

Opinion regarding SB60 which
Directs chairperson of Oregon Medical Board
to select at least one emeritus member to serve on board as needed

Re SB60

This change will allow the OMB director to "cherry pick" some ex-member who can easily be convinced to ignore violations of civil rights and fabricated charges.

This law makes sense if the Legislature wants the violations of civil rights to continue. Review to prove the decades of civil rights violations does not require more of the violations, it simply requires REVIEW, which cannot be done judicially because of the immunity, and because the Court of Appeals is required to accept the FACTS determined by an agency, even if that determination was made using lies and falsifications and violations of civil rights, which mostly remain secret BY LAW.

I recommend more study and review of current OMB practices - in the form of the dumbest laziest summer interns you can find. Not because they are dumb, not because they are lazy, but because it is something anyone can easily do.

I have previously testified that I was lied to, was lied about, and my civil rights were violated in multiple ways (both severe and trivial). For example, new false charges were assumed to be proven when they were added to the proposed OMB "Final Order" on my case in the form of a "story".

My case record (A144783), the record provided to the Oregon Court of Appeals, was falsified by labeling my uncontested DIRECT TESTIMONY, as "closing arguments" which lawyers and judges will recognize as "lip flap", not sworn testimony.

There is no way to correct any of these civil rights violations. The director knows that legal review will decide everyone involved deserves immunity for the violations- and legally they do. My Federal complaint proves that everyone working at the OMB is immune for violating my civil rights- not just the jurists but also the executive director and all the investigators. They can make false accusations and support them with false (secret) testimony- they can falsify records, they can destroy evidence, or hide it from the jurists... and they have IMMUNITY.

The "system" created by the legislature could work well; this system is dependent on the good will of appointed doctors. That might work. Unfortunately it is also dependent on the "good will" of many Board employees and lawyers whose professional reputation (and job) may be determined by success at prosecution. This has proved to be an invitation to using immune powers to destroy anyone stupid enough to think that innocence will protect.

Would you enjoy knowing that your judge might lose her job if she can't find a way to prosecute enough citizens successfully? Wouldn't you be very interested in admitting ANYTHING, rather than wait to find out what you did?

Doesn't that sound like a problem that would be apparent very quickly? That question answers itself, but so did the questions from the past:

"Didn't everyone know that a few priests were molesting these boys?" When I was in 8th grade, we all "knew it" and joked about it. Were our parents clueless?

"Didn't everyone know that Bernie Madoff could not possibly be getting the investment results he claimed?" Many may have thought he was doing something illegal, but hoped it was to benefit them as investors!

"Doesn't everyone realize that prisoners have their civil rights abused?" Soed "everyone" simply believe "they must have done something, they deserve what they get." EVEN prisoners who have not been charged or convicted of anything!

Truth can be easy to ignore. Go back to 1847, Vienna Austria, and read how the BEST DOCTORS IN THE WORLD managed to ignore the proof given to them by Semmelweis! They continued to bring pus on their hands, and infect women who had just delivered babies, or were about to deliver. With the result that many of these women died of "childbirth fever" at a time when the contagious nature of

some disease was not understood by ANY doctor. These "best doctors" were the agents of death, but they also were considered the best doctors in the world... and THEY WERE THE BEST!

The Legislature has been successfully lobbied by the OMB in the past. The maximum fine was increased from \$5000 to \$10000, although there is no justice in providing any fine at all- the fine is a violation of 14th Amendment rights, but who has years and a million dollars "to prove that" in court?

Other requests, such as a "vote" for the Executive director, have not been approved. Yet SB60 does essentially that: provides a vote for the executive director of the OMB, who is allowed to select a prior Board member and effectively replace a current Board member with her selection. Would she select someone she could not control? Would she select someone she considered "out of control".

Isn't that the same question?

A group of clever law students, or stupid ones if you can find them, could review a handful of OMB cases and report to the Legislature the very simple problem that has made a mockery of justice, destroyed careers, and enhanced the reputations of individuals who have systematically lied and violated the civil rights of individuals.

The Court of Appeals can only rule on "legal procedure", the FACTS are determined by the OMB doctor jurists. But these jurists have been deceived repeatedly by the lawyers and investigators who are supposed to help them. They ARE clueless.

My own appeal to Federal Court was rejected because EVERYONE involved was provided both State and Federal immunity. My claims were not disproved, in fact most are easily proved - and I did NOT bring any claim against any "judge" or OMB member acting as judge.

Everyone has been given immunity, they knew they were free to violate my civil rights ad libitum. Plus almost everything is SECRET, so it is really difficult to recognize all the violations!

If the OMB doctors (and one or two public members) are SO SMART, why haven't they figured out what is happening? Or have they figured it out, but they think that the Legislature WANTS THESE PEOPLE TO VIOLATE CIVIL RIGHTS?

Immunity is not to allow individuals to be malicious, it is to allow the system to work- to prevent having every case last forever. But immunity has been abused by individuals who know they can get away with.... well, not murder. But we don't know how many of their victims chose suicide... so in a way they may be getting away with murder. Those Austrian doctors with pus on their hands; they were getting away with murder, but they were clueless as to what they were doing even as they thought they were the very best. And (sadly) THEY WERE THE BEST.

Why not FIX the system, instead of making it easier for the OMB director to victimize and destroy individuals whose "crimes" may be so trivial that they probably should not be punished at all. My crime was annoying someone by pointing out the lack of any way to evaluate doctors who were renewing a license- then asking why my license had been inactivated without reason.

This (repeated) request was so annoying that it started a virtual shit-storm of lies and deception and violated civil rights - that ended with license revocation and almost \$40,000 of expenses for an old doctor who had done nothing wrong medically, and was "convicted" of ethical violations that were made secretly AFTER THE LEGAL HEARING (on complaints which were never adjudicated). How easy is that to prove? All one needs to do is READ THE CASE, but nobody has done that except me.

Summer is coming. Instead of passing SB60 and making the system even worse for democracy, why not create a study group for summer interns- and let them show you what you have been ignoring for DECADES. Show you why every change lobbied for by "the OMB" has been another disaster for individuals who are naive enough to think that innocence will protect them. This study group will not have a very difficult job; you may need some other task for them after July. This group could start with an older doctor who was punished for being "involved" (in love) with an employee, despite the testimony from that employee WHO IS THE DOCTOR'S WIFE. Whisky Tango Foxtrot... open your eyes and ears. turn on brain. There is pus on someone's hands and everyone seems to think this is OK.

ures, new victims are victimized and will be victimized more efficiently with a hand-picked executioner. Even as the Board members seem to believe they are doing a fantastic job of "protecting citizens", based on a 100% conviction rate, achieved with violations of civil rights.

Those of you who are lawyers should already know this better than I do.

That perfect conviction rate should be a CLUE, but it has not been.

And the enormous number of confessions? That is an even better CLUE. Licensees are advised they will be convicted- regardless of "truth". Maybe some of them actually did SOMETHING wrong, but often it is something that everyone else does?

An honest policeman was quoted as saying, "If I follow your car long enough, I will find something to arrest you for."

So give additional power to the OMB director, it will make violation of civil rights much easier by avoiding the involvement of conscious OMB members! But once you have done this, follow up and learn how this new power has been used and abused.

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