

"FRUIT OF THE TAINTED TREE"

Unless you are an attorney by trade, you are asking yourself – "What the hell does that phrase mean?"

The "tainted tree" part is related to the tree of evidence, or more precisely, the method used to obtain the evidence. And if any methods are used to obtain evidence that are inconsistent with any other rights or entitlements, then those methods are "tainted" and the evidence – being the fruit of that tree – cannot be used as a result of the improper method used to secure the evidence.

So the "fruit of the tainted tree" is any evidence whose collection was the result of any method that is contrary to established protected rights and because of the contrary nature of those collection methods such "tainted fruit" cannot be accepted by the courts on that basis.

The problem arises when the interpretation and implementation of the principles behind the "tainted tree" protocol is altered based on a conflict of interests or personal preferences to the contrary.

The courts want to allow law enforcement special rights in regards to the evidence law enforcement collects as the enforcement arm of the courts. So the courts have colluded to allow law enforcement to use deception in the collection of evidence. Even though the courts have prohibited the use of the exact same deception tactics from being exercised by the public. Can you say "discrimination"?

Which inherently results in an elimination of any equal protection under the law or due process being involved in any court proceeding where the evidence was obtained by law enforcement using deception as part of collecting the evidence. Law enforcement relies on deliberate deception to obtain evidence and then plays the evidence as having been obtained by legitimate investigative techniques. Which, of course, is LEGALLY a true statement because the courts have given law enforcement those special endorsements to be above the law that is imposed on the public and private citizens.

WAIT A MINUTE!!!! NO PARTY IS ABOVE THE LAW!!!! That is the basic premise of the principle "Equal protection UNDER the law!" ALL parties are UNDER THE RULE OF LAW and that is the very first – and highest priority - level of equality.

When law enforcement has the entire court system supporting that illegal status it is now standard operating procedure to secure evidence by any means necessary and use the rubberstamp of the courts to legitimize what is clearly not consistent with existing individual rights and protections.

What I see has happened here is that the courts have acted upon a conflict of interest by allowing a direct extension of the courts – law enforcement – to have special rights that all other citizens are not allowed. DISCRIMINATION!!!! Conflict of interests deluxe!!!!

The courts and law enforcement walk arm in arm and for the one to enable the other to act freely without any checks and balances on that freedom is entirely inconsistent with the major political and philosophical principle that individual rights are superior.

But, when you stop to think about it, it is an acknowledgment by the courts and law enforcement that individual rights ARE SUPERIOR and the courts and law enforcement are attempting to reverse that position on the totem pole. And they are acting in collusion to implement and protect those special rights!!

But from the most basic perspective ANY SPECIAL RIGHTS for law enforcement and/or the courts is the very definition of a POLICE STATE!?!?! Did not George Orwell's "1984" portray that situation perfectly?

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"Double-speak" meaning saying one thing and doing the opposite. Which is also the epitome of "affirmative misrepresentation" – saying something is true when it is known it is not true.

Law enforcement cannot possess any rights that ordinary citizens cannot possess. And courts have no jurisdiction to provide law enforcement with any rights that are superior to individual rights!! But both of those situations are exactly what those two parties are conspiring to accomplish at the expense of the very individual rights both of those parties are created "To Protect and Serve"?!!

The very phrase "public servant" puts the superior position in sharp definition!! Serve the public equals the fact that the courts and law enforcement are the servants – NOT THE MASTERS!!!! But that sacred principle has been skewed by conflicts of interest and personal preferences to the contrary for so long that the skewed nature of the situation assumes the position of being the natural order.

Back to the "tainted tree" and it's "fruit". Since evidence is properly weighted based upon consideration of the methods employed to obtain the evidence, those methods are of singular importance. So when deception of any kind is employed to obtain any evidence, that deception detracts from the weight that evidence would deserve minus the deception used to secure the evidence. That is the "taint" that is transferred from the tree (method of collection) to the fruit (the evidence collected).

Back to equal rights and protection. If law enforcement can employ deception in order to obtain evidence, that same right MUST also exist for the public and average citizens in everyday life – including in interactions between the public and law enforcement. Anyone want to explore how far deceiving law enforcement will get you? It is called perjury when under oath and false statements when not under oath.

Clearly there IS a double standard for law enforcement and the public in regards to deceiving each other with lines of BS?!?! ANY double standard is inherently discrimination and harassment – behavior not supported by law!! And I call that a "Police State" right effing now!!!!!!!

And I think the Supreme Court of Washington State decision to restore personal liability for official government actions that are unduly influenced by personal preferences or other conflicting agendas is the right step in the direction of restoring that missing balance between SUPERIOR public rights and the current attitudes and practices of law enforcement and the courts at the expense of those rights.

The balance can be restored in either of two different manners. Law enforcement is relieved of its special right to deceive the public or the public is awarded the right to deceive law enforcement. And since the principles of justice are always about the pursuit of truth and justice the only one of those two alternatives is that law enforcement is relieved of any right to deceive anybody as part of any inquiry or investigation. That also supports and validates the underlying principle of the superiority of individual rights!!

Such transparency will also eliminate the ongoing courtroom practice of allowing law enforcement to present evidence discovered using deception as being untarnished by the deceptive nature of the collection method.

Law enforcement is NOT a separate entity that is unconnected to the courts. Law enforcement is the investigative and enforcement arm of the courts!!! That is why it is called law enforcement!!! So for the courts to attempt to characterize law enforcement as not being directly connected to the court system that is another brand of collusion and affirmative misrepresentation between law enforcement and the court system.