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Gregory A. Hession, J.D.

Sandra L. Hessian, Paralegal

November 16, 2000

Re: Edward S. McLarnon

Regarding the McLarnon case:

There is ample evidence that insiders in the Middlesex Probate and Family Court have edited several hearing tapes in Mr. McLarnon's case, removed documents from his case file, falsified the case docket, refused to docket motions and hearings in the public record, and withheld the public case file for nine months. In addition, the court granted many restraining orders against Mr. McLarnon without any legal grounds to do so, and sometimes without even any testimony from the complainant. The court also allowed Massachusetts General Hospital to steal \$3000.00 of his money to produce a family evaluation for the court, which was never completed or presented.

These things are illegal, and mock justice. If the Supreme Judicial Court will not address the manipulation of the public record by the Middlesex Register's office, and the subversion of justice by the Middlesex Probate Court itself, no one who has a case there can count on getting a fair hearing. In fact, it may just destroy whatever last bit of hope people still have in the system itself. If a court and its clerk's office can engage in this kind of behavior and get away with it, can an~one with a case in the Commonwealth believe he will get fair and impartial justice?

Mr. McLarnon's case illustrates a critical new trend in the law, which is little noticed until one is ensnared by it -that the state itself has become the main impediment to justice. Almost every case I work on seems to have two opponents, not just one -the actual legal opponent, and the system itself. The traditional system has been hijacked and subverted by people with a radically unconstitutional agenda. In its place they have put a new system that pretends to protect due process rights, but violates them with impunity.

For example, when the Department of Social Services (DSS) takes children from a family, often on the flimsiest of pretexts, parents have no public trial by jury, (it is a secret judge trial), no innocence until proven guilty, no requirement of proof beyond a reasonable doubt, no opportunity to suppress illegally obtained evidence taken by government agents from your home without a warrant, etc. It is simply unbelievable to most people how far we have drifted from traditional notions of justice, until it touches their own family or that of a friend or relative.

Almost all newer law consists of crimes against the government itself. Law used to protect inhabitants from harm to their persons or property by others or the government. Now, it is the government itself, rather than a criminal, who *is* more likely to deprive a citizen of property or other rights. All licensing, registration, and possession crimes are of this new variety. For example, it is now a criminal act not to do business with an auto insurer. or to possess certain plant substances, or to fish at the wrong place.

The worst new laws, however, involve restraining orders, gun control, taking children by the DSS, and the like -depriving us of fundamentalliberiies that intrude on rights we have always taken for granted. The courts afford almost NO due process protections to those accused, rightly or wrongly, of breaking these jaws.

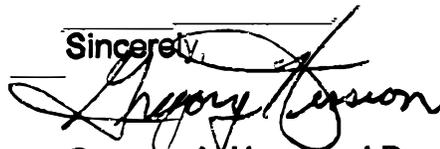
Lawyers who want to restore traditional common law and constitutional protections, and who do not conform to the new statist agenda, find themselves increasingly isolated and ridiculed, and end up with the system itself as an opponent. Every day when I get up and go to work, I feel an acute sense of loss, as I watch liberty ebb. Some days I actually weep with frustration as I see the incremental encroachment of our freedoms.

What is at stake in Mr. McLarnon's case is the rule of law and the constitution, as it has been traditionally interpreted. His case pits the old, constitutional system of justice against the new Orwellian system, which has no protection for certain categories of disfavored perpetrators of "crimes" against the state, such as -parents. The new system is based on political victimology, where certain groups obtain favor at the expense of others, who do not get equal protection before the law. It is a system skewed by political agendas, not truth. It is a system where government has assumed a role never allowed or contemplated under our state or federal bill of rights -intruding into family autonomy, paternal authority I child raising, and even minor family conflicts.

The justices at the Supreme Judicial Court can return to the restraints on government set forth in our Declaration of Rights, written in 1780 by John Adams. Or they can disregard its legal framework, and continue to impose their own political agenda in its place. Article XI of that Declaration states:

Every subject of the Commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

That has not happened for a long time in the Commonwealth of Massachusetts. May such a noble principle be restored, before it is too late.

Sincerely,

Gregory A. Hession J.D.