

Where Is Our Justice?

By Gary Fouse

In 1995, I retired from the Drug Enforcement Administration (DEA) after a 27-year-career in law enforcement, which included 3 years as a US Army MP, 3 years as a US Customs agent, and 22 years as a DEA agent. I was proud to be a DEA agent, and though the DOJ always had a political tint to it due to the attorney general being a presidential appointment, I always had faith in its integrity. While my pride as a former DEA agent remains unchanged, I cannot say the same for the Justice Department I served for 22 years. In addition, I am appalled by what I see in state and local courts in places like New York and many others.

We are certainly living in an era where our law enforcement has been weaponized, specifically by the Democrat party. The 2016 presidential campaign made it painfully obvious with the FBI/DOJ whitewashing of Hillary Clinton's transgressions while pursuing candidate Donald Trump, using the Steele dossier, the Russian interference hoax, the FISA warrants against members of the Trump campaign, and the prosecution of General Michael Flynn. And it was all done not by rank-and-file agents in the field, but rather by a top-level cabal in FBI Hqs.



Now we have the conviction of Trump in a New York State court. In addition to DA Alvin Bragg, the prosecution team included Matthew Colangelo, who left his number 3 position in Merrick Garland's DOJ to join the Bragg team and, specifically, his prosecutorial pursuit of Trump. Despite all denials, this shows me there was collusion between the New York City DA's office and the DOJ, if not the White House itself. I should state at this juncture that while

I did have considerable experience working with the US Attorney's offices in the Southern District and Eastern District of New York, I had no experience with the NYC DA's office.

I won't bother going through all the aspects of the Trump trial, which to me, represent reversible errors. Fox News has covered them in great detail though they are ignored by the other main media outlets-to their shame. I will say this, however: While I am not an attorney, my law enforcement experience includes countless times testifying in court and as lead agent, assisting prosecutors in trials. That means sitting at the prosecutor's table throughout the trial process. In my view, Trump did not get a fair trial.

That concerns me, not because I blindly side with Trump, but because I see great damage to our system of justice. Like virtually every other DEA agent, I put my share of drug traffickers in prison. I make no apologies for any of them, but I will state, however, that each and everyone received due process and a fair trial. Unlike the farce in New York, our federal drug charges under Title 21 of the US Code were almost always straightforward. They usually centered around manufacture, importation, and/or possession of a controlled substance with intent to distribute as well as conspiracy to possess with intent to distribute. (As a federal agency, simple possession and/or use of drugs was not our concern.) We also did financial investigations and RICO cases, which are more complex conspiracy investigations.

Our prosecutors in the US Attorney's office (DOJ) did not magically take old misdemeanors whose statute of limitations had expired and combine them with some other law to create a felony-as was done against Trump in New York. Yes, we put characters like Michael Cohen on the stand; informers or co-conspirators who had decided to cooperate to reduce their sentences. But in those cases, everything they said was corroborated. We never expected a jury to take the

uncorroborated word of informants or co-conspirators.

As for federal judges, there are those who are more sympathetic to the defense or the prosecution, and we were happy to have a conservative judge assigned to our case as opposed to a liberal one, but we never expected a judge to deny fundamental fairness to a defendant. I am frankly appalled at the way Judge Juan Merchan conducted the trial. This case cries out for a reversal, but it may take the US Supreme Court to make that happen.

While I feel for Trump in this instance, I am sadder about what is happening to our justice system. This is not the justice system that I knew and worked under. I don't even recognize this system of justice. This weaponization of our justice system for political purposes is taking root, and if it is not reversed soon, it will become entrenched. If Trump becomes president again, I don't want to see this all repeated against the Democrats. I want to see it cleaned up and these abuses not be repeated. This is not to suggest that Trump, Biden, or any other politician should be above the law, but revenge should not be a factor in bringing charges.

I say all this not as a Republican (I am independent), a Trump supporter (I have mixed feelings), or as a conservative. I say it as someone who spent almost 30 years in law enforcement with all the courtroom experience that implies. It's not just Trump who is in trouble. Our country is in trouble. I am very troubled not just by what is happening to the Justice Department, but also by what I am seeing in DA offices in places like New York, Los Angeles, Chicago, San Francisco, and other cities. We have enjoyed the greatest country in the world, but if we lose our justice system, it isn't worth a dime. From where I sit, it is being badly corrupted, both at the state and federal level. We need to take corrective action, and it starts at the ballot box.