievances against the State of Oregon as disgruntled and
2 dangerous persons who are thereby not entitled to their liberty or to possess firearms.
3

4 23.

5 As a consequence of the said abridgement plaintiff has been caused to
6 suffer anger, terror, humiliation, injury to his reputation, and severe emotional distress,
7 all to his general damage in the sum of \$200,000.

8 Count V – Attorney Fee Claim

9 24.

10 Plaintiff is entitled, upon prevailing in any particular as to any portion or count of
11 this claim for relief, to recover of defendants his reasonable attorney fees upon this
12 action pursuant to 42 U.S.C. §1988.

13
14 SECOND CLAIM FOR RELIEF – Oregon Common Law Claims

15 Count I – Intentional Infliction of Emotional Distress (Medford and Jackson County)

16 25.

17 On or about March 9, 2010 and continuing thereafter through the present time,
18 defendants City of Medford and Jackson County have caused plaintiff to suffer extreme
19 emotional distress by means of conduct that is outrageous in the extreme and outside
20 the bounds of socially accepted conduct by governmental officials against their citizens.
21 The said conduct was desired by defendant to cause plaintiff to suffer such distress or
22 was known by defendants to be reasonably certain to cause such distress.

23 26.

24 The conduct of defendants as herein alleged has caused plaintiff to suffer
25 extreme emotional distress from March 9, 2010 through the present time, to his
26 noneconomic damage in the sum of \$230,000.

1
2
3 Count II – False Arrest (City of Medford)

4 27.

5 On or about March 9, 2010 defendant City of Medford arrested plaintiff absent a
6 warrant or probable cause.

7 28.

8 As a foreseeable consequence of the said false arrest, plaintiff has been caused
9 to suffer pain, terror, humiliation, injury to his reputation, and severe emotional distress,
10 all to his general damage in the sum of \$250,000.

11
12 WHEREFORE, plaintiff now prays for trial of his foregoing claims for relief
13 by a jury, and for judgment against defendants for all damages and remedies alleged
14 herein, together with his reasonable costs, disbursements and attorney fees upon this
15 action.
16

17
18 Dated: February 24, 2012

SUBMITTED by:

19 */s/ David C. Force*

20 _____
21 David C. Force
22 OSB No. 82258
23 P.O. Box 10972
24 Eugene, Or. 97440
25 (541) 343-2956

Dear Oregon Legislators:

Following my prior e-mail sent this evening, just so there is no confusion or doubt to the absolutely incontestable truth that the events of March 2010 were an ODOT, OSP, JCSO and MPD true criminal and civil conspiracy,... *please see the e-mail below and the attached evidence of medical billing fraud by the Asante Health System / Rogue Regional Medical Center, as concern the involuntary, forced psychiatric exam (per Oregon Revised Statute 426.228 (1) "peace officer mental health hold" action). This matter is absolutely unbelievable, outrageous and completely unacceptable by any reasonable and prudent persons test.*

The City of Medford, Jackson County and the Oregon State Police (and also involving the ODOT, at all material periods from 03/04/10 to 03/08/10),... "forgot" to pay the Asante / RRMC involuntary medical exam service bill of March 8, 2010. Subsequently, Asante/RRMC fraudulently charged *first* a health insurance company, which had no responsibility to cover any claim or potential claim (i.e., I was not a state public employee of the ODOT on the 02/25/11 date of hospital's filing the false, "doctored" medical claim, as I was wrongfully terminated by the ODOT on 05/14/10; I did not have state health insurance in February 2011). And, most outrageously and egregiously,...the Asante/RRMC then, as a *second fraudulent action*, submitted a portion of the 03/08/10 claim for service to a private debt collection company in Medford, OR, the subject matter of which as of 01/23/13, I am being sued improperly and fraudulently by the debt collector in Josephine County small claims court. They very likely also submitted the remainder of the outstanding balance to another debt collection agency; I am checking on all actions by Asante/RRMC. I just found out about these matters this week, following my recent return to FL, and discovering some unopened documents that had been in storage or otherwise mailed to me, while I have been in OR the past 1-1/2+ years.

I signed nothing on 03/08/2010 which would have, or could have, obligated me in any manner, to pay for a forced, involuntary psychiatric "peace officer mental health hold", effected solely at the hands of the ODOT, OSP, JCSO and MPD from 03/04/10 to 03/08/10, these agencies and officials acting in obvious, clear, blatant, harassing, retaliatory, punitive and malicious misconduct and malfeasance. These matters were in March 2010, and remain to date, unprecedented in Oregon and in the U.S.!

These comprehensive matters demand a complete and comprehensive Federal Bureau of Investigation credible, fair and just investigation; top to bottom, beginning to end, starting in June 2009 to March 2010, and through to present.

Some of those persons, law enforcement officials, hospital personnel and elected officials in southern Oregon and Jackson County, must have "graduated" from some of Oregon's illustrious (notorious) high schools! Fools,...each and every one in Jackson County, Medford, the Oregon State Police and at Asante Health System / Rogue Regional Medical Center.

When American public and citizens learn the actual facts and truths about "peace officer mental health holds", and the current *de facto* police state in Oregon and in this nation - i.e., that persons and American citizens have no legal rights,...absolutely none. even less than would a violent felony offender under formal arrests with applicable *Miranda* rights,...I guarantee, the second

American political Revolution (much less, a potential second American Civil War), may very well likely be a soon to follow outcome. The President's most recent 23 executive orders, and specifically those that address mental illness and mental health issues,...shall very likely be judged by future historians and generations of American citizens (born and unborn), as the most dangerous, destructive and *dumb* executive orders *ever* authored and signed by an American (lame duck) President. Period!

Sincerely,

- David J. Pyles

----- Forwarded Message -----

From: djp_OR1269 <djp_or1269@yahoo.com>

To: "ebm@roquelaw.com" <ebm@roquelaw.com>; "ceb@roquelaw.com" <ceb@roquelaw.com>; "rsw@miller-wagner.com" <rsw@miller-wagner.com>; "sml@miller-wagner.com" <sml@miller-wagner.com>; "john.huttl@cityofmedford.org" <john.huttl@cityofmedford.org>; "whitlorc@jacksoncounty.org" <whitlorc@jacksoncounty.org>; "heckerbe@jacksoncounty.org" <heckerbe@jacksoncounty.org>; "BreideDP@jacksoncounty.org" <BreideDP@jacksoncounty.org>; "rachorjv@jacksoncounty.org" <rachorjv@jacksoncounty.org>; "skundrdw@jacksoncounty.org" <skundrdw@jacksoncounty.org>; "damien.munsinger@doj.state.or.us" <damien.munsinger@doj.state.or.us>

Cc: "djp_or1269@yahoo.com" <djp_or1269@yahoo.com>

Sent: Friday, May 3, 2013 5:34 PM

Subject: FYI: Actual Notice of Claim per ORS 30.275 (6): Fw: FBI no. 560638RD7: David J. Pyles' report of FRAUD by Asante/RVMC re: improper criminal billing practices of 03/08/2010

Dear "Gentleman and Lady" (I use the terms very loosely, as they do not apply to *any* of you):

The City of Medford, Jackson County and the incestuous criminal/civil conspiracy of incontestable good-'ol'-boy corruption in southern Oregon has just earned yourselves a new federal civil tort claim notice, related to the events of March 8, 2010.

Stupid is as stupid does,....given the MPD, JCSO and OSP effected a false, harassing and retaliatory ORS 426.228 (1) peace officer mental health hold action, also involving the ODOT and its officials, at all material and relevant periods from March 4, 2010 to March 8, 2010. And, *forgot to pay for your mistake and medical bill by Asante/RVMC*.

Obviously, Jackson County, the City of Medford and or the Oregon State Police (State of Oregon, for OSP and ODOT),...somehow unbelievably *forgot to pay for the involuntary police officer mental hold action* that was leveraged against me. Subsequently, Asante/RVMC committed two separate, and equally fraudulent, stupid acts of harassment, discrimination, retaliation and the intentional infliction of emotional distress against my person: 1) to file a claim for \$1,220.70 on 02/25/2011 to a public health care provider to which I was *not a member*, as I did not have public health care insurance at that time (having been wrongfully terminated by ODOT on 05/14/10); and, 2) most unbelievably, then upon denial by PBH on 03/16/2011, Asante/RVMC turned around and engaged a private debt collector to come after me about the

false and fraudulent medical expense bill that either or both, the City and/or County did not cover.

Classic Jackson County and City of Medford earned stupidity and corruption! You all - i.e., Asante/RVMC, City and County - are also liable and responsible for this billing/accounting fraud committed by Asante/RVMC! I have again been irrevocably harmed and damaged, as related to the complete and comprehensive events of March 4-8, 2010, in Medford, OR.

Please consider this preliminary, actual tort claim notice to City and County, per ORS 30.275 (6). A formal notice of claim shall be prepared and sent within 180 days of 01/23/2013 - i.e., the date of notice by General Credit Service, Inc., case no. 130101SC.

Dumb and foolish! But, what else is one to expect as common practice from you jokers.

Also, please be on the lookout in the coming weeks for additional, separate notices of claim for: 1) Jackson Co. / Josephine Co. denial of due process to appeal JoCo case no. 12-CV-1278, and 2) the denial of free speech by Commissioner Skundrick and the JCSO Deputy in March 2013 at a regular meeting of the County Board of Commissioners. If I think about it, there may be others coming too.

This matter and these claims shall be submitted within the pending federal civil case also, *Pyles v. Winters (et al)*, per my prior letter sent this week.

Sincerely,

David J. Pyles,

Plaintiff *pro se* (by no fault of my own),
Pyles v. Winters (et al)
9th Circuit, U.S. District Court, Medford Division
Case no. 12-CV-00346-CL

(541) 613-6421

9588 SE 124th Loop
Summerfield, FL 34491

----- Forwarded Message -----

From: djp_OR1269 <djp_or1269@yahoo.com>

To: "portland@ic.fbi.gov" <portland@ic.fbi.gov>

Cc: "djp_or1269@yahoo.com" <djp_or1269@yahoo.com>

Sent: Friday, May 3, 2013 3:05 PM

Subject: FBI no. 560638RD7: David J. Pyles' report of FRAUD by Asante/RVMC re: improper criminal billing practices of 03/08/2010

Dear Portland F.B.I. Criminal-Civil Division:

The attached letter is being provided to the F.B.I. as a matter of reasonable suspicion and probable cause to understand the Asante Health System / Rogue Valley Medical Center in Medford, OR has committed likely criminal and civil fraud, as concerns the hospital's improper billing practices related to my being the involuntary patient to an unprecedented "peace officer mental health hold" action on 03/08/2010; as directly related to the OSP/ODOT *de facto* mental health hold action, mandatory psychiatric fitness-for-duty exam administrative leave procedure effected on March 4, 2010.

Please contact me if you have questions, or require additional information. This e-mail and attached letter is being sent per the U.S. Dept. of Justice letter I recently received, directing me to provide written materials and evidence of criminal and/or civil misconduct to the F.B.I. I understand, as would any other reasonable and prudent person, that this latest discovery issue concerns clear and obvious criminal misconduct by Asante/RVMC, at minimum, as concern the events of March 2010, and the hospitals subsequent improper and illegal billing procedures.

A hardcopy of the attached letter is being sent to the F.B.I. via regular U.S. Postal Service mail today; and, a certified mail with requested return signature original signed copy to the Asante/RVMC hospital. Others notified by regular U.S. mail sent today. I am also reporting this matter to PBH's Fraud Division today.

I request a formal investigation of this matter by the F.B.I. Thank you.

Sincerely,

David J. Pyles,
Plaintiff *pro se* (by no fault of my own),
Pyles v. Winters (et al)
9th Circuit, U.S. District Court, Medford Division
Case no. 12-CV-00346-CL

(541) 613-6421

9588 SE 124th Loop
Summerfield, FL 34491

May 3, 2013

Asante Health System / Rogue Valley Medical Center
Attn: Mr. Fred Bockstahler, JD, CHC / Corporate Compliance Officer
2650 Siskiyou Boulevard
Medford, OR 97504

RE: Asante/RVMC fraudulent billing of involuntary psychiatric medical exam services on 03/08/10 to Pyles/PEBB/PacifiCare Behavioral Health of California, Inc.; and, Asante/RVMC subsequent fraudulent debt collections billing to General Credit Service, Inc. (at minimu); and, Pyles' request for all records of billing and fraud by RVMC to others; and, Pyles' demand letter

Dear Mr. Bockstahler and Asante Health System / RVMC:

Three years ago this very day, 05/03/2010, I made an in-person request to Asante/RVMC for all medical records, via completion and submission of the Asante "Authorization to Disclose Medical Records" form, signed by David J. Pyles, and dated 05/03/2010. Also at that time, I made a specific verbal request to the Asante/RVMC records custodian to also preserve and provide any and all hospital surveillance video footage (e.g., exterior, interior security cameras and psychiatric exam room video), as related to the involuntary, forced psychiatric exam procedure effected by the Medford Police Department, Jackson County Sheriff's Office and the Oregon State Police, all acting under the color of law and in conspiracy with the Oregon Dept. of Transportation (my former employer). On 05/03/2010, Asante/RVMC *knowingly and willfully provided me incomplete hospital records* regarding the exam of 03/08/2010 (e.g., the Asante/RVMC and City of Medford suppressed and covered up "Report of Peace Officer Custody of an Allegedly Mentally Ill Person" medical record form, dated 03/08/2010, signed by Medford Police officer William Ford.)

At no time and in no manner, as related to my being discharged from Asante/RVMC within hours on 03/08/2010, did I sign *any* hospital discharge document which did, or otherwise would have, obligated David J. Pyles, or any health insurance policy covering David J. Pyles (e.g., state employment PEBB, Regence or PacifiCare Behavioral Health of California, Inc. public employee health insurance), to pay for *any* medical exam or hospital expense regarding Asante's/RVMC's involuntary psychiatric exam procedures or hospital care undertaken on 03/08/2010. See the enclosed *Conditions of Services Rendered Form: 400-PATR-001* form (of date and time stamp "03/08/2010 07:46:51". As you will note, per the "patient/parent/conservator/guardian" signature line of that form, it specifically and clearly states, "Refuses to Sign". That statement was written by Asante/RVMC staff, following my specific and repeat requests to contact an attorney, prior to signing *any* hospital forms; and, following my specific questions and inquiry to confirm, based on Asante's/RVMC's verbal responses, *that I would not be obligated in any manner or under any circumstance, to be charged or billed for an*

involuntary, forced, and against my specifically stated will and intent, psychiatric exam.

However, based on recent documents I have discovered which were unopened and in storage in FL, *I have discovered clear, obvious and incontestable multiple, repeated acts of fraud and fraudulent business billing practices by the Asante Health System/RVMC hospital, as directly related to the hospital's actions and procedures of 03/08/2010.* Frankly, this discovery is shocking and egregiously improper, to the extreme and to any reasonable action by any hospital. See also, the enclosed PBH "Explanation of Benefits" statement, claim no. 11067035200 and patient account no. R3014888956. **Asante/RVMC illegally and unlawfully attempted to charge \$1,220.70 to PacificCare Behavioral Health of California, Inc. (PBH), on 02/25/2011¹** PBH denied the fraudulent Asante/RVMC attempted claim for services on 03/16/2011. These facts are incontestable, accurate and true.

Furthermore, subsequent to PBH's denial of the fraudulent Asante/RVMC filed claim, it appears also incontestable and obvious, that Asante/RVMC appears to have submitted the fraudulent billing matter to General Credit Service, Inc., a debt collector, to personally take adverse and hostile action against David J. Pyles, *again attempting to fraudulently bill Pyles/patient for the involuntary, forced psychiatric medical exam procedures conducted by the hospital on 03/08/2010.* See the enclosed GCS, Inc., case no. 130101SC form, page one, line item: "Rogue Valley Medical Cent, 03-08-10, [\$\$\$]164.79." Were other debt collectors engaged by Asante/RVMC?

Mr. Bockstahler, these matters are *very serious*, as the facts evidence clear, repeated attempts by Asante/RVMC to take hostile and egregious/outrageous adverse action against my person, against my credit standing, and against my former State of Oregon public health insurance. Which I note, on 02/25/2011, I do not believe I had any public health insurance, as I had been wrongfully terminated without just cause by the ODOT, as directly related to the unprecedented actions of March 4th - 8th, 2010. All hospital actions being *directly opposite, inconsistent and incongruent with the "Refuses to Sign" statement on the hospital's Conditions of Services Rendered Form, dated 03/08/2010!* **Can Asante/RVMC please immediately, by provision of a detailed written response, explain its multiple, repeat attempts to defraud PBH (or other health insurance companies), General Credit Service, Inc., and my person in these complete matters?** Respectfully, I request and demand the hospital's immediate written response to address these matters.

I reasonably understand, believe and know, I have been adversely and irrevocably harmed and damaged (i.e., economic, non-economic and punitive damages), *by the direct and incontestable repeated attempts to defraud myself, PBH, Inc., and GCS, Inc. in this fraudulent billing matter by Asante/RVMC.* **I request and demand immediately, the Asante Health System/RVMC hospital to disclose and provide**

¹ PBH (Naomi), at 1-888-777-3465, confirmed Asante's/RVMC's claim submission date of 02/25/2011 to Pyles on 05/02/2013.

all billing records in the possession and knowledge of the hospital; and, all related billing invoices, records, written statements or other similar documents, communications, electronic correspondences, faxes, et cetera, which relate to Asante's/RVMC's billing practices, methods, means and actions as directly concern the involuntary psychiatric exam of 03/08/2010.

By copy of this letter and its enclosures, this matter has been notified and copied to both PBH and General Credit Service. As of today's date, I have initiated a report of fraud with PBH concerning this matter. *It is also being forwarded to the Federal Bureau of Investigation (F.B.I.), as concern the comprehensive corruption, illegal misconduct/malfesance, and unlawful, unconstitutional actions by the OSP, the ODOT, the JCSO and the MPD regarding all matters of the unprecedented actions by these agencies, and also by the Asante/RVMC hospital regarding the complete and comprehensive events of March 2010. These matters are without precedent to my understanding, knowledge and life experience; evidencing unambiguous and incontestable egregious violations by the hospital, multiple "law enforcement" agencies and the ODOT - i.e., all parties acting under the hostile, adverse, harassing, discriminatory and retaliatory actions under color of authority and color of law. I understand Asante's/RVMC's fraudulent billing practices in this matter are very likely criminal misconduct, unbecoming any certified hospital in the State of Oregon.* These matters by Asante/RVMC are unprofessional and unethical accounting practices *to the extreme!*

I am the subject victim to irrevocable harm and damages in this matter, at the direct hands and actions of Asante Health Systems/RVMC, and its involved personnel. Therefore, at this time, I am requesting the hospital to disclose and make known to me, via its detailed written reply, all hospital staff/management personnel, involved in the fraudulent billing practices as discussed and evidenced herein this letter and its enclosures, for the purpose of future tort claim notice. Also, *these matters demand a criminal-civil investigation of Asante/RVMC by the F.B.I.*

In closing, please add this matter to the prior letter and notice of tort claim I provided Asante Health System/RVMC, dated 12/11/2012. See enclosure number four (4). Irrespective of any criminal violations by Asante/RVMC in this matter, in lieu of legal action and federal civil complaint to remedy these violations, I welcome a *substantial monetary offer* by Asante/RVMC to resolve this matter. Please consider this correspondence a demand letter, provided as an alternate to necessary lengthy and expensive litigation to resolve and remedy Asante's/RVMC's obvious violations. As Asante's/RVMC's *Corporate Compliance Officer*, Mr. Bockstahler, *I am informing Asante/RVMC at this time, of Asante's serious incompilance to standard billing and accounting practices, and incompilance to the laws/policy applicable in this matter!*

Sincerely,



David J. Pyles,

Plaintiff *pro se* (by no fault of own)
Pyles v. Winters (et al),
Case no. 12-CV-00346-CL
9th Circuit, U.S. Dist. Court, Medford
9588 SE 124th Loop
Summerfield, FL 34491
Phone: (541) 613-6421
E-mail: djp_OR1269@yahoo.com

djp/DJP

- Enclosures: 1. Asante/RVMC *Conditions of Services Rendered Form* [1 page].
2. PBH Claim No. 11067035200 [2 pages].
3. General Credit Services, Inc. claim, case no. 130101SC [2 pages].
4. Pyles' letter to Asante/RVMC, dated 12/11/2012 [4 pages].

Cc: PacifiCare Behavioral Health of California, Inc.

General Credit Services, Inc.

Federal Bureau of Investigation (Portland Criminal-Civil Division)

ASSIGNMENT OF INSURANCE BENEFITS - I authorize, whether I sign as agent or as patient, direct payment to the hospital of any insurance benefits otherwise payable to or on behalf of the patient for this hospitalization or for these outpatient services, including emergency services if rendered. I understand that I am financially responsible for charges, deductibles, and co-insurance not covered by insurance.

HEALTH PLAN OBLIGATION - This hospital maintains a list of health plans with which it contracts. A list of such plans is available upon request. The hospital has no contract, express or implied, with any plan that does not appear on the list. The undersigned agrees that he/she is individually obligated to pay the full charges of all services rendered to him/her by the hospital if he/she belongs to a plan which does not appear on the above mentioned list.

Patients under age 65 without insurance may be reported to the Oregon Health Plan for possible assistance to cover their hospital services, defraying the cost of hospitalization. If you think you may qualify for the Oregon Health Plan, you are encouraged to contact the Patient Registration Department at RVMC 541 789-7000 (800 944-7073) or TRCH 541 472-7000 (800 375-1816).

PERSONAL BELONGINGS - I understand that the hospital maintains a safe for the safekeeping of money and valuables, and that the hospital shall not be liable for the loss or damage to any money, jewelry, documents, garments or other articles of unusual value and small size, unless placed therein, and shall not be liable for loss or damage to any other personal property, unless deposited with the hospital for safekeeping.

HEALTHIER COMMUNITY - In an effort to promote a "Healthier Community" Asante Health System recommends: If you don't smoke don't start, and if you do smoke quit. For support and success speak to your provider or call the Oregon Tobacco Quit Line* at 1-877-270-7867 (English) or 1-877-266-3863 (Spanish) or 1-877-777-6534 (TTY).

The terms and conditions of this agreement are not binding until the patient receives care and treatment from the hospital.

The undersigned certifies that he/she has read the foregoing and is the patient, the patient's legal representative, or is duly authorized by the patient as the patient's general agent to execute the above and accept its terms.

DATE: 3/8/10 TIME: 7:46 A.M./P.M.

For Outpatient Services these Conditions of Services Rendered remain in effect until...

DATE: _____

SIGNATURE

(Patient/parent/conservator/guardian)

Refuses to sign

If signed by other than patient, indicate relationship: _____

Witness: _____

Financial Responsibility Agreement by Person Other Than The Patient or Patient's Legal Representative:

I agree to accept financial responsibility for services rendered to the patient and to accept the terms of the Financial Agreement and the Assignment of Insurance Benefits provisions above.

DATE: _____ TIME: _____ A.M./P.M.

SIGNATURE: _____

(Financially Responsible Party)

Witness: _____

Rogue Valley Medical Center
2825 E. Barnett Road, Medford OR 97504
Three Rivers Community Hospital
500 SW Ramsey, Grants Pass OR 97527

Conditions of Services Rendered Form
400-PATR-001

3014888956	MR#: 80-85-98
PYLES, DAVID J	
DOB: 2/02/71 039Y M	
ED.PHYSICIAN, RVMC	3/08/10
	Q EMR

P.O. Box 25186
Santa Ana, CA 92799-5186



0788474P#A0029001

David J. Pyles
512 Effie St
Medford OR 97504

EXPLANATION OF BENEFITS

*****THIS IS NOT A BILL*****



P.O. Box 25186
Santa Ana, CA 92799-5186 (800) 711-4577

Patient: Pyles, David J
DOB: 02/02/1971
Subscriber: Pyles, David
Group Name: Pebb Statewide

Processing Date: 03/16/2011

Claim No: 110670357200

Provider: Rogue Valley Medical-Asante Health System

Explanation of Benefit: Please submit claim to the medical carrier for consideration.

Patient Acct No: R3014888956

Total Charges:	\$1,220.70
Prior Payment:	\$.00
Considered Charge:	\$674.16
Disallowed Amount:	\$674.16
Allowed Amount:	\$.00
Deductible:	\$.00
CoPayment:	\$.00
CoInsurance:	\$.00
Coordination of Benefits (COB) Amount:	\$.00
Net Line Amount:	\$.00

Line Item Charge: \$477.53
Service Dates: 03/08/2010 - 03/08/2010
Service Units: 0
CPT/Revenue Code: 99284

Disallowed Reason: No valid authorization for date(s) of service.
Line Explanation:

Line Item Charge: \$349.91
Service Dates: 03/08/2010 - 03/08/2010
Service Units: 0
CPT/Revenue Code: 90822

Disallowed Reason: No valid authorization for date(s) of service.
Line Explanation:

Considered Charge:	\$546.54
Disallowed Amount:	\$546.54
Allowed Amount:	\$.00
Deductible:	\$.00
CoPayment:	\$.00
CoInsurance:	\$.00
Coordination of Benefits (COB) Amount:	\$.00
Net Line Amount:	\$.00

Line Item Charge: \$393.26	Considered Charge:	\$.00
Service Dates: 03/08/2010 - 03/08/2010	Disallowed Amount:	\$.00
Service Units: 0	Allowed Amount:	\$.00
CPT/Revenue Code: 99284	Deductible:	\$.00
	CoPayment:	\$.00
Disallowed Reason:	CoInsurance:	\$.00
	Coordination of Benefits (COB) Amount:	\$.00
Line Explanation:	Net Line Amount:	\$.00

Interest Payment:	\$.00	Net Claim Amount:	\$.00
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TOTALS

Considered Charges	\$1,220.70
Patient's Responsibility-Deductible, Co-Pay, Co-Insurance	-\$.00
Additional Reductions-Disallowed Amount, (May involve Patient's responsibility depending on benefit plan), COB	-\$1,220.70
Prior Payment	-\$.00
Interest Payment	\$.00
Net Claim Payment	\$.00

Please review this statement thoroughly and verify that the services shown were actually received. If for any reason you suspect that services were billed inappropriately, please contact our Fraud Hotline at (888) 777-3465.

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JOSEPHINE COUNTY
SMALL CLAIMS DEPARTMENT

Plaintiff(S): GENERAL CREDIT SERVICE, INC.
An Oregon corporation,
Mailing address: 2724 West Main St.
Medford, OR 97501
Phone: (541) 773-7795

130101SC

CASE NUMBER: _____

vs.

SMALL CLAIM AND
NOTICE OF CLAIM

Defendant(s):
DAVID PYLES

Address: PO BOX 5102
CENTRAL POINT, OR 97502
211 SE INMAN LN
GRANTS PASS, OR 97527

__Defendant is a public body

I, Plaintiff, claim that on or about January 23, 2013, the above named Defendant(s) owed me the sum of \$ 740.67, and this sum is still due.

CREDITOR NAME	LAST CHG	NSF CHRG	AGN OWE	INT OWE	INT RT
ROGUE DISPOSAL & RECYCLIN	03-10-11	0.00	61.95	10.47	9.00
ROGUE VALLEY MEDICAL CENT	03-08-10	0.00	164.79	42.75	9.00
PACIFIC POWER - MEDFORD	01-28-11	0.00	172.78	30.93	9.00
AVISTA UTILITIES	01-28-11	0.00	257.00	0.00	0.00
	TOTAL	0.00	656.52	84.15	

CLAIM: \$740.67
FEES: \$50.00
COSTS: \$25.00
TOTAL: \$815.67

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

130101SC

1036219 01-23-13

UTCR 15.010(1)(a)

Case No. _____

SMALL CLAIM AND NOTICE OF CLAIM PAGE 1 OF 3

OJIN CODE: CC

DECLARATION OF BONA FIDE EFFORT

I, Plaintiff, have made a bona fide effort to collect this claim from the defendants before filing this claim with the clerk.

I herby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use in court and I am subject to penalty for perjury.

Jan 23, 2013
Date


Plaintiff Signature

Greg Bock or Rick O'Callahan

DEFENDANTS REGISTERED AGENT:

NAME

ADDRESS

CITY / STATE / ZIP

TELEPHONE NUMBER

FORM 15.010.1a -SMALL CLAIM AND NOTICE OF CLAIM

CASE NO. 130101SC

PAGE 2 OF 3

OJIN CODE: CC

December 11, 2012

Rogue Valley Medical Center

Attn: Ms. Laurel Nickels, Behavioral Health Services

Ms. Barbara Motes, Risk Management

2825 East Barnett Road

Medford, OR 97504

(541) 789-7000

RE: David J. Pyles' involuntary patient medical records of 03/08/2010; ORS 426.228 (1) & (4) violations; confirmation of legal discovery on 11/29-30/2012 between RVMC and Plaintiff *pro se* to federal civil case no. 12-CV-00346-CL; and, Plaintiff *pro se* request to RVMC to file a written report of RVMC known civil/criminal violations to federal authorities (the FBI & U.S. Attorney General's Office), concerning a *prima facie false mental health hold action by law enforcement on or about 03/08/2010* (and prior, to on or about 03/04/2010, as related to Plaintiff's former employment by the Oregon Department of Transportation and mandatory psychiatric exam by employer/OSP).

Dear Ms. Nickels and Ms. Motes:

I am writing, following my contacting the Rogue Valley Medical Center on Thursday, November 29, 2012, as the Plaintiff *pro se* (self-represented, by no fault of my own) to federal civil lawsuit *Pyles v. Winters (et al)*, case no. 12-CV-00346-CL, presently before the U.S. District Court, Medford Division. The purpose and need of my in-person visit on November 29th concerned investigation and coordination of legal discovery materials, applicable to my involuntary patient status on, and medical records of, Monday, March 8, 2010, at the hands of the City of Medford Police Dept., the Jackson County Sheriff's Office (and the Oregon State Police; as well as the Oregon Dept. of Transportation, as related to prior employment by the ODOT and the administrative leave procedure by the ODOT and OSP on March 4, 2010).

Thank you Ms. Nickels for our approximate 20-25 minute meeting on November 29th in the waiting area outside the Behavior Health Services unit of the RVMC. Thank you both also, as well as to the RVMC Security Supervisor, for the RVMC's multiple follow up phone calls to me on Friday, November 30, 2012, for the purpose to confirm the subject matter described herein below, and to address the subject matter of archival video of the 03/08/10 mental health hold action. I appreciate and value your time and effort as professionals to meet and/or discuss these matters, to help me better understand the events of March 2010.

The specific purpose of this letter is to provide a written statement of what I understand I learned from the above described recent coordination with the RVMC – i.e., the RVMC mental health hold medical records on file to date concerning the

March 8, 2010 law enforcement peace officer mental health hold action, (being the same medical records I requested and obtained by written request to the RVMC on May 3, 2010), do not contain Police Officer Hold Report(s) by the City of Medford Police Dept., the Jackson County Sheriff's Office, or the Oregon State Police, as required by Oregon Revised Statute, ORS 426.228 (1).

Therefore, I am informing the RVMC formally at this time, as I did verbally to Ms. Nickels on November 29, 2012, that I understand I remain the subject victim to unprecedented civil and criminal violations, based on police misconduct due to the color of law/color of authority, false evidence, as it is obvious absent any Police Officer Hold Report(s) by the MPD, the JCSO and/or the OSP, that a false mental health hold action was effected by Oregon law enforcement on Monday, March 8th, 2010; and, at all material periods from approximately [2:00 p.m.] Thursday, March 4, 2010 as directly related to the ODOT/OSP mandatory psychiatric fitness for duty exam, paid administrative leave procedure.

I understand the RVMC and its supervisors share knowledge of *prima facie* police misconduct against my person on March 8, 2010, by the absence of valid law enforcement hold reports as medical records, required by ORS 426. I understand persons in certain professional positions such as RVMC supervisors, also have an ethical, professional responsibility to report knowledge of criminal, or reasonably suspect criminal, misconduct of *any* form (even in color of law scenarios) to appropriate authorities. Is not this a very reasonable and prudent expectation, under the rule of law in America?

I appreciate and thank the RVMC medical supervisors assisting me as Plaintiff *pro se* to understand I was, as I have long understood and maintained, a subject victim to apparently unprecedented civil/criminal, conspiratorial false mental health hold actions effected by the ODOT and OSP (per violating ORS 426.228 (1) and (2)) on March 4, 2010; and, continuously thereafter, effected by the OSP, the JCSO and the MPD (per violating ORS 426.228 (1)), in direct coordination with other ODOT and Jackson County officials, resulting in the SWAT Team false mental health hold action of March 8, 2010.

Furthermore, I am informing the RVMC at this time, I understand ORS 426.228 (4) was violated by MPD Det. Sgt. Scott Clauson, and Det. Sgt. Bill Ford, as concerns my declining to be driven home by the MPD; yet, the MPD officers forcing me (against my expressed desire and will) to be driven home. I wanted to, and requested to, walk or find alternate means of getting home after being released on March 8, 2010. I was denied any right by the MPD to not be further violated by police misconduct, harassment, intimidation, humiliation, fear/terror tactics, and the intentional infliction of emotional distress, by not being allowed to get home by personal free will and action. I understand I was effectively kidnapped by law enforcement a second time on March 8, 2010 – i.e, upon release from the RVMC – as concerns the comprehensive color of law, police misconduct to effect the false mental health hold action.

Therefore, given the fact that two RVMC supervisory, management level staff of the Behavior Health Service and Risk Management units of the hospital confirmed to the Plaintiff *pro se* on November 29-30, 2012, the lack of any police officer hold reports as required by ORS 426.228 (1), within the RVMC's medical records of the March 8, 2010 mental health hold action, **I as Plaintiff am informing the RVMC at this time that it appears at least three persons, two being RVMC employees (Ms. Nickels and Ms. Motes), and I being the other, have common knowledge of an unlawful, illegal violation of ORS 426.228 (1), by the involved law enforcement agencies/agents to the March 2010 events. Therefore, I understand the RVMC has knowledge of serious civil and/or criminal violations concerning a *prima facie* false mental health hold action, effected under the color of law and authority, due to obvious false arrest/false evidence (e.g., lack of any valid written evidentiary statement as required by ORS 426.228 (1)) by the involved law enforcement agencies/agents.**

In closing, I *respectfully request and demand* of the RVMC and its staff (Ms. Nickels and Ms. Motes, at minimum), to file a written statement and report to the following authorities, **reporting the RVMC knowledge and understanding concerning the Plaintiff *pro se* allegation and assertion which appears to evidence clear and incontestable violations of ORS 426.228 (1) and ORS 426.228 (4) occurred, as related to David J. Pyles' involuntary patient mental health hold action of on or about March 8, 2010. I request the RVMC report its knowledge of known, obvious civil/criminal violations to the following:**

*** The Federal Bureau of Investigation (F.B.I.)**

FBI Civil/Criminal Investigations
9109 NE Cascades Parkway
Portland, OR 97220
Phone: (503) 224-4181
E-mail: Portland@ic.fbi.gov
FBI On-line Crime Reporting to: <https://tips.fbi.gov>

*** U.S. Attorney General (for Oregon), Ms. S. Amanda Marshall**

Portland District Office
1000 SW Third Ave., Suite 600
Portland, OR 97204
On-line: <http://www.justice.gov/usao/or/>

U.S. Attorney General's Office (Washington, D.C.)

Assistant Attorney General
Civil Rights Division Criminal Section
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

SECONDARY AUTHORITIES (STATE OF OREGON)

Oregon Attorney General's Office, Ms. Ellen F. Rosenblum

1162 Court Street NE
Salem, OR 97301-4096
Phone: (503) 378-4400
Online: <http://www.doj.state.or.us/Pages/index.aspx>

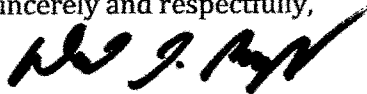
Oregon Governor's Office, Governor John Kitzhaber

Governor John Kitzhaber
Attn: Citizen's Representatives
160 State Capitol
900 Court Street
Salem, OR 97301-4047

Please contact me if you have comments, questions or require additional information concerning this letter and its subject matter. **I request the RVMC to make a written report to authorities *immediately*, at the RVMC's earliest convenience, within 10-calendar days of the date of this letter. *Thank you!***

As a resident of Josephine County, I am courtesy copying Sheriff Gilbertson and the Josephine County Sheriff's Dept., as I understand I remain the subject victim to obvious, clear and incontestable, serious, unprecedented civil and criminal official misconduct and malfeasance, effected under the color of law and authority, evidencing *prima facie* police misconduct by numerous law enforcement agencies and agents (OSP, JCSO and MPD), as well as violations by the Oregon Department of Transportation and it officials, and by other County official, as concerns the comprehensive, coordinated and conspiratorial misconduct of government officials at all material times between on or about March 4, 2010 to March 8, 2010, as concerns David J. Pyles and the subject matter of a mandatory psychiatric exam on March 4, 2010, which became the outrageous false peace officer mental health hold action of March 8, 2010.

Sincerely and respectfully,



David J. Pyles,
Plaintiff *pro se*
Federal civil case no. 12-CV-00346-CL

Mailing address:

P.O. Box 5102
Central Point, OR 97502

Cc: Sheriff Gil Gilbertson, Josephine County, Oregon

djp/DJP