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Alleged Ethics Violations Plague Case of Disabled Georgia Writer

Georgia's longest pre-trial detainee, Ed Kramer has been under house arrest for 7 years – still awaiting his day in court. Arrested in 2000, one day following an anonymous phone call, he has always maintained his innocence. Now, a "Motion for Permission to Receive Continued and Necessary Medical Treatment" entered in Gwinnett Court this week, documents the county's offer to Kramer's attorneys, requiring him, an American-born citizen, to be banished from the US in order to receive physician-ordered care.

ATLANTA, GA ([PRWeb](#)) April 15, 2007 – Georgia's longest pre-trial detainee, Ed Kramer has been under house arrest for 7 years – still awaiting his day in court. Arrested in 2000, one day following an anonymous phone call, he has always maintained his innocence. Now, a Motion for Permission to Receive Continued and Necessary Medical Treatment entered in Gwinnett Court this week, documents the county's offer to Kramer's attorneys, requiring him, an American-born citizen, to be banished from the US in order to receive physician-ordered care.

The motion, filed on behalf of Kramer by attorney McNeill Stokes, noted: "The Defendant received a [traumatic brain injury](#) while detained at the [Gwinnett County Detention Center](#) (GCDC), and as a result, remains permanently disabled. Throughout multiple surgeries on his cervical spine to avert full paralysis below the neck, the Defendant has received hundreds of medical treatments, and according to medical affidavits, will continue to do so for the remainder of his life." A similar motion for Continued Medical Consultation and Treatment, filed at the Gwinnett Court in January 2007, remains unsigned.

Medical and jail records entered as exhibits to each motion show that following Kramer's injury, jail medical providers, [Prison Health Services](#) (PHS), treated him with aspirin and Motrin, even though an MRI in his jail medical record documented cervical spine damage. *Atlanta Jewish Life* editor, Benjamin Cohen, has followed the case for years. In his investigative report, "[Truth, Justice and Ed Kramer](#)" (October 2004), "According to those present, the guards left a golf ball size extrusion on Kramer's head," wrote Cohen.

The [Affidavit of David Foster](#) filed in a 2002 [civil rights complaint](#) witnessed, "A big deputy in black [riot gear](#) forced Edward Kramer's head into the wall so hard, his head actually bounced off the wall. At no time did Edward Kramer disobey orders or do anything to provoke the deputy's assault." In Cohen's article, Reverend Thomas Coley concurred, "This deputy was telling me that they damn near broke his neck and he was happy about it."

"I wouldn't have believed it had I not been there," continued Coley. "The [anti-Semitism](#) there was horrendous. As a black detainee there's only one thing that I can think that would've been worse for me -- and that's if I was Jewish." Coley's [Affidavit](#) filed as part of the complaint recounted, "Sheriff's Deputies informed inmates to stay away from Kramer because the Sheriff's Department is going to [hang](#) that Jewish son-of-a-bitch."

In Gerald Blackford Jr.'s [Affidavit](#), also filed in the case, "I saw inmates being prodded with the stun gun while strapped into [the chair](#) -- I think it's called 'four-point' restraint -- and even sprayed with pepper gas while strapped down. One man was sprayed with a water hose while strapped down, pushed into a cold cell and left to dry. In my opinion, these men needed special attention, not physical punishment."

Two black GCDC inmates, Ray Charles Austin and Deacon Fred Williams, died following TASER stun gun incidents in 2004, while restrained. During the investigation, [WXIA-TV](#) (April 25, 2005) played clips from a [police-surveillance videotape](#) of the incident involving Williams and 11 Deputies. According to the station, "District Attorney Danny Porter provided details of the investigations to a grand jury and that grand jury decided not to pursue an investigation of their own. They, however, chose not to view the videotape taken at the jail."

"It appears that the medical and security staff at the Gwinnett County Detention Center violated every moral, ethical and professional standard that could apply," noted attorney [Isaac M. Jaroslawicz](#), former Director of Legal Affairs of [The Aleph Institute](#), a national non-profit organization providing assistance to the Federal Bureau of Prisons.

In October 2006, Attorney John Carmichael filed a [Motion for Dismissal with Prejudice](#), citing gross "[speedy trial](#)" rights violations in the case against Kramer. In Georgia, a hearing must occur within 8 months of an indictment ([Scandrett v. Georgia](#)). The motion revealed an unprecedented Court Order, signed by Judge Debra K. Turner, which permitted Kramer to travel to Israel for 10 days earlier that year, according to Carmichael's motion, to "tempt him into remaining there, where he would be convicted in absentia." Court records show Kramer returned as scheduled.

Turner denied the motion for dismissal, and since, has recused herself from the case. A [Motion for Appeal](#) has been filed, but months later, remains undocketed. According to code, the district court must forward the motion along with court transcripts within 20 days, to the [Georgia Court of Appeals](#). According to Kramer's attorneys, court transcription staffing issues are responsible for the delay.

Following a trip to the State Capitol in search of Georgia Governor [Sonny Perdue](#), Kramer's 84 year-old mother received a letter from Perdue's office thanking her for making him aware of her son's urgent need for medical care, but that "The Georgia Constitution prohibits me from intervening... I regret that I cannot help you further and hope you understand the limitations of my authority in this situation." She has never met or spoke with Perdue herself.

Kramer's legal expenses have now exceeded \$200,000 and medical expenses over a quarter-million. The National Center for Reason and Justice ([www.ncrj.org](#)) set up a tax-deductible fund for donations on Kramer's behalf. A collection stories and commentary by supportive writers and journalists, tentatively entitled, *Injustice*, is in the works by editor [Bill Fawcett](#), to raise funds. Additional information and filings are online at a Yahoo Group supporting Kramer's legal defense ([www.edkramer.org](#)).

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CONTACT: [John Carmichael](#), Esq.
269 South Beverly Drive, Ste. 395
Beverly Hills, California 90212
Phone: (310) 367-5432

[McNeill Stokes](#), Esq.
1040 Peachtree Battle Ave.
Atlanta, Georgia 30327
Phone: (404) 352-2144