

Organized Covert Torture: Its Internal Mechanism and Model Statute

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Power is tolerable only on condition that it masks a substantial part of itself. Its success is proportional to its ability to hide its own mechanisms.

Michel Foucault, *The History of Sexuality Vol. 1*

A whole man, made of all men, worth all of them, and any of them worth him.

Jean-Paul Sartre, *The Words*

If you are a victim of or a witness to violence used as a means of subjugation for which no evidence is left other than your testimony, the author of such violence does not have to kill you in order to perfect the violent crime. Indeed, your sudden death or disappearance will naturally raise law enforcement's suspicion. Criminal organizations can provide the service of perfecting the said violent crime by making you perceived as delusional/paranoid.¹

The President's Commission on Law Enforcement and Administration of Justice's *The Task Force Report: Organized Crime* (1967) reports the following classic characterization of organized crime:

Organized crime [’s]... actions are not impulsive but rather the result of intricate conspiracies, carried on over many years... What organized crime wants is money and power... Organized criminal groups participate in any illegal activity that offers maximum profit at minimum risk of law enforcement interference. They offer goods and services that millions of Americans desire even though declared illegal by their legislatures... Organized crime uses torture and murder to destroy the particular prosecution at hand.²

¹ Nicolas Desurmont, "Vers une problematique du harcelement criminel en reseau," *Revue internationale de Criminologie et de Police technique et scientifique*, vol. 49 (2006).

² The President's Commission on Law Enforcement and Administration of Justice, *The Task Force Report: Organized Crime* (Washington, D.C.: U.S. Government Printing Office, 1967), 1.

The White House's *Strategy to Combat Transnational Organized Crime* (2011) reports the recent developments of organized crime: "Criminal networks are not only expanding their operations, but also diversifying their activities... using increasingly sophisticated tactics."³

1. Organized Stalking as a Means to Control a Torture Victim

In lieu of abducting you (and your sudden disappearance thereof), transnational criminal organizations coordinate systematic stalking by a multitude of intricately conspiratorial individuals in order to seize maximum control of your life to perpetually effect and perfect clandestine torture. Former Chief Inspector at F.B.I. Headquarters (and former Senior Special Agent-In-Charge of the Los Angeles Field Office of the F.B.I.) Ted L. Gunderson deposes, in his sworn affidavit (dated 2011), the following:

Based on my investigative work, which include intelligence from sources such as active and former members of Intelligence Services (including the F.B.I., the C.I.A. the N.S.A. and military Intelligence), information from informants active in criminal enterprises, and, victim testimonies, I have come to the conclusion that thousands of victims have been targeted by... criminal enterprise that is active 24 hours a day... Individual targeted by this program have been subjected to illegal and unconstitutional phone taps,... illegal audio "bugging", surreptitious entry into home, office, and vehicle, visual surveillance in the home conducted by illegal placement of miniature remote, wireless cameras..., illegal internet spyware, illegal GPS tracking..., regular fixed and mobile surveillance, ...mail theft and tampering, financial and employment sabotage, slander campaigns and community ostracizing..., poisoning, assaults and murder, illegal set-ups on drug charges and other felony charges.⁴... [T]he aforementioned surveillance and harassment activities [are carried out] in conjunction with organized crime, the cult movement... and even misguided civic organizations and neighborhood groups.⁵

Central (West) Coast News, KION 46 (a CBS affiliate), broadcasted a case of organized gang stalking on January 29, 2011.⁶ This news report included an interview with Santa Cruz Police Lieutenant Larry Richard, who stated the following:

The Police are becoming more aware of gang stalking because of cyber bullying. Gang stalking is nothing new, but new technology is making it more common. Gang stalkers

³Barack Obama, The National Security Council, The White House, *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security* (2011), v, 13 available at http://www.whitehouse.gov/sites/default/files/Strategy_to_Combat_Transnational_Organized_Crime_July_2011.pdf (last visited Nov. 24, 2012).

⁴Ted Gunderson, *Affidavit* (Los Angeles, CA: April 26, 2011), 2-4.

⁵*Ibid.*, 3.

⁶Candice Nguyen, "Gang Stalking, 'Bullying on Steroids,'" *Central Coast News*, Jan 29, 2011, accessed February, 12, 2011, <http://www.kionrightnow.com/Global/story.asp?S-13931348>.

themselves have elevated themselves to technology so this is something that's been going on before Facebook or Twitter. They just now have gone into those areas.

According to a survey report on stalking issued by the Department of Justice in 2009, 6.5 percent of stalking victims (totaling 3.4 million in the U.S. during a 12-month period) responded that the number of their stalkers is *unknown*.⁷ 13.1 percent responded that the number of their stalkers is three or more,⁸ of which 41.2 percent of these victims reported that their perpetrators cooperated to stalk the victims.⁹ Former FBI Chief Inspector Gunderson states:

In addition to higher ranking members of... intelligent services,... wealthy, powerful members of criminal syndicates, multimillionaires and the corporate elite... can get a targeted individual harassed for the rest of that individual's life (individual cases of gang stalking lasting for over a decade are common). The higher status members of the gang stalking conspiracy initiate the gang stalking and coordinate logistics and funding. Lower echelon government rouge operatives,... petty criminals and street thugs perform actual grunt work of daily monitoring and harassment of individuals targeted by the program.¹⁰

Indeed, according to the DOJ's stalking survey in 2009, 11% of stalking victims said they had been stalked for five years or more.¹¹

According to the aforementioned DOJ stalking report in 2009, 18.8 percent of the stalking victims who reported their stalking to the police responded that the police took no action.¹² 11 percent of these victims perceive that the police did not take action because there was not enough evidence.¹³ Without visible evidence and without knowing the existence of the social phenomenon of organized stalking, the police assume that the target is unreasonable and psychologically unreliable. 13.2 percent of stalking victims perceive that the police did not take action because the police didn't believe the victim.¹⁴ Almost 23 percent of stalking victims responded that their situations got worse after reporting their stalking to the police, and 48.9 percent of stalking victims responded that the situation stayed the same.¹⁵

The techniques of organized invisible torture, effected with organized stalking (in lieu of abduction) to keep the victim under surveillance control, are strategically and calculatedly engineered to make your experience resemble either the diagnostic description of the persecutory subtype of delusional disorder or paranoid schizophrenia, as stipulated in the most authoritative manual of

⁷ Bureau of Justice Statistics, U.S. Department of Justice, *Stalking Victimization in the United States* (2009), 5, available at www.ovw.usdoj.gov/docs/stalking-victimization.pdf (last visited November 25, 2012).

⁸ *Ibid.*, 12, appendix table 3.

⁹ The Department of Justice's reply to FOIA request No. 10-00169 dated March 22, 2010.

¹⁰ Gunderson, *Affidavit*, 4.

¹¹ Bureau of Justice Statistics, *Stalking Victimization in the United States*, 2.

¹² Bureau of Justice Statistics, *Stalking Victimization in the United States*, 14.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*, 15.

psychiatry written by the American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders 4th ed.*¹⁶ Human abuse is tolerable as long as human abuse can hide its internal mechanism by conflating and confusing two critically and qualitatively different phenomena that have exactly the same appearance—the delusional case and the real case of invisible organized torture victimization. That is to say, delusional reports end up making a real occurrence of invisible organized torture less credible. Invisible organized torture strategically exploits this grand legal loophole created by the profound abuse of the mental illness diagnoses.

Stalking is defined in federal and state criminal laws—as well as in the aforementioned Department of Justice statistics—as “a course of conduct directed at a specific person that would cause a reasonable person to feel fear.” According to Orit Kamir, this unwarranted focus on a victim’s “reasonableness” suggests legislative uncertainty regarding the substantial social harm of stalking, inviting judicial scrutiny of both victims and the reliability of their emotional responses.¹⁷ If the victim complains about invisible collective violence in a manner that resembles the diagnostic description of either persecutory delusional disorder or paranoid schizophrenia, law enforcement personnel are prone to prejudge the victim to be unreasonable and psychologically unreliable. This reasonableness requirement thus ironically encourages stalking assailants to perfect their crime by undermining the perceived psychological reasonableness of the victim. In order to undermine the credibility of the victim, stalking assailants keep their deeds as covert and invisible as possible, and solicit many others to gang up on one target in order to hide and cover up the proof of violence. That is to say, the statutory reasonableness requirement ironically instigates the desire to render stalking assaults organized, covert and invisible.

2. Organized Torture Effected with Electronic Weaponry

The term ‘organized crime’ connotes planned, non-impulsive, methodical, systematic, self-perpetuating and clandestine criminal activities involving violence and based on intricate conspiracy.¹⁸ Leaders are isolated from other members who physically commit the actual crimes.¹⁹ Such organized crime ‘successfully’ evades detection and prosecution while corrupting and influencing the public and private sectors over the long term.²⁰ The perpetually repeated, invisibly maiming torture of one

¹⁶ American Psychiatric Association, *The Diagnostic and Statistical Manual of Mental Disorders*, 4th ed. (Washington, DC: American Psychiatric Association, 2000), 323-328.

¹⁷Orit Kamir, *Every Breath You Take: Stalking Narratives and the Law* (The University of Michigan Press, 2001), 212.

¹⁸ President’s Commission, *Organized Crime*, 1; U.S. Department of Justice, *Overview of the Law Enforcement Strategy to Combat International Organized Crime* (2008), 2, available at <http://www.justice.gov/ag/speeches/2008/ioc-strategy-public-overview.pdf>.

¹⁹ President’s Commission, *Organized Crime*, 7.

²⁰Howard Abadinsky, *Organized Crime* (Boston, M.A.: Allyn and Bacon, Inc., 1981), 5, 16; White House, *Combat Transnational Organized Crime*, iii.

individual by a multitude of conspiring individuals that is often coordinated by crime syndicates are hereby referred to as organized invisible torture.

State of New Jersey Commission of Investigation's *The Changing Face of Organized Crime in New Jersey: A Status Report* (2004) attributes the unsurpassed resilience, stability and strength of the Genovese Mafia family (in comparison to other Mafia families²¹) to its *penchant for secrecy* and the sophistication of its operations.²² As a result, in the largest-ever Mafia arrest by the federal and state agents in January 2011, wherein numerous highest ranking members of other major Mafia families (especially Gambino and Colombo) were arrested, only two lowest ranking soldiers of the Genovese family were arrested.²³ By adapting to law enforcement's investigative techniques, today's surviving and thriving mafia family has reverted to its roots and tried to become as invisible as possible.²⁴ The most successful criminal organizations, such as the Genovese family, have thus developed their torture techniques *clandestine and invisible enough* to elude law enforcement's detection, thereby inducing the investigating police officer to summarily dismiss the torture victim's complaint as delusional.

Freedom from Covert Harassment and Surveillance, a former non-profit organization established under § 501(c) of the U.S. Internal Revenue Code consists of approximately 10,000 self-identified victims of organized invisible torture and organized stalking (as of 2016).²⁵ The ex-president of this organization, Derrick Robinson has personally interacted with over 1,000 victims between 2005 and 2010,²⁶ and currently leads an organized torture victims' organization, People Against Covert Torture and Surveillance, which has 1,040 members in the state of California alone (as of December, 2017). According to Robinson and Eleanor White, a former Navy engineer, who has interacted with at least 2000 victims between 1996 and 2010,²⁷ the aforementioned invisible organized torture include the combination of the following: repeated non-lethal poisoning, toxic gassing of the victim's residence and aggravated battery committed with electronic weapons, alternatively called electromagnetic, psychotronic, directed-energy or nonlethal weapons developed by the military intelligence.²⁸ The Act

²¹An organized crime family comprises a boss, a *consigliere* (counselor), *caporegimas* (lieutenants) and soldiers who are members grouped under lieutenants. President's Commission, *Organized Crime*, 9.

²²State of New Jersey Commission of Investigation, *The Changing Face of ORGANIZED CRIME IN NEW JERSEY: A Status Report* (Trenton, NJ: 2004), 106, accessed online December 9, 2011, <http://www.state.nj.us/sci/reportsoc.shtm>.

²³Jerry Markon, "Largest-ever Mafia sweep makes nearly 120 arrests," *The Washington Post*, January 20, 2011. On the FBI's chart of the arrested members of each crime family, see "The Mafia family tree: FBI flowchart reveals 127 'mobsters' arrested in biggest ever blitz on New York's crime empires," *Daily Mail*, January 20, 2011, accessed December 13, 2011, <http://www.dailymail.co.uk/news/article-1348951/127-mobsters-arrested-biggest-blitz-New-Yorks-crime-empires.html>.

²⁴Sean Gardiner, Pervaiz Shallwani, "Mafia Is Down—but Not Out," *The Wall Street Journal*, February 18, 2014, accessed July 16, 2014, <http://online.wsj.com/news/articles/SB10001424052702304626804579363363092833756>.

²⁵ A statement made by President Darlene Miles during the said NPO's teleconference call on February 21, 2016.

²⁶ Derrick Robinson, phone interview by and email message to author, July 6, 2010.

²⁷ Eleanor White, email message to author, May 24, 2010.

²⁸ The United States Army Intelligence and Security Command, "Bioeffects of Selected Nonlethal Weapons"(Addendum to the Nonlethal Technologies – Worldwide [NGIC-1147-101-98] study) 1998.

Relative to the Possession of Electronic Weapons enacted in Massachusetts in 2004 defines such weapons as “a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill.”²⁹

For example, more than 10 U.S. diplomats and family members received medical treatment after the months of invisible attacks with a sonic weapon that operated outside of the range of audible sound, deployed inside and outside of the victims’ residences between November, 2016, and the spring of 2017, causing hearing loss, nausea and headaches.³⁰ The medical diagnosis and MRI scans of these diplomats confirmed that the diplomats actually suffered traumatic brain injuries as a result of the electronic weapon attacks.³¹ A number of the U.S. diplomats in China suffered the similar symptoms as the diplomats in Cuba and were sent back to the U.S. for further evaluation and comprehensive assessment of their symptoms in 2018.³² These victims described an audible component to the energy assaults, often a high-pitched ringing sound, which is a well-established effect of pulsed microwave energy.³³

Another electronic weapon, a microwave cannon is a modified microwave oven, whose lid is removed, that emits microwaves toward a directed area that could be a part of human body. The microwaves heat up the target’s body part (such as the brain) by vibrating water molecules of the irradiated cells, thereby cooking these cells or plausibly maiming them, depending on the chosen level of radiation. Microwave cannons are sold online for \$20 each.³⁴ Some of these weapons sold online are as small as a handgun, and the projectile of some of them, such as Projectile Firing Module, “can maim or kill a person” according to the aforementioned online catalogue of electronic weapons.³⁵ The pictures of some of these electromagnetic weapons, including a laser gun, are displayed with cogent explanations of the scientific function and mechanism of each weapon on the website of a security

²⁹ MASS. GEN. LAWS ch. 140, § 131J (2004).

³⁰ Patrick Oppmann and Elise Labott, “Sonic attacks in Cuba hit more diplomats than earlier reported, officials say,” *CNN*, August 20, 2017. accessed December 30, 2017, <http://www.cnn.com/2017/08/20/politics/havana-sonic-attacks/index.html>

³¹ Randel Swanson, et al. “Neurological Manifestations Among US Government Personnel Reporting Directional Audible and Sensory Phenomena in Havana, Cuba,” *The Journal of American Medical Association* 319, no. 11(2018):1125-1133. Also citing the homepage of a human rights organization, Freedom For Targeted Individuals, last visited on August 27, 2018, <https://freedomfortargetedindividuals.org>.

³² L. Kuo, “‘Sonic attack’ fears as more US diplomats fall ill in China,” *The Guardian*, June 7, 2018.

³³ The homepage of Freedom For Targeted Individuals citing A.H. Frey, “Human auditory system response to modulated electromagnetic energy,” *Journal of Applied Physiology* 17, no. 4 (1962): 689-692. J.C. Lin, J.C., Z. Wang, “Hearing of microwave pulses by humans and animals: effects, mechanism, and thresholds,” *Health Physics* 92, no. 6 (2007): 621-628; J.C. Lin, “Strange reports of weaponized sound in Cuba,” *IEEE Microwave Magazine* 19, no. 1 (2018): 18-19.

³⁴ For example, see the following electric-gun catalogue of an online store called Information Unlimited, which is physically located in New Hampshire: accessed December 15, 2015, www.amazing1.com/electrokinetic-guns.html. An array of different electric guns are displayed in the catalogue.

³⁵ accessed December 15, 2015, www.amazing1.com/electrokinetic-guns.html.

company called Advanced Electronic Security Co. in Los Angeles, CA.³⁶ The president of this company has served approximately 3,000 clients who have been subjected to electronic weaponry torture.³⁷

Such sophisticated weapons maim internal organs and yet leave no external marks visible to the naked eye, thus strategically allowing the police and the military to apply force in a highly discreet manner, thereby preventing the media from scandalously misrepresenting such force applied.³⁸ The torturer fires the weapon at the victim across the wall by using a radar technology that can detect the exact real-time body location of the victim through the wall.³⁹ Therefore, the victim cannot visually witness the torturer physically firing the electronic weapon at the victim because. The development of these electronic weapons now marks emerging global weaponry competition among nation-states, especially Russia, the U.S. and Israel, rendering global nuclear weapon competition obsolete.⁴⁰

On December 30, 2008, the 18th Judicial District Court of Kansas in Sedgwick County issued an order of protection, banning Defendant Jeremiah Redford from hiring the third party, a syndicate, to further stalk and assault, with electronic weapons, Plaintiff James Walbert, who was the defendant's former business associate.⁴¹ The plaintiff testified at the court that the defendant threatened the plaintiff with "jolts of radiation" after a disagreement over a business deal in 2004.⁴² After receiving the threat, the plaintiff complained that he had been continuously tortured with remotely deployed weapons on a daily basis, implanted with a RFID chip in his right upper back⁴³ and stalked by a multitude of conspiratorial individuals in an organized fashion.⁴⁴

On May 19th, 2015, the City of Richmond, CA, adopted a resolution that "serves as a safeguard for targeted individuals who claim to be under assault from electronic weaponry that should

³⁶ See the following website of this company for more information: accessed December 15, 2015, http://www.bugsweeps.com/info/electronic_harassment.html.

³⁷ Cited from the author's phone conversation with the president of Advanced Electronic Security Co., Roger Tolces, in October, 2015.

³⁸ John J. Pennella and Peter L. Nacci, U.S. Department of Justice and Department of Defense, *Department of Justice and Department of Defense Joint Technology Program: Second Anniversary Report* (1997), 5, accessed November 27, 2012, <https://www.ncjrs.gov/pdffiles/164268.pdf>.

³⁹ The National Institute of Justice (NIJ) Sensor, Surveillance, and Biometric Technologies (SSBT) Center of Excellence (CoE), *Through-the-Wall Sensors for Law Enforcement: Market Survey* (2012); Brad Heath, "New police radars can 'see' inside of homes," *USA Today*, January 20, 2015, accessed December 15, 2015, www.usatoday.com/story/news/2015. The reporter states "my fear is when criminals get a hold of these tools."

⁴⁰ "Electromagnetic Weapons: Frying tonight," *The Economist*, October 15, 2011, accessed November 27, 2012, <http://www.economist.com/node/21532245>;

Komsomolskaya Pravda, "Russians have psychotronic weapon to zombie people," *Pravda*, August 14, 2007, accessed November 24, 2012, http://english.pravda.ru/science/tech/14-08-2007/95965-psychotronic_weapon-0.

⁴¹ *Walbert v. Redford*, No. 08DM8647 (18th Judiciary D. Ct. Kan. Dec. 30, 2008).

⁴² David Hambling, "Court to Defendant: Stop Blasting That Man's Mind!" *Wired*, July 1, 2009, accessed December 15, 2015, <http://www.wired.com/2009/07/court-to-defendant-stop-blasting-that-mans-mind/>

⁴³ Private Investigator William J. Taylor's investigation report (dated November 21, 2008) attached to the plaintiff's complaint in *Walbert v. Redford*.

⁴⁴ The plaintiff's complaint and Former Member of Missouri State House of Representative Jim Guest's letter of support (dated October, 10, 2007) attached to the plaintiff's complaint in *Walbert v. Redford*.

be outlawed by the Space Preservation Act.”⁴⁵ The Space Preservation Act was introduced by U.S. Congressperson Dennis Kucinich (D-Ohio) to ban satellite-based electronic weaponry used to assault civilians by remote transmission. *San Jose Mercury News* reports:

Few societal threats escape the watchful eye of the Richmond City Council, so it was no surprise Tuesday night that it voted its opposition to airborne weapons systems that have purportedly targeted residents with mind-control technology... After a dozen professed victims told of pain suffered from... particle beams and electromagnetic radiation, the council voted 5-2 in favor of Councilwoman Jovanka Beckles’s resolution “in support of the Space Preservation Act... to permanently ban spaced-based weapons.”⁴⁶

3. Why the Police Treat an Organized Torture Victim as a Public Threat: The Wrongful Incrimination of Psychological Disability under the Name of Welfare

Richmond City Councilwoman Jovanka Beckles, who introduced the aforementioned resolution to ban space-based electronic weaponry torture, states:

It has been brought to my attention that many survivors have reached out to their city officials peacefully, through numerous avenues of redress and accountability about these types of horrifying abuses, only to experience dismissal, being stonewalled, mocked and ignored, or a level of all out discrimination resulting in these individuals being wrongly labeled as unstable, criminals, or troublemakers.⁴⁷

250 self-identified victims of organized invisible torture across the county took a survey conducted by Freedom from Covert Harassment and Surveillance between 2013 and 2015. 20% of these 250 victims have been detained in a psychiatric unit against their wills by the police, especially when the victims filed the organized invisible torture complains to the police. Moreover, at the time the victims were detained by the police, the victims were not dangerous to self or others, which are the statutory requirements set forth in Section 5150(a) of the Welfare and Institutions Code (and equivalent statutes in other states) for the police to detain a (perceived or actual) mentally ill person.⁴⁸

Criminal law enforcement habitually treats a person with a psychological disability (either perceived or actual) as a public threat to be monitored extra-judicially through community policing (if not through psychiatric detention), yet rarely recognizes her/him as a victim of subjugation violence

⁴⁵ Richmond City, CA, Res. 51-15 (2015). The following news article describes this legislation in detail:

⁴⁶ Tom Barnidge, “No more mind-control weapons targeting Richmond residents,” *San Jose Mercury*, May 20, 2015, accessed January 4, 2016, www.mercurynews.com/news/ci_28154573/barnidge:-no-more-mindcontrol-weapons-targeting-richmond-residents.

⁴⁷ Letter from Jovanka Beckles, City Council Member of Richmond City, CA, to the survivors of organized invisible torture (April 24, 2015) (on file with the Richmond City Council Office).

⁴⁸ Cited from the author’s phone interview with the former president of NPO Freedom from Covert Harassment and Surveillance, Derrick Robinson, December 29, 2015.

motivated by psychological disability discrimination. If you complain about invisible organized torture to the police, the police will mark you as a person with psychiatric warning in Spillman’s integrated public safety software (or equivalent)—software that compiles your incident, arrest and warrant records (if any), and is readily available to investigating officers.⁴⁹ Such cutting-edge software maximizes efficiency in administering public safety by instantly transmitting integrated, centralized and purportedly “accurate” data (such as the aforementioned psychiatric warning) to public safety personnel in order for them to make an “accurate” decision (such as dismissing a “delusional” complaint filed by a person with such a warning and/or stalking and harassing the person in order to “keep her/him in line”) in real time.

Crime syndicates must become increasingly sophisticated in order to maintain acceptable levels of success by responding to the given opportunities for crimes and to the given techniques of crime prevention and law enforcement.⁵⁰ Community policing is law enforcement’s current discriminatory technique of crime prevention (i.e., psychological disability profiling) that keeps people with untreated psychological disabilities under informal active probation. Intentionally false police reports based on what former FBI Chief Inspector Gunderson calls “illegal set-ups on drug charges and other felony charges”⁵¹ are covertly filed against the victim of organized torture. Because the police perceive the organized invisible torture victim as a delusional/paranoid criminal who refuses to take medications, the police subject the torture victim to overzealous community policing in order to prevent “the mentally ill criminal” from committing more crimes. Such community policing structurally deprives the organized torture victim of her/his constitutional rights to be informed of the nature and cause of (even intentionally false) criminal accusations filed against her/him and to be confronted with—and cross-examine—the sophisticatedly fabricated (in innumerable cases) evidence and the witnesses against her/him. Concomitantly, crime syndicates can orchestrate, with impunity, the filing of intentionally false criminal allegations against the organized torture victim. By informing the police of the torture victim’s real-time location, syndicates, functioning as community-policing agents, enable the police to stalk the organized torture victim ostentatiously (with sirens and other methods) and thereby infiltrate into the police by using the torture victim as bait.

4. Organized Torture as Organized Hate Crime Based on Psychological Disability: Re-victimizing Child Abuse Survivors

The said enterprise of perfecting a crime is expedient if you already have a history of psychological treatment—including post-traumatic stress disorder, which is nonetheless qualitatively and critically distinct from persecutory delusional disorder or paranoid schizophrenia. The author of this

⁴⁹ See www.spillman.com. Last visited on January 4, 2016.

⁵⁰ Mary MacIntosh, *The Organisation of Crime* (London: Macmillan, 1975).

⁵¹ Gunderson, *Affidavit*, 4.

report has personally interacted with over 100 victims of organized invisible torture (effected with organized stalking) and discovered that the majority of the victims were sexually and/or physically abused as children (especially by their parents). Clinical Psychiatry Professor Judith Herman states that, most ominously, those who are exploited as children are perpetually exploited as adults in various ways.⁵² For example, the survivors of childhood incestuous abuse are targeted for sexual and physical violence at least *twice* as frequently as women who had not been subjected to the same category of gross human rights violation.⁵³ The constant state of being exposed to an extreme danger of abuse at home deprives a child victim of developing the otherwise normally acquired ability to intuitively detect the implicit signs of the other's hidden intention for committing assault, and to instinctively and immediately leave such a dangerous situation.⁵⁴ If the abused child develops this otherwise naturally formed self-protective instinct, the child will have to register, into her consciousness, the existence of a heinous crime committed by the person on whom the child entirely depends for her continuous living and growth. The unconscious and continuous suppression of the development of this self-protective instinct during the formative years, especially if abuse was committed for a long period of time, results in an extreme difficulty in developing this self-protective instinct otherwise naturally formed during childhood if raised by non-abusive parents.⁵⁵

According to the leading experimental and cognitive psychologists in the field of delusional disorder, a difficulty in envisaging others' intentions and motivations appertains to the etiology of delusional disorder.⁵⁶ Child abuse survivors' social disability, i.e., difficulty in envisaging others' intentions and motivations to harm these survivors renders these survivors significantly more susceptible to a wide range of violence and exploitation, while such disability/difficulty is judged as an indication of delusional disorder, as per the etiology of delusional disorder set forth in experiment and cognitive psychologies. It is ironic that the leading researchers in the field of delusional disorder have not been able to realize this inner mechanism of child abuse survivors' re-victimization, by which this social disability most foreseeably causes marginalization, scapegoat persecution (collective violence) and disenfranchisement in general. Conversely, the magnitude and frequency of persecution complaints brought by child abuse survivors are interpreted by experimentalist and cognitive psychologists, who do not have this social disability, as sheer implausibility (from the perspective of those who have such a social ability). The said "contribution" by experimental and cognitive psychology to the development of the etiology of delusional disorder as a psychiatric concept has promoted a misdiagnosis of the real re-victimization of child abuse survivors, who lack the self-protective ability to predict others' intentions

⁵² Judith Herman, *Father-Daughter Incest* (Cambridge, Mass.: Harvard University Press, 2000), 29-34.

⁵³ Diana Russell, *The Secret Trauma: Incest in the Lives of Girls and Women* (New York: Basic Books, 1986), 172-173.

⁵⁴ Herman, *Father-Daughter Incest*, 187.

⁵⁵ Russell, *The Secret Trauma*, 174.

⁵⁶ For example, Chris Frith, *The Cognitive Neuropsychology of Schizophrenia* (New York: Psychology Press, 1992), cited from Shmuel Fenning, Laura Fochtman and Evelyn Bromet, "Delusional and shared psychotic disorder" in Benjamin Sadock, Virginia Sadock and Harold Kaplan, *Kaplan & Sadock's Comprehensive Textbook of Psychiatry* (Philadelphia: Lippincott Williams & Wilkins, 2005), 1532.

and motivations to harm these survivors, as persecutory delusions, thereby breeding impunity surrounding the re-victimization of child abuse survivors in the form of organized torture.

Powerfully interacting with the cognitive and experimental psychologists' above complicity in promoting impunity surrounding the child abuse survivors' re-victimization, the invisible nature of organized torture techniques makes it even more expedient to induce investigating officers to interpret the history of the post-traumatic stress disorder of these survivors as circumstantial evidence for their delusional disorder or paranoid schizophrenia. The re-victimization of child abuse survivors is judicially permitted (though unwittingly) due to the above mechanism of the disenfranchisement of child abuse survivors, conflating the profound scar of child abuse with an indication of delusion/paranoia.

The DSM states that hearing deficiency and low socioeconomic status may predispose an individual to the development of a paranoid type of delusional disorder, and that major depressive episodes probably occur in individuals with delusional disorder more frequently than in the general population.⁵⁷ According to the U.S. Department of Justice's survey report titled *Stalking Victimization in the United States*, "as with crime more generally, a pattern of decreasing risk for stalking victimization existed for persons residing in households with higher incomes."⁵⁸ That is to say, the DSM does not instruct how to perspicaciously discern the profound ways in which underworld violence, to which those with low socioeconomic status and psychological disabilities are significantly more likely to be exposed than socio-economically privileged psychiatrists, constitutes major depressive episodes. Organized torture thus succeeds at the level of the functional operation of law where the psychiatrist is considered by law enforcement to be a pre-judge to the judge by manipulatively abusing psychiatrists' notions of psychological disability. The psychiatrists ought to learn how to learn from their socio-economically disadvantaged clients, whose experiences and backgrounds critically differ from those of the privileged psychiatrists, instead of objectifying the clients with systematic preconceptions. Further, each police officer shall be educated so as to no longer hold an assumption that the victim has to be rich and important to be subjected to a conspiracy crime of this magnitude.

According to Nietzsche, "knowledge is not to know, but to schematize for a pragmatic necessity."⁵⁹ A pragmatic necessity in this context marks the doctors' act of gaining the satisfactory perception that they have come to fully diagnose/understand the narrative of the "patient." The concept of "delusional disorder" unwittingly authorizes underground persecution by providing a self-deceivingly satisfactory avenue for psychiatrists to *expediently* "diagnose" the material reality of invisible oppression, which is easily and conveniently decipherable for the privileged psychiatrists as delusional. It is the genealogy of delusional disorder as a psychiatric construct that has reflected and promoted the disenfranchisement of people of a low socio-economic status and those with the

⁵⁷ American Psychiatric Association, *The Diagnostic and Statistical Manual of Mental Disorders*, 326.

⁵⁸ Bureau of Justice Statistics, *Stalking Victimization in the United States*, 3.

⁵⁹ Fredrick Nietzsche, trans. Walter Kaufmann, *The Will to Power* (New York: Random House, 1968), § 515.

aforementioned social disability (the inability to envisage others' intentions and motivations)⁶⁰ due to surviving parental child abuse.

The systematic objectification of organized torture victims, which comes into being in the psyche of psychiatrists while making a clinical assessment, thereby discourages psychiatrists from complying with the following fundamental principles of clinical judgment stipulated in the standard textbook of psychiatry used in the U.S. medical schools, *Kaplan & Sadock's Comprehensive Textbook of Psychiatry*:

Often, the extremeness and inappropriateness of the patient's behavior rather than the simple truth or falsity of the belief indicate its delusional nature. Consequently, when evaluating individuals with possible delusional disorder, the most sensible approach is to gather as much data as possible from many sources and then use clinical judgment in determining whether a threshold indicating psychopathological disturbance has been passed.⁶¹

Given that organized torture victims are almost invariably misdiagnosed, psychiatrists often decide not to fulfill their stipulated duty to "gather as much data as possible from many sources," including sources concerning the material existence of the clandestine organized violence about which the client complains.

Psychiatrists further choose not to fulfill the aforementioned clinical duty to make a critical assessment of "the extremeness and inappropriateness of the patient's behavior rather than the simple truth or falsity of her belief." That is to say, psychiatrists should assess whether there is reasonable *proportionality* between the client's behavior and the client's beliefs. For example, if the client believes that her food at home is being non-lethally poisoned by organized stalking assailants who break into her residence while she is away, then the client's act of placing a lock on her fridge is proportional to her beliefs (i.e., her behavior based on her belief is not inappropriate or extreme). However, if the client decides not to eat or drink at all for the rest of her life, then the client's behavior and her beliefs are not proportional (i.e., her behavior based on her belief is inappropriate and extreme).

According to Freud's etiology of delusional disorder, paranoia is a protective response to a profound threat to self-esteem or to the self while a subject is intensely attempting to retain the appearance of normalcy through the defensive mechanism of projection. In the psychic phenomenon of paranoia, it is the subject's own ego that becomes the subject's scapegoat in order to maintain the appearance of the subject's normalcy.⁶² Before making the diagnosis of delusional disorder, a psychiatrist shall be required to identify the actual threat to his or her client's self-esteem and normalcy, for which the client's ego is unconsciously made a scapegoat. Such a conscious identification of what is

⁶⁰ Fenning et al., "Delusional and shared psychotic disorder," 1532.

⁶¹ Ibid.

⁶² Sigmund Freud, "On the Mechanism of Paranoia" in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, trans. James Strachey, vol. 7, 1911-1913 (London: The Hogarth Press, 1957), 59-79.

perceived to be a threat most plausibly enables the client to recover from delusional disorder (if the client is indeed delusional).

A psychiatrist should be aware of the substantial and unjustifiable risk that will result from her or his diagnostic negligence: a misdiagnosis of delusional disorder or paranoid schizophrenia clearly violates the client's established constitutional right to the equal protection of law and facilitates indefinitely repeated torture resulting in the permanent impairment of their clients. The risk of such a negligent misdiagnosis is of such a nature and degree that a psychiatrist's failure to perceive this risk, considering the nature and purpose of her or his judicial function as a prejudice to the judge and the circumstances known to her or him, involves a gross deviation from the standard of care, conscience and duty.⁶³ Qualified immunity generally applies to a government-employed psychiatrist's decisions relating to diagnosis (outside of the context of a hearing, when s/he acts as a court-appointed psychiatrist).⁶⁴ A misdiagnosis resulting from medical negligence as described above should not be protected by qualified immunity since a psychiatrist has plainly failed to perform, in good faith, his or her clinical duty to conduct the said relevant research and to examine belief-behavior proportionality before making a clinical judgment. A psychiatrist who misdiagnoses a scapegoat victim should be held liable, not only in civil law, but also in criminal law, for negligently obstructing the administration of justice, namely a law enforcement agencies' investigation that may otherwise have led to the discovery of evidence of organized crime that had been hidden on purpose.

The organized crime "client," who pays for and derives benefit from this crime perfection service, often commits the original instance of violent crime (to be perfected by the criminal organization) because the client perceives the victim as socio-psychologically disabled (such as the aforementioned self-protection disability, often due to child abuse victimization), less likely to be believed by law enforcement and less equal in human worth. In other words, given the current bias and prejudice of the law enforcement system against those with psychological disabilities, organized torturer conspirators intentionally select those with perceived socio-psychological vulnerability in order to seek impunity. Such an intentional selection of victims with psychological disabilities, as well as the intentional fabrication of psychological disabilities of specific kinds (paranoid schizophrenia and delusional disorder), qualifies clandestine organized torture as a form of hate crime.

Especially if the victim files a complaint against the perpetrator of the original instance of violent crime, the perpetrator may elect to pay a criminal organization to torture the victim in order to punish the victim for challenging psychological disability discrimination practiced, in the act of hate violence of the original instance, by the perpetrator. Article 1 of the 1984 UN Convention against Torture defines the term "torture" as:

⁶³ This statement reflects the Model Penal Code's definition of criminal "negligence" as one of culpable mental states (*mens rea*). Model Penal Code § 2.02 (2)(d) (1962).

⁶⁴ Christopher Slobogin, Arti Rai, Ralph Reisner, *Law and the Mental Health System: Civil and Criminal Aspects*, 5th ed. (St. Paul, MN: Thomson/West, 2009), 244-243.

any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purpose as... punishing him for an act he... has committed or is suspected of having committed, or intimidating or coercing him, or for any reason based on discrimination of any kind.

First and foremost, organized torture serves the purpose of extra-judicially punishing a person with a perceived or actual psychological disability (often due to surviving child abuse) for attempting to disturb the wrongfully assumed (by the torturer) hierarchy of human worth (between the torturer and the torture victim with a psychological disability) in order to reinstate such hierarchy. The organized torture clause to be added to the Penal Code shall state that the Legislature intends to display society's condemnation of the said purpose of organized torture. Secondly, invisible organized torture serves the purpose of perfecting the violent crime of the original instance by inducing criminal law enforcement personnel to dismiss complaints filed by the said victim.

Given the prevalence of the re-victimization of child abuse survivors in the form of organized torture, there ought to be an express provision that increases the penalty (both the fine and the prison terms) of the organized torturers if their victim has the history of child abuse victimization. The torturers do not have to have any explicit knowledge that their victim survived child abuse, though such knowledge, if proven, shall further increase the amount of fine.

Further, the organized torture clause to be added to the Penal Code shall expressly state that, if the organized torture victim has a perceived or actual psychological disability, then such organized torture constitutes an organized hate crime and is subjected to a greater penalty both in prison term and fine. The torturers should also receive in-prison education on psychological disability discrimination.

By summarily dismissing complaints about invisibly maiming perpetual organized torture, criminal law enforcement continues to commit unjustifiable complicity in the organized torture. There shall be a provision that allows the Internal Affairs of the local criminal law enforcement agency to receive a verified complaint concerning a law enforcement officer's act of dismissing organized torture complaint or/and the officer's act of detaining the complainant in a psychiatric unit. The Internal Affairs shall investigate such an officer concerning the officer's possible connection with the criminal organization that centrally coordinates the said torture.

The current law does not render a peace officer liable for summarily dismissing the organized torture complaint that, prima facie, resembles persecutory delusion or paranoia as the result of the exercise of discretion vested in him/her by judging that the complaint is delusional or paranoid. Currently Section 820.2 of the Government Code states:

Except as otherwise provided by statute, a public employee is not liable for an injury resulting from his act or omission where the act or omission was the result of the exercise of the discretion vested in him, where or not such discretion be abused.

Given the prevalence of the police's abuse of a person with psychological disability and the survivor of child abuse (who most often has self-protection disability and other socio-psychological disability), the following section shall be added to the Government Code as Section 820.23 of the code:

Notwithstanding other provisions of the law, a peace officer is liable for an injury, suffered by a person with a perceived or actual psychological disability and a person who survived child abuse, resulting from a peace officer's act or omission. Proving the peace officer's knowledge of the injured person's child abuse history or psychological disability is not required to establish the peace officer's liability for abusing the discretion vested in her/him.

The above amendment of the Government Code will prevent the police from failing to protect the aforementioned classes of people (psychologically disabled persons and the survivors of child abuse, though these two classes substantially overlap), who are at substantially high risk of being abused in a way that is not easily recognized by law enforcement. Any form of violence and exploitation (other than organized invisible torture), that criminal organizations may ingeniously contrive in the future to abuse these two classes of people with impunity in order to sate criminal organizations' lust for subjugation (to be discussed below), will be more effectively prevented by such an amendment.

The organized torture provision to be added to the Penal Code shall expressly state that the physical injuries caused by organized torture are often invisible and seem naturally caused, and the complaint of such torture resembles the diagnostic description of persecutory delusional disorder or paranoid schizophrenia, *prima facie*. Moreover, the legislative intent section of the added provision on organized torture shall state that the Legislature finds and declares that organized torture is a crime against humanity.

5. The *Mens Rea* of Organized Torture: A Lust for Domination

Organized torturers assume that every human is not equal in human worth. Organized torturers gain a manic⁶⁵ sense of self-worth by intentionally inflicting physical and mental pain on, with impunity, a person whom the torturers perceive as psychologically disabled (especially due to surviving child abuse) and "thus" less worthy.⁶⁶ According to the first survey report on stalking conducted by the U.S. Department of Justice in 1998 titled *Stalking in America*, much stalking is motivated by stalkers' desire to control their victims. The survey results dispel the myth that most stalkers are psychotic or delusional. Only 7 percent of the victims said they were stalked because their stalkers were mentally ill

⁶⁵The concept of mania herein comports with Freud's analysis of mania whereby mania is about triumphing over a loss of ideal (such as the equality of human worth) that is hidden from the manic ego. Sigmund Freud, "Mourning and Melancholia" in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 14, 1914-1916, 254.

⁶⁶ David Lawson, *Cause Stalking* (North Palm Beach, FL: Scrambling News, 2008), 22. Lawson is a private investigator licensed in New York State and Florida State, and what he reports in this book is based on his act of infiltrating into organized stalking enterprises in order to serve his clients who were victims of organized stalking violence in the course of twenty years.

or abusing drugs or alcohol.⁶⁷ Kamir states that ordinary men and women commit stalking and that anti-stalking statutes should begin by stating that stalking is a crime of dominance and control.⁶⁸ It is this mental state (*mens rea*⁶⁹) of a lust for subjugation—while committing a violent criminal action—that ought to be categorized as the guiltiest mental state (first-degree *mens rea*) in determining judicial punishment.

The media has been portraying a person with a psychological disability as nothing but an exotic monster and a scapegoat, on to which society can safely project its internal conflicts. The media deploys such social objectification and derision of a person with a psychological disability in order to manufacture the audience's addiction to the media consumption. This way, the media has been most effectively promoting the public's paranoid prejudice against a person with a psychological disability, thereby massively instigating hate violence against such a person. Organized torture marks a contemporary form of witch hunting.

According to Sigmund Freud's etiology of delusional disorder, paranoia is a protective response to a profound threat to self-esteem or to the self, while intensely attempting to retain the appearance of normalcy through the defensive mechanism of projection.⁷⁰ In the current social phenomenon of the public's paranoia about mental illness, those who gain a manic sense of self-worth through subjugation violence attempt to retain the appearance of normalcy and legality (despite having the mental state of violent criminals) through the defensive mechanism of scapegoating the psychologically disabled.

6. Organized Torture Places Torturers Above the Law While Enabling Torturers to Accumulate Social Capital

According to the U.S. Department of Justice's *Overview of the Law Enforcement Strategy to Combat International Organized Crime*:

International organized crime in its highest form is far removed from the streets. These groups are highly sophisticated, highly educated, and employ some of the world's best accountants, lawyers, bankers and lobbyists.⁷¹

⁶⁷ National Institute of Justice, U.S. Department of Justice, *Stalking in America: Finding From the National Violence Against Women Survey* (April, 1998), 8.

⁶⁸ Orit Kamir, *Every Breath You Take: Stalking Narratives and the Law* (The University of Michigan Press, 2001), 211.

⁶⁹ [Law Latin "guilty mind"] The state of mind that the prosecution, to secure a conviction, must prove that a defendant had when committing a crime. Cited from Bryan A. Garner and Henry C. Black, *Black's Law Dictionary*, 8th ed. (St. Paul, MN: West Group, 1999), s.v. "*mens rea*."

⁷⁰ Sigmund Freud, "On the Mechanism of Paranoia" in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, trans. James Strachey, vol. 7, 1911-1913 (London: The Hogarth Press, 1957), 59-79. See also Fenning et al., "Delusional and shared psychotic disorder," 1532.

⁷¹ Department of Justice, *Combat International Organized Crime*, 10.

The question is how the most successful international criminal organizations manage to recruit these highly educated, world's best professionals across various sectors who do not need to resort to organized crime to obtain high revenues. It is plausible that the said world's best professionals make use of the service of organized invisible torture, which most sophisticated international criminal organizations offer, in order to proactively tamper with a witness to whatever crime these professionals or their family members committed, or, in some cases, to tamper with a prosecuting witness, i.e., a victim. Indeed, the most desirable "client" who pays for, makes full use of and derives benefit from this crime perfection service is a professional who will form a mutually advantageous alliance to strategically expand diverse and sophisticated enterprises of criminal syndicates. For example, lawyers can advise syndicates how to exploit legal loopholes. Bankers can advise syndicates how to launder money.⁷² Psychiatrists can advise syndicates how to torture the crime-perfection-enterprise target in order to have her/him diagnosed as paranoid. Media executives can thwart the critical media coverage of criminal enterprises that continue to elude criminal law enforcement's consciousness.

The preexisting desire for subjugation held by certain public officials—especially certain police officers who chose their profession in order to fulfill their desire for "power" (herein defined as the desire to control absolutely, subjugate and destroy "the other" with impunity)—prompts them to commit "power"-oriented crimes to be perfected by the syndicate. According to the White House's aforementioned report:

Today's criminal networks are... forging alliances with corrupt elements of national governments and using the power and influence of those elements to further their criminal activities.⁷³

This crime perfection service that places its client "above the law and the constitution" is more compelling for certain public officials with a desire for subjugation than sheer monetary bribery. According to the aforementioned affidavit of former FBI Chief Inspector Gunderson:

a sophisticated network of rogue operatives has secretly infiltrated... key governmental positions. This rogue element seeks personal power and wealth and considers themselves above the law and the Constitution. ...The victims are targeted for a variety of reasons including government and corporate whistleblowers, parties to financial and employment disputes, parties to marital disputes (usually divorced women), and even jilted paramours.⁷⁴

So please note that Gunderson attests that organized invisible torture effected with organized stalking marks not only the crime-perfection service, but also the service of stalking by proxy (i.e., stalking on behalf of an ex-husband, constituting a form of domestic violence) and the service of discrediting and "punishing" whistleblowers. In exchange for receiving such criminal services of "compelling interest"

⁷² White House, *Combat Transnational Organized Crime*, 8, 5; Department of Justice, *Combat International Organized Crime*, 10.

⁷³White House, *Combat Transnational Organized Crime*, v.

⁷⁴ Gunderson, *Affidavit*, 3.

that place rouge public officials above the law and the constitution (so these officials can commit the said domestic violence with impunity, for example), these officials use their public power and influence to further and perfect the said crime-perfection and other services in their official capacities. In other words, such sophisticated services (i.e., continuing criminal enterprises) based on the use and abuse of psychological disability enables the most thriving transnational criminal organizations to develop symbiotic relations with rouge public officials and to infiltrate into various sectors of government.⁷⁵ The aforementioned U.S. Department of Justice’s report on organized crime states: “The most powerful international organized crime groups benefit from the symbiotic relationship that their leaders have developed with corrupt public officials and business tycoons.”⁷⁶ One of the most effective ways for criminal organizations to undo law enforcement’s infiltration into criminal organizations is to render the criminal organizations’ infiltration into criminal law enforcement *more thorough and sophisticated* than criminal law enforcement’s infiltration into the criminal organizations. Such infiltration is central to the success of criminal organizations’ overall operations.⁷⁷

The self-perpetuating quality of organized torture bases itself upon such indefinite and continuous mutual exchange of secret services among torture conspirators. The White House’s aforementioned report on transnational organized crime states, “Today’s criminal networks are fluid, striking new alliances with other networks around the world and engaging in a wide range of illicit activities.”⁷⁸ Organized invisible torture as a cutting-edge technology of transnational organized crime perpetually generates social credentials among conspirators such as crime syndicates, professionals and public officials, among others. It is this exponential and post-modern accumulation of the widest-ranging social capital⁷⁹ across diverse social sectors and professional disciplines—realized through the coordination of organized torture—that enables crime syndicates to rapidly expand their operations and loose fluid networks around the world, to diversify their activities, and to render their operations more sophisticated than ever before.

Organized invisible torture operation sophisticatedly manipulates immanent social fabric as a means of infiltration deployed in the course of organized (to this date, “perfect”) hate crime based on psychological disability discrimination. By infiltrating into every sector of society with which the target (victim) interacts, thereby increasingly accumulating wide-ranging social capital, crime syndicates succeed in discursively augmenting the invisible sphere of manipulative influence.

⁷⁵White House, *Combat Transnational Organized Crime*, iii. Characteristics possessed by transnational organized criminals and identified by the National Security Council at the White House include an attempt to gain influence in government through corrupt as well as legitimate means.

⁷⁶Department of Justice, *Combat International Organized Crime*, 10.

⁷⁷President’s Commission, *Organized Crime*, 117.

⁷⁸White House, *Combat Transnational Organized Crime*, 3.

⁷⁹Pierre Bourdieu defines “social capital” in *The Forms of Capital* (1986) as the following: “Social capital is the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance and recognition .“

Of all the traditional La Cosa Nostra families, the Genovese group, which has one of its branches in Los Angeles, has the most contact with non-traditional criminal organizations⁸⁰ proliferating in California today. The unsurpassed amount of social capital enjoyed by the Genovese crime family today has been plausibly acquired and accumulated through coordinating organized invisible torture locally with non-traditional criminal organizations. California Attorney General's report on transnational organized crime (2014) states that 305 transnational criminal organizations are operating in California.⁸¹

The Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. Chapter 96, § 1962 (a), punishes the act of investing *financial* capital, accumulated by previous racketeering activities of a criminal organization, in any enterprise, but it does not address *social* capital—the intricate, discursive, hidden and manipulative conspiracy network and symbiosis between local, state and federal criminal law enforcement and crime syndicates principally based on mutually advantageous exchanges of crime-perfection services. Organized torture effected with organized stalking thus guarantee the accumulation of social capital to be invested in future diverse organized criminal enterprises, which RICO, as well as the California Control of Profits of Organized Crime Act, do not foresee or proscribe.

Once the system (machinery) of organized torture is set in place by constantly stalking and battering at least one vulnerable and marginalized person (especially with a child abuse survivor with the socio-psychological disability to protect her/himself from violence) in every municipality across the country and around the globe, transnational criminal organizations are equipped to track down and torture, as a punishment, victims fleeing international sex slavery (i.e., human trafficking), whom these organizations attempt to keep under constant surveillance and global control. Further, the most resourceful Mafia crime family today most plausibly participates the above organized stalking and invisible torture techniques in order to induce its lower-ranking members to constantly and perpetually partake in prospective punishment for breaking the oath of Omerta⁸² (i.e., fleeing the organizations and intentionally divulging their internal information, especially to criminal law enforcement). Indeed, according to the above State Commission of Investigation report, the Genovese Mafia family has remained relatively free of turncoats.⁸³ Invisible organized torture thus functions as the secret, proactive countermeasure that enables the most powerful crime family equipped with ingenious adaptability to undermine the federal Witness Security Program.

Councilperson Jovanka Beckles of the City of Richmond, CA, who sponsored the aforementioned resolution (adopted in 2015) that declares to serve as a safeguard for the victims of organized torture effected with electronic weaponry (especially satellite-based), states:

⁸⁰ New Jersey Commission, *The Changing Face of ORGANIZED CRIME*, 106.

⁸¹ Kamala D. Harris, California Attorney General, *Gangs Beyond Borders: California and the Fight Against Transnational Organized Crime* (March, 2014), 9, accessed January 5, 2016, https://oag.ca.gov/sites/all/files/agweb/pdfs/toc/report_2014.pdf.

⁸²A code of silence about criminal activity, practiced by the Mafia. Cited from the *Concise Oxford English Dictionary*, 10th ed., s.v. “omerta.”

⁸³New Jersey Commission, *Changing Face of ORGANIZED CRIME*, 107.

I would like to encourage other officials at the local, state and national levels to explore methods to extend... means to make these abuses visible and recognized as crimes by local, county/parish, state and federal legislators and law enforcement alike.⁸⁴

7. Investigating Organized Tortures by Keeping the Torturer Organization under Continuous Surveillance

There are portable electronic engineering devices available, both calibrated and non-calibrated, to detect the approximate directions and locations from which electronic weapons are fired at the torture victim. Law enforcement satellites have the technology to scan the area around the victim (in her/his residence, for example) with infrared radar in order to detect the trajectory of heat beam that hits the victim and that emanates from an electronic weapon fired by the organized torturer. Such space-based infrared radar can also detect the body heat of the torturer who fires the electronic weapon at the victim. Once identifying the approximate location where the torturers frequently fire electronic weapons at the victim (by using either method mentioned above), the following surveillance methods can be used to find out more information about the organized torturers' intricate conspiracies and activities.

Now please note that, most ironically, an array of methods of organized surveillance that have been customarily deployed both by organized torturers and law enforcement against the organized torture victim mark the most effective methods of investigating organized crime by law enforcement.⁸⁵ Such organized surveillance techniques are phone taps; the surreptitious interception of text messages, airmails and emails; placing audio "bugs" in places torturers communicate with each other to plan and coordinate invisible torture; placing remote wireless cameras in front of the entrance area of a building where the torturers gather routinely for the coordination of the organized torture plan; hacking torturers' computers; GPS tracking (often through torturers' mobile phones as well as GPS placed in the torturers' cars), regular fixed and mobile surveillance⁸⁶ (including the drone and satellite surveillance of organized torturer's movements). Section 629.52 of the California Penal Code shall be amended to include, expressly, organized invisible torture and organized stalking as one of the qualified crimes, whereby law enforcement is allowed to conduct the above surveillance methods, in addition to the surveillance method already stipulated in the said section, for the organized torture investigation.

The critical exception to the reverse-engineering of the organized surveillance currently done to the organized torture victim is that law enforcement shall never harass the torturers (while conducting the surveillance) since such harassment will inevitably function as a warning to the organized torturers.

⁸⁴ Beckles' letter (2015).

⁸⁵ "The great majority of law enforcement officials believe that the evidence necessary to bring criminal sanctions to bear consistently on the higher echelons of organized crime will not be obtained without the aid of electronic surveillance techniques." President's Commission, *Organized Crime*, 17.

⁸⁶ Gunderson, Affidavit, 3, 4.

Organized invisible torture and organized stalking play a critical role in most extensively *misdirecting* law enforcement's investigative attention and resource from the organized torture criminals to the victim of organized torture. The operation of organized invisible torture therefore subverts the two most effective techniques to investigate organized crime developed by law enforcement in the U.S. history (more specifically, Task Force on Organized Crime of the President's Commission on Law Enforcement and Administration of Justice), namely:

- 1) The Federal Witness Security Program (as discussed above);
- 2) The electronic surveillance of criminal organizations (wiretapping and bugging).

Law enforcement is encouraged not to arrest any of the organized torturers until law enforcement identifies each and every member of the torture-crime organization, each member's rank and role (i.e., specific crimes to charge the member of) in the organized torture conspiracy, and the gamut of the criminal organization's activities through the above mentioned surveillance methods. If law enforcement arrests each member of a criminal organization, who physically commit the actual torture crimes, each time law enforcement finds such a member, law enforcement will not be able to find the very leader of the criminal organization, who is isolated from other members who physically commit the actual torture crimes.⁸⁷ Such continuous surveillance of the network of organized torture activities, without showing any sign of law enforcement's warning, thus plays a critical role in identifying:

- 1) the very leader of the criminal organization, who centrally coordinates organized torture;
- 2) the entirety of the organized torture activities, which includes torture activities the criminal organization commits against all other victims, who reside within the same territory of the said criminal organization;
- 3) the other criminal organization (hereby named Crime Family B), which the primary criminal organization (hereby named Crime Family A) requests to continue stalking and torturing the victim, when the victim moves to the territory of Crime Family B. Tracking down the trace of money transfers allows the law enforcement to identify the network of torture-crime organizations (such as Crime Families A and B) as well as the financier of the organized invisible torture project of the particular victim (such as the client of the crime-perfection service, the stalking-by-proxy service or the whistleblower discrediting service, or the management of a certain criminal organization itself, such as Crime Family A).

Former California Attorney General Kamala Harris recommends that the state legislature remove the current requirement for state prosecutors to prove a defendant's subjective intent in financial transaction "structuring," i.e., breaking up financial transactions into amounts smaller than \$10,000 in a single day, which is the limit federal law sets for financial institutions' mandatory report to financial regulators.⁸⁸ The author of this report on organized invisible torture supports such an amendment that will increase the risk of state criminal liability for unmonitored transactions and money

⁸⁷ President's Commission, *Organized Crime*, 7.

⁸⁸ California Attorney General, *Gangs Beyond Borders*, 79.

laundering to facilitate invisible torture enterprise by transferring a smaller amount of money periodically.⁸⁹

Furthermore, by keeping organized torturers under long term surveillance, law enforcement is likely to discover the gamut of other horrendous criminal activities committed by the same criminal organization that commits organized invisible torture in question. Former FBI Chief Inspector Gunderson attests:

These [organized invisible torture] operations require extensive financing with no return on the investment. This program's operations are financed by illegal black operations, i.e., narcotics, prostitution, child kidnapping..., human trafficking, gambling and other rackets.⁹⁰

Thus, the said continuous surveillance of the criminal organization that effects organized torture plausibly brings about the detection and apprehension of the entire fluid networks of criminal organizations, as well as the entire scope of their diverse enterprises, across the state, the country and even the globe, since all of these organizations are virtually connected and enabled by information systems technologies,⁹¹ as well as, to a substantial extent, by the organized torture conspiracy. In this light, the investigation of organized torture crime shall be conducted by the pre-existing unit in each law enforcement agency that is already specialized in investigating organized crime.

The largest obstacle to investigating and apprehending torturer-crime organizations marks certain criminal law enforcement and intelligence officers' (who have symbiotic relations with criminal organizations) acts of:

- 1) clandestinely informing the criminal organizations of law enforcement's forthcoming investigation into these criminal organizations, and
- 2) sophisticatedly misleading law enforcement into stalking the victim of organized torture, instead of keeping the torture-crime organization under investigative surveillance.

A law enforcement officer, who has prompted other law enforcement officers to keep the organized invisible torture complainant under law enforcement's perpetual surveillance harassment (thus has misdirected law enforcement's investigative attention and resources), should be investigated for organized torture conspiracy. The clause to be added to Section 206 of the penal code that expressly prohibits organized invisible torture shall include a provision for indicting such a law enforcement officer's conspiracy crime of torture.

⁸⁹ In addition to avoid the mandatory report to financial regulators, plausibly, Crime Family A chooses the periodic payment (i.e., "small installments") as opposed to a lump-sum payment for the following reason: The torture victim may, once again, move to another new locality (which is under the territory of another criminal organization, hereby named Crime Family C) immediately after Crime Family A pays the "handling"(stalking and torture) fee to Crime Family B.

⁹⁰ Gunderson, *Affidavit*, 2, 3.

⁹¹ White House, *Combat Transnational Organized Crime*, 3.

Please note that, as argued in above (I.6 of this report), law enforcement cannot realistically expect any member of the criminal organization to provide information concerning the criminal organization's operations or members (including the leader) in exchange for the grant of immunity. It is because every member of the criminal organization that coordinates organized invisible torture will be subjected to organized invisible torture and organized stalking himself, if he becomes a turncoat.

The above surveillance provision shall be limited to violent organized crime only, otherwise, such surveillance constitutes a serious breach of constitutional right to privacy as guaranteed by Section 1, Article 1 of the state constitution. A provision as to how to investigate the abuse of organized surveillance by law enforcement has to be developed by the Internal Affairs of each law enforcement agency and any other agency that oversees law enforcement abuse.

8. Amend the Penal Code to Severely Penalize the Leaders of Criminal Organizations

Former California Attorney General Kamala Harris recommends in her aforementioned report on organized crime:

California has no statutory authority that specifically targets or punishes supervisors, managers or financiers... of transnational criminal organizations. ...Congress enacted... the Criminal Enterprise Act (21 U.S.C. Section 848), ...[according to which] a director of an illegal criminal organization may be sentenced to prison for not less than twenty years to life without the possibility of parole... To more effectively combat transnational criminal organizations and their criminal gang associates, the California Legislature should... amend current law to include a Criminal Enterprise Act... By doing so, law enforcement can more effectively target the "shot-callers" of these criminal organizations and destabilize their operations.⁹²

Because the federal Criminal Enterprise Act targets only the enterprise of drug-trafficking but not the enterprise of organized invisible torture, or any other organized violence (such as murder for hire), the California version of the Criminal Enterprise Act should include organized invisible torture as well as any other self-perpetuating violent organized crime as the qualified crimes subject to the act's penalty provisions.

⁹² California Attorney General, *Gangs Beyond Borders*, 73.