

1556 Halford Ave., #132  
Santa Clara, CA 95051  
October 18, 2004

John Doe  
1234 AnyStreet  
San Jose, CA 95124

Dear John,

Because of where you live, on [Herbert's Street], you have a special ability to help restore our Justice System to being based on laws that respect the rights and property of each individual and to where it actually seeks justice. Please spend the time to read this letter in its entirety since it is such an important subject that affects all of us.

About fifteen years ago a Federal Law Enforcement Agency, the US Postal Inspection Service (USPIS), believing that the "Ends Justify the Means" did an experiment to see if criminals could be caught and convicted more efficiently by actively entrapping them and then blatantly altering and hiding evidence to cover up the illegal extent of that entrapment. That Federal Agency then got together with the San Jose Police in an illegal sting in 1990 to show off their newly developed skills with these techniques that helped them get around restrictions from the Bill of Rights. That sting was nothing short of Organized Criminal Activity by the Federal Agents and the San Jose Police.

A key player in that sting was Officer Brenda Wells, now Lt. Brenda Herbert of the San Jose Police Department. She currently lives with her husband, Samuel Herbert, at the north end of [Herbert's Street] right near you (see enclosed picture).

I had fallen into that sting (which is why I know the details) and Brenda Wells (as "Barbara") was the undercover policewoman that had called me six times spread over three weeks in February and March of 1990. Those phone calls were recorded by police and, except for the last call, each was 45 minutes to an hour in length. Brenda had actively directed the conversations of those phone calls to be a cross between phone-sex and psychotherapy ("Tell me all your feelings and desires, you can trust me").

An entire phone call from Brenda to me on the morning of Saturday March 3rd of that year was not reported and officially did not occur. Much of Brenda's talk was removed from the tapes of the other calls to make her out to be only a passive listener. Portions of my talking from the unreported call showed up as filler on the tapes of those other calls keeping them their original length.

At one point in the calls that doesn't show up on the official evidence tapes, Brenda blatantly solicits sex with a 10-year-old boy at my residence from me, to which I adamantly refuse. At one point on the official tapes, Brenda even added a voice-over to make an edited-in portion of conversation fit better into the original context. So she was indeed actively participating in the editing/altering of this evidence.

In late 1991 my attorney filed a motion asking that a forensic expert be allowed to analyze the original tape-recorded evidence so that we could prove that the “Original” tapes were actually altered copies. We included marked up transcripts showing all the places on the tapes we believed were altered or edited. To prevent that analysis of the tapes, Officer Brenda Herbert submitted a sworn statement in January of 1992 where she states that the original tapes were always in her possession and were not altered in any fashion. Judge Daniel Creed (now retired), who was hearing that motion, then accepts her word as justification for not allowing the original tapes to be analyzed. Those evidence tapes were then erased for reuse shortly there after.

**Is there some logic I am missing here?** If the tapes were supposedly not altered why would there be a problem in allowing them to be analyzed? The Logic is that the tapes were altered but in our Justice System there is a wide spread tendency by the Judiciary to protect Police Officers like Lt. Herbert that, for a supposedly “good cause”, have committed criminal acts.

For the next few years I scavenged as much evidence as I could. I even performed my own detailed analysis of copies of the tapes. After five years the San Jose Police returned my computer that had been taken shortly after my arrest in 1990. On its hard drive there still was a date/time stamp on a file that corresponded with that missing/unreported phone call. I also determined that the unnamed Federal Agency listed in court documents was actually the USPIS. I then invoked the Freedom of Information Act with them and received copies of seven of the eight letters that I had written to “Barbara” (initially a Confidential Informant working for the USPIS, the ID being passed to Officer Wells later for the phone calls). An interesting note is that only three of those letters were released by police in our Discovery motion (which requires prosecution to supply copies of all potentially exculpatory evidence to defense’s counsel) or acknowledged by Brenda Herbert’s in her 1992 sworn statement.

After about eight years of trying unsuccessfully to work within the Court System to expose the criminal acts of the San Jose Police and the USPIS, I switched to relying on my Free Speech Rights. I started a web-site (URL: [www.JWebster.com](http://www.JWebster.com)) did Metro and Mercury News ads, ran for public office where I sent out an occasional flyer or two, and used a billboard truck around the San Jose Police Department and City Hall, all to make accusations of criminal activity of our Law Enforcement personnel in general and Lt. Herbert specifically.

An important discovery that came from all this Free Speech activity is that the System will just ignore all public Free Speech as long as it is possible for them to do so, then once the speech goes beyond that, they take your Free Speech Rights away. My actions informing Police Administration and City Hall about Lt. Herbert’s part in criminal activities becomes my Harassing a City employee (Lt. Herbert) at her work place (the Police Department). I currently have a Restraining Order preventing me from being within 300 yards of the Police Department, City Hall or her home on [Herbert’s Street]. And of course the City of San Jose has no concern what so ever about Lt. Herbert’s criminal past.

While Brenda Herbert did indeed participate in that altering of evidence and the subsequent lying under oath, I have heard from many sources that she was otherwise a police officer with integrity. For example she went on to work in Internal Affairs bringing other Bad Cops to Justice. What this means is that she no doubt only reluctantly participated in the alteration of evidence in 1990 because she was ordered to do so, and it has probably bothered her ever since. I am sure though that the Police Administration later promoted her to Lieutenant because of her willingness to sell her soul in that sting, and in an effort to subdue her conscience.

This all means that Lt. Brenda Herbert may indeed be susceptible to pressure from family, friends and neighbors to “do the right thing”.

### ***What is at stake:***

Unfortunately the USPIS’s experiment in “Ends Justifying the Means” worked as far as they were concerned. I strongly believe they went on to alter the tapes involved with the 1993 Waco Texas incident to successfully manipulate public opinion (the Branch Davidians were using gasoline in Molotov cocktails in the hopes of fighting the tanks, **not** to commit mass suicide by fire). I feel that this mentality of lies and deceit has spread even to the top of our Government to where I am sure even election results are now altered to achieve the desired Ends.

If we can persuade Lt. Herbert to confess to having worked with the USPIS in altering evidence we can start unraveling this evil corruption that has spread throughout our Government. This would be a good first step toward restoring our Government to being a servant of the People not its master.

### ***What you can do to help:***

It is absolutely imperative that you do nothing that could be construed as “Harassment” of Lt. Herbert. The City of San Jose is trying to use laws against Harassment as a way to shut down my Free Speech Rights (and/or to incarcerate me) thereby preventing the facts from coming out about that illegal 1990 Sting. The City’s guiding mandate in doing this seems to be to avoid, at all costs, the paying out of huge settlements for the damage that had been done by San Jose police in their illegal activities.

You might want to come across as a concerned neighbor/citizen that wants to help resolve this dispute by listening to both sides of the issue. If so, give her the opportunity to tell you her side. However the instant she tries to make me out as being evil, remind her that that does not justify the altering of evidence, ever. The “Due Process of law” phrase of the Bill of Rights simply does not allow that.

If she persists in claiming that no evidence was altered in my case, insist that she then take action in Court against me, not for “harassment” but for the “Defamation of Character” or for “Making false accusations against the Police”. Either of these two

approaches would allow me to depose her under oath about her role of that 1990 sting giving me the opportunity to prove that my accusations are in fact true.

Of course Lt. Herbert and the City of San Jose both understand the danger of letting the truth come out and are therefore avoiding those options like the plague. At the very least we need to show the public and her fellow police officers that by avoiding a deposition of Lt. Herbert at all cost, it is in effect an admission of guilt by both Lt. Herbert and the City of San Jose (as an accessory).

If you do nothing else you might want to notify Lt. Brenda Herbert that you are a neighbor of hers and that you received and read this letter. She can be reached during the daytime (or at least a message left for her) through the San Jose Police Department non-emergency phone number (408) 277-8900. Also, please call the Chief of Police, Robert Davis, at (408) 277-4212 and demand that he either conduct a thorough investigation of Mr. Webster's accusations of past San Jose Police criminal activity, or that he have Mr. Webster charged with making false accusations against the San Jose Police.

If you have any questions about myself, or about the illegal sting that Brenda Herbert was involved in please check out my Web Page at: [www.JWebster.com/the\\_scam.htm](http://www.JWebster.com/the_scam.htm), or feel free to call me at (408) 555-1234, or email me at [jwebster@ix.netcom.com](mailto:jwebster@ix.netcom.com).

Yours in Truth,  
-- signature --

John H. Webster

P.S.: You can view a letter where I discuss these issues, that I sent to Lt. Herbert herself in February of last year, on my web-site in PDF format at URL:  
[www.JWebster.com/letter2herbert.pdf](http://www.JWebster.com/letter2herbert.pdf)