

Another Adventure in Illinois Law: “Felony Scratching”

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At about 2 o'clock today, my first case as a juror ended. The verdict was guilty and the charge was aggravated battery. The other jurors and I did not feel happy about the verdict, but the defense was quite weak and the State had a strong case. I will provide more details on this later on in this article.

I was recommended by a colleague to do things in which I would stare statism straight in the face. A couple of those things he recommended were attending a County Board Meeting and sitting in on a criminal court proceeding, but I did not expect to serve as a juror before being able to sit in the audience section. My experience as a juror was a productive exercise and I plan on doing more things like that in the future, only in the next instance, it will be voluntary.

Today, I took part in throwing a fellow citizen in a government dungeon.

(If you haven't read the preceding article in this series titled, "[Adventures in Illinois Law: Jury Summons](#)", I recommend you do that first.)



The Case

I woke up at 6:45am Monday morning to begin preparing for the surely frustrating day ahead of me. I dressed myself in proper courtroom attire, grabbed my organic energy drink, and I was out the door.

To get into the right mindset of nullifying the jury if needed, I did a couple of things. First off, I listened to Kyle Rearden's [A Restoration Trilogy](#) and listened to a speech by Larken Rose, titled [Anarchy](#), in which he goes in-depth describing the bullshit system we are encompassed by. I'm not quite sure if there is a better way to mentally prepare.

I entered the Law and Justice Center at about 8:05am. I made my way through the “security” station and headed up to floor number 5. I exited the elevator and turned left, and guess who I see?

Mr. Jason Daisy, the same gentleman who I asked to assist me in finding the legal citations for the punishments described in the jury summons letter, and whom I never got a response from.

Mr. Daisy was the one checking everyone in and getting us our name tags, so we made contact as soon as I got in there. I shook his hand and said, “Good to see you again, sir.”

Either he didn’t remember me or he pretended not to, your guess is as good as mine.

At that point, I went and took a seat and waited for something interesting to begin.

I sat there for probably an hour and then the McLean County Circuit Clerk, Don Everhart, stepped up to the podium to deliver us a “welcome” speech. He proceeded to turn on an introductory video on courtroom procedure and serving as a juror; and of course, it was made by the monopolistic Illinois BAR (British Accredited Registry) association.

My god, the propaganda was seriously intense.

The video started by explaining how we were doing a “noble thing”, as a trial by jury is one of the things that, “Makes our [in]*justice* system the best in the world.” [Emphasis added by author]

That’s kind of funny and terribly ironic. Apparently they forgot about entrapment cases, erroneous charges, overcrowding prisons thanks to the failed drug war, civil asset forfeiture, the suspension of Habeus Corpus (in some cases), and throwing people in a government dungeon for [collecting rainwater](#).

If that is “justice”, then the definition must have changed without my knowledge.

Apparently, they must have also forgotten that the majority of cases never see a trial. Most just take the plea deal (which, quite honestly, would have been a better decision for the defendant in the case I was on the jury for the past couple of days). That point was made to us by the bailiffs, who said that jury trials have dropped significantly in the last two years. They mentioned that they work 2 weeks a month on average.

The next claim by the BAR Attorneys is that, through serving as a juror, we will have a “better respect for the [in]*justice* system.” I call bullshit. Day one was enough to make me despise the State and their coercive methods even more. [Emphasis added by author]

It was also quite interesting that the judges featured in the video explained that we CANNOT judge the validity of the law, ONLY the facts of the case so we can reach a verdict.

It’s not like I expected them to admit to everyone that they can judge the validity of a law through jury nullification. It’s just a little hypocritical that if we were to lie in the courtroom, we would be charged with perjury, and these corrupt BAR Attorneys lied to the potential jurors multiple times and that’s perfectly okay.

That was about all that was interesting out of the introductory video so I will move forward.

After it ended, I sat and waited for about another 30 minutes or so and conversed with the couple of gentlemen that were at my table. It was meaningless small talk, but I did find out that I went to high school with one of my fellow potential jurors' daughters.

Finally, Mr. Daisy approached the podium and informed us that they were selecting the first set of jurors. He announced 7 or 8 numbers and then he called mine. I lined up at the double doors with the rest of them (I think there were 30-something others) and we proceeded to head into the first courtroom on the left.

I saw the defendant and her attorney and also saw the State's Attorney. I took a seat with the rest of the potential jurors and the judge addressed us. He went through his normal spiel and repeated the same lie that was stated in the video: "Your job isn't to determine whether the laws are good or bad. Your job is simply to hear the facts of the case and determine the guilt of the defendant."

His next statement nearly made me breakout in uncontrollable laughter because it was so retarded.

"When you are done with your jury duty and you want to change a law or get it removed, call up [IL Representative] Dan Brady and he will help you in getting the law changed or removed."

According to the judge, the proper response to an unjust law is not jury nullification, but becoming a lobbyist. For those who are unaware, lobbying is *legalized bribery*.

After another scripted, normal spiel, he informed us on the nature of the case. The charge is aggravated battery of a nurse; he told us this BEFORE Voir dire. That's surely not one that would permit jury nullification, because initiating force is mala in se (evil in itself).

Voir dire took place with all of the jurors, not 4 at a time as previously stated. As far as I could tell, I didn't see any way out of it, and plus, I figured the chance was pretty small that I would get chosen.

The judge asked us numerous questions and then the lawyers got their turn to ask.

The State's Attorney asked how many of us watched shows like CSI, NCIS, Law and Order, etc. etc. Most everyone raised their hands, but I did not, as all of those shows just glorify law enforcement and the [in]justice system. His point was to inform us that those shows are unrealistic and that we shouldn't use anything we've "learned" in those shows, as it's probably wrong. Duh! [Emphasis added by author]

To continue, we were in there for about an hour during Voir dire and then we were asked to go out into the hall while they selected the jurors. We were out there for about 10 or so minutes and then they called us back in. To my surprise, I was selected as a juror in this case.

He then asked all of those not selected to exit the courtroom and went on to tell us that we are not allowed to do any research on the case, to avoid newspapers, radio, and television for the remainder of the case, and that we couldn't even look up the legal citation for what the defendant is being charged for.

How do they expect me, as a juror, to do my “civic” duty and render a judgement as to a serious matter of guilt or innocence without knowledge of the nature of the alleged crime?

The judge then let us know that the trial would start at 1:30pm that afternoon (it was about 11am at that time) and that we were on recess until then.

I went to lunch and then returned to the courthouse. I rode the elevator back up to floor 5 and went to the jury deliberation room to wait until we were called back into the courtroom.

That afternoon, we heard from two Bloomington Fire Fighters/Paramedics who first arrived to take the defendant to the hospital; we heard from the registered nurse who was taking care of the defendant and whom witnessed the offense; and finally, we heard from the charge nurse, the supervisory nurse, the one whom the defendant caused bodily harm to.

It was 100% clear that the defendant did cause bodily harm to the charge nurse (and was even admitted by the defense) but the defense was going for a verdict of “not guilty, by reason of insanity”. The claimed reason was that the defendant suffered from epilepsy and that she didn’t know what she was doing due to her recent seizure.

The witnesses called by the State (the four mentioned above) all corroborated the story that the defendant was aware and oriented (to person, place, and time), and for the sake of time and redundancy, I’ll just summarize by saying this. The burden of proof for the aggravated battery charge was on the State, but the burden of proof for the insanity aspect was on the defense. As I mentioned above, the defense had a flimsy case for insanity and plus, the defendant was caught in multiple lies while on the stand, which made us question her credibility altogether.

The defense called two witnesses; one being the defendant and the other being a forensic psychologist, who actually hurt the defense’s case. The defendant also didn’t help her cause any and I’m still confused as to why she even volunteered to testify in the first place.

The defense also stated that (I’m guessing since the State would have if they hadn’t) the defendant had been convicted of three prior charges, including harassment of a witness and prostitution.

To conclude the case, I will reiterate, the defense didn’t have a case for insanity and the State had an open and shut case for aggravated battery of a nurse.

We heard the closing arguments from both attorneys and then we retreated to the jury deliberation room. We were told our job and the procedure and the bailiffs left us to decide the verdict. We all unanimously agreed that she was guilty of aggravated battery of a nurse. The only question left was, “Did the defendant have a case for insanity?”

We discussed for about 10-15 minutes about that and also some other matters related to the case, and we all also agreed that the bodily harm inflicted upon the nurse was very minor. She had scratches on her arms and that was about it.

That wasn’t a highly discussed subject, as the defendant seemed like she has been in similar positions before and keeps finding her way back into court.

We made our decision, signed the paper, and then were called back into the courtroom. The judge read the guilty verdict and we were released from our duty.

Post-Trial

I left the courthouse and started on my way back home to complete this article and also figure out what the defendant could possibly face.

On the way home, I still couldn't morally justify throwing a fellow citizen in a government dungeon. Yeah, the defendant does have quite a history and definitely has some issues, but I still just don't like the fact that I contributed to someone's kidnapping. Although, as I've mentioned before, I myself, was coerced by government to serve on this jury.

In addition to that, the injuries to the charge nurse were so minor and at that time I didn't know what the defendant could potentially be facing as far as sentencing.

Even before seeing the sentencing, it only strengthened my support for private arbitration and dispute resolution.

I arrived at home and first logged onto McLean County Public Access to see what the defendant has been charged with in the past. I will say, she had a rap sheet a mile long—that's no exaggeration either.

Select	Case Number	Name	Status	Date Filed
Select	2014TR027388	[REDACTED]	Closed	08-DEC-14
Select	2014TR007535	[REDACTED]	Closed	08-APR-14
Select	2014TR007534	[REDACTED]	Closed	08-APR-14
Select	2014TR007533	[REDACTED]	Closed	08-APR-14
Select	2014TR007532	[REDACTED]	Closed	08-APR-14
Select	2014OV001660	[REDACTED]	Closed	14-NOV-14
Select	2014CF000891	[REDACTED]	Open	04-AUG-14
Select	2011CF001092	[REDACTED]	Closed	09-DEC-11
Select	2010OV001776	[REDACTED]	Closed	08-SEP-10
Select	2010DT000508 *C	[REDACTED]	Closed	06-AUG-10
Select	2010CF000767 *C	[REDACTED]	Closed	06-AUG-10
Select	2009TR000019	[REDACTED]	Closed	02-JAN-09
Select	2009CF000152 *C	[REDACTED]	Closed	24-FEB-09
Select	2008TR026763 *C	[REDACTED]	Closed	21-OCT-08
Select	2008TR019045	[REDACTED]	Closed	23-JUL-08
Select	2008TR005789 *C	[REDACTED]	Closed	06-MAR-08
Select	2008OV001679	[REDACTED]	Closed	02-OCT-08
Select	2008OV000194	[REDACTED]	Closed	31-JAN-08
Select	2008CM002381 *C	[REDACTED]	Closed	24-OCT-08
Select	2008CM002023	[REDACTED]	Closed	15-SEP-08
Select	2008CM001109 *C	[REDACTED]	Closed	28-MAY-08
Select	2008CM000565 *C	[REDACTED]	Closed	24-MAR-08
Select	2008CF001250	[REDACTED]	Closed	05-NOV-08
Select	2007TR022976	[REDACTED]	Closed	30-AUG-07
Select	2007TR013434	[REDACTED]	Closed	21-MAY-07
Select	2007TR010373	[REDACTED]	Closed	20-APR-07
Select	2007TR009445	[REDACTED]	Closed	10-APR-07
Select	2007OV002099	[REDACTED]	Closed	09-OCT-07
Select	2007OV001294	[REDACTED]	Closed	11-JUL-07
Select	2007CM002128	[REDACTED]	Closed	24-OCT-07
Select	2007CM002121	[REDACTED]	Closed	23-OCT-07
Select	2007CM001705 *C	[REDACTED]	Closed	17-AUG-07
Select	2007CM000744	[REDACTED]	Closed	11-APR-07
Select	2007CM000742	[REDACTED]	Closed	11-APR-07
Select	2007CM000629 *C	[REDACTED]	Closed	28-MAR-07
Select	2006CM001285 *C	[REDACTED]	Closed	31-JUL-06
Select	2003OV001758	[REDACTED]	Closed	12-NOV-03

I also looked at the [potential sentencing she could be facing](#). Most aggravated battery charges are Class 3 felonies, which hold prison time from 2-5 years, or 5-10 years if the court finds aggravating factors.

The aggravated battery charge pushed by the State in the trial was aggravated battery of a nurse though. That part is important and could bump up the charge to a Class 1 felony, which carries sentencing of 4-15 years.

I'm unsure as to which one they will charge her with, but since she didn't take a plea deal, she will probably not get any good deals on this one. Also, her previous charges aren't going to help her out any.

I think it's also worth a mention, that circumstances like this happen every single day in hospitals, and we as jurors were there to determine whether the defendant was guilty of "felony scratching". There were other details shared with us regarding her violence towards other members of the hospital staff, some more severe, but we were only told to focus on the nurse.

It's a common law principle that the punishment must fit the crime and after looking at the law AFTER the case, I have a tough time understanding how the defendant deserves years in a government dungeon for "felony scratching."

She's not facing days, not facing weeks, not facing months, she's facing YEARS. It's not like our prisons are empty by any means. America actually holds 25% of the world's prison population and the prisons are already overcrowded.

In a truly free society, what the defendant would owe to the nurse in the form of restitution, is the cost of any bandages as well as an apology—not rotting away in a tax-payer funded dungeon.

So, all in all, it was definitely a learning experience. I certainly didn't enjoy it though. I still resent the fact that I was forced to contribute to a fellow citizen being thrown in a government dungeon, but, something needed to be done. And unfortunately, since this is the system we live in, there really weren't any alternatives, especially considering the potential punishments I would have faced had I chosen to civilly disobey the government. In addition to that, she did violate the non-aggression principle and in the moral and just society I envision in the future, that would be one of the most severe things one could do to a fellow human being, because all initiatory force is immoral.

The current system we have in place now does not work on behalf of the citizenry. The system isn't broken. It's working just as it's intended to.

Something needs to change, and quickly.