

Proof of Lyle Hartford Van Dyke's History of
Psychiatric Illness

Docket Number 80

[80]

Hartford Van Dyke
2005-0214M

Brought Pursuant to Art. I, Section 8, Clause 5

19 pages
SET #4
19 pages

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON, AT PORTLAND, OREGON

197/NUW

AND IN THE CONGRESS OF THE UNITED STATES

The UNITED STATES OF AMERICA,
(ex rel./by Joshua Findley,
Alan Garten, and others, accusers)
Plaintiffs

vs.

Lyle Hartford Van Dyke, Jr.
purportedly accused, Defendant.

Lyle Hartford Van Dyke, Jr.
3rd Party Counter Plaintiff

vs.

UNITED STATES OF AMERICA,
ex rel./by
Judge Robert E. Jones
U.S. Attorney Michael Mesman
Assistant U.S. Attorney Alan Garten
Assistant U.S. Attorney Scott Kerin
U.S. Agent Joshua Findley
3rd Party Counter Defendants.

CASE#

CR 02-390 (Jo)

U.S. Constitution

First Amendment

PETITION FOR

REDRESS OF

GRIEVANCES,

- a Citizen's

U.S. Criminal

Complaint

AFFIDAVIT,

CITATION,

and Brief

of Information

pursuant to

18 USC 4

and

42 USC 1986

State of Oregon } ss.
County of Multnomah }

Date: 20030122

01-22-03

I, Lyle Hartford Van Dyke, Jr., depose
and say as follows:

Proof of Lyle Hartford Van Dyke's History of Psychiatric Illness

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PART 2 - ALLEGATION/CLAIM (continuing)

The Judge (Jones) placed me under arrest following the presentation of the fraudulent/void verdict, and I have been incarcerated to the present in violation of the 13th Amendment of the Constitution for the United States of America.
[Am 4/PS, W, PC ; Am 13.1/S, IS]

Judge Jones has aggravated the incarceration by portraying me as mentally defective for objecting to his violations of the U.S. Constitution, [Am 1/ER, Am 1/FS, Am 1/EP, ...] despite the fact that 18 USC 4 and 42 USC 1986 require that I object with reasonable diligence and report his behavior as a crime cognizable under the Constitution and laws of the United States.

Judge Jones has had me transported from ^(detention centers) prison to prison all over the country in chains and shackles unlawfully.
[Am 13.1/S, IS ; Am 8/CP ; 193/BA, BPP]
[101/BA, BPP ; Am 4/PS W, PC ; MIXED WAR]

-7-

PART 2 - ALLEGATION/CLAIM - (continuing)

Judge Jones has subjected me to psychiatric examination because I have protested against his violations of the Constitution (and laws pursuant thereto), and because I filed criminal charges and a corrective lien against a fellow judge of the U.S. District Court in Seattle, Washington, Judge John C. Coughenour.
[Am I/ER, FS, FP; 441/PADV, PAT]

There are people seeking restitution...one is asking the defendant for \$5000 and another wants \$395. There will be a 5 year term of supervised release, during which time the defendant will be prohibited from distributing materials (about the government), you are to impose no lawsuits or liens against government officials or agents, (etcetera) No loans or credit arrangements, or business transactions unless approved by an officer.

Employment will be subject to approval.

Now what is the maximum sentence for this? (Someone says 97 months) OK, that will be 97 months...broken down in two parts. (Asks Garten if he has any special requests.)

Garten: Yes, your honor, I would like to request that the sentence be divided up and served consecutively...counts 1 and 2 served as one 60- month term and counts 3-15 as a 37- month term remaining. Jones looks at him like he is a tad bit daft.

Jones: Now what was that again... (Garten tries to re-explain in simpler terms, adding the numbers up for the judge) Judge Jones appears irritated by the prosecutor's manner. Yes, yes, OK...

Jones: There will be a fee assessment of \$100 for each count. If you wish to file a notice of appeal, you must do so within 10 days to this date (28th). I will appoint counsel at no cost to yourself...do you want counsel?

HV: I don't know.

Jones: (A bit annoyed, now) You have to let the court know today, this is the only chance you'll get, otherwise you will have to forfeit...(continues on...)

There will be a payment of \$20,000 in restitution (to the Government) to pay only as you can, as it is well beyond the defendant's present means.

Defendant has shown he is absolutely obstinate, and shows no indication of repentance.

The court does not recommend a mental institution. It has been advised that Mr. Van

Dyke is suffering from antisocial and narcissistic tendencies for which there needs to be no treatment. He does not need medication.

We'll not put him in a low security camp; he could just walk off the premises. Should be in a medium security prison and outside the district of Oregon.

11:00 a.m.--Session over

Hartford Van Dyke has been sentenced to 8 years, 1 mo. a federal prison facility. He is presently in Sheridan Detention Center, in Sheridan OR. It is believed he will stay there for about one month.

*done by a Spectator at
the Sentencing Hearing.*

Lyle Hartford Van Dyke, Jr.
6413 NE 88th St.
Vancouver, Washington 98665
(360)574-1767

Lyle Hartford Van Dyke, Jr.
#RDP# 10586-085
Federal Medical Center
P.O. Box 1600
Butner, NC 27509

In The United States Department of Justice
at Washington, District of Columbia
U.S. Attorney General - Executive Offices for U.S. Attorney
950 Pennsylvania Ave. N.W., Washington, DC, 20530.

FILED AND ENTERED IN
U.S. District Court - OREGON - CASE # CR 02-390 (Jo)
Docket Number 101
[101]
Hartford Van Dyke, Jr.
June 25, 2009

Part #1 Parties	Subject Matter
United States of America (Ex Rel, accuser withdrawn) Plaintiff vs. John S. Nolan and Lyle Hartford Van Dyke, Jr. purportedly accused, Defendants	Case # CR 02-390 (Jo) Portland, Oregon U.S. District Court (1000 SW Third Ave - 97204) ^{Trial Period} (December 3-11, 2002)
	<u>DEMAND TO QUASH</u> <u>INDICTMENT AND</u> <u>PURPORTED VERDICT.</u> (Demand for Due Process)

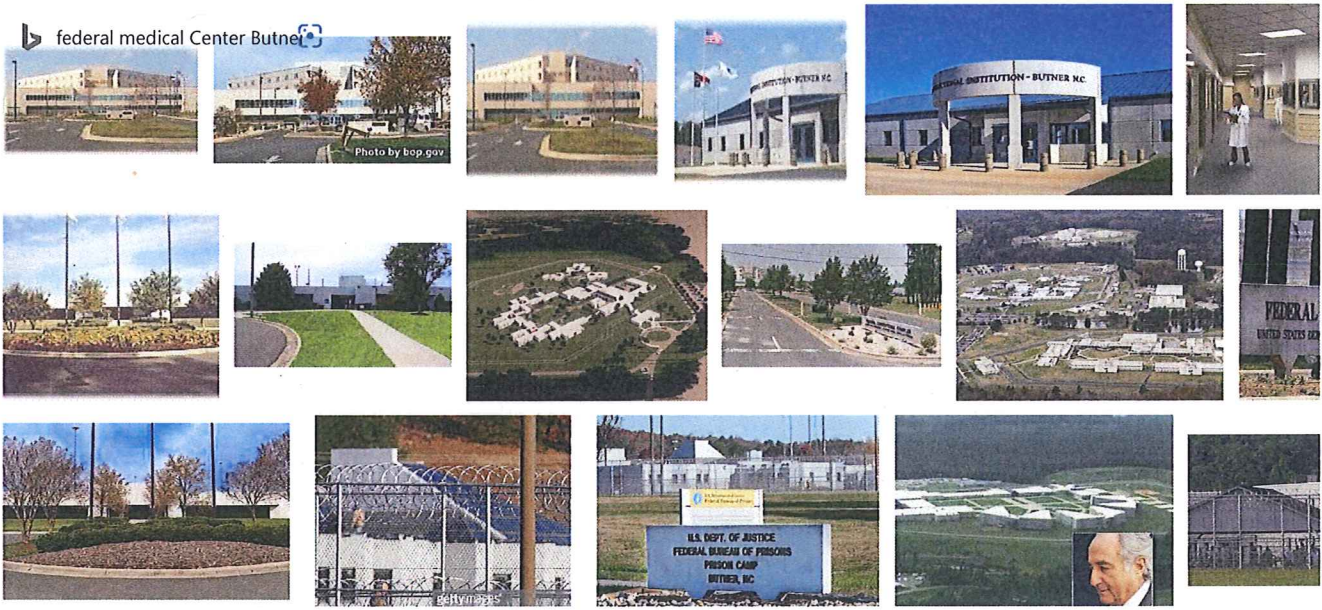
AFFIDAVIT

I, Lyle Hartford Van Dyke Jr, depose and say
as follows:

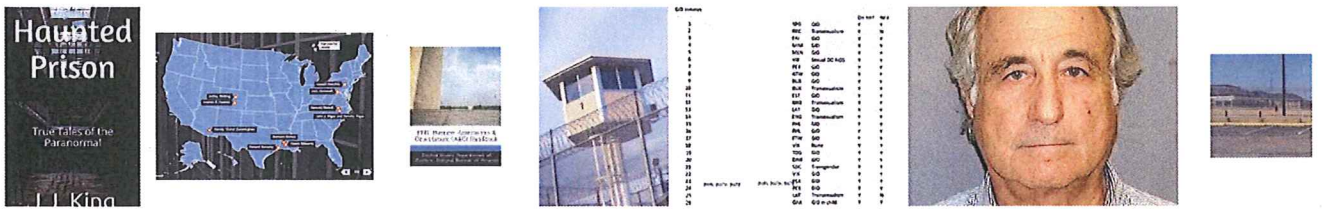
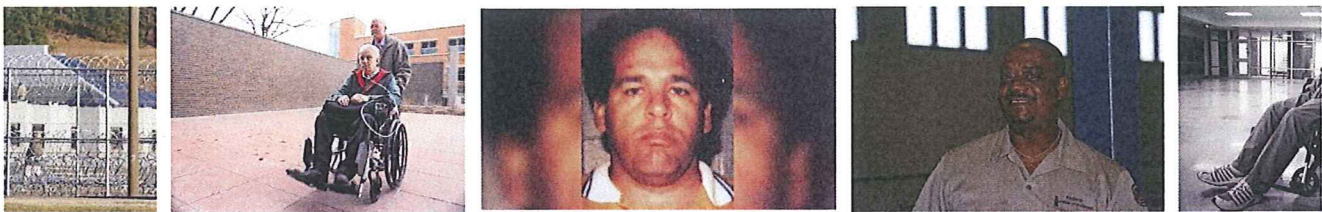
Part #2 - ALLEGATION / CLAIM

In the incomplete trial conducted in this
United States District Court Case # CR 02-390 (Jo)
December (3-11), 2002, it was established on
the record that Joshua Findley was the
only person who appeared before the Grand
Jury and gave testimony to establish the
Grand Jury's INDICTMENT of Mr. Nolan and me.

Federal Medical Center (Butner)
(A Psychiatric Hospital)



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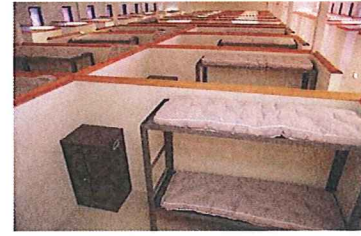
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Sheriff Granville Cou...



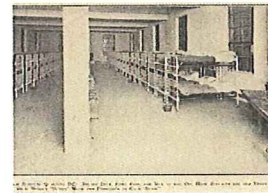
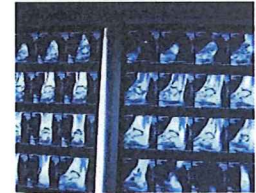
Federal Pris North Caroli



Terrorist Behind 1993 World Trade Center Bombing Dies in Prison



Omar Abdel-Rahman, the blind Islamist cleric behind the World Trade Center bombing in 1993 that killed six innocent people, has died in federal prison. He was 78. Abdel-Rahman, an Egyptian radical who volunteered a global



WIKIPEDIA

Federal Medical Center, Butner

The **Federal Medical Center, Butner (FMC Butner)** is a United States federal prison in North Carolina for male inmates of all security levels who have special health needs. It is part of the Butner Federal Correctional Complex and is operated by the Federal Bureau of Prisons, a division of the United States Department of Justice. An adjacent satellite prison camp houses minimum-security male inmates.

FMC Butner is located near the Research Triangle area of Durham, Raleigh, and Chapel Hill.^[1]

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References

Federal Medical Center, Butner



Location	Durham County, North Carolina
Status	Operational
Security class	All security levels (with adjacent camp for minimum-security inmates)
Population	960
Managed by	Federal Bureau of Prisons

Facility and programs

FMC Butner has a full hospital facility specializing in oncology and behavioral science. Many medical and surgical specialties hold clinics and perform procedures at the FMC. It has the only residential program devoted to the treatment of sexual offenders in the federal prison system.

In 2009 Philip Fornaci, the director of the DC Prisoners' Project, stated that FMC Butner, along with FMC Carswell and FMC Rochester, "are clearly the "gold standard" in terms of what BOP facilities can achieve in providing medical care" and that they had provided "excellent medical care, sometimes for extremely complex medical needs."^[2]

Butner study

In 2009, a study conducted by psychologists Michael Bourke and Andres Hernandez was published in the *Journal of Family Violence*. The results suggested a strong link between viewing child pornography and sexual abuse. The findings went against the conventional and widely held belief that while abhorrent, a person passively viewing child pornography had an insignificant causal link with that person actually molesting a child.^[3]

In what is known as the "Butner Study," Bourke and Hernandez analyzed data on 155 men convicted of child pornography offenses, who took part in an 18-month treatment program between 2002 and 2005, during which the men filled out assessment measures including a "victims list," where they revealed the number of children they had molested in the past.

74% of the men denied molesting anyone when they were sentenced. However, by the end of treatment, 85% had admitted to sexually molesting a child at least once. The numbers are more than twice that of other studies. In explaining this discrepancy, Bourke said, "Our treatment team worked for an average of 18 months with each offender, and the environment was one of genuine therapeutic trust" that encouraged the men to tell the truth about themselves.^[4]

A critique of the study is that the use of a population of participants in the most intensive sex offender treatment program offered in the federal prison system skewed the sample. Offenders had to have received at least a thirty-six-month sentence to be eligible for the program. Melissa Hamilton argues, "These offenders may well, then, have represented particularly dangerous offenders who were a high risk to children since they had been prosecuted, convicted, given more than minimal prison sentences, and accepted into the limited-space program because of a perceived need by themselves and program clinicians for a lengthy and intensive residential program."^[5]

Notable incidents

In October 2012, the oldest inmate in the federal prison system, Drayton Curry, (inmate # 24017-037), (now surpassed by John Franzese) died at FMC Butner at age 92.^[6] Curry was serving a life sentence for a 1992 drug trafficking conviction and had petitioned US President Barack Obama for clemency in February 2011 due to old age and poor health. Advocates of the prison reform system cited Curry's situation as a reason for reconsidering mandatory minimum federal drug sentences.^[7]

Notable inmates

Former

Inmate Name	Register Number	Status	Details
<u>John Hinckley Jr.</u>	00137-177 (http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=00137-177&x=91&y=17)	Released to a psychiatric hospital in 1981.	Attempted to assassinate President Ronald Reagan in Washington, D.C., on March 30, 1981, as the culmination of an effort to impress teen actress Jodie Foster; found not guilty by reason of insanity in 1982. ^[8]
<u>James von Brunn</u>	07128-016 (http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=07128-016&x=91&y=17)	Died at FMC Butner while awaiting trial in 2010.	White supremacist and Holocaust denier who perpetrated the 2009 United States Holocaust Memorial Museum shooting, during which Museum Security Guard Stephen T. Johns was killed. ^[9]
<u>Frank Calabrese Sr.</u>	49955-079 (http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=49955-079&x=93&y=14)	Died at FMC Butner in 2012 while serving a life sentence.	Hitman for the Chicago Outfit Mafia organization; arrested as part of Operation Family Secrets; convicted in 2007 of racketeering conspiracy for directing and engaging in Mafia activities including murder, extortion and loansharking. ^{[10][11]}
<u>Salvatore DiMasi</u>	27371-038 (http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=27371-038&x=96&y=20)	Served an 8-year sentence; released November 22, 2016.	Speaker of the Massachusetts House of Representatives from 2004 to 2009; convicted in 2011 of conspiracy, honest services fraud and extortion for steering contracts to the software company Cognos in exchange for \$65,000 in kickbacks. ^[12]
<u>Omar Abdel-Rahman</u>	34892-054 (http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=34892-054&x=0&y=0)	Served a life sentence under the name Omar Ahmad Rahman until his death on February 18, 2017. ^[13]	Leader of the terrorist organization al-Gama'a al-Islamiyya; convicted in 1995 of seditious conspiracy for masterminding a foiled plot to bomb high-profile targets in New York City, as well as conspiring to assassinate Egyptian President Hosni Mubarak. ^{[14][15]}
<u>Tony Alamo</u>	00305-112 (http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=00305-112&x=102&y=16)	Served a life sentence under his actual name, Bernie Lazar Hoffman, until his death on May 2, 2017.	Cult leader from Arkansas; convicted in 2009 of ten counts of transporting minors across state lines for sexual purposes for using his influence to force children as young as 8 into marriages and sexual relationships. ^{[16][17][18]}