



NCOM – National Coalition Of Motorcyclists / AIM - Aid for Injured Motorcyclists
AIM / NCOM - Free Legal And Legislative Consultation

Free All Brothers Behind Bars...

Editor: Mike SOS MC Retired...

A conservative is a liberal that's been mugged; a libertarian is a conservative that's been audited?

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In Memory of **Warlock Wolf** who died while riding his motorcycle... R.I.P. Wolf...

Special Thanks goes to **Pagan Snip** who is currently at N.S.P. (*New Jersey*) for his \$ 20.00 donation... Thank You...!!!

Special Thanks goes to **Counsels MC Mike** who is currently at FCI Bastrop (*Texas*) for his \$ 20.00 donation... Thank you...!!!

Special Thanks goes to **Forsaken Few Supporter Jason** who is currently at FCI Texarkana (*Texas*) for his \$ 10.00 donation... Thanks...!!

Congratulations **Pagan Bart** on your release to a ½ way house...

Congratulations **Mongol Hammer** on your Release (Parole) on November 29th...

Welcome **Free Soul Guyro** to the NCOM BBB Newsletter Mailing List...

Welcome **Counsel Kemo & Counsel Eddie** to the NCOM BBB Newsletter Mailing List...

Welcome **Bandido Oneleg Ed** from *Colorado* to the NCOM BBB Newsletter Mailing List...

Welcome **Liberty Rider Tank** from *Michigan* to the NCOM BBB Newsletter Mailing List...

Jury Forman: "Your Honor, We the Jury find the Defendant 'Guilty'"... **Judge:** "On Which Charges"...

Jury Forman: "Remind me again what it was they said he did...?"...

Editor's Note: Congratulation to Waterloo Charter members... Hey Brother, please pass along; Love, Loyalty, Honor, & Big Respect to The Charter Members Nomind, Bear, Parrott, & Crescent... Cedar Falls; Chapter Sons Of Silence MC from Nick the Knife S.F.F.S.

Editor's Note: Currently we are sending over 350 copies of this newsletter to members of **63 Motorcycle Clubs**...

Editor's Note: For *September* there were 2 issues, For *October* there were 2 issues, For *November* this is the 1st issue ...

Editor's Note: I produce this National Coalition of Motorcyclists Brothers Behind Bars Newsletter which is a non-partisan newsletter for Bikers by Bikers. Information from the Newsletter contains News Articles & other information that may be of interest to a biker behind bars. Financial support for this Newsletter comes mainly from NCOM, Motorcycle Clubs, Confederations Of Clubs, & Tattoo Shops...

Editor's Note (For BBB Only): Being a Patch holder in Good Standings does have it privileges... And this is one of them... If you are a Patch Holder in Good Standings & contact me, include your Chapter too... If you are Not a patch holder of a MC in Good Standings, Don't write me & request that I add you to the mailing list. You will only get rejected, as I only make very few special exceptions.

News Article Sources: All News Articles contained in this NCOM Brothers Behind Bars Newsletter, unless source is specified, are obtained from the following 3 Web Sites: **Road Scholars**(*Wolf From Atlanta*), Outlaw Biker World, White Trash News & Becky Cakes...

Disclaimer: The News Media does NOT always tell the Whole Truth... It tends to sensationalize the News to Sell Newspapers...

In Fact, Many Times the News Media gets the Facts Wrong!!!

Confederation of Clubs - Goals: A Coming Together Goals:

http://www.aimncom.com/coc/coc_goals.htm

1. **Bring the Patch holders Together...**
 - a) Communication between clubs.
 - b) A judicial coming together (not legislative) to protect our rights through the courts.
2. **Fight Police Harassment & Discrimination...**
 - a) Introduce anti-discrimination legislation, similar to the Unruh Act in California, in Confederation States that presently leave Bikers unprotected; A.I.M. attorney to work with state Motorcycle Rights Organization on new laws.
A.I.M. attorney to work with state MROs on new laws.
 - b) Form delegation of patch holders & other affected bikers, that together with their local A.I.M. attorney, present police harassment grievances to the police chief and/or civic entity responsible.
 - c) Discriminatory establishments notified by the A.I.M. attorney that suit will be filed if they don't cease & desist.
3. **Proclamation of Intent...**
 - a) Working with local state MRO on legislative matters (ie. helmet issues, anti-biker discrimination, etc).
 - b) Working with the National Coalition of Motorcyclists on National & Federal matters: (ie. helmet issues, federal Gang Bill, etc).
 - c) Support Aid to Injured Motorcyclists by introducing the A.I.M. numbered card (Special card only for patch holders) & program to the members & allowing A.I.M. to set up at events.

Paratransit van driver held in fatal crash, dragging of Hells

Angels biker - Oct 23, 2011 – *California* – By Henry K. Lee & John King; www.SFgate.com - The driver of a paratransit van in San Leandro may have intentionally struck & killed a motorcyclist believed to be a member of the Hells Angels on Saturday in what is being investigated as a possible homicide, authorities said. The crash happened when Eddie Hall, 31, of Oakland, the driver of an East Bay Paratransit van, crashed into the motorcyclist while both were traveling eastbound on Interstate 580 near the Grand Ave on-ramp shortly before 4 p.m., said San Leandro police Sgt. Doug Calcagno. The motorcyclist, an apparent member of the Hells Angels MC, was ejected from his bike & was then run over by the van, Calcagno said. The van continued eastbound on the freeway, dragging the motorcycle until it pulled to the shoulder of the freeway near the 150th Avenue on-ramp, police said. The van came to a stop with the motorcycle still wedged underneath. Hall tried to flee the scene of the crash but was detained & arrested on suspicion of felony hit-and-run, Calcagno said. The victim was pronounced dead at Eden Medical Center in Castro Valley. His name was not immediately released. He was riding with Hells Angels members at the time of the crash, authorities said. What led up to the fatality is still under investigation, Calcagno said. "We are unsure what caused this," he said, adding police are "attempting to determine if this collision was an intentional act or a accident." The paratransit van was not carrying any passengers at the time, authorities said. The collision closed all lanes on eastbound I-580 into late Saturday night, snarling traffic for miles. Shortly after the crash, the commute was brought to a standstill, & many motorists stood outside of their cars. East Bay Paratransit is a public transit service for people who cannot use regular buses or trains because of a disability or health condition.

Hogsett Announces Indictment of Four Terre Haute Defendants in "Sons of Silence" Investigation - Oct 25, 2011 –

Indiana – By www.FBI.gov - Joseph H. Hogsett, U.S. Atty, announced this afternoon the indictment of 4 additional individuals in United States District Court in Terre Haute for their alleged roles in the criminal operations of the Sons of Silence motorcycle gang. "Working together with our Fed & local law enforcement partners, we have made it clear that there will be zero tolerance for those who peddle drugs & violence in our communities," Hogsett said. "We are taking on criminal operations in Indiana with the full force of Fed law, & we are dismantling them from top to bottom."

The indicted individuals include:

- Phillip Mannebach, age 46, of Terre Haute
- Michael Pitts, age 50, of Terre Haute
- Dustin Coffey, age 24, of Terre Haute
- Travis Umphries, age 34, of Terre Haute

The indictment alleges that beginning in the summer of 2010; Mannebach & Pitts were distributors of methamphetamine for James Taylor, a previously indicted member of the Indianapolis chapter of the Sons of Silence MC. Pitts, a convicted felon, also faces charges for illegally possessing a firearm. The indictment also charges Mannebach, Coffey, & Umphries with conspiracy to interfere with commerce by threats or violence. The 3 are alleged to have conspired to abduct an individual for 3 days last Nov in an attempt to extort money to pay off debts associated with methamphetamine trafficking. This follows an extensive investigation by the FBI's Safe Streets Task Force in Indianapolis into the activities of the Sons of Silence MC. The Terre Haute P.D. & the Vigo County Prosecutor's Office assisted the FBI with the investigation. In addition, in late August, 8 other individuals associated with the Sons of Silence gang were indicted for a variety of charges, including methamphetamine trafficking, money laundering, & firearms offenses. "This investigation, along with law enforcement successes such as last week's recordbreaking drug bust in Indianapolis, send a loud message across Indiana that I hope is heard far beyond our borders," Hogsett noted. "If you bring your criminal organization into the Hoosier State, we will find you, we will arrest you, & we will punish you." Assistant United States Atty Brad Blackington, who will prosecute this case for the Gov't, observed that the Sons of Silence investigation involves the first large-scale Fed prosecution of individuals associated with a motorcycle gang since 2002, when members of the Diablos MC in Terre Haute were successfully prosecuted for methamphetamine trafficking offenses. If convicted, Mannebach & Pitts each face sentences of 10 years to life imprisonment. Coffey & Umphries face sentences of up to 20 years in Fed prison if they are found guilty. An indictment is only a charge & is not evidence of guilt. A defendant is presumed innocent & is entitled to a fair trial at which the Gov't must prove guilt beyond a reasonable doubt.

Group Therapy: A psychiatrist was conducting a group therapy session with 4 young mothers & their small children. "You all have obsessions," he observed. To the first mother, Mary, he said, "You are obsessed with eating. You've even named your daughter Candy." He turned to the second Mom, Ann: "Your obsession is with money. Again, it manifests itself in your child's name, Penny." He turned to the third Mom, Joyce: "Your obsession is alcohol. This too shows itself in your child's name, Brandy." At this point, the fourth mother, Kathy, quietly got up, took her little boy by the hand, & whispered, "Come on, Dick, this guy has no idea what he's talking about. Let's pick up Peter & Willy from school & get dinner."

Leadership: Good Versus Bad- October 2011 – USA - In My Opinion - by Outlaw RoadBlock; www.FreeRoadBlock.us -

In my opinion, today's motorcycle clubs are facing a leadership & brotherhood crisis. They can only survive this crisis if the leaders & members respect & believe in each other.

A good leader cares about his club, respects his members & leads by example. He believes that every member has a right & duty to vote on all aspects of club policy. A good leader lets you think for yourself & encourages you to be actively involved in club decisions. He wants to build your club into a strong presence that earns the loyalty & respect necessary for today's clubs to survive. A good leader acknowledges that it is your club as much as it is his. He believes in a strong brotherhood, & represents the will of the members. He values your ideas & listens to your input. He trusts that you will do the right thing to make your club & brotherhood strong. By working together, he earns your willing loyalty & support.

A bad leader shows no respect for his members. He rules using fear, intimidation & violence to control you. He believes you don't have the right to voice an opinion or vote on club policies & rules. He believes you are too stupid or inexperienced to contribute worthy ideas. A bad leader feels he alone has the right to make the important decisions about you & your club. He demands you blindly follow & do whatever he decides. These bad leaders seem to believe our Motorcycle clubs should be structured like an organized crime family instead of being based on democracy & brotherhood. A motorcycle club's members are a collection of like-minded individuals whose purpose is riding motorcycles & brotherhood. A criminal organization's members are individuals ruled by a capo whose purpose is criminal activity & personal gain. Today, in some clubs, rules have been twisted to the point where leaders have the power to strip any member of his patch on a whim. A bad leader demands instant loyalty & obedience from you. If you challenge his leadership or decisions, he will attempt to destroy you. If the brotherhood in that club is already weak, it's very easy for a bad leader to "divide & conquer." This abuse of power destroys the concept of brotherhood. How can brotherhood survive if club members are treated as lackeys who have no rights? We often see how dictatorial leaders responsible for decisions leading to criminal indictments turn on the members who blindly followed them. Like their counterparts in third-world countries, these Tyrants have no loyalty to anyone or anything. Bad leaders who hold a position using intimidation & violence ultimately destroy their own club. When their world eventually crashes down, they are only concerned with saving their own asses. They do not deserve anyone's respect. I believe all club members have a right & duty to decide the goals & future of their club. Once you receive the 100% vote necessary for membership, you are guaranteed the same rights, duty & responsibility as anyone in that club. Your participation gives you a vested interest in your club, & contributes to its success. I also believe a member should not lose his patch unless if he commits a patch-pulling offense AND if 100% of his chapter's members agree he is guilty. Why should any club member have to live in fear that he might displease some power-tripper & wind up losing his patch & tossed out in bad standing? Is that brotherhood or serfdom?

The solution is to establish a clearly defined charter stating the club's goals & the individual member's rights. This should be backed up with a simple common sense set of rules listing the violations for which a member will lose his patch. All club members should have a right to vote on every aspect of both.

Every member has the right to help decide the future of his club. Is your club a motorcycle club or a criminal organization? If you have the strength, integrity & willingness to stand up for what you believe in, you deserve a leader who has loyalty & respect for you. Together, you will earn the pride & recognition of belonging to a first class club that others admire & want to join.

Today is the day to bring about change. Stand up & demand your right to be heard by your club leaders. If they refuse to listen, do whatever it takes to get their attention. Your club's future is up to you. *Article URL:*

http://www.freeroadblock.us/Leadership.%20%20Good_versus_Bad.htm

Arrests take 80 armed gang members off the streets - Oct 26, 2011 – Colorado - By John Ingold; www.DenverPost.com - Law enforcement officials this morning announced the results of a major crackdown on gang members in the metro area that saw 80 people arrested & more than 120 guns seized. The arrests started in June & were part of a coordinated effort between Fed & local law enforcement agencies to get ahead of what officials feared was a wave of violent crime building into the summer. Officers & agents largely targeted known gang members who had been convicted previously of felonies & were suspected of continuing the carry weapons. Aurora Police Chief Daniel Oates said the arrests took off the streets the people most responsible for gun violence in the region. "We know them to be some of the worst of the worst," Oates said. "... This was very smart policing." Of the 80 people arrested, 62 have been charged in Fed court. Another 18 are being prosecuted in state court. The initiative matches the kind of campaigns U.S. Atty General Eric Holder has encouraged Fed prosecutors to undertake, & Deputy Atty General James Cole — the No. 2 man at the Justice Dept — underscored that by participating in today's announcement. "It's clear that this partnership made metro Denver a safer place," Cole said. "...These types of partnerships prevent gang members from using city boundaries to get away with violent crime." The U.S. Atty's Office in Colorado & the local office of the ATF participated in the initiative, along with the Denver, Aurora & Lakewood police Depts. The reputed gang members arrested came from a broad spectrum of groups, from the Bloods & the Crips to the Aryan Brotherhood to the Sons of Silence motorcycle gang, according to the U.S. Atty's Office.

Editor's Note: This is an example of news media Not getting the whole truth, as I have NOT heard of any SOS MC being arrested in Colorado with regards to this story...

One winter morning at breakfast a couple was listening to the radio. They heard the announcer say, "We are going to have 8-10 inches of snow today. You must park your car on the even-numbered side of the street, so the snowplow can get through." The wife went out & moved her car. A week later while they are eating breakfast, the radio announcer said, "We are expecting 10-12 inches of snow today, you will need to move your car to the odd-numbered side of the street so the snowplow can get through." So the wife went out & moved her car again. The next week, while they were eating breakfast, the radio announcer said, "We are expecting 12-14 inches of snow today & you must park..." Then the power went off! The wife was very upset. With a worried look on her face she said, "Honey, I don't know what to do. Which side of the street am I supposed to park on?" With the love & understanding in his voice that all men who are married to blondes exhibit, her husband said, "Why don't you just leave it in the garage this time."

The great question... which I have not been able to answer... is, "What does a woman want? - Sigmund Freud

The AIM/NCOM Motorcycle E-News Service is brought to you by aid to injured motorcyclists & the National Coalition of Motorcyclists, & is sponsored by the Law Offices of Richard M. Lester. If you've been involved in any kind of accident, call us at 1-(800) ON-A-BIKE or visit www.ON-A-BIKE.com ...

Biker Newsbytes Compiled & Edited by Bill Bish, NCOM

Court Allows Raid on Rider Ed Funds: The Illinois Supreme Court may have opened the door for states to reallocate hundreds of millions of dollars from dedicated funding to balance their budgets. In a recent 6-to-1 decision, the state's high court upheld a prior circuit court ruling that backed the governor & Legislature's ability to take money from hundreds of special state funds to offset budgetary deficits, a practice commonly referred to as "sweeping". Motorcycle riders sued former Gov. Rod Blagojevich after he swept \$1.2 million from the Cycle Riders Safety Training Fund to pay general state bills after a 2004 law passed by lawmakers allowed him to do so. A portion of the fee for an Illinois motorcycle license goes into the CRSTF, which ABATE of Illinois argued was only to be spent on motorcycle safety education. "Clearly, the fee charged by the state for motorcycle registration & licensing is state revenue, & therefore the portion of this state revenue which the General Assembly has allocated to the CRSTF is also public money," wrote Justice Anne Burke in the majority opinion. Burke rejected the ABATE lawyers' argument that the special fund was tantamount to a special trust fund. The state Supreme Court concluded that the legislature cannot create an irrevocable trust with public money because this would place an unconstitutional restraint upon the legislature's plenary power. Sweeping special funds was a controversial way to deal with budget deficits during the Blagojevich administration, & although the court's ruling opens the door to more such sweeps, current Illinois Governor Pat Quinn opposes fund sweeps & has worked to end the practice.

Bikers Rally To Rescind Un-Fair Policy: "The State Fair of Louisiana, for a minute, mind you, adopted a discriminatory position toward bikers by posting signs that would not allow them to attend the fair in their traditional biker gear, some of which is protective gear," said Mary Baker in an article in the Examiner newspaper, adding that "...bikers everywhere contribute to charity in a way that not many other segments of the population do... And, they definitely make an impact on the local community, spending hundreds of thousands of dollars at local establishments including restaurants, theaters, bars, parks, & small businesses. That is why it is disheartening to hear of discrimination based solely on appearance." Upon being alerted of the fair's new anti-biker policy, Facebook exploded with messages like this: "Alert/Info: The State Fair of La. has adopted the policy: No Colors... Signs are now being posted at all gates. No Biker Colors of Any Kind. Please pass this on to All Biker friends & family. MC's are being Discriminated against. To Complain::: Call State Fair of La. Let Your Voices be heard.... Repost!!! Don't support the fair..." You can imagine that bikers, their friends & family were livid. They began to complain about the discrimination with phone calls to the Director of the State Fair, & his offices. The result: Before the end of the day, this message by the representative for Independent Riders, Northwest Louisiana, was posted on Facebook: "Update... Update...Update... We Have Won!!! Just received a call... And the State Fair of Louisiana has now changed their policy. The Signs Have Been Removed & All Bikers are Welcome at the Fair!!! Never, never, Never underestimate the power of a close knit Family!!! Thanks to all who made calls & Helped!!!" Louisiana

State COIR (Coalition Of Independent Riders) Commander Lionel "Nite Train" Bailey reported that the US Defenders & COIR conducted a phone campaign & not only have the LA State Fair officials rescinded their No Colors policy, but even offered to organize a Bike Night to a Blue Oyster Cult concert.

Lawmakers Override Governor's Veto of Red Light Bill: The Illinois House voted 94-21 & the Senate voted 45-6 to override Gov. Pat Quinn's veto of the "Dead Red" bill supported by ABATE of Illinois that would allow motorcyclists to proceed through malfunctioning red lights. As written, House Bill 2860 sponsored by Senator Gary Forby (D-Benton) & Representative Daniel Beiser (D-Alton), specifies that a motorcyclist would be permitted to legally run a red light "after a reasonable period of time," but Quinn vetoed the legislation with the request that a 2 minute wait time be amended to it. The law will now go into effect on January 1, 2012, & according to Sen. Forby; "A measure I sponsored (HB 2860) will now become law after I was successful in overriding the governor's amendatory veto. The bill allows motorcyclists to go through a red light if it fails to change to green because the switch hasn't been tripped, or didn't recognize the motorcycle. To alleviate a few of the concerns some of my colleagues raised, I introduced a "trailer bill" that requires motorcyclists to wait 120 seconds before proceeding through the red light. For those of us who have been stuck at a light without it ever changing to green, we know how reasonable this legislation is. This situation happens more than many people think & is a growing concern for bikers at outdated intersections. In fact, 360 rear end collisions occurred with motorcycles that were slowed or stopped in traffic in 2010. If bikers are trapped at a light, this bill gives them an opportunity to safely proceed through that signal, because otherwise they don't really have much of a choice. 11 other states already have laws like this in place, none of which have tried to rescind it."

Internat'l Motorcycle Safety Reports Released: Headlight configurations that make motorcycles more noticeable, why drivers fail to give way to motorcycles at T-intersections, & how mirror use influences car-motorcycle conflicts are among the topics researched & reported on in the new January issue of Accident Analysis & Prevention, a journal primarily focused on causes & impacts of transportation accidents. The themed AA&P edition is titled "Safety & Mobility of Vulnerable Road Users: Pedestrians, Bicyclists, & Motorcyclists" & consists of a selection of papers presented at an international conference organized by Israel's National Road Safety Authority. In a report entitled "Recognizability of different configurations of front lights on motorcycles," the researchers say that "Results of a laboratory experiment have shown that motorcycles with a T-shaped light configuration are more quickly identified, particularly when the motorcycles are in visual competition with other motorized road users." In "Why do car drivers fail to give way to motorcycles at t-junctions?," researchers studied differences between novice drivers, experienced drivers, & "dual drivers," i.e., drivers who also ride motorcycles. They found that dual drivers were better at recognizing motorcycles than either of the other 2 groups. While the results are inconclusive, the researchers state that "We argue that this is potential evidence for an oculomotor basis for Look But Fail To See errors." The report "Attention & search conspicuity of motorcycles as a function of their visual context" says that multi-colored, reflective, & white rider outfits consistently made the riders more noticeable than a black outfit. Cars changing lanes without recognizing that a motorcycle is in that lane is a common experience for motorcyclists, & that topic is addressed in "Attending overtaking cars & motorcycles through

the mirrors before changing lanes.” Not surprisingly, the researchers found that “Risky maneuvers were less likely to occur in those cases where more time was spent gazing at the mirrors.” Other reports in this issue address other motorcycle-related issues, & can be accessed on a for-pay basis, but abstracts of the reports are available on the journal’s website at www.journals.elsevier.com ...

Motorcyclists Beware: States with the Worst Drivers: You might believe that your state has the worst drivers in the country, but a newly released report from CarInsuranceComparison.com ranked states according to their safety record to determine where the bad drivers live. Five factors were considered when determining the rankings; fatalities per million miles traveled, drunken driving, the number of tickets issued, failure to obey traffic signals & carelessness, utilizing data compiled from the Nat’l Highway & Transportation Safety Administration (driving fatalities), the Nat’l Motorist’s Association (traffic tickets), & MADD (drunk drivers). Here is their list of the 10 states with the worst drivers:

- 10) South Carolina: Ranked 48th for fatalities & 45th for obeying road signs.
- 9) Alabama - 46th for tickets. 42nd for fatalities. 41st for obeying road signs.
- 8) Montana - Highest ticket rate in the country. Also ranked 40th for carelessness.
- 7) Kentucky - 42nd for carelessness & 48th for drunk driving.
- 6) Arizona - Arizona ranked poorly across the board.
- 5) Oklahoma - Lots of DUIs, fatal accidents, & traffic tickets.
- 4) Florida – Not as many drunk drivers...
But Florida has more tickets than any other state.
- 3) Texas - Texas ranked pretty poor in all categories.
- 2) Missouri - Ranked in the bottom 10 for carelessness & DUIs.
- 1) Louisiana - In the bottom 10 in all categories except failure to obey signs.

The safest driving state was Rhode Island, followed by Connecticut, Massachusetts, Virginia, & New Hampshire.

Weird News: Spain Fines over Helmetless Tom Hanks Poster:

The Spanish distributor for the movie “Larry Crowne” was fined for a poster showing stars Tom Hanks & Julia Roberts riding a motorcycle without a helmet. Tripictures was given a traffic fine of 30,000 euros (\$41,500) for using the film’s U.S. poster to promote the movie’s overseas premiere because the Gov’t claimed it promoted reckless driving. The distributor initially thought the ticket was a joke, but in 1985 Spain instituted a law that banned advertisements from promoting reckless driving. Fines are also given to celebrities if they promote the image of poor driving. One example came last year, when singer Shakira drove through Barcelona on a motorcycle without a helmet in one of her music videos.

Quotable Quote: “In a time of universal deceit, telling the truth is a revolutionary act.” - George Orwell (1903-1950) author “1984”

Biker ‘overwhelmed’ by 60-year sentence - Oct 29, 2011 – **Illinois** - By Annie Sweeney; <http://articles.ChicagoTribune.com> - Member of Sarno crew planned 2003 Berwyn bombing... The hulking biker stood before a Fed judge, his thick forearms crossed behind him & turned up just enough to reveal a hint of tattoos with ominous messages such as “GFOD” - God Forgives, Outlaws Don’t. This is also stamped on Mark Polchan’s arm: “1%er,” which law enforcement officers say is a boast that Polchan is among the 1% of bikers who live a criminal lifestyle. On Friday, a Fed judge sentenced the reputed officer of the Outlaws motorcycle gang to 60 years in Fed prison. Prosecutors

said Polchan was part of a reputed Outfit crew that resorted to stabbings, shootings & even a pipe-bomb attack to protect its illegal gambling & robbery operations. U.S. District Judge Ronald Guzman called Polchan’s actions nothing short of “terrorizing to the rest of us.” Polchan’s attorney, Damon Cheronis, argued for a 35-year sentence, the minimum possible for a bombing in Berwyn in 2003, saying that was long enough for the married father of 3 to send a message of deterrence. Guzman disagreed, saying the violence spawned by Polchan & the crew required an even stronger signal to anyone who might think of trying something similar. Last Dec a Fed jury convicted Polchan, 44, as well as reputed mob boss Michael “The Large Guy” Sarno & 3 others of running a lucrative illegal video poker racket, pulling off a string of armed robberies & planting a pipe bomb in front of a rival business cutting into their gambling turf. Prosecutors allege the ring netted more than \$1.2 million in jewelry that was then fenced at a Cicero pawn shop owned by Polchan. Polchan also helped authorize the robberies, prosecutors said. Polchan was paid to plan the bombing outside C & S Coin Operated Amusements, a video poker business targeted by Sarno to protect his illegal gaming operations. No one was injured, but the late-night blast blew out windows & caused extensive damage. Sarno faces sentencing next month. Assistant U.S. Attorney Amarjeet Bhachu, who prosecuted the case, said Polchan’s pawn shop was the “epicenter” of the crew’s criminal schemes. Authorities bugged the shop, hiding 3 microphones & a video camera there. Bhachu said Polchan showed a complete disregard for the law, referring to officers as “... suckers.” “That’s what his attitude is about Fed law enforcement & the law,” the prosecutor said. Guzman noted Polchan’s upbringing — by all appearances a positive one — as well as the countless letters of support he received on his behalf. “He was not abandoned. He was not abused. He was not mistreated,” Guzman said. “Why we find ourselves here today is really difficult to comprehend.” Polchan, whose family sat stone-faced in the courtroom, offered little insight. He shook his head often during the sentencing & when Guzman invited him to speak, he said he was “overwhelmed” by what he had heard & declined to deliver his prepared remarks. “I can’t do it,” he said.

2 Hells Angels plead not guilty to Fed drug distribution charges in Las Vegas; 3rd held – Nov 2, 2011 – **Nevada** – By AP; www.LasVegasSun.com - Two Las Vegas men identified as Hells Angels MC members pleaded not guilty to Fed conspiracy to distribute cocaine charges following their arrests by Fed ATF agents. A third man identified as a Las Vegas chapter president was in a Henderson jail awaiting arraignment Thursday on similar charges. Fed Magistrate Judge Cam Ferenbach allowed 41-year-old Keith Hare & 32-year-old Miguel Macias to go free Wed with restrictions pending trial Jan. 9. The judge unsealed 3 indictments that had been sealed pending the arrests. Records showed that 44-year-old Paul Seifert was in Fed custody Wed at the Henderson city lockup pending his initial court appearance. Authorities said the Las Vegas charges didn’t relate to recent violence involving Hells Angels members in northern Nevada & California.

A Russian, an American, & a Blonde were talking one day. The Russian said, ‘We were the first in space!’ The American said, ‘We were the first on the moon!’ The Blonde said, ‘So what? We’re going to be the first on the sun!’ The Russian & the American looked at each other & shook their heads. ‘You can’t land on the sun, you idiot! You’ll burn up!’ said the Russian. To which the Blonde replied, ‘We’re not stupid, you know. We’re going at night!’

Digital evidence becoming central in criminal cases - Nov 2011

- USA - By Mike Bruner; <http://openchannel.msNBC.MSN.com>

- If you are unfortunate enough to land in court after a serious automobile accident, the star witness against you may not be an eyewitness or even a human being. It could be your car. Today's high-tech automobiles increasingly rely on computers to maximize performance & monitor operating systems. But while the under-the-hood computers are doing that, they may also be recording data about your driving. Typically, that information is collected by a vehicle's "event data recorder," or EDR, a computer module that is often compared to the "black box" on a commercial airliner. Among other things, EDRs are capable of recording a number of driver behaviors, including brake application, steering, speed at time of impact in the event of a crash & whether the driver & passengers were using seatbelts. Such information is primarily intended to help improve Fed safety standards, but increasingly it is being used in court cases in which vehicles were involved in a serious accident or the commission of a crime. "Essentially, vehicles nowadays are a huge conglomeration of computer chips & modules," said Mike McCullough, a retired Phoenix police detective who investigated serious crashes for many years. "And the electronic data they collect is going to become more & more common as evidence down the road." Among the drivers of that anticipated growth are new Nat'l Highway Traffic Safety Administration regulations that take effect next year. The rules do not require EDRs - already in use in more than 85% of U.S. vehicles - but they mandate that in cars that have them, the devices must capture & preserve at least 15 types of crash data, including pre-crash speed, engine throttle, changes in forward velocity & airbag deployment times. And one day, the agency noted in its final rule, they may even play a role in getting emergency medical service quickly dispatched to the scene of an accident by automatically sending a 911 alert.

'Staggering' amount of information: Even now, however, such information could be cross-checked with information from devices like cellphones & GPS units to build what could be an airtight court case. "Now you're in a situation where, if someone has the time & expertise, they can say you drove from here to there at this speed, you parked at Whole Foods, here's what you bought, then you got back in your car & drove here & made a call to this number," said Dean Gonsowski, eDiscovery counsel with Clearwell, which is part of the security firm Symantec. "... It's staggering how much information can be collected." Drew Findling, an Atlanta attorney & chairman of the National Association of Criminal Defense Lawyers' Forensic Disciplines Committee, notes that e-evidence might just as easily create an unshakable alibi, which is why he routinely hires experts to examine equipment & data. "You want to have the equipment examined to determine the reliability, both from a chronological & content standpoint," he said. "And there are times when that evidence is of an exculpatory nature, so you want to make sure that you gain access to it - whether it's a computer or an iPhone or whatever - & that you preserve that evidence immediately." Courts already are wrestling with the challenges presented in general by electronic evidence, which has become almost ubiquitous in both civil & criminal cases. "Electronic evidence is admitted in almost every trial in America, whether it's a phone bill or electric bill or a document that's created, stored or transmitted electronically," said Mark D. Rasch, director of cybersecurity & privacy consulting at the technology services company CSC & former head of the Justice Department's computer crime unit. "... When you think about it, even a crime scene photograph is electronic evidence now."

New layers of complexity: The increasing use of digital evidence has spawned a new legal specialty - e-discovery - & has added

layers of complexity that didn't exist when cases were won or lost on paper documents. In some cases - particularly those involving corporations - the amount of digital data that must be retrieved & sorted through prior to trial is immense. "State crime labs are adding high-tech pieces, but if you think it's hard to examine urine & blood samples, try working through a zip drive, a hard drive or an iPhone," said Findling, the defense attorney. Evidentiary laws also have failed to keep pace with rapidly changing technology, said Rasch. "We changed the discovery laws 8 or 10 years ago, but we need to change a bunch of different laws, including electronic privacy laws," he said. "And we need to continue to tweak the laws on chain of custody, validation & verification, authentication, corroboration & the scope & extent of discovery." While lawmakers struggle to catch up, judges & courts are taking wildly varying positions on the reliability & admissibility of digital evidence. "Right now it depends on the state, depends on the judge," said McCullough, president of the Southwestern Association of Technical Accident Investigators. "A lot of information has to be established to show that it's reliable." Gonsowski said much of the variation is attributable to the differing technology comfort levels among judges, prosecutors & defense counsels. "You see some inconsistent decisions because a case may require that the litigants & the judge all understand how Facebook works, for example," he said. "... So there's a lot of sort of groping around - not quite the blind leading the blind, but folks wrestling with these new technologies as they apply to traditional legal concepts."

Stricter rules for digital evidence: Experts have different views of those to-and-fro battles. Rasch, the former Justice Dept official, said that courts often impose higher requirements on digital evidence than they do with physical documents, such as letters. "We demand a (greater) degree of certitude for certain kinds of electronic evidence than is demanded in the physical world. ... A lot of it has to do with the general unease we have with electronic evidence. We're not sure it's reliable, that it hasn't been tampered with." But others worry that current laws - & the judges who enforce them - have failed to adequately consider that electronic evidence is "inherently malleable or ephemeral." Among them is Steven Tepler, a partner in the Chicago law firm Edelson McGuire & co-chair of the American Bar Association's Digital Evidence Committee. He is part of what he describes as a growing movement within the legal profession to have digital evidence deemed "hearsay," & thus generally inadmissible in legal proceedings unless its reliability can be demonstrated. "Unless we change the rules of evidence to require a higher level of reliability, you have this built in problem where people say, 'It comes out of the computer, therefore it must be reliable,'" he said. But that doesn't account for the fact that programmers create the software that instructs those machines to generate data, Tepler said. "Computers will repetitively create bad information if they are programmed incorrectly," he said. "Just because a computer generates it doesn't mean it's true."

While hiking down along the border this morning, I saw a Muslim extremist fall into the Rio Grande River . He was struggling to stay afloat because of all the guns & bombs he was carrying. Along with him was a Mexican who was also struggling to stay afloat because of the large backpack of drugs that was strapped to his back. If they didn't get help, they'd surely drown. Being a responsible Texan & abiding by the law to help those in distress, I informed the El Paso County Sheriff 's Office & Homeland Security. It is now 4 PM, both have drowned, & neither authority has responded. I'm starting to think I wasted 2 stamps.

Biker Bill's Felony "Wiretapping" Charge Dismissed! – Nov 4, 2011 – *New Hampshire* - By <http://freekeene.com> - Citing a Fed appeals court ruling, a Goffstown District Court judge dismissed a charge of unlawful wiretapping against a Weare man who used his cell phone's voice mail to record a traffic stop by a police officer. Judge Edward Tenney cited a First Circuit Court of Appeals order in August in the case *Glik v. Cunniffe* in making his ruling. "The *Glik* holding makes it perfectly clear that First Amendment protections apply to both audio & video recording." William Alleman of 140 Helen Dearborn Road, Weare was charged in February with violating the state's felony wiretapping law when he recorded his traffic stop by a Weare police officer. The traffic stop occurred in July 2010; Alleman was not cited for any violation until last Feb. When he was charged, Weare police said Alleman made an audio recording of the police officer without his consent. Alleman was 1 of 3 people charged over an 18-month period by Weare police for either video- or audio-taping arrests by police. The charges against the 2 other people were dropped. Alleman's attorney, Seth Hipple, said from the beginning his position has been that Alleman's recording was not a violation of state law, but "the *Glik* opinion came out a week or 2 after we had our hearing on the motion, & that made a strong case even stronger." Hipple of the Concord law firm of Martin & Hipple, PLLC, said the law has always been clear, but some police Depts have not been clear about it. In court, Hipple argued Alleman had a First Amendment right to record a public official conducting his duties in a public place, that public officials conducting their business in a public place have no reasonable expectation of privacy & the defendant did not "intercept" any oral communications with an electronic device other than a telephone. In the *Glik* case, Simon Glik, a Boston attorney, was arrested for filming police officers arresting a man on Boston Common. The First Circuit Court ruled "a citizen's right to film Gov't officials, including law enforcement officers, in the discharge of their duties in a public place is a basic, vital, & well-established liberty safeguarded by the First Amendment." In the Goffstown District Court ruling, Tenney wrote "*Glik* leaves no doubt that engaging in an audio recording of a police officer in the course of his official duties in a public place is protected speech under the First Amendment." The judge also noted Alleman did nothing to interfere with the officer as he performed his duties. "The fact that Officer (Brandon) Montplaisir may have been unwilling or unhappy being recorded does not make a lawful exercise of the defendant's First Amendment rights a crime," the judge wrote. After Alleman made the recording of the July 10, 2010, traffic stop, he posted it to a public web site. Alleman was stopped after he left a gathering in support of Palmer's Tavern owner George Hodgdon, who had been arrested for interfering with an assault investigation. Alleman has said he was followed by a police officer when he left the gathering, & as Montplaisir approached his vehicle, he made a cell phone call to Porcupine411, an answering service for Libertarian activists in trouble with police. "The fact that Officer (Brandon) Montplaisir may have been unwilling or unhappy being recorded does not make a lawful exercise of the defendant's First Amendment rights a crime."

What Are Stages of a Criminal Case – Nov 4, 2011 – *USA* – By Andrew Lu; <http://ChicagoCriminalAttorneysBlog.com> - Your first introduction to the legal system may come in a criminal case. While every criminal case is different, there are some steps that are common to all. If you are ever involved in a criminal matter, you will want to have some idea of the process that you face. Here's a quick summary on the stages of a criminal case:

- **Arrest.** This is where the whole criminal process begins. You may be accused of committing a crime & placed under arrest. Not all arrests are legal & you will want to know whether police lawfully detained you.
- **Booking & Bail.** Following the arrest, you will likely be taken to a police station where they will take down your personal information & process your arrest. At this point, you may also be allowed to pay bail & be released from custody until further court dates.
- **Arraignment.** This will probably be the first time you see the inside of a courtroom, & you will hear the formal charges brought against you.
- **Plea Bargain.** You may have an opportunity to work out a deal with prosecutors if you plead guilty to the crime.
- **Preliminary Hearing.** A judge will determine if there is enough evidence to support a trial.
- **Trial.** A jury will consider whether you are guilty or innocent of the crime.
- **Sentencing.** If found guilty, this is where you find out your penalty.
- **Appeal.** Think the court made a mistake? You may be able to appeal to a higher court.

This is a brief overview of the stages of a criminal case. If you have questions on a specific legal issue, you should talk to a criminal law attorney.

Man seriously injured in Vantaa shooting Sun afternoon – Nov 7, 2011 – *Finland* - www.KasieboMedia.com - A middle-aged man suffered serious injuries in a shooting incident that took place at the Hakunila shopping centre in Vantaa on Sun afternoon. Police & eyewitnesses said that the man wore a vest with gang insignia. The shooting took place in front of a restaurant. The police got a call about the shooting at 3:45 PM. A number of people were on hand, but they were not in any actual danger; only one shot was fired in the whole incident. Witnesses to the incident told Helsingin Sanomat that both the shooter & the victim had run out of the restaurant, after which the victim had started to choke the shooter. Then the man shot his attacker in the stomach at close range. "Then the shooter shouted, 'call the police, I have a gun'", a witness said. Police say that there had been an argument in the restaurant involving the suspected shooter. The victim is a man born in 1965. He was taken to hospital by ambulance, where he was hospitalised. The head of the investigation, Kimmo Hyvärinen of the East Uusimaa Police, says that the victim was still in critical condition on Sun evening. Police soon apprehended a man in the area, who was about 50 years old, on suspicion of attempted manslaughter. He may have been intoxicated at the time of the shooting. Police are investigating whether or not the incident may have involved a conflict between criminal gangs. "There were several people on the spot who are suspected of being part of a gang", says Kimmo Hyvärinen. Eyewitnesses said that there was at least one person wearing a vest of the Hells Angels motorcycle gang, who is apparently the brother of the man who was shot. "He shouted, 'why did you shoot my brother' & threatened to kill the shooter. Then the shooter showed his gun & the man backed away. When the police came, the man threw his gang vest away at a nearby bus stop", a witness said. Finnish police consider the Hells Angels an organised criminal group. Witnesses said that the shooter was not wearing gang insignia. Both the victim & the suspected shooter have had previous dealings with the police. The suspected shooter has no record of violent crime or lengthy sentences. Police took several people from the location of the crime for questioning, but only the suspected shooter was detained.

Nelson Blackburn, a founding member of the Cleveland Hells Angels chapter, dies – Nov 5, 2011 – *Ohio* – By Gabriel Baird; <http://blog.Cleveland.com> - With his red hair long & curly, Nelson “Scotty” Blackburn sits on his H-D motorcycle, in March 1986, flanked by fellow Hells Angels & residents living near the group’s clubhouse on Edna Road in Cleveland. In 1968, Blackburn was among the founders of the Cleveland chapter of the notorious group. Death caught up with a man who brought to Cleveland an era so violent it is now almost unimaginable. Before H-D motorcycles & riding leathers became accoutrements of affluent suburbanites in mid-life crisis, they were symbols of terror because of men like Nelson Blackburn. He was a Hells Angel. The Scottish-immigrant -- known as “Scotty” or “The Scotsman” -- was a man to be respected & feared. He shed his accent, grew a moustache that wrapped around the corners of his mouth & carried himself larger than his five-foot-ten, 165-pound frame. He died Oct. 27 at University Hospitals. At 67, he was beaten not by prison time, not by lawmen, or by rivals who once wanted to kill him, but by old injuries, rheumatoid arthritis, the ailments of age & a life hard lived. “My dad was tough,” said his daughter, Rachael O’Neil, 33, of Columbus. “He wasn’t afraid of anybody. He wasn’t afraid of anything. You don’t take anything from anybody. He raised us that way.” Blackburn is among those responsible for bringing Northeast Ohio a time when the actions of out-of-control motorcycle gangs make the plot of the current fictional cable TV series “Sons of Anarchy” seem plausible. In Cleveland, the era began in Dec 1967, when Blackburn & others formed the Cleveland chapter of the Hells Angels. Within 2 months, 2 innocents were dead. Blackburn was born Oct. 8, 1944, & moved to the U.S. before turning 16. By his early 20s, he was a member of the Gooses, a motorcycle gang that would in retrospect seem like choirboys. Then, in 1966, Hunter S. Thompson’s book “Hells Angels: The Strange & Terrible Saga of the Outlaw Motorcycle Gangs” made the West Coast gang the nation’s most notorious. Members have long insisted they are a peaceful club that has happened to have more than its share of law breakers. But law enforcement officials are adamant the group was & remains a violent criminal organization. In Dec 1967, the Angels’ leader, Ralph “Sonny” Barger, visited Ohio, & Blackburn’s Gooses joined forces with another gang, called the Animals, to form the local chapter of the Angels, according to newspaper stories & law enforcement officers. War was almost immediately declared on the gang claiming control of the area at the time, God’s Children. The war is recorded in newspaper clippings & in the memories of law enforcement officers. So are many incidents that happened since. Armed members from each side began hunting each other unsuccessfully. On Feb. 28, 1968, Blackburn & about a dozen Angels were shooting pool & drinking at Barto’s Cafe, a bar on the East Side of Cleveland. They wore their jackets emblazoned with the Angels “colors.” Some wore swastikas. Having once again found no God’s Children to tangle with, an Angel hit a black man. Other Angels joined in the beating, & the gang members ultimately killed 2 men, one black, one white --Roosevelt Brown & James Tillet, both 38, newspaper stories said. Angels fled the state in 2 groups. After nearly 2 weeks on the lam, Blackburn, 2 other Angels & one of their girlfriends were caught in New York. The next day, the others were captured in California. A woman testified at Blackburn’s trial that she saw him fire one shot. She said she wasn’t sure whether it hit anyone. Although Blackburn testified that he didn’t see any guns that night, the jury found him guilty of second-degree murder. The judge sentenced him to 10 years to life. Three other Angels also were convicted on murder charges & given life sentences. Four more were convicted of lesser crimes. In 1975, Gov. James A. Rhodes took the

recommendation of the state parole board & shaved 4 years off Blackburn’s sentence & 3 off another Angel. Within weeks, Blackburn was home & still an Angel. While he was away, the differences between motorcycle gangs had escalated to full-scale battles. In one, on March 6, 1970, Angels & members of a gang called the Breed fought with knives at a motorcycle show in Cleveland, newspaper reports said. Nearly 30 men were stabbed or cut. One Angel & 4 of the Breed were killed. Prosecutors charged 57 men. Fourteen Angels would plead guilty to manslaughter. Their clubhouse was -- & still is -- an old funeral home on Edna Road in Cleveland’s St. Clair-Superior neighborhood. It was near there that, in 1976, Blackburn met his future wife. She was 16. “I got him a glass of water,” said Lisa Blackburn, now 51. “I thought he looked interesting because of his red hair.” Two years later, they had a daughter, Rachael; then a son, Kenny, in 1981. Blackburn also had a daughter, Kimberly, from a previous marriage. He proposed to Lisa each December for 5 years. Finally, Lisa, who thought marriage silly, agreed to tie the knot in 1983 “for tax purposes,” she said last week. The Blackburns married at the Angels’ clubhouse in front of their children & his fellow bikers, Lisa said. The date was the anniversary of the chapter’s founding. She wore a dress borrowed from a babysitter. He wore his Angels’ jacket. After the celebration, they went home & watched Johnny Carson. On the rides they took with Angels, the couple visited each coast, but never saw an ocean. There were other places to go, Angels to see. By day, Blackburn was an iron worker. He helped build Jacobs Field, the Key Tower & the Rock & Roll Hall of Fame. He moved his family to Ashtabula County in 1986. Still, he remained an Angel. By this time, the Angels’ had branched out from barbarism to more lucrative crimes, law enforcement officials said. In 1985, Cuyahoga County Common Pleas Judge James McGettrick accepted a bribe of \$5,000 or more to fix murder cases against 2 Angels. The judge was convicted of the crime & sentenced to 4 years in prison. Crimes by Angels continue to make news. Most recently, a Medina County jury convicted Scott Stage, 46, of Parma, on a charge of felonious assault against a biker in Montville Township. Although it sounds less violent than the past, law enforcement officials say the gang has not weakened or gone soft. They have merely gotten smarter. “There’s no profit with being involved in street violence & being in court all the time,” said an official who spoke on the condition of anonymity. He & others said the Angels are as powerful than ever, with members having their hands in union contracts, drug trafficking, prostitution & protection, sometimes partnering with other branches of organized crime. One law enforcement officer said he was upset the Angels’ role was not included in a recent movie about Irish mobster Danny Greene. The Plain Dealer unsuccessfully tried to reach Angels who rode with Blackburn. Some are dead. Family members said Blackburn quit the Angels in 1993, sold his motorcycle & embraced a new life. His iron worker days ended when he broke his leg in 1998. Each morning for the last few years, he said a silent prayer before the picture of the Sacred Heart of Jesus on his nightstand, his wife said. She & his children want him remembered not as a Hells Angel, but as husband, father, grandfather of five, iron worker, member of the Fraternal Order of the Eagles. Kenny Blackburn said he stayed home with his father as his health worsened. “My dad taught me to walk tall no matter what happens, good or bad,” he said. “If I could be a fraction of the man he was, I think I would be a good man.”

Fathom the hypocrisy of a Gov’t that requires every citizen to prove they are insured... But not everyone must prove they are a citizen.

It's Our Birthday! – Nov 8, 2011 – *USA* - Yes, it's FAMM's 20th birthday! I can't believe it myself & I've been here since Day One -- when I launched FAMM with the single mission of making the punishment fit the individual & crime. I never thought of that as a radical request. The concept of fair, individualized treatment under the law is as American as apple pie! For 2 decades FAMM has delivered the message that judges should have a say in the sentences they impose. As a result, over 165,000 people have received more just sentences. This couldn't have been done without you. Your stories, your letters & phone calls, & your financial support have enabled us to promote & achieve some remarkable sentencing reforms. I know we'll continue to seek your help in many ways in the years to come, but today I have one specific request: Would you please send FAMM the biggest birthday gift you can? I don't mean an elephant or an airplane...but the most generous financial contribution you can make! When I blow out the candles on FAMM's birthday cake, my wish will be that we will double the number of lives we touch in the next 20 years. With your generous support, I know we can make that wish come true! With 20 years of gratitude - Julie Stewart; President

Police Need a Warrant to Put GPS on Your Car – Nov 8, 2011 – *USA* – By Stephanie Rabiner; <http://blogs.FindLaw.com> - Warrantless GPS tracking will make its way to the Supreme Court this week, when the justices are scheduled to hear oral arguments in *U.S. v. Jones*. The court will consider whether police must first obtain a warrant before placing a GPS device on a suspect's car. More specifically, the Court is tasked with deciding whether the Fourth Amendment bans warrantless GPS tracking when it lasts for an entire month. The D.C. Circuit decided that such a practice is unconstitutional. The difference between GPS tracking & other types of technology, it explained, is that police can track every place an individual goes. From that data, police can determine “whether a person is a weekly church goer, a heavy drinker, a regular at the gym, an unfaithful husband, an outpatient receiving medical treatment, an associate of particular individuals or political groups.” But the Justice Dept appealed, & believes that drivers have no expectation of privacy when they travel across public roads. They don't expect their movements to be kept private. On some level, this is true, which is why police don't need a warrant to tail a suspect for a month & follow his every move. But do people have an expectation that a tracking device will not be planted on their car? This is the very tension at issue in this case, according to legal scholar Erwin Chemerinsky. When does monitoring of arguably public activity become so intrusive as to require a warrant under the Fourth Amendment? The Supreme Court's answer is perhaps the most important opinion it will release this term. How it rules on warrantless GPS tracking will directly impact the way law enforcement uses new technologies, including cell phones & other wireless devices.

62 arrested after rival gangs clash - Nov 9, 2011 – *Denmark* – By www.WindsorStar.com - Some 62 people were arrested near Copenhagen on Tue following a clash between 2 rival gangs outside a courthouse where a gang member was on trial for the 2008 murder of a young Turk, police said. The people arrested in the Copenhagen suburb of Glostrup had “ties to gangs & bikers,” a police statement said. Rival gangs have been battling for years over control of Copenhagen's illegal drug market. According to various media, close to 100 people clashed outside the Glostrup courthouse where the man suspected of gunning down a young Turk in Copenhagen in 2008 was on trial. A member of the Hells Angels biker gang, Mazdak Fabricius, is accused of the murder, which was the starting point for a bloody gang war in

Copenhagen. Journalists at Tuesday's scene said members of the Hells Angels & its support group AK81 faced off against the Tingbjerg group, described as the “immigrants.”

Mongols member convicted of second-degree murder in Gustine – Nov 10, 2011 – *California* – By Victor A. Patton; www.MercedSunStar.com - A member of the Mongols biker gang could spend 15 years to life in prison after being convicted of second-degree murder Thu in the Nov 2009 Gustine stabbing of Bill James. Ruben Silva Jr., 23, of Los Angeles was found guilty after a Merced County jury of 6 men & 6 women deliberated for about 2 days. On the 2nd- degree murder charge, Silva was found guilty under the theory he aided & abetted the attack on James, 33. Silva also was convicted of being a member of a criminal street gang. The defendant showed little emotion & thanked his attorney, John Garcia, after the verdict was read. Meanwhile, nearly a dozen of Silva's friends & family members broke into tears & exchanged hugs in the courtroom. Carol James, the victim's mother, sat in the courtroom with a downcast, weary-eyed expression. Silva was one of as many as 10 people who entered the Gustine Club at 431 Fifth St. & killed James. Nine suspects were arrested, all of whom have taken pleas or had their cases dismissed. The men entered the bar yelling “Mongols!” & James replied he didn't care who they were. The prosecution argued that the group killed James because they felt he disrespected them. Deputy District Atty David Elgin, the prosecutor in the case, said Silva & his friends were looking to provoke a response when they entered the bar yelling their gang's name. Four witnesses identified Silva as a participant in the attack, & 2 said he was carrying a knife.

Police May Be Able to Secretly Monitor Your Phone – Nov 11, 2011 – *USA* – By Cynthia Hsu; <http://blogs.FindLaw.com> - Cell phone tracking, a method more prevalent than GPS & wiretaps, sometimes doesn't require authorities to take out a search warrant. This means that in some cases, individuals don't even know their cell phone has been tracked until location evidence is lodged against them during a criminal trial. Some might wonder if this is even legal in the first place. Cell phone tracing has become a mainstay in law enforcement authorities' tool belt, but the legality of their use without a warrant is unclear. Whether or not search warrants are needed depend on what jurisdiction you live in. In some jurisdictions like New York & California, search warrants are typically required when tracking cell phones. But in Florida, they aren't, reports *The Wall Street Journal*. The U.S. Constitution prevents unlawful searches of in areas where a person has a reasonable expectation of privacy. For example, police usually need a warrant to search a person's home. The reason why some prosecutors have argued they don't need search warrants is because of statutory requirements. One statute, from 1986, allows authorities to track historical location data. The other allows real-time collection of cellphone calling data, but not location tracking. Of course, usually law enforcement officials still need to obtain a court order to get the location data. But the legal standard to obtain a court order is lower than the legal standard required for a search warrant. To get a court order, prosecutors only need to show “there are reasonable grounds to believe” that the data is relevant to a criminal investigation, reports *The Wall Street Journal*. Search warrants for cell phones would require investigators show there is probable cause to suspect criminal activity. Now the practice of search-warrantless cell phone tracking is under legal fire. In fact, some magistrate judges are denying requests for cell phone tracking now, but even so the central issue is still currently unresolved.

Challenge already planned – Nov 13, 2011 – *Australia* – By Nicole Cox; www.PerthNow.com.au - Angry bikies say they will fight the State Govt's proposed anti-association laws all the way to the country's highest court. Gang members & civil libertarians yesterday claimed community rights would be eroded by WA's Criminal Organisations Control Bill, which they branded unfair & undemocratic. Speaking on behalf of the Rebels MC understood to be the first bikie gang to be targeted if the laws come into force lawyer Michael Tudori said the proposed legislation was more than just "anti-bikie laws". "All this is going to do is drive all these clubs & associations underground," Mr Tudori said. "We will challenge every single avenue of it. If they try to declare the club a declared group, it will be challenged. Individually, it will be challenged. And those challenges will go all the way to Canberra to the High Court. "Just because these laws come through, it doesn't mean that's it, let's close up shop. These guys are friends, they are friends beyond the club. Just because the laws come through, it doesn't mean they will stop being friends." United Motorcycle Council WA spokesman & Coffin Cheater Peter "Fuzzy" Godfree said the legislation would be studied by the group's lawyers. The council is a coalition of 7 WA bikie gangs the Coffin Cheaters, Rebels, Gypsy Jokers, Club Deroes, Outlaws, God's Garbage & the Vietnam Veterans banded together to fight the Bill. The Comancheros, Finks & Rock Machine are not part of the action. "The UMC WA welcomes any rule of law that applies to all men equally, no matter what their status, which does not seek to undermine the democratic rights of all its law-abiding citizens under the separation of powers," Godfree said. He reserved further comment until the council obtained full details of the Bill. Australian Council for Civil Liberties president Terry O'Gorman said control orders were modelled on terrorism laws & claimed the legislation was nothing more than a "law & order stunt". "The anti-bikie laws are incredibly repressive . . . while they are badged as bikie laws, in fact they are applicable to the whole community," Mr O'Gorman said. He said anti-association laws were based on an "obnoxious concept of secret evidence", & existing laws of criminal conspiracy, asset confiscation & WA Criminal Code were more than adequate to deal with any problems posed by bikies. In Nov last year, the High Court declared as unconstitutional South Australia's controversial bikie laws banning members from associating. In the test case, lawyers for 2 SA members of the Finks MC argued a section of the legislation undermined the constitutional independence of magistrates. Similar New South Wales laws have also been successfully challenged in the High Court.

Charges ordered dismissed against Vagos member – Nov 14, 2011 – *California* – By Mike Cruz; www.DailyBulletin.com - A judge dismissed criminal charges Monday morning against Andrew Eloy Lozano of Fontana, a member of the Vagos MC who was arrested last month in a large-scale sweep. At a preliminary hearing in San Bernardino Superior Court, Judge James Dorr ruled that prosecutors failed to provide enough evidence to hold Lozano for trial on charges of possessing body armor & participating in a criminal street gang. "The court finds there is insufficient evidence as to both counts & the allegation," Dorr said. Lozano, 35, was one of a handful of local Vagos members arrested as part of a statewide investigation, authorities said in Oct. At a preliminary hearing, a judge listens to witness testimony & reviews evidence to determine if there is enough evidence to go to trial. In Lozano's case, the charge of possessing body armor was only illegal if he had a violent felony conviction, prosecutors said. Prosecutors had alleged in the charging documents that Lozano was convicted in 2004 of negligent discharge of a firearm. But defense lawyer Mark

McDonald told the judge that his client's conviction of California Penal Code Sec. 246.3, "while a strike, is not a violent felony." Prosecutors didn't provide evidence to say whether Lozano was the person who actually fired the gun in the 2004 conviction - which would have been a violent felony - or whether he was simply an aider-and-abettor. McDonald later declined to comment about the ruling. Deputy District Attorney Steve Sanchez said after the court hearing that he intends to get court records from the 2004 case & possibly re-file the body-armor charges. Lozano has another case from 2009 in Fontana Superior Court for allegedly evading police with wanton disregard for public safety. He was out of custody on a bail bond in that case when he was arrested in the body-armor case. Lozano's bail bond remained in effect in the evading case, according to the defense, & he should be released from custody. He will return to court on that case Friday for a trial- readiness hearing.

Gilroy Man Charged With Murder In Biker Gang Clash – Nov 14, 2011 – *California* – By www.KSBW.com - A Gilroy man is facing murder charges after a clash between Hells Angels & Vagos motorcycle gang members at a Reno casino left the San Jose Hells Angels chapter Pres dead. Hells Angels member Cesar Villagrana, 36, of Gilroy, was charged with murder even though he did not actually kill anyone. On Sept. 23, Hells Angel San Jose president Jeffrey "Jethro" Pettigrew, 51, shot & stabbed to death inside a packed casino bar by a rival Vagos biker. Police believe Pettigrew's killer was Vagos biker Ernesto Manuel Gonzalez, 53, who has been arrested & charged in connection to Pettigrew's death. Oddly enough, Villagrana, not Gonzalez, was charged with murder. Villagrana & his friend Pettigrew had traveled to Reno together for an annual motorcycle festival called Street Vibrations. In the hour before Pettigrew was killed, the 2 were hanging out in the bar. A casino security video recorded Villagrana punching, pistol-whipping & shooting Vagos motorcycle gangsters & random bar-goers moments before Vagos gangsters attacked Pettigrew, court documents state. Police said they arrested Villagrana the night of the casino shooting & he has not entered a plea. The biker bloodshed did not end in Reno. At Pettigrew's funeral at Oak Hill Memorial Park in San Jose on Oct. 15, Steve Tausan was shot to death within a crowd of 4,000 mourners. Investigators suspect fellow Santa Cruz Hells Angels member Steven Ruiz, 38, was Tausan's killer. Tausan, 52, of Santa Cruz, was nicknamed "Mr. 187," the California penal code for murder, & had the numbers tattooed across his wrist. He enforced the Santa Cruz chapter's rules as the sergeant-at-arms. Ruiz is still on the run, & is believed to be traveling with his girlfriend, Christel Renee Trujillo. The 2 are possibly traveling in a gold or pewter Chevrolet Suburban, police said. Investigators had originally thought that Ruiz may have been killed by other Hells Angels members, but they determined he was still alive.

Sick Leave: I urgently needed a few days off work, but, I knew the Boss would not allow me to take a leave. I thought that maybe if I acted 'Crazy' then he would tell me to take a few days off. So I hung upside-down on the ceiling & made funny noises. My co-worker (who's blonde) asked me what I was doing. I told her that I was pretending to be a light bulb so that the Boss would think I was 'Crazy' & give me a few days off. A few minutes later the Boss came into the office & asked, 'What in the world are you doing?' I told him I was a light bulb. He said, 'You are clearly stressed out.' Go home & recuperate for a couple of days.' I jumped down & walked out of the office... When my co-worker followed me, the Boss asked her, '...And where do you think you're going?!' She said, 'I'm going home, too. I can't work in the dark.'

Biker boss killed in wreck - Nov 15, 2011 – *Florida* – By www.DailyCommercial.com - The 51-year-old Pres of the Warlocks MC of Lake County & his passenger died Sun afternoon when his bike struck the rear of a car in Seminole County, the Florida H.P. said. Donn Wolf of Sorrento & his passenger, 40-year-old Angela “Angie” Curcio of Lake Mary, died at the scene. The FHP said Wolf’s 2007 H-D struck the rear of a 2002 Hyundai while illegally passing other traffic. The accident occurred at about 5:50 p.m. on State Rd 46. The motorcycle wrecked, with the driver of the car & her passenger receiving minor injuries. Law enforcement officials refer to the Warlocks as an outlaw or “one-percenter” motorcycle gang, along with the Hells Angels & Outlaws. The Warlocks have chapters in various parts of the United States, England & Germany. State records say the Warlocks M.C. of Lake County Inc. is located at 32205 County Road 437 in Sorrento. An arrest report last July for criminal mischief listed Wolf’s address as 32200 CR 437. Incorporation records list Wolf as president, Shawn Clapp of Mount Dora as V.P., Nicholas Kansfield of Leesburg as secretary & Ronald Seaver of Paisley as treasurer. There are at least 8 other Warlocks chapters in Florida. Warlocks Nat’l Pres “Big John” announced Wolf’s death on Warlocks MC Internat’l Web site Sun night. “Our condolences go out to Wolf’s family, friends & brothers,” he said.

Bikie clubhouse burns down in Newcastle – Nov 16, 2011 – *Australia* – By <http://news.NineMSN.com.au> - A clubhouse owned by the Nomads bikie gang has been destroyed in a suspected arson attack. The building in Newcastle, burned down about 2.20am on Wed. The cause of the fire has not been confirmed, but police say it is thought to be suspicious. The clubhouse, belonging to the Newcastle chapter of the Nomads gang, is understood to be several kilometres from a clubhouse belonging to the rival Rebels bikie gang.

Motorcycle gang member pleads not guilty to murder charge in Nugget shooting – Nov 17, 2011 - *Nevada* – By www.RGJ.com - One of 3 suspects charged in connection with a rival motorcycle gang melee on a crowded Sparks casino dance floor during Street Vibrations pleaded not guilty Thur to an indictment charging him with murder & conspiring to fight with his rivals. Ernesto Gonzalez, 53, of San Francisco was arraigned in Washoe District court before Judge Connie Steinheimer on an indictment filed Nov. 9 related to the Sept. 23 shooting death of Jeffrey Pettigrew at the Sparks Nugget. Steinheimer entered the guilty pleas on behalf of Gonzalez, who stood silent. A Jan. 17 trial date was scheduled. He was arrested about a week after the shooting in San Francisco & returned to Reno on Monday. Three attorneys from the public defenders office represented him during Thursday’s brief hearing. Gonzalez is a Vago motorcycle gang member from San Jose, while Pettigrew was the San Jose Hells Angels Chapter Pres. The 2 groups are historical rivals.

Fed judge upholds NY motorcycle checkpoints - Nov 18, 2011 - *New York* – By AP, Wall Street Journal; <http://online.WSJ.com> - A Fed judge has rejected motorcyclists’ claims their constitutional rights were violated by New York State Police highway checkpoints that stopped thousands of riders & ticketed many. Judge Gary Sharpe concludes the main focus of the 2008 statewide initiative by troopers, timed to coincide with rallies drawing crowds of riders, was safety. Sharpe says that distinguishes them from “a general interest in crime control” that could have amounted to unconstitutional seizures when there’s no “individualized suspicion of wrongdoing.” 4 motorcyclists sued troopers claiming safety was a mere pretext in looking for

criminals. According to Sharpe, 5,342 vehicles passed through 17 checkpoints in 2008. Authorities inspected 2,278 & issued 1,064 tickets, including 365 for helmet violations, 99 for other safety violations, 600 for non-safety violations, made 4 criminal arrests.

SOPA Copyright Bill: Prison for Pirated Posts? – Nov 18, 2011 – *USA* - By Andrew Chow; <http://blogs.FindLaw.com> - The controversial SOPA copyright bill is coming under fire from influential lawmakers, as fears spread about the proposed law’s penalties -- including possible prison time for posting copyrighted material online. House Democratic leader Nancy Pelosi chose an apt forum to go public with her criticism. “Need to find a better solution than #SOPA #DontBreakTheInternet,” Pelosi said Thursday via Twitter, Reuters reports. Congressman Darrell Issa, R-Calif., made his comments offline, saying SOPA has no chance of passing. “There are so many unintended consequences,” Issa told The Hill newspaper. The lawmakers’ comments followed Wed’s House hearing on the SOPA copyright bill. Google & other Internet giants want SOPA killed or rewritten, while Hollywood studios & record companies want it to pass. SOPA, along with its companion bill in the Senate called Protect-IP, expands copyright holders’ powers & could send violators to prison. Under current laws, copyright owners can ask websites to remove copyrighted media clips. Under SOPA, copyright owners could also ask banks & Internet Service Providers (ISPs) to pull the plug on websites with pirated content. If the banks or ISPs refuse, copyright owners can take them to court. SOPA would also make streaming copyrighted content a felony. Anyone who posts copyrighted work that would cost at least \$2,500 to license could face up to 5 years in prison if convicted. Critics fear courts could go crazy with the so-called “streaming felony” provision. For example, YouTube clips of people singing copyrighted songs, or clips with copyrighted music playing in the background, may be targeted, critics say. The SOPA copyright bill, with its prison provision, is still a long way from becoming law. It must clear the House Subcommittee on Intellectual Property, Competition & the Internet before it comes up for a Congressional vote.

Local motorcycle club gathers toys – Nov 19, 2011 – *Idaho* – By Renee Wells; <http://MimicassiaVoice.com> - Members of Brother Speed MC & guests from numerous other clubs throughout Idaho, Oregon & Utah, converged on the Mini-Cassia community last week, Saturday, Nov. 5, to conduct their annual toy run. About 50 bikers came to town, many of them riding in chilling conditions, & others trailing their bikes in for the event that takes them from town to town as they gather toys and/or funds to help the Mini-Cassia Christmas Council provide Christmas for local children. Last year’s event netted \$6,300 worth of toys & gift cards from the group. This year there were less bikers, but a generosity that always seems to amaze Christmas Council volunteers. The parade of Hogs around the Rupert Square was quite impressive on Saturday, Nov. 5, when more than 50 H-D motorcycles came to town for the Brother Speed Toy Run. The bikers ride from town to town, with stops along the way. At each stop, each person must either produce a toy or a donation. There are also Toy Run Sweatshirts sold to raise funds. Most of the bikers have nicknames. It isn’t easy to weasel their real name out of them. The group is like a big family & they care for their own. They also care for their communities. “We are able to do this & so we do,” said one biker from Utah. “We just want to see that little kids whose families may not have the means to provide them with a memorable Christmas, have the means to do so through the council.” After 4 stops & a day of gathering toys, the club is off to a good start. They will deliver their goods to the Christmas Council around the first part of Dec.

Biker gang birthday, police on high alert – Nov 20, 2011 – *New Mexico* – By Celina Westervelt; www.KRQE.com - Valencia County's biggest crime crackdown ever - It's a big birthday for a group many people call dangerous & state police are on high alert, watching the Bandidos biker gang from the ground & from the air, in a massive crime crackdown. The Bandidos are celebrating their 40th birthday & authorities are keeping an eye on them as they plan to serve burglary, drug & DWI warrants. Officials say it is the biggest crime crackdown ever in Valencia County. More than 100 officers from multiple agencies are targeting criminals, patrolling the streets & zeroing in on them from above in a state police helicopter. The crackdown coincides with the Bandidos, a notorious biker gang's, 40th birthday celebration in Valencia County. Gang experts describe members of that group as violent, often leaving behind a trail of crime. Fellow biker Annette Torrez has her own opinion. "The Bandidos are always looked at as a criminal element a bad influence, I can tell you I've probably gotten more respect from members of banditos than i have from most people," Torrez said. Police won't say if they are specifically targeting the Bandidos. "But we are aware & we're cognizant of that gathering of the Bandidos & we have enough personnel in the area to deal with the issues that come up," Deputy Chief Pete Kassetas said. They are keeping a close eye on them with the helicopter & they will keep on top of the gang overnight. "We're glad they're out there we hope they're looking out for us," Kimberly Kinter said. The Bandidos sent Kinter to speak on their behalf saying the group is peaceful. Still police want everyone to know that they are watching. "Criminals don't obey jurisdictions they go wherever they want so we have to be able to work together & go catch them," Lt. Miller said. State police have already handed out more than 60 tickets, made one DWI arrest & 3 other misdemeanor arrests. Police say the beefed up patrols will last through Thanksgiving weekend.

Police shadow Aussie bike gang members – Nov 20, 2011 – *New Zealand* – By <http://TVNZ.co.nz> - More than 50 members of an Australian motorcycle gang made their presence felt in Christchurch today, under the watchful eye of police. The Rebels gang members visited 5 pubs across the city, followed by a police shadow patrol, & were stopped for breath testing just outside Belfast. Police intelligence has revealed the gang is looking to set up a chapter in the South Island. The Rebels have been established in the North Island for a year, & are the largest gang in Australia with nearly 4 thousand members. They were rumored to be heading south this weekend in a bid to attract members. A witness told Newstalk ZB that police pulled over about 40 Rebel motorcycles & a number of cars belonging to the gang at the Northern Motorway just out of Christchurch. The source says there are at least 8 police cars & a booze bus at the scene. A police southern communications spokesman said checkpoints of that sort are not unusual & he would not confirm if it was a deliberate strategy to target the gang. Police said in September that the Australian Rebel motorcycle club has been trying to gain a foothold in New Zealand. At the time they executed search warrants at addresses in New Plymouth, Otaki, Auckland & Northland, resulting in the arrest of 22 people. Detective Inspector Chris Bensemann said the focus was "the continuation of our national focus on the Rebels gang & their continuing or ongoing recruitment of gang members". Earlier this year police seized cars & cash in similar raids across the North Island. Police Minister Judith Collins said after the September arrests that she believed that the message would start to sink in. "Sooner or later they'll realise that New Zealand is a very bad place to set themselves up," Collins said. "Earlier this year they were sent a

very strong message that New Zealand doesn't want overseas outlaw gangs coming here & that our police & law enforcement agencies will do everything they can to make them feel as unwelcome as possible." The Rebels are Australia's biggest motorbike gang with nearly 4000 members & in Feb this year they told ONE News they were just a social group, riding motorbikes. But Bensemann said the evidence clearly contradicts their statement.

Six Americans Were Held Against their Will in Norway – Nov 22, 2011 – *Oregon-Washington / Norway* -By Tim King; www.Salem-News.com - Six Americans traveling to Norway for a 5-day vacation were immediately taken into custody after landing at the Stavanger airport last week. The men from Oregon & Washington spent several days in custody, never learning until the end what they were being held for, or how long officials intended to jail them. "I was kidnapped & terrorized by another country," Mike Kondash of Salem, Oregon said. This honorably discharged U.S. Navy Veteran recalls the first Norway Customs officer at the airport saying, "We don't want you in our country." One of 3 U.S. Veterans in this group, Kondash says he also heard statements from Norwegian officials that he & the others, who have traveled to Norway in the past, were "undesirable" & that they could "pose a threat". An attorney was provided the same day that the six, all present & past members of the Gypsy Joker Motorcycle Club, were arrested at the airport. After talking to officials, the attorney said, "Some of you have criminal records & some of you don't, but they believe there is a chance that you might do something wrong here." Yet the lawyer also said it was unclear exactly why they were in custody, Kondash explains. "60 hours in a 8 by eleven cell with no information of any kind, wondering why I was in custody. They took everything but my underwear." It is not editorializing to state that media & police frequently, even routinely, describe motorcycle club members as criminals without justification. Hollywood piles on the idea & Americans are programmed accordingly. However Mike Kondash, like many others in the biker community, has no criminal past at all beyond traffic tickets, & he is a local business owner. One of the men taken into custody has a substantial hearing problem. Kondash says the jailers in Stavanger did not determine that the man had a hearing disability, & he went long periods without eating because he didn't respond to impatient guards when his name was called to receive food. Kondash says they were not allowed to see a U.S. consulate, & they were denied rights that were provided under Norwegian law. "Well you can't have these"

In the end, the officials made at least one revealing mistake. The Norwegian Gov't purchased tickets for the men & sent them back to the U.S. after their release. Instructions for the airline pilot on each of the 'deported' passengers somehow ended up in the passenger's belongings. A U.S. Customs official removed the documents from Kondash's property, noting that the 2 pages of instructions for the pilot stated, 'Do not give to any unauthorized personnel'. "Well you can't have these," the official told Kondash. As it turns out though, the 6 passengers were checked by different Customs agents upon returning to Seattle, & all were not as thorough as the one who checked Kondash. Three sets of those same documents were left in the possession of the Americans. The info regarding the 6 Americans was essentially the same. It is a 2 page set of instructions, & on the second page is a series of boxes describing the reason a person is being deported. In the case of the 6 bikers, they each had 4 boxes checked.

These are the 4 boxes checked under the category 'Unescorted deportees (depu) svg-osl-nyc'

- Deported to Norway according to the Chicago Treaty.
- Expelled due to lack of residence permit.
- Not convicted of a crime in this country.
- The police consider this person to be stable,

And that he poses no threat to himself or others.

Those are the descriptions of 6 Americans who were allowed to fly all the way to Norway in good faith, & rejected at the airport gate. They were all held in custody in Stavanger, which is about an hour's drive from Oslo. Kondash has discovered that their club is not the only one that has been singled out in this respect & denied entry. He says the men believe their rights were sharply violated & question what message Norway is sending. I have been studying the Chicago Convention referenced in the pilot's instructions that the men were fortunately able to keep. Also known as the Convention on International Civil Aviation (ICAO), the Chicago Convention is according to Wikipedia: "...a specialized agency of the United Nations charged with coordinating & regulating international air travel. The Convention establishes rules of airspace, aircraft registration & safety, & details the rights of the signatories in relation to air travel."

Conclusion: In reviewing this treaty, it appears to have little to do with a Gov't's right to reject a person who legally visits another country, & far more to do with airplane & airport safety. (see: Convention on International Civil Aviation). While they are all safe & sound now, the experience was not a pleasant one for Kondash & the 5 other men. He says the food was minimal & unfit to eat, & he remains shocked that a country that only a few months ago received & treated him with respect & dignity, would for no definable reason arrest he & the others while maintaining an air of secrecy, & denying clearly stated rights like the ability to a place a phone call, & to receive food. I intend to review this case more extensively & also consult an international lawyer on our team, to gain the best possible understanding of what circumstances Norway believes grant a legal right to jail, hold without charges, & deport 6 Americans in this manner.

Bikers' neighbors on edge – Nov 22, 2011 – *Canada* – By Dale Darruthers; www.LFPpress.com - A home with all the trappings of a Hells Angels clubhouse & a tattoo shop owned by an Outlaws member are blocks apart... One building is white with a red roof -- Hells Angels colors. The other building is black with skulls on the wall -- Outlaws colors. In between are 4 city blocks, nervous neighbors & watchful police. The fallout from a Hells Angels party on the weekend continued Mon, with parents whose children attend an elementary school across from the purported clubhouse at 549 Grey St. & an expert weighing in. Parents outside Aberdeen public school Monday morning debated the bikers' presence in the neighborhood, with some claiming it's not necessarily a bad thing. "It definitely makes the neighborhood safer. Nobody messes with a biker house or any neighborhood the biker house is in," one man said. Another man said police shouldn't unfairly target the bikers. "They haven't technically done anything wrong," he said. "They just threw a party." Other parents disagreed. "Who puts a party house outside a school area?" asked one mother. "Why wouldn't you do it in between here & Thamesford where they could have a good party & not concern anybody else?" Neighbors, meanwhile, are concerned about the bikers' presence in the already troubled area. "I don't really want them in the neighborhood. We already have enough crime in the neighborhood," said one area resident, who didn't want to be identified. Police suggested the party Saturday that drew 100 people was a show of strength by the Hells Angels &

may have been a message to the Outlaws MC. The Outlaws club is a longtime rival that seemed to resurface in London in the summer. The evidence of an Outlaws resurgence was La Tinta Latina, a tattoo & piercing shop that opened in June at 328 Hamilton Rd. The building is black & has a white skull on the wall, but owner Norman Zeledon denied it was an Outlaws clubhouse. Although police warn the Outlaws & Hells Angels have a long & bitter history, one organized crime expert said co-operation, not confrontation, may be in the offing. It's more likely members of the significantly smaller Outlaws would work with the larger Hells Angels, organized crime expert James Dubro said. "It's not unknown these days for Outlaws to become Hells Angels," he said. "Things do change." Although police won't confirm the home at 549 Grey St. is a Hells Angels clubhouse, it has all the trappings. The heavily fortified single-storey house is decorated in the Angels' trademark red & white, & a sign asking visitors to use the side door is written in the biker club's signature font. The house is surrounded by a 1.5-metre high fence with a large dog behind it. Access to the house is controlled by a metal gate that swings open to let vehicles into the driveway. Seeing inside the home is impossible -- wooden shutters prevent passersby from looking in -- but whoever is inside can easily watch anybody who approaches the house. The house is equipped with 3 tiny surveillance cameras -- one near the front door, one on the garage & one on the side of the house. The Hells Angels gang has kept a low profile in London since their old clubhouse on Swinyard St. was seized by police in July 2008 & remains under a so-called restraint order. Det. Sgt. Len Isnor, head of the OPP-led \$provincial biker-enforcement unit, said neighbors have good reason to be concerned about the bikers' presence in the area. "I think anytime you have an outlaw motorcycle gang in your neighborhood or in your city you have to be concerned." Police wouldn't say whether the owner of the house is a known member of the Hells Angels. City records show the home's owner bought the house in September 2010.

Palmyra man claimed to be held hostage by a MC at Applebee's – Nov 23, 2011 – *Pennsylvania* – www.WHPtv.com - Donald Gross of Palmyra called the Carlisle P.D. asking to be rescued from an outlaw motorcycle gang that was holding him hostage, at Applebee's near the Carlisle Commons, for \$250. When police arrived at the restaurant there was no sign of Gross, or a motorcycle gang. As officers checked the area, their K9 unit found Gross leaving a nearby movie theater. Police then discovered that he was wanted by Swatara Township police on a charge of retail theft. Carlisle police took Gross into custody for the warrant as well as charges of filing false reports. Gross' odd behavior continued in the squad car where he repeatedly spat during the ride to the booking center.

New car announcement: Renault & Ford have joined forces to create the perfect small car for women. Mixing the Renault 'Clio' & the Ford 'Taurus' they have designed the 'Clitaurus'. It comes in pink, & the average male car thief won't be able to find it - let alone turn it on - even if someone tells him where it is & how to do it. Rumor has it though, that it leaks transmission fluid once a month & can be a real bitch to start in the morning! New models are initially fun to own, but very expensive to maintain & horribly expensive to get rid of. Used models may initially have curb appeal (low price) but eventually have an increased appetite for fuel & the curb weight typically increases with age. Not expected to reach collector status... best to lease one & replace each year.

Grand jury told loud-mouthed, loose cannon sparked Hells Angels casino shootout - Nov 24, 2011 - *Reno, Nevada* – By AP; www.WashingtonPost.com - Chatting peacefully on the floor of a Nevada casino, a senior Hells Angels leader & a 27-year veteran of the rival Vagos motorcycle gang thought they had negotiated a truce between competing members who'd been itching for a fight at a weekend long biker festival. "Everything is going to be all right," the Vagos member recalls his rival telling him. "He said, 'I'm getting too old for this.' And I said, 'I'm getting too old for this too.'" An hour later, a brawl erupted & a shootout ensued, killing one of the highest-ranking Hells Angels in the country & wounding 2 Vagos members. More violence has followed the melee at the hotel-casino in Sparks on Sept. 23, but the longtime Vagos member told a grand jury in Reno earlier this month that the deadly gun battle was not part of some assassination plot or formal declaration of war. Rather, he testified under the condition of confidentiality that it was the result of the unauthorized behavior of a drunken, fellow Vagos — a loud-mouthed, loose cannon nicknamed "Jabbers" who provoked the fight that led to the fatal shooting. "Jabbers has a big mouth. He's always had a big mouth," said the witness, who described himself as being in the "higher echelon" of Vagos leadership "before this event." Jabbers, whose real name is Gary Stuart Rudnick, was the V.P. of the Vagos Los Angeles chapter but since has been kicked out of the club, according to the confidential witness. He's 1 of 3 men indicted on murder charges in the killing of Jeffrey "Jethro" Pettigrew, the late president of the Hells Angels San Jose chapter. Rudnick had refused to back down even after Nat'l Vagos officers were summoned & talks with Hells Angels' leaders had calmed the volatile situation shortly after 10 p.m., the grand jury witness said. "This was diffused by national," he said. "The national (leaders) went down there & talked to them. Everything was worked out, there was no problems." But about an hour later, Rudnick again was taunting Pettigrew, who the witness said "in the Hells Angels world is one of the most important guys in the United States." Finally, he said Pettigrew had enough & punched Rudnick in the face, touching off a series of fights that led to the gunfire. "All hell broke loose," the witness testified. "Just bam, bam, bam, bam, bam, bam, bam, bam, bam, bam, bam, bam, bam." Another Vagos, Ernesto Gonzalez, is accused of shooting Pettigrew 4 times in the back & is being held without bail on an open murder charge. Rudnick & Cesar Villagrana, a Hells Angel member accused of shooting 2 Vagos that night, face second-degree murder charges for their role in the fracas. "There were so many shots, shots going off through this whole melee," the witness said. "I'm surprised a citizen didn't get shot because anyone could have walked around the corner or walked out of the bathroom & got shot." The 278-page transcript entered into the court record earlier this week offers a look at the mayhem in the jam-packed Nugget hotel-casino shortly before midnight on Sept. 23 — much of it captured on the casino's 448 security cameras. Investigators later retrieved dozens of shell casings & bullets — one lodged in a slot machine, others in bar stools, a card table & a metal poker chip holder. "It was a madhouse on that casino floor," said Sparks police officer Jean Marie Walsh, a 22-year veteran of the force. She testified that she arrived at the casino to find Pettigrew shot in the floor before she noticed Villagrana with a black semi-automatic handgun. "One gentleman was screaming at me when he saw me see Villagrana with the gun in his hand — 'Kill him, kill him, kill him, he's right there. Kill him!'" she said. "We are just trying to get some semblance of control, trying to keep people from shooting other people," she said, as the grand jurors looked at surveillance tape. She instructed friends of Pettigrew to carry him closer to an exit so paramedics could safely treat him. In addition to a total of 5

gunshot wounds, Pettigrew suffered multiple stab wounds to the face, said Dr. Ellen Clark, the Washoe County medical examiner who performed the autopsy. She said his nose had been sliced & one nostril was "almost completely detached from the nose." Pettigrew's wounds were "distributed literally from his head to his pelvis," Clark said. The Vagos witness also described an element of the surveillance tapes to the grand jurors. "There's Jabbers putting on his gloves. The reason he is putting on his gloves is for one reason only, it is a premeditated thing they are going to start some action. This thing is going to go off."

Wapwallopen woman sentenced to house arrest, probation for role in \$3.6 million cocaine ring – Nov 24, 2011 – *Pennsylvania*

– By By Sheena Delazio; www.TimesLeader.com - A Wapwallopen woman was sentenced Wed to 23 months in the county's Intermediate Punishment Program for her role in a \$3.6 million cocaine distribution ring. Michelle Ulitchney, 50, was sentenced on 3 related charges to which she pleaded guilty in March 2010. She was sentenced by Luzerne County Judge Thomas Burke, who said the first 11 1/2 months of Ulitchney's sentence will be served on house arrest with the remaining on probation. Prosecutors say Ulitchney played a part in the ring that began in July 2008. The ring was busted in March 2009 when undercover agents raided a clubhouse & a member's home, as well as 4 other locations. Police said Ulitchney & several other people were members of the Outlaws MC & that thousands of calls were intercepted & controlled cocaine purchases were made. Ulitchney's attorney, Demetrius Fannick, said Wed his client has taken responsibility for her actions & played a "limited" part in the actual offenses, including making phone calls. Deputy Attorney General Tim Doherty said Ulitchney has cooperated from the beginning & that he was not seeking jail time for Ulitchney. John Ricci, 38, of Hanover Township, was also scheduled to be sentenced Wed for his role in the ring, but his sentencing was continued to Dec. 9. Four members have pleaded guilty & are awaiting sentencing in Luzerne County Court, including Kenneth Koonrad, of Wilkes-Barre, who is scheduled to be sentenced on Dec. 20. Most recently, Anthony Manchio, 51, of Wapwallopen, who investigators say was the main cocaine supplier, was sentenced last month to 5 to 10 years in state prison on 13 related charges he pleaded guilty to in April. Thirteen others have pleaded guilty & have been sentenced, including: Michael Scavone, of Harveys Lake; John Gonda, of White Haven; Francis Buraczewski, of Wilkes-Barre; John Macking, of Hanover Township; Michelle Adams, of Harveys Lake; Paul Czerniakowski, of Wilkes-Barre; Patrick Brown, of Dallas; Mitchell Miller, of Wilkes-Barre; Larry Gwynn, of Hanover Township; Lazaro Salavarría, of Wilkes-Barre; Joseph Janick, of Ashley; Michael Brostoski, of Wilkes-Barre; Michael Bafile, of Berwick.

A blonde heard that baths in milk would make her beautiful. She left a note for her milkman Dave to leave 25 gallons of milk. When the milkman read the note, he felt there must be a mistake. Dave thought she probably meant 2.5 gallons. So he knocked on the door to clarify the point. The blonde came to the door & the milkman said, "I found your note asking me to leave 25 gallons of milk. Did you mean 2.5 gallons?" The blonde said, "No, I want 25 gallons. I'm going to fill my bathtub up with milk & take a milk bath so I can look young & beautiful again." David the milkman asked, "Do you want it pasteurized?" The blonde said, "No, just up to my tits. I can splash it on my eyes."

South GA MC is making sure kids receive gifts for Christmas

- Nov 25, 2011 - *Georgia* - By Gianna Caserta; www.WALB.com
- An Albany area MC is making it their mission to ensure a good Christmas for kids in need. The Remaining Few MC members put out boxes at different sponsor locations for toy donations. The 28th annual Motorcycle Toy Run will be held on Dec 11th. After the toys are collected, the bikers will escort a truckload of toys through downtown Albany to K-Mart. In addition to boxes full of toys...club members collect can goods & monetary donations for the Salvation Army. "It's just great you see little kids, the toys are in piles & you have ones for the 2-year-olds, & 4-year-olds. It's just great to see kids get something. Kids need something on Christmas. That's what Santa Clause & all this is all about," said Richie Brown, Remaining Few MC. Last year, the club donated 5 thousand toys & 10 thousand dollars to the Salvation Army.

MC Pres put on probation, told to abide by liquor laws

- Nov 25, 2011 - *Michigan* - By Danielle Salisbury; www.MLive.com
- A Lenawee County judge this week placed the president of a Cement City motorcycle club on probation for 2 years & ordered him to abide by state liquor laws. William Holifield, 63, was arrested months ago after Columbia Township police found the Iron Coffins club, 325 W. Main St., was selling alcohol without a license. Holifield pleaded guilty in Oct to a "reduced disorderly charge," The Daily Telegram reported. The judge also fined Holifield \$450 & ordered him to pay \$1,502 in court costs, according to the Daily Telegram. Despite a warning from police, the club had a July 15 event, for which it sold admission tickets to the public, provided food & sold alcohol, Columbia Township Chief David Elwell said in Sept. Early July 16, a man police said was drunk & had been at the party was driving a van that left the road & hit a parked vehicle, pushing it into another vehicle, Elwell earlier reported.

Outlaw bikie gang inspires grandmother to help children facing court cases through Bikers United Against Child Abuse

- Nov 25, 2011 - *Australia* - By Brian Semmens; www.CourierMail.com.au
- They may to some people appear hellish with their black leathers, tattoos & thunderous motorbikes, but a group of Ipswich bikers are angels to some of the most vulnerable in society. Raceview's Kat Briant is among a group of about 25 bike-loving residents who are part of Bikers United Against Child Abuse, co-founded by Peter Geary. The "non-territorial bike club" gives support to victims & witnesses often vulnerable children of horrific crimes as they take part in often intimidating court cases. She was inspired to join the group after seeing some of the charitable deeds of the outlaw motorbike group, the Bandidos. "The organisation in Ipswich is new & we've helped 4 or 5 families this year," the Yamaha-riding grandmother said.

Bikie clubhouse in Muswellbrook burns

- Nov 25, 2011 - *Australia* - By Stacey Post; www.MuswellbrookChronicle.com.au
- The Nomads' headquarters in Muswellbrook is the second of the motorcycle club's headquarters to be set on fire under suspicious circumstances in less than 2 weeks. A neighbor of the Bridge Street clubhouse alerted police to the fire about 2.40am yesterday. When police arrived, officers used hoses from neighboring homes to extinguish 2 small fires burning in an undercover area near the front door. Firefighters attended shortly after & helped to put out the flames. The incident follows a petrol-fuelled arson attack on the unoccupied headquarters of the Newcastle Nomads in Islington on Nov 16. The entrance area of the Muswellbrook clubhouse has been left charred & severely damaged as a result of

the fire & a section on the western side of the building also received some fire & smoke damage. The clubhouse was declared a crime scene yesterday & police said arson was a possible cause. Three club members were out the front of the site when the Chronicle visited yesterday morning. One member, who described himself as a leader, said the club had never come under attack in the 20 years it had been in Muswellbrook. He said he had been a member for about 18 years & was annoyed with the incident. "Someone's tried to light the joint up on us," he said. Hunter Valley Local Area Command Sergeant Peter Robertson said there was no indication the Islington & Muswellbrook fires were linked. "Police state-wide have been more vigilant since recent events that have happened," he said. "However there are no suggestions of any links to the 2 fires." Sergeant Robertson said police had no reason to believe the fire would spark any retaliation. "There has been no build up, no tit for tat," he said.

The Custodians of Your Time

- Nov 26, 2011 - *USA* - By Invader Rapp; <http://DoingFedTime.com/RappsLog>
- I have had many questions about what the staff is like in a Fed prison. To be honest, I have somewhat skirted the issue for fear of retaliation by those that would get upset at my blunt opinions. However, I believe that, after a year of being here at USP Atlanta, I have developed a solid, objective view point to share with you all... Let me be clear on something here, first. To staff, this is a job, a very good paying job at that. The Fed Bureau of Prisons provides thousands of jobs & revenue directly & indirectly to citizens of this country. It's a huge industry that employs the largest police force in the country. Some privately run Fed prisons mean huge profits to private companies that are even traded on the stock market. So, it seems that, crime pays someone after all! The more bodies, the more money that is created through the system & these jobs are probably some of the best paid blue collar jobs in the country. The qualifications to become a Correctional Officer are not very stringent & I believe that it merely requires a high school diploma. So, there aren't many jobs like this that pay this well to a high school graduate, left in the country. I have a theory that most politicians believe that it would be a disservice to these hard working Americans to cut the prison system simply because prisoners create so many well paid jobs into the economy. In effect, we are cash cattle & they are the cowboys, the hired hands, so to speak. Like any business, they are ever increasing their revenue streams. The Fed BOP is the only prison system in the world that continues to grow at a breakneck pace. Unlike other countries & states that are finding new ways to save money & prevent recidivism through education, the BOP (at least here in Atlanta) has cut these "reformatory justice" programs & are very good at creating a repeat customer base. So, an FOP employee definitely has job security. Remember, what I say here could be completely different for another person, at another prison. This prison is run by Union employees, others are privately run. I have never been to any other Fed prison and, as the saying goes here, there is the BOP way & there is the Atlanta way. But, truthfully, you can't really blame the average guard for this. They come in & punch the clock, work their shift, & go home. Most of them have been here for more than 15 years! Never moving up in the ranks because their higher ups have been here even longer! There are work dynamics that they have to deal with. Like any other job, there are people that they don't like to work with & others that don't like working with them. There are political wars going on in a struggle for power & favor with those higher up. There are struggles to enforce will over each other in the form of policy or other terms. The administration has issues with the union & there are those that would sabotage their peers to get even. Really? Yep, it's just like any other large corporation you would work for, only

no one can get fired for incompetency. It's the best job ever! As far as the "danger" factor goes, this place really isn't that dangerous to work at. If it was, some of the staff would talk to you with a little more respect for fear of reprisal, instead of treating you like a child. To some staff members, we are just problem children & they treat us as such. If a coworker is not liked, they will rumor monger behind their back & use inmates as pawns to get at them. Certain staff develops cliques against others & try to use the rules to find ways to burn their enemies. Using the inmates to seek harmful information in their wars are not uncommon either & the best thing I can tell you is that you don't really want to get caught up in their affairs. The penalties for being involved are far more severe for you than they are for the staff. They still get to go home. You may find yourself a target simply because you are valuable to your boss & his/her enemies want to take you out in order to hurt them. But they are normal people for the most part, somewhat jaded for working in this environment, but, never the less, normal. Maybe even worthy of having a beer with on the outside? I think? But what I know as normal may not be normal at all. I have likened prison to the environment of a jungle. There are predators & there are prey. Some of those predators are included in the ranks of the staff as well as the ranks of the inmates. Who these people are can only be determined through observation & experience. Not through listening to the opinions of an inmate. In this jungle environment, you will have to be cautious. The wrong word to the wrong staff member could give you a personal enemy & the things that a staff member can do to you will far outweigh those of what an inmate can do to you. Things that will affect your time throughout your term, if you aren't careful enough. But like any predator, if you give them enough respect, you will be left alone. Maybe. You've heard the saying that there is safety in numbers? That also applies to being prisoner. We are herded everywhere & the staff will sit to the side surveying your herd as you all go by, hunting for a weak link to cull out & strike. So, you do your best to stay off the radar, stay camouflaged & don't stick out. Keep your clothes clean & your shirt tucked in. You really just want to get on with your day & move on, but at any time you can get "pulled over". Kind of like the patrol cops out there, your best & only defense to this is to Not carry any weapons or contraband. So, when you Do get nailed, you have minimized your potential damage..... And you will get nailed, it just depends if you are a catch & release victim or they really decide to sink their teeth into you. You have to be careful when you get pulled over. There are some that would just love to get you riled up & will actively try to push you over the edge, baiting you into saying something stupid. These are the real terrorist types, but they are few & far between. It won't take you long to figure out who these COs are & you will know when & where to avoid them, what their triggers are, & how Not to push their buttons. Stick to the mantra of killing them with kindness & you should be ok. I'm usually cheerful about the interruption, but even that has gotten me into hot water as this particular person was not too impressed with my enthusiastic compliance. I would even recommend asking if they are finished before walking away while they are talking to you, but that too has gotten me some chagrin. So, there really is no formula for safety. Not trying to be overly exaggerative here, but really, as a prisoner, you are just a slave. You gave up your rights & franchise of being a citizen when they filed the paperwork that said "The United States Verses.. Your name here." You may live here temporarily, but they pay the bills & you are to be told when you can eat, when you can sleep, when you must go to work, when you can go here or there, where you can & can't walk, & whatever else they feel like telling you. So, if a CO wants to break you down for some twisted reason, what power do you have

to stop it? None! So, no point in fighting it. No sense in seeing the snake in the corner & going over there to poke him with a stick. Leave him alone. You're going to be doing time for long after he gets his pound of flesh & you might as well just get it over with & move on. Throughout your time in prison, you will encounter many individuals that gain pleasure at the demeaning of an inmate. Why not? You are a worthless piece of trash to them that has no value to society. But let me be clear, the majority are Not that way, just a few sadistic ones. Some, COs, male And female, are even crusaders that feel it's their duty to trump down on an inmate for even breaking the slightest infraction. These are the COs that will step over a twitching man in cardiac arrest to tell you that you have to tuck your shirt in & take off your hat! But you have to learn to deal with it in a positive manner Without losing your cool in the process. Let it flow & don't let it get to you. They're certainly not all like that. Your first time, it's a shock to be yelled at like a dog that just peed the floor, but you can't let it get to you. Make it your personal mission to build an unassailable position. If a CO is well known for going into cells & tearing them to pieces, than prepare accordingly. Don't get pissed when he comes in a rips all your stuff up & takes your extra books or contraband. Get your house in order. You shouldn't have that stuff & he's going to what he is mandated to, his job. Don't give him a chance to screw your day up & take pride that you deprived him of his joyous destruction. let him get the next guy & he will surely move on. Prison is a target rich environment for these guys & , like a big brother eventually gets sick of teasing his younger when he doesn't get aggravated, he will move on to another victim. It's the only way to win! It should be said, however, that you will get those take their jobs a little more seriously than others, even to the point of breaking the rules. Nothing I can say will prepare you for that. A very common pitfall is to believe what others say about a staff member. You may be hearing this from a real screw-up that stays in trouble & on the bubble. When I first got here, I heard that I had the worst counselor & the worst unit team manager on the compound, but I haven't really had any problems with speaking to them or getting answers to my questions. As a matter of fact, they have both been very thorough in answering them. What I have learned is that, generally, if you are not a screw up, you program (meaning take a fitness class), you don't burden them with a large amount of questions & requests, you can get help when you really need it. But if you are a pain in the ass to them, you got nothin' comin'. As I have always said.....Stay out of the gangs, the drugs, debt, & lending. Stay off the radar & you can go through your time without ever really needing to talk to a CO. Don't try to be their friend because they don't care about you. Small talk is jsut that.....small. Don't be a leg hamper or you will be labeled a snitch. Let them do their job & they will let you do your time with some semblance of dignity. Hope that answers some of your questions.
Love, Honor, & Respect, RAPP

Appreciate every single thing you have, especially your friends!
Life is too short & friends are too few!

U.S. Defenders:

- We don't accept applications. We accept commitments...
- If we all do a little bit, Then no one has to do a lot...
- There can be no "I", there has to be "We"...
- One heart, One Voice...

National Coalition of Motorcyclists...
An Idea Whose Time Has Come...