



## STATE OF OREGON

## INTEROFFICE MEMO

TO: Governor Atiyeh

DATE: September 10, 1986

FROM: Bob Oliver *Bob*

SEP 11 1986

Governor

SUBJECT: Fitzgerald Extradition

The State of Florida seeks the return of a fugitive now in Washington County Jail awaiting sentencing on two Theft convictions. This person is wanted by Florida on various charges involving nonviolent theft.

The fugitive has been known by many names. Among these are Michael J. Fitzgerald, Robert Joseph Davis, Michael J. Gibson and Michelle Marie Gibson. The last two names given are not a mistake. The fugitive used to be Michelle, but now is known as Michael.

This seems to be the season for weird cases.

Several years ago the fugitive was employed as a policewoman by the town of Cocoa, Florida. The fugitive decided it would be better to be a man than a woman, so decided to undergo "sex reassignment surgery." The fugitive thereupon was dismissed by the police department, and brought a discrimination suit against the department in federal court. Not long after that the fugitive began having check problems, leading to the fugitive's arrest. The fugitive claims this was all part of an harassment campaign, and in an accompanying statement outlines some of the alleged harassments. Convicted of theft, but placed on probation, the fugitive by now was living as a man. The fugitive then married (a woman), and said the harassment became even worse because the woman's family did not entirely approve of the marriage.

The fugitive and his companion left Florida and settled for a while in Utah. There the fugitive was arrested for supplying marijuana to minors. Although the fugitive asserts innocence in the attached statement, nevertheless the fugitive and companion left Utah and settled in Portland. At this point the fugitive's companion departed, and the fugitive again began to have check problems. That led to the fugitive's eventual arrest. Utah has not yet taken note, but Florida heard of it and demands the fugitive's return.

While doing jail time in Washington County, the fugitive assisted the Washington County Sheriff's Office Narcotic Enforcement Team. A letter from the Sheriff's Office confirms that "Gibson's information and assistance did result in one arrest of a cocaine trafficker."

Several letters from members of the clergy also are attached.

The fugitive, in the attached statement, said if granted asylum in Oregon there would be no longer any reason to run, and it would be possible to "live a good honest life." The fugitive continues, "I have rededicated my

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life to Christ, and promised him and myself to do all that I can as a Christian to help" fight drug problems. The fugitive concludes, "I hope the State of Oregon will consider granting my asylum from the gross civil rights violations and harassment that I endured in the deep South, State of Florida. . . . I have made some poor decisions at times, I admit, but I am definitely not deserving of the cruel and inhumane way I am treated down in the South."

If several years had elapsed since the fugitive had left Florida, and the fugitive had not gotten into trouble in Oregon, I might suggest you take a closer look at the matter. However, the fugitive appears to have gotten into the same sort of trouble here in Oregon as in Florida (checks). Moreover, the fugitive admits having run afoul of the law in Utah on the way from Florida to Oregon. Finally, the fugitive's conversion to a religious and law-abiding life unfortunately came after arrest.

I had already routinely signed the extradition warrant and sent it to Washington County before this material arrived. I recommend you allow the extradition to proceed. A suggested response to the fugitive is attached.