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Tim McGintyStaff article-Investigative article Part 4

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CLEVELAND, Ohio- Cuyahoga County assistant prosecutors under County Prosecutor Mike O'Malley are asking common pleas judges to let police officer witnesses in illegal prosecutions against Blacks skip trial and testify remotely at trials via Skype, which violates the right of defendants to confrontation under the Ohio Rules of Evidence and the U.S Constitution, sources say.

Activists say this raises serious questions about the propriety of trial proceedings and that they do not trust remote testimony, given the ongoing public corruption in the common pleas court from indictment fixing to falsification, tampering with records and denial of indigent counsel to Black people. (Editor's note: Former county prosecutor Tim McGinty, now a visiting judge for the 34- member, largely White common pleas general division court, used White, male grand jury foremen to help him get Blacks indicted who would not support him for reelection and then used them to fix indictments he disagreed with for political and other reasons and he used his friends to try to lure them to get arrested).

Written by Kathy

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In one case a suburban White cop in the county name **Dale Orians** left town and went to Florida to avoid a subpoena to testify and prosecutors, via a motion, asked Common Pleas Judge Nancy Fuerst, the presiding judge in the case, if he could testify remotely from Florida. The reasons given for the request sound silly and are indicative of ongoing corruption in the case, activists say,.

Orians, according to public records, is breaking into the homes of Black women without a court order and stealing property per the directive of culprits, including Common Pleas Judge John O'Donnell, who is accused of stealing homes from Blacks for crooked JPMorgan Chase Bank and judicially stalking Black women who fight back using cops, judges and prosecutors in suburban areas to arrest and prosecute them for nothing, though some are targets who opposed him relative to his three unsuccessful bids for a seat on the Ohio Supreme Court.

When O'Donnell lost one bid for the state supreme court against Judi French, a former state supreme court justice who black leaders and activists supported over O'Donnell, Orians got a truck and broke into the home without a court order and stole everything, including a red, convertible car from the garage . When asked about returning the property he stole without a court order he laughed and replied that "you will be in prison before you get your property back." Activist say he might be unbalanced, in addition to being corrupt and racist.

Thereafter, he lied to the grand jury for McGinty and O'Donnell to get an illegal indictment against the Black victim and everything since then in the case has been illegal and improper, records show. Two judges and more than eight attorneys quit the case and the attorneys did absolutely no discovery, prosecutors said, an attempt, say sources, to keep the grand jury testimony and other evidence out of trial.

Data show that the absence of discovery, record tampering, ineffective assistance by indigent defense counsel, and prosecutorial and judicial misconduct are key to illegal convictions in the county by the state, most of the victims of whom are Black. But the extent to which some culprits will go to try to get Blacks is alarming, sources say.

Activists say that the main purpose of remote testifying for cops in common pleas court is to keep them from facing the community and people they have railroaded as to prosecutions that follow illegal and fixed indictments, and so that the recordings can be allegedly altered like fixed indictments. Also, say activists, the cops at issue are liars and cop criminals who lack the courage to follow through on their corruption per advice from union officials. Remote testimony,

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however, gives them a more convenient forum in which to lie on innocent defendants with the court's help, data show and sources say.

In one case cop Orians told the grand jury via grand jury testimony that he wanted to shoot the Black woman who's home he had repeatedly robbed, testimony plagued with lies. After he failed to get the indictment he wanted former county prosecutor Tim McGinty and county clerks altered the indictment and added additional charges involving more police. They then concealed the original indictment, which activists had viewed online. The grand jury transcript also reveals that Orians testified to the grand jury that his then police chief, who has since been removed, sends him to go to the homes of Blacks targeted by Judge O'Donnell and others to get them without a warrant and that he then gathers a team of five or more White cops to help him carry out the mission, some of them now wanting out of the corruption and also refusing to testify at trial.

Orians was shielded from testifying in the case after he fled the state and went to Florida upon a subpoena from prosecutors who thereafter asked the judge in the case (Fuerst) if he could testify remotely by Skype. Blacks who fail to appear for unjournalized trial dates get a warrant and White cops who skip trial upon getting subpoenaed get favors as opposed to contempt proceedings from judges like Fuerst, say activists, who also say that there is a double standard for Blacks coupled with increased malfeasance and orchestrated public corruption on behalf of police and prosecutors,

Blacks who get away when police like Dale Orians come to their homes to harm them or gun them down, are indicted a year later and threatened in jail while awaiting trial, and records show that they are denied indigent counsel and speedy and public trials by common pleas judges, as well as an entourage of other constitutional and statutory requirements. And the cops come on foot to the homes so neighbors will not know what they are up to, Orians lying to the grand jury saying he came with patrol cars when he sought to harm his last Black victim, the one he said he wanted to shoot after telling the person to quit protesting over excessive force with Cleveland area activist Art Mckoy.

This is according to public records and a longitudinal investigation of county racism and public corruption by Ohio's most read Black digital news media ([Clevelandurbannews.com](https://clevelandurbannews.com) and [Kathywraycolemanonlinenewsblog.com](https://kathywraycolemanonlinenewsblog.com)).

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Activists say the most troubling issue is grand jury indictment fixing where prosecutors are prosecuting Blacks after the original indictments are altered or fixed by the county clerk of clerk of courts and the office of the county prosecutor and the charges are upped and the original indictments are concealed by all involved from prosecutors to county clerks, public defenders and other defense counsel, and corrupt judges. But the FBI, say activists, can get to the bottom of the fixed indictments easily, as can Ohio Attorney General Dave Yost, who aspires to be governor one day.

Community activists want an extensive FBI probe and a public corruption investigation by Yost, as well as criminal charges against McGinty and others so applicable. and they want the public corruption and racism to be addressed in Cleveland's still pending consent decree for police reforms. Suburban cities in the county need consent decrees too, they say, if only to protect them from dirty, stalker-type cops like Dale Orians and corrupt judges and prosecutors like McGinty and Judge O'Donnell, a married man who freely stalks Black women.

Community activists say Orians is angry because he did not get to gun down Blacks he is sent to attack with a team of corrupt White cops and he wants those who get away from them imprisoned with help of prosecutors and corrupt judges who deny them indigent counsel and speedy trials, and then tamper with records to seek to cover up the documented malfeasance

Activists also want a random draw process for the assignment of indigent counsel and judges at all times, particularly since corrupt common pleas judges are often handpicked for cases that are frivolous and politically motivated so they can allegedly try to seal the deal and get illegal convictions and forced plea deals, sources say. And they handpick and pay indigent counsel to further corruption in the cases, records show, a large number of whom work harder to get their

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Black indigent clients convicted than prosecutors themselves.

The county public defender's office says that prosecutors and county clerks are changing or fixing grand jury indictments and upping the charges illegally, according to court filings and motions made by former chief public defender Mark Stanton and others in his office, Stanton a pro-cop public defender who covered up cop impropriety in cases involving those maliciously prosecuted like innocent Blacks. He has since retired or was forced out.

Among other disparities, common pleas judges like Judge Fuerst are also accused of refusing to journalize trial dates to get around speedy trial violations and so the public, including the mainstream media and community activists, will not know that that they are hearing a trial to undermine Black defendants for prosecutors.

Activists say they are fed up with the racism and corruption in the county's general division common pleas court and plan to protest in upcoming weeks at the Justice Center in downtown Cleveland where the common pleas court is housed. The civil liberties of Black people are being severely trampled upon, they claim, and Whites are at the helm, mainly angry White men who dislike Black people, and women.

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"We shall protest until justice prevails for the Black community and others subjected to malfeasance and racism as it is our constitutional right," one activist said. "And anybody victimized by the county public corruption and racism should contact us with viable information."

This is a continuing investigation of the troubled and racist legal system of Cuyahoga County, which includes the majority Black city of Cleveland and is 29 percent Black. The county is the second largest of Ohio's 88 counties and it has a high rate of prosecuting Blacks in comparison to others, some of them prosecuted maliciously and denied indigent counsel.

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Tel:
(216) 659-0473. Email: editor@clevelandurbannews.com. We interviewed former president Barack Obama one-on-one when he was campaigning for president. As to the Obama interview
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