

responsibility, by passing the buck, by failing to act, you are not magically clearing yourself of wrongdoing, you are participating in it. Our system of law is designed, deliberately, so that a citizens rights (which are the highest law of the land), are to be protected by all of government, at all times, at all levels. Not only is it immoral to ignore the fact that I was illegally incarcerated for three and a half years, that I was forced brutally to enter a plea, that I was retaliated against in the jail (beaten, neglected medically, left to rot in solitary confinement), but it is a continuation of the violation of my rights. If my allegations are correct (they are) and provable (they are), then every day that passes and something is not done simply adds to the illegality and damages against my person. I am not guilty of criminal threats (yet I remain convicted). I do not deserve to be treated as a dangerous felon (to this day, I still am). This "conviction" impacts every aspect of my life, from family court to employment to my mental and physical health. Can you not imagine how damaging it is to a person to be falsely arrested, imprisoned and convicted and then to have to spend years arguing with multiple people to try to exonerate yourself? Can you not imagine being in a solitary confinement cell for 40 months, denied meaningful mental health care, denied visitation with your daughter (family courts incompetence, not the jails fault, but nonetheless), being demonized in the press, denied meaningful bail etc. etc. etc. ?

Let's get to the facts. I was arrested on Sept. 11th 2015, because lawyer Gary Brickwood called the Sheriff's dept. and reported that "Mr. Gibbs is threatening to kill Sheriff's deputies". He made this report because he was contacted by another lawyer (John Feser) who was representing two fish and game officers who I was suing in Federal court for (yet another) false arrest. Mr. Feser called Mr. Brickwood because he was "concerned" about the other parties in my suit (Shasta Sheriff's deputies) because he felt that I wanted to hurt them. Fair enough. Mr. Gibbs said some very nasty things (sarcastically and rhetorically) and he caused quite a stir that day my friends, I can tell you. I have no problem with anyone being alarmed at my statements or wishing to protect members of the community from any violence that I might have committed. That is not the problem. The problem, is that Feser didn't call the cops, Brickwood did. Feser wasn't trying to involve the police, he was simply giving Brickwood a "Heads up". Therefore, the complaining party was giving second hand information (problematic in itself) and decided to involve the police without all the facts at his disposal. For instance. Brickwood could have no knowledge of the true context of this call, or the exact words spoken, or the tone, meaning, intent, emotional content etc. Well, that's what cops are for right? To investigate? Well. let's see how much investigating the Shasta sheriff's did that day. Did they call John Feser to get his story? Of course they did. What kind of investigators would fail to talk to the person who allegedly heard the threats? Unfortunately, that's about where the "investigation" ended. When Feser re-iterated what Brickwood had said (i.e. Gibbs made threats to kill people, including sheriff's deputies), the Shasta county sheriff's decided they had an airtight case and proceeded forth-with to go put Mr. Gibbs in custody. There's just one problem. Despite what Feser and Brickwood had reported, Mr. Gibbs was not guilty of making one single criminal threat that day.

California Penal Code 422 is both simple and very complex at the same time. Because it regulates speech (words), it must be very narrowly constructed. In a nutshell, the intent of the state legislature in passing the law (and the intent of the legislature is very important) was to punish a person for deliberately threatening the life or great bodily injury of another person with the "specific intent to