

DOJ Office of Inspector General,

I hereby submit a complaint of misconduct against FBI agent S. Cody Abram of the Jefferson City, MO Resident Agency.

There are two communications (email of 18 August 2013 and letter of 18 September 2013) attached at the end of this memorandum herein...they are exact copies of those I originally submitted. This matter relates to acts and omissions occurring in August and September 2013 and do very much bear on matters still open in US District Court in Boston, MA.

Basically, as detailed in the two attached communications, in August 2013 I attempted to file a complaint of false reporting and perjury against multiple deputy US Marshals (perhaps aka, Court Security Officers), concerning earlier Use of Force incidents, with notable contradictions existing in video and associated reports, IN WRITING and in person to the Jefferson City, MO Resident Agency. My repeated complaints of False Reporting and Perjury were re-stated knowingly and falsely by (supervisory) agent S. Cody Abram, in particular, in an FD-71 form transmitted to the Boston FBI office in August 2013. Mr. Abram falsely claimed that I was complaining of the assaults. Not only did agent Abram file a false report, but he did so to an FBI agent...a crime, in any case.

Please acknowledge receipt of this complaint.

Sincerely submitted by

Jonathan A. Clemens

5210 West Waterberry Drive
Huron, OH 44839

5 May 2016

ATTACHMENTS (follow herein)

E-MAIL [18 August 2013] to the Jefferson City, MO RA...

To: FBI SA Armstrong et al

I appreciate the sit down visit in your Jefferson City MO office on Friday August 16. I believe my previously submitted package was self-evident as to what I intended for the FBI to do in this matter.

I am complaining of obvious perjury and false reporting by US Marshals, apparent by mere inspection of the record. I provided documentary and video evidence and a claim, wishing NOT to give testimony (as a witness to the assault that Marshals reported), because I did not want presumed bias to be part of the investigation. My engineer, inventor, private investigator, science-background bias is no match to the authoritarian, protect-the-court-get-paycheck Deputy (and private-contracted) US Marshals bias.

I initiated the visit in order to obtain acknowledgment of receipt of my "complaint" submittal two weeks previously. I had not come prepared to give a narrative on the background to the matter relating to Jeffrey L. Clemens. In fact, this recent visit and my commentary have no bearing on the

investigation of this matter. This matter IS part of a broader matter that can be summed up in one sentence:

"A man is facing increasingly and intentionally prejudiced proceedings in the US legal system upon reporting ongoing official misconduct, a situation presenting opportunities for continued misconduct by police, attorneys, and judges for the sake of covering up of official misconduct spawned and incited by the prejudiced record."

Intentional prejudicing...example, the MARSHALS REPORTS submitted to you over two weeks ago...the reports contain:

Descriptions and rationales (and outright lies - which is what I am addressing) designed to make Jeffrey Clemens look like a scary, criminal, obstructing individual requiring excessive force to subdue [yes, this is MY interpretation and you may say it is biased, but this point is NOT what I presented to the FBI two weeks ago as basis for an investigation];

References to information, some of which is mere police allegations and not adjudicated allegations, is an example of intentional prejudicing by Assistant US Attorney David G. Tobin during a sentencing hearing, as he accused Jeffrey on January 13, 2012 of a crime - assaulting a police officer with an automobile - for which he was never charged or tried. Yet, to the prejudicing AUSA Tobin, and Deputy US Marshals, a crime is presented as if Jeffrey had been charged, tried, and convicted. THEN, the Marshals rely on such a reference for rationality in using (excessive) force on Jeffrey. THAT is how bad the prejudice is being heaped on Jeffrey.

Note, Jeffrey had been prosecuted in 2002 in Massachusetts (after an initial stop for an inoperative headlamp) for charges stemming from a matter for which Jeffrey was NOT charged and prosecuted. Jeffrey was pursued for Resisting Arrest...resisting what arrest? - Assault of a police officer with an automobile. A man supposedly assaults a police officer and he is not prosecuted for it, yet the man is prosecuted for resisting such arrest, following a literal bludgeoning of the man by police? How prejudicial is that? As bad as it gets, but Jeffrey is to eventually face the same prejudice in 2005, which directly led to this current federal prosecution. One common denominator is the relaying of Jeffrey's arrest history to police, as was done in the 2005 Scituate matter, evidenced in radio logs that police withheld for over three years - the timeframe of which the federal authorities pursued Jeffrey in a related matter. Police apparently make allegations based on one's arrest history (and not adjudication history)...is this MY bias?

You should reread the previous two paragraphs and make sure you understand what I am saying. Also, keep in the mind, that the Marshals in the reports I submitted to you have a boss - US Marshal John Gibbons - who previously had a career in the Massachusetts State Police and worked alongside the Massachusetts Attorney General Office' District Attorney office in the jurisdiction for which an alleged resisting arrest (and "assault") charge occurred, but the "assault" charge had been thrown out for lack of jurisdiction...yet never submitted to the proper court. So, Jeffrey is pursued by subsequent and ancillary charges (occurring down the road in another jurisdiction), yet not pursued for an allegation that precipitated the ancillary charges. Disingenuous, and the same cover up approach pursued by the Scituate Police Department, object of the litigation for which Jeffrey now sits in prison, through the work of attorneys Pfaff and Tobin.

And one more disturbing impact of the previously discussed resisting arrest (which was simply Jeffrey sitting in the driver seat of his car asking why he was being pulled over - Jeffrey was to be bludgeoned a few moments later)...the resisting arrest and court-appointed lawyer-induced continuation without finding agreement on the charge was a major factor in the sentencing of Jeffrey, and after the Marshals use of force and thus cause for continuing the hearing, Jeffrey was not able to present his documentary evidence, as he was shanghaied out of his cell to an unscheduled sentencing hearing - precluding his family's presence at sentencing - where he received maximum sentence.

Was your office prejudiced by the reports? You failed to acknowledge receipt in a timely manner, important when your office is apparently NOT going to investigate the crime I identified. Those are two weeks less I have to obtain justice in this matter. And, according to the discussion last Friday, I face a timeline associated with transmittal of my matter to the FBI Boston Civil Rights Section and quite possibly then to the DOJ Office of Inspector General. There are serious problems with your proposed actions on this matter, as the Boston FBI is involved in this matter - they worked alongside the so-called victim attorney Stephen C. Pfaff in Jeffrey's matter for two years while Mr. Pfaff sought a criminal charge against Jeffrey.

Through essentially a sting operation (2008 - 2010), gleaned from information revealed AFTER the initiation of the current federal prosecution, and with no shortage of dishonesty

(which I presented to the OIG in June 2010 about FBI agent Rachel Boisselle, only to have my complaint directed to the Administrative Office of the US Courts. The US Courts is the entity involved in ex parte communications with Mr. Pfaff and involved in the initiation of a criminal charge against Jeffrey in this current matter, for alleged threatening communications - an email written AFTER unethical behavior on the part of Mr. Pfaff and AFTER the Board of Bar Overseers ignored a complaint against Mr. Pfaff submitted in November 2009, months BEFORE the so-called threatening email),

Jeffrey is prosecuted and sent to prison, where he is barred from resources to continue his research into and litigation against the Town of Scituate.

Perhaps, you know your history. The Sacco & Vanzetti case, in which the grandfather of the current police chief of the Town of Scituate arrested one of them on mere suspicions, leading to a heavily protested trial and eventual execution, whereby legal scholars to this day believe the two were pursued for their political views and falsely convicted. And there are a lot of irregularities, but fewer irregularities than in the current federal case against Jeffrey - irregularities left OUT by Jeffrey's second appellate attorney, in an egregious appeal cycle apparently designed to whitewash out the culpability of public servants in their prejudiced prosecution of Jeffrey Clemens.

I see perjury in the reporting of the use of force incidents at Jeffrey's sentencing and THAT is what I am asking the FBI to investigate. The reports do not reflect what is seen on the video recordings, one of which is still withheld from Jeffrey to this day. The discrepancies are too large to ignore. As well, the video shows Marshals slamming Jeffrey to the floor, but no resistance at any time from Jeffrey, though the reports are full of such statements.

I received no acknowledgment and am later told that a resident agency of the federal agency charged with enforcing the laws of the United States does not investigate matters in another city in another state.

Indeed, I obtained acknowledgment by actually seeing on August 16 the two envelopes I had mailed, one mailed in Jefferson City on July 31 and a second (copy) mailed from Columbia MO on August 2.

NOW, I present my problems with your proposed actions to submit an FD-71 form to the Boston FBI Civil Rights Section.

First, the Boston FBI is involved in the underlying matter and are quite possibly party to the misconduct I have brought forth to you.

Second, I have previously submitted a DOJ OIG complaint against FBI Boston agent Rachel Boisselle, who had written a complaint to obtain an arrest warrant in March 2010, a complaint of which contained many false statements and misrepresentations. The OIG erroneously sent the complaint to the Administrative Office of the US Courts, who then sent me a letter saying they were not the jurisdiction for handling such a complaint. Of course not! They represent the independent body that tries criminal cases, and indeed, the current federal case against Jeffrey Clemens. The DOJ OIG had tipped off the courts to a criminal complaint against a party averse to criminal defendant Jeffrey Clemens, and in doing so, avoiding a valid investigation. And this is the organization that according to you and/or your partner is likely to receive my complaint against the Marshals, after a delay in the corrupt and criminal FBI Boston office?

Third, I have previously submitted a DOJ OIG complaint (comprised in three email submittals over as many months in 2005) against FBI Los Angeles agent Ingerd Sotelo, with identification of false and misleading statements AND proof of perjury in her (originally thought "his") complaint (concerning a so-called arrest mandate) to obtain an arrest warrant against Jeffrey Clemens in May 2005, two weeks AFTER the Scituate police matter with Jeffrey (charged with Disorderly Conduct) and AFTER Scituate officials shared the so-called O'Hara Report with federal agents. This complaint to the OIG was NEVER acknowledged by the OIG, and through my follow on with the DOJ in 2006 - after a forced plea agreement by Jeffrey to get out of detention in February 2006 for the arrest originated by Sotelo - I receive final word that they know nothing of my complaint against Ingerd Sotelo.

Admitting to the grand jury in March 2010, AUSA Tobin, via interrogation with FBI agent Boisselle, that it was improper to present such information, Tobin presented the grand jury with information about the Los Angeles matter, a prejudicial and improper action, and one that belies the true intent of achieving ill-gotten plea agreements - use them in secret grand juries to indict Jeffrey Clemens again, for exercising his first amendment rights, and fighting like hell, as Tobin did, to prevent the disclosure of said grand jury transcripts, as done in this current federal matter.

Fourth, the trial and sentencing judge Douglas Woodlock ruled on the day of the incidents, that no excessive force occurred, though the public has no way of knowing whether or not the judge viewed the recording of the second use of force incident. The judge was actually incapable of seeing the assault on the floor of the court room, as some of it occurred behind a desk out of his view. We have reason to believe that the judge did NOT see the second video

and thus is in error to have ruled on a factual matter without all the facts. To do so, is not proper...and wouldn't you know, the appellate attorneys (both at one time were court appointed to Jeffrey) never identified this error in appeal, for a man given the maximum sentence by the same judge.

The ruling of No Excessive Force will have a prejudicial effect against a fair investigation of this matter. But, I insist, whether you think the use of force was excessive or a violation of Jeffrey's civil rights, the reporting is false. Presenting this matter to the Civil Rights section tends to move this away from the true crime, that of falsely reporting the use of force.

Fifth, I have more and more, but this is getting long.

To forward this matter to the FBI Boston would be to sabotage this investigation. Not acceptable. So, I must ask for the authority you have in rejecting the investigation by your office of this egregious and criminal matter, especially in light of the prejudice that the subsequent investigation will face, based on the information I have provided. If you or your partner do not wish to address this request to me, then perhaps have your supervising agent communicate with me.

I object to you sending this case to the Boston FBI office, as it is absolutely feasible for you to conduct an investigation, in which an absence of a conflict of interest is of utmost importance to the investigation and to justice. What is stopping you from reviewing the (two) video recordings of the use of force against Jeffrey Clemens on January 13, 2012 and comparing them to the written Marshals reports? The first incident in open court is documented in a video link presented to you and it gives rise to probable cause as to the falsity in the reporting of such incident. The second incident is far worse, with respect to injuries to Jeffrey, physical, emotional, AND prejudicial.

The FBI in Boston has criminals amongst their ranks. But, do not just listen to me. Others know that and have sent some of their agents to prison for being corrupt and criminal. The victim attorney Pfaff in this federal matter, who had spoken minutes before the use of force upon Jeffrey, had defended some of those Boston FBI agents in court. So had the assistant to AUSA Tobin in the prosecution of Jeffrey Clemens - Eric P. Christofferson - in his recent civilian career, defended Boston FBI agents. Judge Woodlock's daughter now works at the law firm in which your recent director Robert Mueller had been partner. I am done seeing the mutual favors among comrades in denying justice to people like my brother Jeffrey, and woe is me for thinking that an FBI office far away from all this buddy - buddy stuff would and could investigate a matter with compelling evidence handed to them. I think of how federal matters have been initiated - by mere and proven false statements in complaints for arrest warrants, subjecting Jeffrey to Draconian pre-trial detentions and restrictions - while I see Marshals (and yes, I liked them to until they showed their true colors) be given privileged, and unethical, protection for what appears on records as misconduct.

Sincerely,

Jonathan A. Clemens
18 August 2013

MAILED LETTER with cc: Kansas City FBI...

September 18, 2013

Jonathan A. Clemens
4804 Clark Lane, #105
Columbia, MO 65202

(360) 301-5133  (360) 301-5133

S. Cody Abram, Supervisory Senior Resident Agent
Federal Bureau of Investigation
Jefferson City Resident Agency
305 E. McCarty
Jefferson City, MO 65101
P.O. Box 386 [mailing]
Jefferson City, MO 65102

(573) 636-8814  (573) 636-8814

Re Follow On Assessment to the Handling of a Criminal Complaint of July
31, 2013

Dear Mr. Abram,

I am providing this written memo to you because of your continuing failure to communicate with me, a complainant of criminal conduct on the part of Deputy US Marshals. You do not respond to letters, e-mails, phone messages, or requests left at your office for you to call.

As you surely know, I contacted the Jefferson City Resident Agency on July 31, 2013, leaving a phone message informing your office of my attempt to present a criminal complaint. Your office did call back on the initial message, when I informed your office that I had mailed the criminal complaint package to the street address I found on line. I subsequently mailed a second package to the PO Box 386 provided by the call back agent, whose identity was not provided to me.

You received my written criminal complaint (claiming false reporting and perjury), including supporting documentary evidence and a link to related video, AND you received my second submittal (of the same package) with additional commentary. I received no acknowledgment of receipt of my complaint from your office, prompting my unscheduled visit to your office on August 16, 2013, whereby I was shown the two envelopes I had mailed to your office.

A timeline is in order, to help to clearly understand the events of the past 7 weeks. [see table next page]

The reference criminal complaint involves the false reporting of an incident (assault) on January 13, 2012 in the US District Court in Boston. The assault victim was to eventually receive from the DOJ the supposed names of the three involved Deputy US Marshals (St. Valier, McCombs, and Hudson), but they oddly appear to link to captured and convicted drug importers and dealers. Is the DOJ playing with us?

Date Event/Activity/Key Points

7/31/13 JAC visit to Jefferson City FBI RA; phoned FBI; mailed package from Jefferson City to FBI RA

8/2/13 Mailed package to FBI RA a second time, to the PO Box provided by an FBI agent who called in response to the message left on July 31.

8/16/13

Self-initiated visit to the Jefferson City FBI RA, seeking acknowledgment of receipt of complaint (JAC insisted the visit was only to get acknowledgment, just as was stated in a subsequent 8/18/13 email); ABRAM asserts JAC made a civil rights violation claim; JAC vehemently objects; JAC asserts that it was a criminal false reporting & perjury issue and that a matter of an assault is irrelevant.

8/18/13 JAC sends an e-mail to the FBI RA with concerns arising out of the 8/16/13 meeting and reiterating and describing objections to the claim of civil rights violations and the ABRAM proposed process for handling the original complaint by JAC.

8/22/13 JAC sends a follow-on email to the FBI RA et al

8/28/13 JAC leaves a copy of the 8/16/13 e-mail (to that point unanswered) at the FBI RA

8/28/13 Date of memo from ABRAM to CLEMENS, sent 9/9/13 and received 9/10/13

8/28/13 A date specified on the computer generated FD-71 form, seen on 9/11/13

9/9/13 JAC receives a phone call from FBI agent Rachel Boisselle of the Boston FBI - she spoke the same erroneous assertion that JAC was making a civil rights violation claim; she refused to provide the name of her superior; she said that the FBI was carrying the matter no further; she insisted that only Jeffrey L. Clemens (the assault victim) could file a complaint AND that it had to be to the DOJ Office of Inspector General.

9/10/13 JAC receives the 8/28/13 memo from ABRAM via Fed Ex

9/11/13 JAC visits the FBI RA to discuss the ABRAM memo and is told no one is available; JAC leaves a message for Cody ABRAM to call JAC

9/12/13 JAC visits the FBI RA to discuss the ABRAM memo; Scott Armstrong agrees to meet; SA eventually shows a printout of the FD-71 form submitted to the Boston FBI; with only a few seconds of glancing it over, JAC observes that the JAC complaint was dated 8/16/13 and was portrayed as In Person [...this is patently false, as the JAC was submitted as a written complaint on July 31, 2013]; the form/printout identified Rachel Boisselle as a routing agent; the printout identified an FBI agent Randolph H. Jarvis. A date of 8/28/13 shows on the printout, coinciding with the dropping off of a copy of the 8/18/13 email to the FBI.

NOTE: Randy H. Jarvis lives in Scituate, MA, the ground zero of the combined state and federal pursuit and prosecution of Jeffrey L. Clemens. Jeffrey was in litigation against the Town of Scituate, represented by attorney Stephen C. Pfaff, at the time that Pfaff and his FBI buddy Eric Toole initiated a criminal prosecution of Jeffrey, via ex parte communication with the court and collusive email communication with the FBI.

It is no coincidence that the lawsuit was dismissed (with prejudice but stated by Judge Young as not based on the merits, a contradiction to say the least) within 24 hours of a supposed threatening email...and the lawsuit of the undersigned complainant herein against the same Town of Scituate, without any stated reason AND while the town was in Default for a lawsuit stemming from violation of the undersigned civil rights at a sham trial with the perjuring Scituate officer Ohara on 9/18/2008, was dismissed one day AFTER the Rachel-Boisselle-tainted-complaint-induced arrest of Jeffrey.

9/18/13 To date, no call from ABRAM

PROBLEMS with the Handling of the Criminal Complaint

Lack of acknowledgment of Complaint receipt
Lack of communication throughout the process
Misstatement of the Complainant's claim (of false reporting as a civil rights violation)
Continue Misstatement of the Complainant's claim, despite clarifications AND objections
Communication of Complainant Concerns to the Boston FBI WITHOUT discussion with Complainant

ASSESSMENT of the FBI Handling of the Criminal Complaint

As if non-acknowledgment of a Criminal Complaint were not enough, the FBI misstated the complainant's claims of false reporting and perjury in order to subvert their own duties as law enforcement officers. Through delays, deceptions, and dishonesty, a valid criminal complaint with supporting documentary evidence is derailed, the complainant is rejected as having standing, and the FBI ultimately does not act on the complaint whatsoever, except to verbally inform the Complainant (undersigned) on September 9, 2013 that only his brother Jeffrey could file a complaint and it must be to the DOJ Office of Inspector General.

A criminal complaint should either 1) be disposed of as insufficient on the face, or 2) be investigated and found to be disposable without further action, or 3) be investigated and found to justify further action such as prosecution, or 4) be presented in tact to the proper authorities or jurisdiction. None of these courses were taken with this matter. The Jefferson City RA misrepresented my complaint and claims and colluded with FBI Boston to derail my complaint. Unethical and derelict.

Questions remain - Why did the FBI NOT direct the Complainant to the apparent proper jurisdiction - the Commonwealth of Massachusetts? [Hopefully not because the boss of the three involved deputy US Marshals once worked alongside the Commonwealth's attorney general.] Why did the FBI NOT direct this complaint of false reporting (on the face a misconduct issue) by Deputy US Marshals to the DOJ Office of Inspector General? [Neither Boston nor Jefferson City did so, apparently.]

Answers reveal themselves -

The FBI puts the interest of federal agents and officers and marshals ABOVE the interest of the public they are sworn to serve.


The FBI hosts a culture of dishonesty. The Jefferson City FBI Resident Agency had no proximity to this matter or the people involved in Boston, yet chose to be dishonest in dealing with a member of the public (who is barred from investigating AND prosecuting crimes) seeking help after first hand witnessing crimes...an assault, a second assault, AND a year later, false reporting and perjury. Of note, it was the undersigned who sought Marshal reports and video recordings, receiving them about 11 months later, with only 1 of 2 video recordings.

So, as a material witness to crimes sent down the road by the FBI, where is my recourse?

ANSWER: I get to tell an FBI agent directly: You are a Liar and a Derelict.

Sincerely,

Jonathan A. Clemens

Courtesy Copy: Michael Kaste
Special Agent In Charge
Kansas City Field Office
Federal Bureau of Investigation
1300 Summit Street
Kansas City, MO 64105
 (816) 512-8200 (816) 512-8200

A message to Michael Kaste:

I am not here to tell you how to do your job, but the problems I see are management problems, and you are management. Perhaps you can use your internal investigations and disciplinary process background in handling this current matter. I must refer you to 3 related complaints I have previously filed against FBI agents who have perjured themselves or otherwise made false statements (whose willfulness is corroborated by inconsistencies in FBI (302) reports and elsewhere) - all submitted to the DOJ OIG, where Rachel Boisselle insists that someone other than me report the crimes that I have witnessed:

Ingerd Sotelo (FBI Los Angeles CA) - mainly the assertion of a false Arrest Mandate, but many distortions of the civil litigation history of Jeffrey Clemens, resulting in a slanderous spin in her arrest complaint.

Thomas Greenawalt (FBI Sandusky OH) - mainly the assertion that Jeffrey acknowledged the Arrest Mandate (his sworn statement was in response to my brief to USDC in Los Angeles proving the falseness of Sotelo's Arrest Mandate in her complaint to have Jeffrey arrested); additionally, Mr. Greenawalt had misled Jeffrey into allowing the FBI to search our home, not telling Jeffrey why he was being arrested.

Rachel Boisselle (FBI Boston MA) - mainly the assertion of distorted and false facts to slander Jeffrey, with FBI reports existing and in her possession that contradict what she stated in her complaint to arrest Jeffrey and in her testimony to the grand jury to obtain an indictment. What was her goal? PREJUDICE

Shame on you for allowing this cancer of dishonesty to infiltrate your field office. Are you going to take responsibility? If not, I could line you up a list of crooked FBI agents and US Attorneys you could use to retaliate against me, Jeffrey, and my family and friends for raising the same concerns 300 million other Americans have, a concern that our sworn public servants are not doing their jobs. Your FBI would rather go after innocent, good people bringing claims to the civil courts (or inspector generals) of official misconduct, rather than go after or track individuals flagged by countries with known havens of terrorists. Voila! - The Boston Marathon Bombing. JAC

[end]