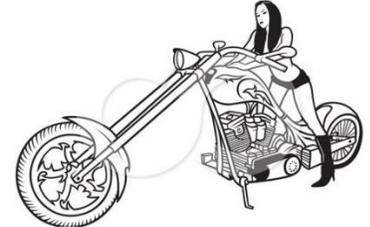


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Brothers Behind Bars Newsletter... November 2015 – Issue 1...



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

Free All Brothers Behind Bars...

Editor: Mike Davis...

Good Judgment comes from Experience. Experience comes from Good & Bad Judgment.

NCOM Sponsors this Newsletter with a donation of \$300.00 per month. NCOM; Richard And Joseph Lester; Attorneys At Law...

CoC Of North Dakota	donates \$ 25.00 a month...	Bandidos MC	Finland	donates \$ 50.00 a month.
CoC Of Oregon	donates \$ 30.00 a month...	Bandidos MC 1Wire	Texas	donates \$ 25.00 a month.
CoC Of Alabama	donates \$ 50.00 a month...	Bandidos MC Galveston, TX	Chapter	donates \$ 10.00 a month.
In Country Vietnam MC	USA donates \$ 50.00 a month...	AOA Nation	USA	donates \$ 50.00 a month.
Warlocks MC Nation	USA donates \$ 40.00 a month.	Outlaws MC	Connecticut	donates \$ 15.00 a month.
Vagos MC Nation	USA donates \$ 50.00 a month...	Outlaws MC	Georgia	donates \$ 20.00 a month.
SteelHorse Riders Cappy	Michigan donates \$ 25.00 a month...	Flash Productions	Michigan	donates \$ 10.00 a month.
Vigilante Cash	Michigan donates \$ 20.00 a month...	Devils Dicile Tatu	Alabama	donates \$ 25.00 a month.
IHMC Crooked Nose Mike - prison	donates \$ 5.00 a month...	Devils Dicile SA	FCI Milan, MI	donates \$ 25.00 a month.
Jimbo	Lafayette LA donates \$ 20.00 a month...	Valkyrie MC	Houston, Texas	donates \$ 10.00 a month.
Solid Brotherhood MC	Minnesota donates \$ 25.00 a month...	El Forastero MC	Nation USA	donates \$ 17.00 a month.
Sons Of Silence MC	North Dakota donates \$ 100.00 a month...	El Forastero MC	Okoboji, Iowa	donates \$ regularly.
SOS MC	Western North Dakota donates \$ 25.00 a month.	VNV/LV MC, Dirty Chapter, Houston		donates \$ 5.00 a month.
SOS Supporter Wildman	PA donates \$ 20.00 a month.	Prairie Rattlers MC	North Dakota	donates \$ 25.00 a month.
SOS Supporter Knucklehead Fred	donates \$ 20.00 a month...	Rough-Riders MC	North Dakota	donates \$ 40.00 a month.
SOS Nomad Skunk FMC Springfield	donates \$ 25.00 a month...	Solid Brotherhood MC	North Dakota	donates \$ 25.00 a month.
Tramp in prison	El Dorado, Kansas donates \$ 5.00 a month...	Silent Thunder MC	North Dakota	donates \$ regularly.

Congratulations to **Vago Zero** on your being released on October 28, 2105...

Congratulations to **Bandido Witte** from **Holland** on your upcoming release & having weekend passes...

Welcome **Hells Angel Randy** to the NCOM Brothers Behind Bars Newsletter Mailing List...

Welcome **Wheels of Soul Monster** to the NCOM Brothers Behind Bars Newsletter Mailing List...

Happy Birthday goes to one of our Sponsors on December 5th – **Happy Birthday Wildman**...!!!

Happy Birthday **Outlaw Spike** on October 1st...
 Happy Birthday **Pagan Ogre** on October 24th...
 Happy Birthday **Warlock Junior** on November 3rd...
 Happy Birthday **Sons Of Silence NOMIND** on November 12th...
 Happy Birthday **Warlock Spooky** on November 21st...
 Happy Birthday **Sons Of Silence Jason** on November 22nd...
 Happy Birthday **Warlock Malicious Mike** on December 7th...
 Happy Birthday **Iron Horsemen Schocke** on December 18th...

Happy Birthday **Hells Angel Frizzy** on October 17th...
 Happy Birthday **Warlock "the Fox"** on October 22nd...
 Happy Birthday **Vago Twist** on November 6th...
 Happy Birthday **Pagan Pita** on November 20th...
 Happy Birthday **Outlaw Grasshopper** on November 21st...
 Happy Birthday **Fly-In Wheel Don** on December 5th...
 Happy Birthday **Hells Angel Big Mark Lightning** on Dec 12th...

Editor's Correction: Gayle's Monthly Donation should have read:

Valkyrie MC from **Houston, Texas** donates \$ 10.00 a month...

Note: Gayle is also an **U.S. Defender COIR** from **Houston, Texas**

Editor's Note: This issue will contain some Bio's of some of the regular authors who articles appear here (BBB Newsletter)...

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

Editor's Note: Currently we are sending over 350 copies of this newsletter to members of 84 Motorcycle Clubs...

Editor's Note: I would like to Thank my Wife "Kari" for getting these Newsletters ready to be mail...

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!!!

Editor's Note : It is too hard to keep up with counts, But for your info here are the Clubs that are getting the Brothers Behind Bars Newsletter (**84 Clubs**) in Prison: Avengers, Bandidos, Banshees, Barons, Black Pistons, Boozefighters, BPM, Breed, Brother Speed, Brothers 8, Brotherhood Nomads, Brothers Of Wheels, Cloven Hoofs, Damned Deacon, D.C. Eagles, Death Squad, Derelicts, Devils Diciples, Diablos, El Forastero, Finks, Fly-In-Wheels, Forsaken Few, Free Souls, Estedes, Galloping Goose, Ghost Riders, Grim Reapers, Gypsy Joker, Hellions, Hells Angels, Hells Lovers, Hells Outcasts, Hermanos, Hessians, Hidalgo's, Highwaymen, In Country Vietnam, Iron Coffins, Iron Horsemen, Invaders, Iron Wings, Iron Mustangs, Legion Of Doom, Liberty Riders, Long Riders, Marauder's, Misfits, Mohawk Valley Riders, Moloch, Mongols, Motopsychoz, Nomads, Outlaws, Pagan's, Peckerwood, Phantom's, Pharoahs, Reapers, Red Devils, Renegades, Sadistic, Salty Dogs, Satans Soldiers, Scorpions, Set Free Soldiers, Sin City Deciples, Sons Of Silence, Sovereign, Sundowners, Thunderbirds, Thunderguards, Unforegiven, Unforgiven, Vagos, Vietnam Vets / Legacy Vets, Y-Rohirrin, Warlocks Pa, Warlocks, Winos Crew And Wheels Of Soul... With newsletters going to Australia, Canada, England, France, Finland, Germany, Norway, Scotland, Sweden, & Wales.

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.

Editor's Note: I would like to Thank all of the contacts from all of the MCs that verify if requesting member is in Good Standing with their Club; & all of the other assistance that you give me, such as address changes, being released, & soliciting donations...

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, And Confederations Of Clubs...

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**...

Editor's Note: In the interest of Cost Savings, If you can share One copy of this Newsletter where I am sending multiple copies to the same institution, please let me know... **Thanks, Mike**

Big Jim Nolan: I got my first bike in 1956 (a 1951 FL Hydra Glide) & started riding around South Florida. Not long after I began partying with a variety other clubs & bikers in the area. I am proud to say that I have made some lifelong friendships with members from other clubs. I was one of the founding members to start the (red & white) Outlaws MC in South Florida. After partying with the (black & white) Outlaws MC from up north, some of us decided that we wanted to be part of their bigger brotherhood. Those among us who who felt that way let the

A.O.A. Outlaws MC know that we would be honored if they would consider us becoming a chapter in South Florida, the others went on to form The Iron Cross MC. When the Nat'l Pres & a few other Officer members came down to sanction the chapter they were extremely impressed by our brotherhood. I have the honor of Fat Cowboy 1%er, the A.O.A. Nat'l Pres, & Big Red 1%er G.B.N.F. giving me my (black & white) Outlaws MC & 1%er patches in 1967. I am proud to have enjoyed the years out there that I did with the Outlaws MC brotherhood & Nation until they started locking me up in 1978. I sure hope like hell that I get to do it again. "I live as an Outlaw, I'll die as an Outlaw". Big Jim 1%er has always shown a brotherhood & leadership that has been a driving force for bringing in new members & chapters throughout the state of Florida & other states. Big Jim 1%er served part of a 6 year sentence for allegedly verbally threatening a public officer in 1978. He was supposed to have told a Hollywood city cop that he was going to let his Great Dane "Bitch" out to attack him. He paroled to Tucson Arizona for a short while in 1980. Then he was eventually convicted (6 counts) of possession of a fire arm by a convicted felon in 1981. They came to his house on some bullshit, then arrested him for any gun that was not in somebody's possession, just when some people was visiting him. [Don't leave guns laying around when a felon is present, even if it is right next to you!] Then after a few years in 1987 they brought him back from Terre Haute FCI to a South Florida court to face RICO charges along with other Outlaws. His charges where for crimes that he already did time for or found not guilty, & a few more were added. They gave him 2 20's, then said he was a career criminal, so they added another 5 onto each 20. The only thing that he has made a career out of is being locked down, & that is a fucked up career!

Little Poem-too true!!

Another year has passed Last summer felt hotter	And we're all a little older. And winter seems much colder.
There was a time not long ago Now I fully understand	When life was quite a blast. About 'Living in the Past'
We used to go to weddings, Now we go to funeral homes	Football games & lunches. And after-funeral brunches.
We used to have hangovers, Now we suffer body aches,	From parties that were fun. And awoken with the sun.
We used to go out dining, Now we ask for doggie bags,	And couldn't get our fill. Come home & take a pill.
We used to often travel Now we get sore asses	To places near & far. From riding in the car.
We used to go to nightclubs Now we stay home at night	And drink a little booze. And watch the evening news.

Roy, an undertaker, recently came home with a black eye... "What happened to you?" asked his wife. "I had a terrible day." replied Roy. "I had to go to a hotel & pick up a man who had died in his sleep. When I got there, the manager said they couldn't get him into a body bag because he had this huge erection. Anyway, I went up & sure enough there was this big naked guy lying on the bed with this huge erection. So I grabbed it with both hands & tried to snap it in half." "I see" said his wife, "but how did you get the black eye?" Roy replied: "Wrong room."

Who Is Double D...? David “Double D” Devereaux is the Spokesperson for the Washington State Confederation Of Clubs & US Defenders, The Motorcycle Profiling Project, & also works with the Confederation Of Clubs & US Defenders at the Nat’l level. Email: DoubleD@MotorcycleProfilingProject.com

What is the Motorcycle Profiling Project? The Motorcycle Profiling Project (MPP) is dedicated to the grassroots effort to pass laws addressing profiling & discrimination. The MPP is not intended to replace other organizations. Rather, the project is intended to coordinate & unify the different elements & organizations in each state towards this common goal, including the Confederations & Coalitions of Clubs, US Defenders, C.O.I.R., ABATE, MMA, NCOM, MRF, AMA & the many smaller MRO’s that exist around the country.

Who created the Motorcycle Profiling Project? David “Double D” Devereaux, a motorcycle rights activist from Washington State, & a leading advocate for laws addressing the issue of motorcycle profiling in America. Double D spearheaded the effort in Washington as spokesperson for the movement. Double D represents the Washington State COC & US Defenders, NCOM Legislative Task Force, US Defenders Nat’l Office, BOLT, & he is a member or supporter of ABATE, the MRF, & the AMA. Also offering assistance to the project are Jeff “Twitch” Burns (activist, public records, media expert & documentary filmmaker), Bill “Colt” Kaitz (activist that leads the Maryland US Defenders), Donnie “Mr. Breeze” Landsman (activist, independent advocate & legislative expert), along with many others. This unified effort resulted in the first law addressing motorcycle profiling in America. Importantly, Washington’s law passed through the legislature unanimously & the same legislation is receiving support in many other states. The Maryland COC/US Defenders & ABATE, working with the Project, unanimously passed profiling legislation through their Senate in 2015 & seems likely to pass the law through both chambers in 2016.

What services do the Motorcycle Profiling Project provide? The Motorcycle Profiling Project is designed to help your state with every step involved in the process of passing a law addressing the issue of motorcycle profiling. Based on the experiences & best practices of the highly effective motorcycle rights movement in Washington State, the Project will assist in organizing & preparing your state to take effective grassroots action. The project provides organizational recommendations, policy support materials, & legislative strategy. This includes, but is not limited to:

- Organizational strategy.
- Coordinating COC’s & MRO’s in a unified effort.
- Step-by-step Action Plan outlining the entire process, beginning to end.
- Construct a state-specific Pattern of Evidence.
- Drafting a Policy Report/Written Testimony.

This is the state’s official statement on legislation addressing the issue of motorcycle profiling.

- Drafting a Legislative Proposal & Legislative Packet
- Drafting a Request for Sponsorship
- Drafting CTA’s & correspondence to legislators.
- Drafting testimony & providing testimony upon request, schedule permitting.
- Media support & press releases.

What do the Motorcycle Profiling Project’s services cost? The Motorcycle Profiling Project offers all of its services to the

motorcycling community Free of charge. If an individual or organization sees value in the project then contributions are highly appreciated. The project relies on these contributions as the sole means of covering expenses & compensation for work performed. The more support the project receives, the more support the project can provide the motorcycling community. As the movement to pass profiling laws accelerates, so has the time demands & workload. A project of this magnitude entails office expenses, travel, & time. So if you think the project is valuable, organize a benefit & make a contribution. Contributions go directly to the The Motorcycle Profiling Project. Contributions are Not Tax deductible. Contributions can be made at www.MotorcycleProfilingProject.com or on Facebook. Contract based consulting is also available if a particular state or community prefers a traditional & structured agreement.

We Work for Free! None of us get paid for what we do for the Motorcycle Community, & shit costs money! Help us out & contribute to The MPP, doesn’t have to be much, the more you give the more we can do for our community. www.MotorcycleProfilingProject.com/store . . . Contributions are Not Tax Deductible . . . but they Are much appreciated.

Contact Us: If you have questions or have been the victim of motorcycle profiling or discrimination please contact The MPP by filling in the form below or emailing us direct at info@MotorcycleProfilingProject.com . . .

Books written by Double D or sold on his website:

- Black Thursday Paperback – May 1, 2013 - By David Devereaux - This book is about the fight against motorcycle profiling & the struggle for the survival of MCs in America. This is a story about the transformation of motorcycle rights in Washington State, the power of motorcyclists as a grassroots political movement, & a second generation MC member that found a true path & passion: to defend & help insure the survival of the biker community & way of life.

- What It’s All About - By Twitch (Director, Producer)
Format: DVD - The first major film to bring to life the heroic struggle of Washington State MCs against discrimination.

- “Wild Waco” Tee Shirt - An MPP Limited Release Design. Get yours while you can.

Store: Welcome to the MPP Store. Proceeds from each sale help to fund our efforts to end discrimination & fight for all motorcyclists rights.

Get the MPP Toolkit: Essential tools & strategy proven successful in the legislative push for laws addressing motorcycle profiling. Toolkit includes:

- Motorcycle Profiling Handbook: A Guide To Constructing An Effective Pattern Of Evidence For Legislative Change, by David “Double D” Devereaux & Jeff “Twitch” Burns- A comprehensive guide to building a state specific justification for a law addressing motorcycle profiling.

- Motorcycle Profiling Project 2015: A comprehensive collection of every story released by the MPP in 2015. Members will receive this collection by the end of Jan 2016.

- Lobbying 101: A Guide Explaining How Manpower Changes Everything You Know About Motorcycle Rights.

- How To Pass A Law Addressing Motorcycle Profiling in Your State- A step-by-step overview explaining the process of passing a anti-profiling law including organization, preparation, & taking action.

Who is RoadBlock 1%er...? RoadBlock 1%er grew up in Jacksonville, Florida's Sin City neighborhood. An admitted adrenaline junkie in his earlier years, he raced on NASCAR-sanctioned tracks in Florida & Georgia, with many of the great drivers from that era, including Wayne Shugart, the Ezells, Eddie MacDonald, Rance Phillips, Herb Spivey & Tiny Lund. Fast cars led to fast motorcycles, & RoadBlock joined the Outlaws MC in 1971. In the years to follow, he became Pres of several Florida chapters, then Regional Boss, living the high-speed 1970s lifestyle of sex, drugs & rock & roll.

In Sept 1977, he was charged with First Degree Murder in the shotgun slaying of a club hang-around in Daytona, Florida. His accuser also named several other victims who proved to be very much alive. Although the case was dismissed by the State of Florida years later, this encounter with the so-called justice system would haunt RB the rest of his life.

In March 1982, he was arrested on a 5-count indictment in Tampa Florida. This drug case centered on the activities of the Outlaws MC. The only physical evidence presented against RB at trial was his Outlaws patch & 4 ounces of powdered cocaine. However, he was sentenced to serve maximum consecutive sentences totaling 35 years.

In Dec 1982, he was again indicted, this time in Jacksonville, Florida. Using the RICO Act, the Court held RoadBlock 1%er responsible for all acts allegedly committed by Outlaws club members during that time. He received a maximum sentence of 40 years, to run concurrent with the Tampa sentence of 35 years. In July 1983, he was shipped to the notorious Leavenworth U.S. Penitentiary.

While in prison, RB educated himself about legal procedures & began fighting back. He became a thorn in the side of the prison officials, forcing them to comply with their own policies of which they were largely ignorant. As one Judge declared, they wanted to make an example of him to discourage others from joining MCs. Ironically, even from a prison cell, RB became well known in the U.S. & internationally as an example of a true 1%er who could not be broken by years of incarceration. As for the MCs the judge hoped to eliminate, they are stronger today than ever.

In the years following 9/11 RB began to receive correspondence from young military people. Their courage, despite the traumatic physical & mental injuries they sustained, profoundly affected RB. These vets returned home to a world they no longer felt comfortable in, just as many Vietnam vets did in RB's era. RB was reminded of the importance of the oath he himself made as a seventeen year old Air Force recruit many years ago to protect & defend the Constitution. Even from his prison cell, RB became an outspoken advocate for disabled vets, & the rights they were due.

In Dec 2009, RB finally reached his mandatory release date, & was allowed to go home after almost 30 years in prison. He is now writing a fiction biker series set in the 1970s about the adventures of military vet Joe Wilson. Struggling with PTSD in a time when Vietnam vets were reviled & disrespected, Joe's rise to power in the notorious Regents MC shows one man's attempt to find his place in the world.

14 Years-Fighting for Your Rights: I believe in the Constitution, & the protections it guarantees all American Citizens. It is not up to our Gov't or L.E. agencies to decide who is & is not protected

by the Constitution. My www.FreeRoadBlock.us site is dedicated to preserving the principles & Constitutional Rights our country was founded on over 200 years ago. My intentions are to act as a representative for everyone no matter what club, organization or group you may belong to.

During my 30 years in prison I realized that the oath I took as a 17 years old Air Force recruit in 1958 means more to me now than it did then. Every veteran who serves in our military is mandated by our Gov't to swear an oath of allegiance.

Not to the Gov't but, "To protect, defend & preserve the United States Constitution against all enemies both foreign & domestic." This includes our own Gov't & agencies. More importantly for those of us who swore this oath it doesn't have an expiration date. We did our duty then, for our Gov't, now it's time to serve our fellow citizens & ourselves. Our Forefathers gave us the tools necessary in 1787. Constitutional law guarantees equal protection & access to the courts. Moreover we swore an oath to use these tools even against Gov't abuses. I don't believe that just because we may belong to a MC, other organization or some group that we should receive different treatment than anyone else. The constitution guarantees us equal protection under the law not some dictatorial third world kind of collective punishment.

America was founded on individual rights & responsibility. When the Gov't selects a group of individuals & treats them differently it is not only a constitutional violation but, a basic human rights violation as well. If we aren't willing to stand up for our civil liberties we don't have any.

As a political activist, I believe it isn't too late to repair some of the damage our abusive Gov't & it's bought & paid for politicians have caused. I believe no one is above the law including our Gov't & agencies. I believe they should be held accountable for their actions. Working together we can make a difference.

Get On My List For Notifications & Other Benefits: I would like to invite you to sign up. When you sign up you will get notifications of all postings, book updates, discounts, my personal "Letters to My Readers," messages, photos & videos. These notifications & other benefits will only be available for those who sign up. Thank you, RoadBlock 1%er

"The Probate" - Book One in the Regents MC Series - Large Trade Paperback - 340 Pages - \$14.99, Signed by the Author - **Flash Back to 1970:** From New Orleans to Jacksonville to Atlanta, a menagerie of bikers, hippies, rednecks & Cajuns do business together when they're not trying to eliminate the competition. Enter adrenalin junkie Joe Wilson, a stock car driver very adept at outrunning the horrific war memories that pursue him.

When bikers set up shop in his hometown, he pays them a visit to make sure they don't pose a threat to his close-knit, working-class neighborhood. Instead, he discovers he has much in common with the volatile men. Fresh from Vietnam with specialized skills & demons of their own, they live by a harsh code, protecting their reputation, patch & brotherhood at all costs.

As an expendable probate, he has to prove he's worthy to ride with the Regents MC. Trouble follows Joe wherever he goes, & even among the hardcore bikers, he quickly establishes a reputation as "hard to kill."

“New Orleans Revenge” - Book Two in the Regents MC Series - Large Trade PaperBack - 421 Pages - \$16.99 - Signed by the Author, *Do Old Friends Make the Deadliest Enemies?* It’s the end of summer, 1971, & Regents MC probate Joe Wilson can’t seem to avoid trouble, particularly with his own sponsor, Jess Whitley, a former Vietnam combat medic dogged by the ghosts of the men he couldn’t save. Jess’s green-eyed girlfriend Kitty doesn’t make things easier for them, either, as she connives desperately to keep Joe from quitting & returning to his redneck roots.

As the conflict heats up in Atlanta, a different kind of disaster is brewing in south Louisiana. Once combat buddies of the Regents, the treacherous Bayou Runners are driven by their ambitious boss to commit the ultimate sacrilege against a respected Regent. Enraged, the Regents descend on New Orleans, hell-bent on revenge. Hot-tempered Joe accidentally places his own Fate in the hands of a beautiful double-dealing redhead with a magician’s talent for vanishing into thin air. As an expendable probate, he quickly discovers his survival depends on not trusting anyone, including the Regents.

When the biker war escalates through the ancient city streets & down dusty swamp roads, the local underworld of gamblers, whorehouse madams, & tattoo artists are forced to choose sides, knowing there’s no going back for anyone.

“One Percenter’s Stand” - Book Three in the Regents MC Series - Large Trade PaperBack - 380 Pages – Signed by the Author – \$16.99 - *When The Enemy Strikes, A True One-Percenter Will Take A Stand, Even If He Has To Stand Alone* What happens when bikers, rednecks, hippies & redheads collide? Joe Wilson is bound to be in the middle of it all.

When 2 old enemies clash too close to home, his new patch demands that he make another hard choice: follow his own 6th sense to rescue an innocent woman from a monster’s path, or repay a one-percenter’s debt of honor that goes against all he believes in. Either way, his self-respect is on the line. Joe has to rely on his gut instinct, military training & unforgiving temper to take a stand, alone, one last time.

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RoadBlock Communications LLC - Regents MC Series - Online Store

- The Probate: Book One \$13.99
- New Orleans Revenge: Book Two \$16.99
- One Percenter’s Stand (Book Three) \$16.99
- SET: Books One, Two & Three \$45.00
- Set: Books One & Two \$30.00

About: RoadBlock Communications LLC is a family publishing team. Our Regents MC fiction series follows the adventures of military vet Joe Wilson, trying to make his way in a changed world during the 1970s.

Yes, there is a Nirvanah; it is leading your sheep to’ a green pasture, & in putting your child to sleep, & in writing the last line of your poem. - Hennie Kulik

Who is the Aging Rebel...? The Aging Rebel has lived what cynics call an “interesting” life that has included writing for 2 newspapers. He was hired by a daily in Massachusetts by mistake when he applied for a job on the loading dock. And, he was fired from another paper in Indiana when, as his Editor put it, that fine journal decided “to project an image of professionalism & respectability.” He has also been fired from jobs at magazines & has unsuccessfully pursued careers as an autoworker, laborer, ditch digger, warehouseman, window maker, house framer, art forger, novelist & telephone salesman. Because he loves children, he has always done his best to keep the world from running out of a babies. And, because he loves women he is usually married. Generally unemployed, he likes motorcycles & lifting weights & his ambitions include winning the lottery. Some people say he now lives, more or less, in El Lay. You may berate, threaten, mock or even compliment him at Rebel@AgingRebel.com . . .

Waco Day 164 – Oct 27, 2015 – *Texas* – By The Aging Rebel; www.AgingRebel.com - Today the Dallas Morning News published an editorial under a headline that read in part, “biker gangs earning more trust than prosecutors.” “Right after the May 17 motorcycle-gang shootout in Waco,” the editorial squeaks, “this newspaper’s inclination was to believe law enforcers’ account that the 9 deaths & 22 injuries were the result of hardened criminal thugs waging a deadly turf battle. But the longer this bizarre case plays out, the more credible the bikers look, & the more it appears that McLennan County officials have something to hide.” If you think you get through the Morning News’ obvious insights without falling down laughing you can read the complete editorial here.

Duh-Uh: Yes, officials in Waco have something to hide. Consider the polecam that went up at 7 that morning. The camera surveyed the entire patio area & the adjacent parking lot. The video it recorded has still not been released because “McLennan County officials” are hiding it. McLennan County Criminal District Atty Abelino “Abel” Reyna saw the video 164 days ago – about 3 hours after the shooting stopped. That was the moment Reyna decided not to charge anybody with murder but to charge 182 people with being members of a gangster conspiracy instead. Maybe in another 164 days the Dallas Morning News will belt down a couple of doubles & muster the courage to wonder out loud what the polecam video shows. It certainly doesn’t show “Bandidos executing Cossacks” because if it did somebody would have been charged with murder about 161 days ago. This was obviously a contrived confrontation. During his bond hearing, Cossacks McLennan County chapter Pres John Wilson, told a judge named Ralph Strother, “Waco PD had come to my motorcycle shop several times in the month prior telling me that there had been threats towards us.” Wilson’s Atty, Mike White, told Strother he had learned that Waco police “actually advised him to begin a dialogue to try to lower the tension that had been preceding this event (the May 17 Confederation of Clubs & Independents meeting) for numerous weeks...They suggested that he either go to this meeting or start some dialogue or start having sit-downs with opposing MCs.” It is obvious the Cossacks had no idea of how to do that. Someplace, somehow, somewhere the Cossacks senior members, or “Nomads” thought it would be a good idea to get there early & claim all the chairs & parking spaces. Most established clubs would have been more subtle.

Where's The Story: There are still multiple, valid lines of journalistic investigation left to this story. One is, "Who set this up & how?" Waco police & Dept of Public Safety officers obviously anticipated a confrontation & it is plausible that they, & whoever advises them about how to handle biker cases, thought it would go something like the brawl between members of the Hells Angels & Vagos MCs in Sparks, Nevada in September 2011. Combatants there were charged with "Invitation to an Affray." There are multiple reasons to suspect that the police invited the Cossacks to this affray. And police hoped to memorialize the event which was why they installed a pole camera that morning. The video from that camera would answer a second, common sense question, "How many people did the police kill?" The answer to that partly depends on what the meaning of "kill" is. Police shot some of the dead. Some of them they shot & then let bleed out. Some of them may have been shot by somebody other than the police & then the police let them bleed to death. Another related question is, "What is the point of the gag order" that prevents everyone involved in this massacre, hypothetically including Abel Reyna, from talking about what happened that day. There are multiple civil cases unfolding & as long as the gag order is in place none of the public officials who have controlled the case so far can be deposed. However, those civil cases continue to shed light on the Twin Peaks Massacre.

Swanton: At almost the same hour Abel Reyna discovered he did not have video evidence that would have enabled him to charge any Cossacks or Bandidos with murder, fledgling politician W. Patrick Swanton began vilifying the Twin Peaks restaurant. "What happened today could have been avoided if we would have had management at a local establishment listen to their police Dept & assist us," Swanton lied. "They failed to do that, & this is the event that happened." It can be inferred that Swanton was lying because he had already seen the polecam video & he had already learned that most of the detainees would be charged with Engaging in Organized Crime rather than something like murder or conspiracy to commit murder. On May 21 Swanton bragged he couldn't wait to show the public & press "what truly happened." "You will eventually see what happened at Twin Peaks," he promised. "I've seen it.... It was horrible."

Twin Peaks Motion: Now the Twin Peaks is starting to fight back. In a motion filed Oct 21, in the Don Carlos restaurant lawsuit against the Waco Twin Peaks, the Twin Peaks argued "The criminal conduct of third parties is the cause of any harm that Plaintiff (Don Carlos) claims in this case." What the Twin Peaks is asking the court to do is to assign a portion of the blame for what happened that day to identifiable third parties. Those third parties would include everyone who was there that day who might be found guilty of a crime. The motion also specifically asks the court to name "the Texas Dept of Public Safety & the Waco P.D. (collectively 'LE') as responsible third parties." Of course nobody can talk about what happened that day because Abel Reyna's old law partner has decreed that nobody can talk. So the public has no right to know. Here's the news. After 164 days official Waco isn't just covering up anymore. Waco officials are now burying their heads in the sand. And, sooner or later one of them is going to have to come up for air. Probably.

RoadBlock's comments: The Waco fiasco is slowly coming unraveled. The criminal acts committed against the Texas Confederation Of Clubs during a political meeting & rally can no longer be overlooked by anyone. This article is a must read for

everyone who rides a motorcycle. The cops engineered a confrontation between clubs & then slaughtered & jailed too many innocent citizens. LE with the help of a media that has forgotten their responsibility to investigate & print the truth are responsible for the deaths & destruction of the lives of over 200 American Citizens. We must make sure something like this doesn't happen in our area & we can only succeed if we are willing to work together. Join together with the organizations in your community who are trying to see it doesn't happen again.

Police Strong Arm Businesses in Florida to Adopt No Colors Policies – Oct 31, 2015 – *Florida* – By Bobby "Bobby C" Colella; www.MotorcycleProfilingProject.com - As the Nat'l Motorcycle Profiling Survey results continue to roll in on week 3 of the planned 52 week study, a very disturbing picture is beginning to emerge with regards to business owners & who they may & may not be "allowed" to serve. Of the almost 2,000 surveyed throughout the country thus far, 40% report occurrences of the police, code enforcement, & licensing & permitting Depts using strong-arm tactics to force businesses into implementing a "No Colors" policy. These totalitarian acts aren't surprising, especially since the mass hysteria that ensued in the wake of the Waco shootings. Unfortunately, even prior to Waco the businesses that remained patch friendly, more often than not, are experiencing delays or denials in receiving their special event permits, business licenses, liquor licenses, while also dealing with increased levels of police presence. All of which are meant to drive customers away, & create financial hardships for the American business owner.

For example, one business in the heart of Daytona Beach who opted to be patch friendly endured an onslaught of code enforcement harassment, mixed with an overwhelming police presence & customer harassment. This harassment included the Daytona Beach's hostage negotiation command post being parked in front of the business with the red & blue lights on. Needless to say, the business has since shut down. See video here: www.YouTube.com/watch?v=DHQmhJ0pJNY

Yet another patch friendly business on Main St. in Daytona Beach was denied permits just prior to Bike Week 2015, & had an overwhelming police presence outside its doors during the event. This cost the business owner tens of thousands of dollars in lost revenue. Though the aforementioned business is still open, it is no longer patch friendly. As one business owner put it, "if I stood up to the police & code enforcement, I have no doubt I would win – but it would be a lengthy & expensive court process, in the meantime I have a family to feed & bills to pay."

With these tyrannical tactics becoming more widespread throughout the country, it is obvious that we need to seek legislatively protection for equal access. By doing so, we would regain our right to accommodation by businesses that are open to the public regardless of attire or affiliation (which is protected under the 14th Amendment), as well as help protect the business owners from local Gov't overreach. It's not up to the local code enforcement, backed by the police & media pushing a false narrative that "all MCs are domestic terrorists" to dictate how a person runs their business. If a person wants to cater to a specific segment of society, it should be their prerogative. If this were to happen to any other segment of society, there would be total outrage.

About the Author: Bobby “Bobby C” Colella (U.S. Army Ret.) is the Florida Coalition of Independent Riders (C.O.I.R.) state representative & liaison to the Florida Council of Clubs, contributing author for the **Motorcycle Profiling Project**, & motorcycle rights advocate at the local & state level.

RoadBlock’s comments: When police threaten business owners with retaliation for allowing patches in their establishment they themselves become the law breaker. There is a substantial record of Chief of police Mike Chitwood’s denial of constitutional rights throughout his career. The problem is no one has stood up & held him responsible for his unlawful actions.

Last person jailed in Waco biker shooting to be released - Nov 1, 2015 – *Texas* – By Emily Schmall, AP; www.News.Yahoo.com - The last person jailed in connection with a deadly shootout among bikers & police outside a Waco restaurant was poised to be released from jail Saturday, more than 5 months after authorities rounded up 177 people from the crime scene & initially held them on \$1 million bonds on charges of engaging in organized criminal activity. A Waco jail this weekend was processing the release of Marcus Pilkington, 38, on a \$50,000 bond but his Atty says he may not be released until Monday. His bond would be a sharp contrast with the first biker to be released, Jeff Battey, 51, who posted \$1 million 3 days after the shooting. Both men were injured in the melee. Nine people died & 20 were injured during the shooting, which authorities say arose from an apparent confrontation between the Bandidos & the Cossacks MCs. More than 430 weapons were recovered from the crime scene, including 151 firearms. The gunfire erupted shortly before a meeting of a coalition of MCs that advocates for rider safety.

Dashboard video of the scene shows people fleeing as shots ring out. Audio reveals police threatening to shoot people if they rise from the ground & photos of bodies lying in pools of blood in the restaurant parking lot. The Associated Press on Saturday published surveillance video & photos from the Twin Peaks restaurant where the shooting occurred. CNN first aired the video Thursday. The video shows one biker pointing a gun while others crouch behind restaurant tables & crawl on the floor to escape the gunfire. The release comes nearly 6 weeks after AP reviewed more than 8,800 pages of evidence related to the May 17 confrontation, including police reports, viewed dash-cam video & photos & listened to audio interviews, which together offer the best insight yet into how the shootout unfolded. Some of this evidence, also including photos of weapons recovered at the scene, is expected to be presented to a grand jury.

Investigators have offered scant details about what sparked the fight or how the gunfire played out, & no one has been charged with any of the deaths. In a 430-page Texas Dept of Public Safety report reviewed by The AP, Pilkington told investigators interviewing the injured that he did not fire a gun. Battey, who was shot in the arm, said “I may have fired a gun, I don’t know.” On Fri, Battey’s atty, Seth Sutton, filed a motion to have the ex-Marine’s ankle monitor removed & the condition that he not speak with any bikers lifted. According to the motion, Battey’s attacker first fired his gun at Ray Allen, who was among those killed, before pointing his gun & firing at Battey’s chest. Battey raised his arm to deflect the bullet.

Say what you will about the South...
But No One Retires & Moves Up North...!!!

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

Congress Moves to De-Fund Motorcycle-Only Checkpoints: On Nov 5, the U.S. House of Representatives approved their version of the Fed Highway Bill which, like the Senate companion measure, contains provisions of importance to motorcyclists, most notably the ban on Fed funding of motorcycle-only roadside checkpoints. In addition to curbing the controversial roadblocks, the House bill also authorizes a motorcycle crash prevention study; revives the Fed Motorcycle Advisory Council; continues off-road trails funding; & makes highway safety grants more accessible. Approved by a bipartisan vote of 363-64, the Surface Transportation Reauthorization & Reform Act of 2015 (HR 3763) provides \$325 billion in transportation funding over the next 6 years, corresponding to similar legislation passed by the U.S. Senate earlier this year. Unfortunately, the House hwy bill does not include similar Senatorial language that would ban the U.S. DOT from lobbying local, state & Fed Gov’ts on policy issues such as mandatory helmet laws, so it is important to contact your Fed representatives to adopt such a compromise when the House & Senate convene a conference committee to iron out the details.

Waco Info: 177 people were arrested & held on million dollar bonds following the melee in Waco, TX in May that left 9 bikers dead & nearly twenty wounded, & on Nov 10th prosecutors announced 106 felony indictments charging defendants with engaging in organized criminal activity. “The Waco Grand Jury indictments on 106 individuals for engaging in organized crime are not convictions,” explains David “Double D” Devereaux of the **M.P.P.** (www.MotorcycleProfilingProject.com), “The Grand Jury only determines whether the prosecutor has sufficient evidence to indict. The Grand Jury only hears from the prosecutor, no defense Attys are allowed, & does not make a determination on guilt.” “Double D”, who is also a member of the **Nat’l Coalition of Motorcyclists’ Legislative Task Force**, says that as examining trials have made clear, the basis of the prosecutor’s argument in many of these cases relies solely on an individual’s association with a MC that had members accused of committing a crime on May 17th. “These indictments based solely on association, particularly the cases where the prosecutor admits that there is no evidence that the individual participated in any crime or violence, flies in the face of recent Fed Court precedent.” A U.S. District Court decision in *Coles v. Carlini*, 9/30/2015, relying on Supreme Court precedent, concluded that the Gov’t may not impose restrictions on an individual solely because of their membership in a MC, including a 1% club that the Gov’t labels as a gang or criminal organization. “The criminal activity of others does not justify denying rights & privileges solely because of association with an unpopular organization,” according to Devereaux. “Although I agree with many that are concerned about the seemingly broken Waco criminal justice system, recent Fed decisions seem to say that the underlying assumptions of an indictment based solely on association are unconstitutional,” said Devereaux in a prepared document titled “Understanding the Waco Grand Jury Indictments.” “The decision by the Waco Grand Jury comes as no surprise to many considering the obviously over-broad arrests, excessive bail, & unsuccessful challenges to probable cause

during examining trials,” he concludes, adding that an overly-broad indictment affords the prosecution the ability to offer plea deals, shield themselves against lawsuits, & pressure defendants to testify.

Idaho MC Wins Settlement over Clubhouse Raid: Ten members of the Brother Speed MC, along with the club itself, will be splitting a \$16,500 payment from the United States Gov’t, to settle their lawsuit over a 2013 raid on their Nampa clubhouse that yielded no charges. The club & its members sued numerous Fed agents & the United States, saying their civil rights were violated when Fed agents serving a search warrant broke down the door, set off flash-bang grenades, & sent dozens of heavily armed SWAT team members into the small home. The club members were detained for up to 3 hours while agents forcibly removed their personal property, including their clothing, & confiscated club memorabilia, according to the club’s Atty, Craig Durham. “These were regular guys minding their own business that night,” Durham told The Spokesman-Review newspaper. “They were not a threat, & there was no call for the use of terrifying, military-style tactics to serve a simple search warrant.” The Gov’t admitted no wrongdoing but agreed to the settlement, under which the club will receive \$4,000, & the individual members will receive payments ranging from \$500 to \$2,500. “This was never about money,” said chapter Pres Daniel Bugli. “It was about standing up for our rights as citizens & members of this community. Law enforcement officers shouldn’t be able to run roughshod over people’s rights based on speculation & assumptions.”

Bikers’ Lawyer Files Civil Rights Lawsuit against Vegas Police: A Nevada lawyer who represents MCs has filed a Fed civil rights, false arrest & negligence lawsuit against Las Vegas police after he was acquitted in March of a misdemeanor obstruction charge. Southern Nevada Confederation of Clubs Atty Stephen Stubbs alleges that a Las Vegas practice of harassing MC members led to his arrest in Nov 2013, & that being found not guilty by a local judge showed the arrest was improper. Stubbs told the Associated Press that he was prevented from representing a member of the Bikers for Christ motorcycle ministry who was being questioned by police, & who is a plaintiff in a recent lawsuit seeking at least \$75,000 in damages from the Dept. Stubbs is representing members of biker groups, including the Mongols, Vagos, Stray Cats & Bandidos in a Fed civil rights complaint filed in June 2012 alleging harassment by Las Vegas & other area police. The lawsuit is pending in U.S. District Court in Las Vegas. It was filed a day after a meeting of Mongols Nat’l leaders in Boulder City was monitored by hundreds of local & state police & Fed agents.

Anti-Profiling Legislation Introduced in Pennsylvania: On Nov 13, 2015 Pennsylvania Senator John Wozniak (D-Johnstown) introduced Bipartisan Bill SB1058: An Act providing for motorcycle profiling prohibited, & the measure has been referred to Law & Justice. “No police officer or PD may engage in motorcycle profiling in this Commonwealth,” states the bill, & calls for police instruction on “what constitutes motorcycle profiling in patrol procedures & other P.D. operations & the duty to refrain from engaging in motorcycle profiling.” As defined in this legislation, “motorcycle profiling” means “the use of the fact that an individual rides a motorcycle or wears clothes or possesses paraphernalia that a reasonable person associates with such individuals as a factor in a decision to stop & question, take enforcement action against, arrest or search the individual or

motorcycle in violation of Fed or State law.” Such violations by law enforcement “may bring a private right of action in a court of competent jurisdiction against any police officer or P.D. that engages in motorcycle profiling in violation of this section. In the action, the victim may be awarded injunctive relief, actual damages, punitive damages & reasonable Atty fees & costs.” A companion measure, House Bill 1580, “prohibiting motorcycle profiling & establishing a private right of action” was introduced Oct 1st by Rep Garth Everett (R-Muncy) along with 46 bipartisan cosponsors & was referred to the House Judiciary committee.

72 Types of Americans Considered “Potential Terrorists”: Are you a conservative, a libertarian, a Christian or a gun owner? Support states’ rights? Belong to “The Patriot Movement”, or display a “Don’t Tread on Me” flag? Are you opposed to abortion, globalism, Communism, illegal immigration, the United Nations or the New World Order? Anti-establishment? Do you believe in conspiracy theories, or ever visit “extremist” websites? Are you a veteran? If you answered yes to any of those questions, or a vast array of others, you may be an “extremist” or a “potential terrorist” according to official U.S. Gov’t documents. At one time, the term “terrorist” was used very narrowly, explains the alternative website www.activistpost.com, but says now the Obama admin is removing all references to Islam from terror training materials, & instead the term “terrorist” is being applied to large groups of American citizens, which it delineates in an article on their website; “72 Types of Americans That Are Considered ‘Potential Terrorists’ In Official Gov’t Documents,” by D.C. Atty Michael Snyder. The “list” covers much of our country’s demographics & most of its citizenry, but if you belong to a group of people that is now being considered as “potential terrorists” by the Gov’t, the author warns that you should not take it lightly.

Motorcycle Safety Fund Provides Sign-Language for Deaf Riders: The Nat’l Motorcycle Safety Fund, a 501(c)(3) charitable community organization created in 1980 to augment the work of the Motorcycle Safety Foundation, has created a new grant program to help rider training sites cover the costs of hiring sign-language interpreters for deaf & hard of hearing students. MSF-recognized Rider Training Sites regularly receive requests to accommodate students with physical disabilities, so in compliance with the Americans with Disabilities Act & state laws, the NMSF grants will help defray the cost of sign-language interpreters. There are many deaf & hard of hearing car drivers & motorcyclists on the road today. To compensate, drivers & motorcyclists typically employ risk-reduction strategies such as Search / Evaluate / Execute, maintain longer following distances, make better use of peripheral vision, & check their mirrors more frequently.

Study Indicates Motorcycle Riders’ Injuries Differ with Helmet Use: Helmet-wearing motorcycle riders are less likely to hurt their heads in accidents, but end up with more injuries to other parts of their bodies, suggests new research. Researchers suggest in JAMA Surgery that the results may be due to helmeted riders being more likely to survive high-force crashes, & ultimately end up with more extensive injuries. The authors write that loosening restrictions on helmets in some U.S. states allowed them to study how wearing head protection may influence other injuries. For the study, they used Nat’l data from 2007 to 2010 on almost 86,000 people with some sort of motorcycle-related trauma, paying particularly close attention to the number & extent of injuries to people’s heads & necks, torsos, spines & extremities. Overall, the

researchers found helmeted motorcycle riders were about half as likely to end up with head injuries, but helmeted riders were more likely to have injuries to the chest & extremities than riders who weren't wearing helmets. One explanation for increased injuries to other body parts could be that helmeted riders feel more secure & end up driving at higher speeds, wrote the Indiana University researchers. There was no difference in the time people spent in a hospital regardless of whether they were helmeted.

California DMV Offers "Veteran" Designation on Driver Licenses: Veterans in Calif can begin applying to receive the word "Veteran" on their driver's license or identification card starting Nov 12, 2015. In accordance with the legislative language contained within Assembly Bill 935, the Calif Dept of Motor Vehicles requires veterans to first obtain a Veteran Status Verification Form & to pay an additional one-time \$5 designation fee to apply for the special Veteran designation.

Quotable Quote: "Tous pour un, un pour tous." (All for one, one for all.) ~ Alexandre Dumas (1802-1870) French author; "The Three Musketeers" Vive la France!

US House Passes Long-Term Highway Bill - Nov 9, 2015 - U.S.A. - By <http://MotorcycleRidersFoundation.wildapricot.org> - The United States House of Representatives finished up work on a long-term highway bill & approved its passage by a vote of 363-64. The bill—the first long-term highway bill passed by the US House in decades—is matched by a similar bill passed earlier this year by the Senate. "This bill is absolutely critical to America & our economy," said Rep. Bill Shuster, R-PA, Chairman to the House Transportation & Infrastructure Committee. This bill has several provisions important to motorcyclists. First & most importantly, the bill ends the Fed funding of motorcycle-only checkpoints, a top priority of the **Motorcycle Riders Foundation**. The bill also re-convenes the **Nat'l Motorcycle Advisory Council**, an advisory council that advises the Secretary of Transportation on how infrastructure issues affect motorcyclists in ways that are vastly different than for 4-wheeled vehicles. Lastly, the bill commissions a study to determine the best ways to prevent motorcycle crashes. Because it focuses only on prevention rather than on helmet use, this study would be the first of its kind. The House & Senate will next form a conference committee to iron out the slight differences between the 2 versions of legislation before sending it the Pres for his signature, a process that is expected to be fast-tracked for quick approval. The **MRF** thanks every motorcyclist who came to DC to lobby, as well as every motorcyclist who communicated with their members of Congress on this important issue. As always, the **Motorcycle Riders Foundation** will keep you updated & informed on this issue.

You are never too old to make a difference: As we get older, we sometimes begin to doubt our ability to "make a difference" in the world. It is at these times that our hopes are boosted by the remarkable achievements of other seniors who have found the courage to take on challenges that would make many of us wither. Harold Schlumberg is such a Person who said: "I've often been asked, '... What do you old folks do now that you're retired?' Well, I stay active & happy. I'm fortunate to have a chemical engineering background, & one of the things I enjoy most is converting beer, wine & vodka into urine. "Then I take a jog out to the shed & piss on a picture of Obama. I do this several times every day. I really enjoy it & get my exercise too!" Harold is an inspiration to us all.

Why Waco Grand Jury Should Find Police Liable for Tragedy – Nov 10, 2015 – *Texas* - By David "Double D: Devereoux; www.MotorcycleProfilingProject.com - As the Waco Grand Jury convenes today to begin considering indictments on the 177 arrested as a result of the tragedy at Twin Peaks it becomes apparent that the inquiries are focused in the wrong direction. The Waco Grand Jury should be exploring **LE's** culpability in the May 17th Shooting. I find it interesting that some are holding the Twin Peaks in Waco responsible for negligence based on the argument that they ignored Waco **PD** warnings that the meeting to take place on May 17th was a threat to public safety. When asked why the event was not shut down, the Waco **PD** responded that it would have been unconstitutional for the police to shut down the event. Although it is generally true that the police cannot disturb or shut down political events in public accommodations, evidence of a legitimate threat to public safety is a narrow exception. So the obvious question is, "Why is the Waco **PD** not negligent for failing to shut down the event when, based on their own claims, there was a legitimate evidence establishing a particularized threat to public safety?"

Waco PD claims the meeting presented a specific threat to public safety: In statements to the press, the Waco PD claim that they had "warned Twin Peaks management that hosting such an event as the Texas Confederation of Clubs & Independents, which was to take place at the restaurant on May 17, could result in undue safety & security concerns for both patrons & restaurant employees. Approximately 72 hours before the event, police contacted Twin Peaks Nat'l headquarters in Dallas (directly) with these concerns, but Twin Peaks failed to cancel the event." (See KWXT, Waco: Slain Biker's Family Files Lawsuit Against Twin Peaks By Paul J. Gately, July 8, 2015.) **LE's** belief that there was a specific & legitimate threat to public safety is demonstrated by the heavily armed police presence in the parking lot prior to whatever sparked the shooting incident. The police presence included SWAT officers armed with assault weapons. This large show of force has led many sources to believe that police were tipped in advance that something was expected to go down that Sun. The combination of a warning 72 hours before the shooting & the massive show of military style force appears to make it very difficult to deny that **LE** believed that there was a specific threat of violence threatening public safety.

Waco PD Legally could have, & should have, shut the meeting down: So why didn't the Waco PD shut the event down if they knew there was a likelihood that violence would occur? Waco Police Sgt. W. Patrick Swanton has said "Apparently the management wanted them here, & so we didn't have any say on whether they could be here or not," he added. But is that correct? Is **LE** not permitted to shut down an event even if there is reasonable suspicion to believe that there is a legitimate & specific threat of violence impacting public safety? The answer should be obvious to all. Although it's true that Gov't agents are generally restrained from dictating whether an event occurs in a place of public accommodation, a legitimate threat to public safety is an exception to this general rule. In the case of Waco, the constitution would have permitted the Waco PD to shut the event down for a legitimate threat to public safety. Sure. Twin Peaks could have tried to sue, but if there was a legitimate, articulable & particularized threat to public safety then **LE's** actions would have been deemed constitutional. Considering the Gov'ts actions towards the Waco Twin Peaks following the shooting, the ability for **LE** to act when there is a threat to public safety seems

irrefutable. The Texas Alcoholic Beverage Commission shut down the Twin Peaks location, known for “bike nights” & its risqué dress code for servers, for the next week. “It wasn’t a punitive measure, Swanton said; rather, it was closed because there’s “enough of a reason to believe that more violence would occur there, had they been allowed to remain open for the next 7-day period,” he said.

The Waco PD Failure to act before the shooting was negligent: It seems rather absurd to hold the Twin Peaks more responsible for the tragedy than the Waco PD. The negligence suits against Twin Peaks are entirely based on LE’s warning that there was a legitimate threat to public safety. But this seems to miss the truly important question. Why didn’t the Waco PD shut the meeting down, shut Twin Peaks down temporarily, in order to avert this particularized threat? That’s exactly what they did following the shooting based on the belief that there was a threat of ongoing violence if Twin Peaks stayed open. And remember, the assertions of continued violence after the shooting were based on very thin intelligence & ridiculous claims of “green lighting” cops. When the smoke clears & civil lawsuits are filed, the questions surrounding LE’s failure to prevent the very threat to public safety that they claimed knowledge of a full 72 hours before the shooting will finally be answered. Unfortunately, the failure of LE resulted in 9 dead, 18 injured, 177 highly questionable arrests, 177 cases of punitive \$1 million bails, & millions in civil liability exposure that will ultimately be paid for through public tax dollars. A proper Grand Jury inquiry should by all means include analysis of the role of LE to intervene when there exists a credible threat to public safety.

Minnesota must end ‘policing for profit’ - Nov 10, 2015 – **Minnesota** - By Lee McGrath; www.StarTribune.com - A change last year regarding civil forfeiture made some progress, but only to the level of a “D+” grade. Here’s what can be done...

Minnesota’s civil forfeiture laws grant police officers, sheriffs & prosecutors perverse incentives to take private property. Despite recent reforms, the state still received a paltry “D+” for its civil forfeiture laws, according to a new report, “Policing for Profit,” released by my law firm, the Institute for Justice. Civil forfeiture is LE authorities’ power to take ownership of cash, vehicles, guns & other personal property suspected of involvement in a crime. No convict has a right to the fruits of his or her crime. Last year, Minnesota became one of a handful of states to require a conviction in criminal court before an owner can lose property through forfeiture litigation in civil court.

That’s good news, but last year’s change is insufficient to protect MNs from LE agencies’ avarice. For many forfeiture cases, police & prosecutors can receive up to 90% of all proceeds. That creates a powerful incentive to police for profit. Last year, 321 LE agencies completed nearly 7,000 forfeitures, resulting in \$9 million in private property going to LE budgets for salaries, benefits & overtime pay. Since 2000, more than \$72 million in property has been seized under state law, with each year’s reported amount increasing over the prior year. The Legislature has done little to address the core problem of policing for profit since the Metro Gang Strike Force’s scandal in 2009, which resulted in a \$3 million fine paid to victims of the unit’s misconduct.

Contrary to founding father George Mason’s admonition that the purse & the sword must never be in the same hands, police

officers, sheriffs & prosecutors now include forfeiture as a line item in their budgets. This inevitably means that prosecutorial discretion is influenced by the need to fund pay & benefits. Indeed, LE agencies’ authority to supplement their budgets with property they seize & sell is the primary factor behind Minnesota’s unsatisfactory grade. While LE authorities may claim that forfeiture is targeted only against sprawling criminal enterprises & large drug cartels, many cases involved relatively small amounts. Last year, the average forfeiture in Minnesota was under \$1,450. Nearly all forfeitures — 95 percent — were of property worth less than \$5,000. In other words, it would be irrational for property owners to hire lawyers to contest the forfeitures because a lawyer would likely charge more than the value of the property. Moreover, the constitutional right to an Atty, if you can’t afford one, does not apply in civil court. LE authorities know that only about 5 percent of property owners even try to go into court to get back their property. The 2014 conviction prerequisite is insufficient protection.

And a Fed program known as “equitable sharing” further threatens to undermine Minnesota’s reforms. By collaborating with a Fed agency, local & state agencies can receive up to 80 percent of the proceeds from a forfeited property. Between 2000 & 2013, Minnesota agencies received more than \$25 million in Fed forfeiture proceeds from the U.S. Dept of Justice. Since these forfeitures proceed under Fed law, Minnesota’s reforms do not apply at all, allowing local & state LE agencies to dodge state-level controls by partnering with Fed agencies.

It’s time for Gov. Mark Dayton & state legislators to take a lesson from a former prosecutor & border-state governor. Earlier this year, New Mexico Gov. Susanna Martinez, a tough-on-crime Republican, signed into law a reform that required all forfeiture proceeds, including those involving collaboration with the Fed Gov’t, to be deposited in the state’s general fund. This simple but profound reform ends the incentive that causes local LE authorities to chase cash instead of criminals. Equally relevant to legislators is that the change restores their authority. Minnesota voters elected them to set the state’s priorities through the budgeting process. Unfortunately, legislators have abdicated that responsibility & have allowed LE agencies to self-finance through forfeiture.

Minnesotans pride themselves on good Gov’t. During the 2016 session, legislators should end forfeiture’s corrupting influence by ending LE’s conflict of interest & budgetary dependence on forfeiture proceeds. **Author:** Lee McGrath is the managing Atty at the Institute for Justice’s office in Minneapolis.

List of bikers indicted in May 17 Twin Peaks shootout – Nov 10, 2015 – **Texas** – By www.WacoTrib.com - This is a list of 97 bikers who were indicted by a McLennan County grand jury on Tue, Nov. 10, 2015 for their alleged involvement in the Twin Peaks shootout. All were charged with engaging in organized criminal activity, with the underlying offenses alleged to be murder & assault. (Nine others, not arrested on May 17, were indicted under seal.) District Atty Abel Reyna said charges against the remaining 80 bikers arrested following the melee will be presented to the grand jury in the future.

No matter if it’s a Blowjob, Up the Ass, or Doggy Style.....
I support a woman’s right to choose...

Veteran's Day Message 2015 - Nov 10, 2015 – *U.S.A.* - By RoadBlock 1%er; www.FreeRoadBlock.us - Military veterans are the largest “brotherhood” in the United States today. Combined, we represent a mighty force that doesn't back down from a challenge, & manages to survive the worst. The scars & bruises may show, or may be internalized, but we earned them in the name of freedom. The American veteran has traveled a long & tortuous route. The path began in the numbing cold of Valley Forge. It took him to a fiery line of cotton bales at New Orleans, then to the Argonne forest & Omaha Beach, & the Pacific to places with exotic names like Okinawa or pathetic ones like Heartbreak Ridge. Again the path led to Southeast Asia . . . To the flat delta region, dense jungle mixed with rice paddies, & rugged mountains of South Vietnam.

The men who fought in these wars were often ordinary, undistinguished from their neighbors until the day came when the crisis of battle lifted them to the heights of valor. The majority of veterans understood the need for their service: they loved both freedom & their country. They understood — & still understand — that freedom has a price tag. It is not free; it must be earned by each generation, or it will perish. As Thomas Paine put it: “Those who expect to reap the blessings of freedom, must, like men, undergo the fatigue of supporting it.”

In my fiction books, I have tried to show how war impacts each man or woman in different ways. No one comes home from a war unchanged. Like Joe, Ugly, Silent Sam, Spence Gilbertson or Army Nurse Debra Dupree, each veteran deals with the after-effects in their own way, & shouldn't be held up to some all-encompassing judgement. Americans—including our own Gov't officials— should work to understand their actions, not judge or categorize. Our veterans are a source of pride in our nation, & exemplify the kind of dedication & sacrifice needed for safeguarding freedom. Remember them, & their contributions to the cause of freedom, not only on Veterans' Day, but for all the years of our lives.

Someone who fought for our freedom – Nov 11, 2015 – *U.S.A.* – By FAMM; www.FAMM.org - My family is a strong military family. Both my husband & I were in the Army while our 3 sons were growing up. Some nights I would come home & cook dinner with my boots still on. My son Michael, in particular, had always talked about how proud he was of me & his father for keeping the country safe during our military careers, so we weren't at all surprised when he joined the Air Force. Michael was 6 years into his own military career when he returned home for a break in February 2010, after several tours of duty in places such as Iraq & Kuwait. While out with friends, he was swept up in an altercation in a Florida nightclub. When he was attacked without provocation, he fired his weapon. As a result, he was arrested & eventually sentenced to 25 years in prison for aggravated battery. This has been a nightmare for our family. We're still strong, but this ordeal has tested us. We just don't understand how someone who fought for our freedom could lose his in this way. We continue to hope & pray that Michael receives justice, that he'll get some sort of relief from his harsh sentence. Today, as you think of this country's 22 million veterans, please take a moment to think of Michael & the other brave men & women who will be observing this day from behind the walls of a prison. The fact that they are incarcerated does not diminish the sacrifices they have made for this country. Sincerely, Phyllis Giles

Waco Goes All In - Nov 11, 2015 – *Texas* – By The Aging Rebel; www.AgingRebel.com - A McLennan County grand jury indicted 106 people yesterday on criminal charges for their alleged actions during a brief, intensely violent riot last May 17 at the Twin Peaks restaurant in Waco TX. 97 of the accused were named & they were all indicted for “engaging in organized criminal activity,” a Texas law that allows prosecutors to charge members of a group, or combination, of working together to commit a crime. The Gov't will not have to convince a jury that the indicted individuals actually committed the crimes of murder or assault. The prosecution will try to convince a jury that the indicted wore group identifiers, or indicia that indicated their alliance with either the Cossacks MC or the Bandidos MC; that they were aware or should have been aware of a potentially violent, ongoing, territorial dispute between the 2 clubs; that they had access to weapons & that they maintained that access in anticipation of an interclub conflict. The McLennan County prosecutor's theory of how 9 men came to be murdered & 18 more became hospitalized is exactly opposite to the Florida “stand your ground” law that exonerated an Iron Order MC prospect named Kristopher Stone after he shot an unarmed Black Pistons MC member named Zachariah “Nas T” Tipton in the head during a bike night at a restaurant in Jacksonville Beach, Florida in June 2014.

Named And Unnamed: The names of 97 of the indicted were released by Dallas television station WFAA & the Waco Tribune-Herald. All of those who have been named so far were arrested after being detained for questioning at the Waco Civic Center last May. Nine of the indictments are sealed. The Tribune-Herald reported all 9 of the unnamed were defendants who were not arrested last May. The grand jury indicted all 106 people prosecutors Abelino “Abel” Reyna, Michael Jarrett & Amanda Dillon told them to indict. The fact that the grand jury returned indictments after meeting for only about 9 hours is not exactly a surprise. As Solomon Wachtler, a colorful & probably criminal former Chief Judge of the New York Court of Appeals once remarked, “a grand jury would indict a ham sandwich.” What is surprising is that prosecutors sought indictments against so many defendants including 9 who had previously escaped arrest. After the indictments were announced, a San Antonio Atty named Jay Norton told the Dallas Morning News “This is amazing & truly scary. We do not understand what the district Atty's office is doing, but it's not about reality.” The aftermath of the Twin Peaks Massacre has never been about reality. It has always been about preening, posturing & covering up. The only real question has always been whether any of the hicks & hacks who run Waco would ever find the decency to fold. Now, it is pretty obvious that Waco is all in.

More To Come: Eighty of the May 17 arrestees are still unindicted. Technically, if their lawyers can schedule the requisite hearings, they can be released from bond. One of Texas' many laws says you can be released from bond unless the criminal justice beast indicts you within 180 days. That isn't likely to happen before Nov 18 when the grand jury next meets. And if yesterday is a clue, at least 80 more people will be indicted then. “We are not done,” Reyna promised at a press conference. “We still have a lot of work to do. We will continue to do that. My office is dedicated, as is the team, to seeing that justice is done in all those cases.” When asked for comment, Dallas Atty Clint Broden replied, “Unlike Mr. Reyna, I believe I must follow the gag order that his office requested Judge Johnson to enter. This gag order makes it difficult to respond to Mr. Reyna's press

conference as I am prohibited from discussing the case & can only discuss the gag order itself.” The names of the indicted that have been announced so far are listed in alphabetical order below. Every one of them has a story. Each one is unique. Most of them are innocent. The Named So Far:

Noe Adame	William Chance Aikin
Ray Arnold Allen	John O. Arnold
Ronald Noel Atterbury	Colter Bajovich
Jeff Battey	Michael Don Baxley
Richard Benavides	Burton George Bergman
Ronnie Carl Bishop	Mitchell Bradford
Brian Joseph Brinks	Robert Bucy
Salvador Berber Campos	Aaron Carpenter
Christopher Carrizal Jr.	Jason Cavazos
Rene Cavazos	Michael Chaney
Matthew Clendennen	Lindell Floyd Copeland
Roy Covey	John Craft
Dalton Davis	Jason Dillard
Richard Rudy Donias	James Ensey
Nate Farish	Lawrence Garcia
Lance Geneva	James L. Gray
Nathan Clark Grindstaff	Valdemar Guajardo Jr.
John Guerrero	Bryan Tackitt Harper
Michael Herring	Tommy Keith Jennings
Daniel Johnson	Edgar Kelleher
Laurence Kemp	Michael Kenes
Jeremy King	Thomas Paul Landers
Cody Ledbetter	Jarrold Lehman
Brian Logan	Richard Luther
Noble Mallard	Joshua Logan Martin
Terry Scott Martin	David Martinez
Eleazar Martinez	Joseph Matthews
Wesley McAlister	Billy McRee
Tom Modesto Mendez	Rudy Mercado
Marshall Mitchell	Juventino Montellano
John Moya	Doss Barron Murphy
Dusty Alan Oehlert	Joseph Ortiz
Anthony Shane Palmer	Melvin Pattenaude
Marcus Ryan Pilkington	Larry E. Pina
David Rasor	Clayton Dewayne Reed
Jacob Reese	Owen Reeves
Kristopher Rhyne	Robert Robertson
Christopher Rogers	George Rogers
Jorge Daniel Salinas	Phillip Sampson
Timothy S. Satterwhite	Trey Short
Kyle Smith	Seth A. Smith
James Edward Stallings	Blake Scott Taylor
Michael Glenn Thomas	Christian Valencia
John Phillip Vensel	Ronald Warren
Reginald Weathers	Mark Allen White
John Samuel Wiley	Jacob Ryan Wilson
John Robert Wilson	Gregory Wayne Wingo
Ricky Wayne Wycough	Lawrence Raymond Yager
Gage Yarborough	

I have learned... That when your newly born grandchild holds
Your little finger in his little fist, that
You're hooked for life.

I have learned... That everyone wants to live on top of
The mountain, but all the happiness &
Growth occurs while you're climbing it.

Grand jury indicts 106 bikers in Waco shootout with police – Nov 11, 2015 – *Texas* – By AP; <http://news.yahoo.com> - A grand jury has returned indictments for engaging in organized criminal activity against 106 of the 177 bikers arrested following the deadly shootout outside a Waco, TX, restaurant in May, the McLennan County district atty said. In a 9-hour session, the grand jury acted on all 106 cases that it had been asked to consider related to the shootout between police & bikers outside a Twin Peaks restaurant on May 17, District Atty Abel Reyna said at a press conference Tue evening. Reyna said the grand jury will return to consider charges against the other 71 bikers arrested on identical charges. The next grand jury session is scheduled for Nov. 18, but Reyna declined to say if the rest of the cases will be presented then. “We are not done,” Reyna said. “We still have a lot of work to do. We will continue to do that. My office is dedicated, as is the team, to seeing that justice is done in all those cases.”

Nine people died & 20 were injured during the shooting, which authorities say arose from an apparent confrontation between the Bandidos & the Cossacks MCs. More than 430 weapons were recovered from the crime scene, including 151 firearms. The gunfire erupted shortly before a meeting of a coalition of MCs that advocates for rider safety. Investigators have offered few details about what sparked the fight or how the gunfire played out. It remains unclear whose bullets struck those who died or were hurt, & no one has been charged in any of the deaths.

John Wilson, the Pres of the McLennan County Cossacks, & his son, Jacob Wilson, were both indicted Tue. Wilson said that he had “full confidence” neither he nor his son would be convicted & that he would refuse a plea bargain if offered. The indictment “doesn’t mean much,” he said, adding he believes that since the indictments were done in such a short amount of time that they were “a cookie-cutter deal.” Six of San Antonio-based atty Jay Norton’s clients were indicted Tue. He said that based on the pretrial discovery materials he had reviewed in the case, there was a “serious lack of evidence” to indict 106 people. “This is amazing & truly scary. We do not understand what the district Atty’s office is doing, but it’s not about reality,” he said. First Assistant District Atty Michael Jarrett didn’t respond to a request for comment late Tue night. The last person held in connection with the shootout was released from jail last week. Like the others, he was initially held on a \$1 million bond on charges of engaging in organized criminal activity. His bond was reduced to \$50,000.

Picking Lemons: Sally Mullihan of Coral Springs, Florida Decided to take one of the jobs that most Americans are not willing to do. Sally applied for a job in a Florida lemon grove & seemed to be far too qualified for the job. She had a liberal arts degree from the Univ of Michigan & had worked as a social worker & a school teacher. The foreman frowned & said, I have to ask you, have you had any actual experience in picking lemons? Well, as a matter of fact, I have, she said: I’ve been divorced 3 times, owned 2 Chrysler’s & I voted twice for Obama.

3 women went out drinking & decided to have a contest of who could get the drunkest. The next day the women all got together. The first woman said, “I drove my car into a ditch.” The second woman said, “I blew chunks.” The third woman said, “I burned down my house.” After they all had told their stories, the third woman said, “I guess I won,” & the second woman said, “You don’t understand, Chunks is my dog.”

Justice officials fear nation's biggest wiretap operation may not be legal - Nov 11, 2015 - *California / U.S.A.* - By Brad Heath & Brett Kelman; www.MSN.com - Fed drug agents have built a massive wiretapping operation in the Los Angeles suburbs, secretly intercepting tens of thousands of Americans' phone calls & text messages to monitor drug traffickers across the United States despite objections from Justice Dept lawyers who fear the practice may not be legal. Nearly all of that surveillance was authorized by a single state court judge in Riverside County, who last year signed off on almost 5 times as many wiretaps as any other judge in the United States. The judge's orders allowed investigators - usually from the U.S. **DEA** - to intercept more than 2 million conversations involving 44,000 people, Fed court records show. The eavesdropping is aimed at dismantling the drug rings that have turned Los Angeles' eastern suburbs into what the DEA says is the nation's busiest shipping corridor for heroin & meth. Riverside wiretaps are supposed to be tied to crime within the county, but investigators have relied on them to make arrests & seize shipments of cash & drugs as far away as New York & Virginia, sometimes concealing the surveillance in the process.

The surveillance has raised concerns among Justice Dept lawyers in Los Angeles, who have mostly refused to use the results in Fed court because they have concluded the state court's eavesdropping orders are unlikely to withstand a legal challenge, current & former Justice Officials said. "It was made very clear to the agents that if you're going to go the state route, then best wishes, good luck & all that, but that case isn't coming to Fed court," a former Justice Dept lawyer said. The lawyer & other officials described the situation on the condition of anonymity because they were not authorized to discuss the Dept's internal deliberations.

Fed agents often prefer to seek permission to tap phones from state courts, instead of Fed courts, because the process is generally faster & less demanding than seeking approval through the Justice Dept. In addition, Calif law allows them to better conceal the identities of confidential informants they rely on to help investigate drug rings. Over the past decade, drug agents have more than tripled their use of wiretaps, mostly by using state court orders. *Wiretaps* - which allow the police to secretly monitor Americans' communications - are among the most intrusive types of searches the police can conduct, & Fed law imposes strict limits on when & how they can be used. The law requires that police use wiretaps only after they have run out of other tools to build a case.

In Riverside, the authorities' use of that last-ditch tool quadrupled over the past 4 years. Last year alone, Riverside County prosecutors & a local judge approved 624 wiretaps, far more than any other jurisdiction in the U.S., according to records compiled by the Fed court system. Nearly all were tied to drug investigations. "Those numbers - the totals, & just the size of some of those wiretaps - are huge red flags for us," said Dave Maass, an investigative researcher for the **Electronic Frontier Foundation**. "When there's this amount of secrecy it starts to raise serious concerns about accountability for electronic interceptions."

Because wiretap orders are sealed, there is no way to know precisely how many of them were sought by the **DEA** & the local officers it deputized to work on a drug task force. Some of the taps were sought by local police officers & officers in neighboring counties. Prosecutors acknowledged, however, that the drug agency plays a leading role in the wiretapping. The county's former district Atty, Paul Zellerbach, who presided over the rapid

rise in wiretapping before there he left office in Jan, said the drug agency was "a significant player."

Riverside County's new district Atty, Mike Hestrin, said he found out about the county's wiretap numbers not long after taking office after other prosecutors approached him to suggest he look into the matter. He was concerned by what he found. Hestrin said in an interview that he made a "series of reforms" to how wiretaps are handled, which he said will lead to fewer taps in the future. He said he personally evaluates new wiretap requests & insists that each one now must "have a strong investigative nexus" to the county. Asked if that had been the case in previous years, Hestrin replied: "You're going to have to extrapolate that." Hestrin said prosecutors "follow the law to the letter" when seeking wiretaps, but he would not discuss the details. "This is an area of our law, an area of our LE, where we can't be totally transparent, in the same way that the Fed Gov't can't be totally transparent about the massive intelligence operations they run," he said.

DEA officials said it should not come as a surprise that so much of their surveillance work happens in the area around Riverside — a vast expanse of suburbs & desert east of Los Angeles, crisscrossed by freeways that have become key shipping routes for drugs moving from Mexico to the U.S. & for cash making the return journey. "There are organizations here & we're working these organizations & we're trying to stay abreast of the technology & all the different ways these organizations are operating," said Stephen Azzam, the associate special agent in charge of DEA's Los Angeles division. On paper, agents' choice of state court over Fed should not matter: Fed law sets a minimum standard for police to obtain a wiretap, even when they are seeking one from a state-court judge. And Calif courts have repeatedly said the state's wiretaps are sufficient.

But current & former Justice Dept officials said prosecutors in Los Angeles repeatedly told the drug agency that they would not accept cases based on state-court wiretaps — & those from Riverside County in particular — because they believed the applications being approved by state judges fell short of what the Fed law requires. Prosecutors were particularly concerned that the DEA was seeking state-court wiretap orders without adequately showing that it had first tried other, less intrusive, investigative techniques. "They'd want to bring these cases into the U.S. Atty's Office, & the feds would tell them no (expletive) way," a former Justice Dept official said. The result was that even seemingly significant drug cases stayed out of Fed court.

In Dec, for example, court records show DEA agents & local detectives in South Gate, Calif., near Los Angeles, used a state-court wiretap to target a man named Omar Salazar, who the DEA suspected was tied to a Mexican drug trafficking group. Between searches of Salazar's car & his house, officers seized \$76,869.94, a gun & a cache of illegal drugs, including 36 pounds of meth & 5 pounds of heroin. Investigators found some of the drugs in a safe in Salazar's garage, along with a box of ammunition & probation paperwork from one of his previous arrests. That should have been enough to build a significant Fed case with a long mandatory prison sentence, but that was not what happened. Court records show the Justice Dept prosecuted the \$76,869.94 in a civil asset seizure case. But it did not prosecute Salazar. Instead, Salazar was booked into jail & released the same day; his lawyer, John Passanante, said he has not been charged as a result of the search. Neither the DEA nor prosecutors would explain why.

PROLIFIC WIRETAPPING: Perhaps the only outward sign that Riverside has become America's most wiretapped place can be found on a deserted floor of the city's courthouse. On a recent Fri afternoon, a handful of officers in scruffy jeans & baseball caps waited there with sealed manila envelopes in their hands. After a few minutes, they disappeared inside Judge Helios Hernandez's locked courtroom for hearings that are closed to the public. No judge in the U.S. has been so prolific in authorizing eavesdropping. Records compiled by the Fed courts' admin office show Hernandez authorized 624 wiretaps that ended last year, & another 339 that ended the year before. Hernandez approved 3 times more taps than all of the Fed judges in Calif combined last year, & once received more wiretap applications in a day, 17, than most courts do in a year. (The court office counts wires based on when they end, rather than when they begin, to avoid revealing ongoing investigations.) The next-closest court was in Las Vegas, where judges approved 177 wiretaps that ended last year. Hernandez declined to comment through a spokesman.

Riverside County's presiding judge, Harold Hopp, said judges do not decide how many eavesdropping applications are submitted to them; "they have to consider each one on its merits." The county's wiretap numbers are so high that even investigators who helped supervise eavesdropping there were taken aback. "This can't be right," said Anthony Valente, who, until 2012, commanded the Inland Crackdown Allied Task Force, which uses wiretaps to investigate drug trafficking & gangs in Southern California. Nearly all of Riverside's wiretaps – about 96% – were related to drug investigations.

Fed records show the taps that ended in 2014 cost more than \$18 million. The records do not indicate who paid for them. The figures are based on reports that judges & prosecutors are required to submit each year to the Fed courts' administrative office. The reports include the number of wiretaps judges authorize, & the number of communications - including telephone calls, text messages & other electronic conversations – that investigators intercepted. Those reports show the overwhelming majority of the more than 2 million communications investigators intercepted last year as a result of Riverside wiretaps had nothing to do with crime. Police are not supposed to record conversations that are not relevant to their investigations.

DEA officials said that the agency conducts its wiretaps wherever their investigations lead them. Its Riverside field office, which covers Riverside & neighboring San Bernardino counties, was responsible for a large share of the agency's methamphetamine & heroin last year; therefore, it's only natural that investigators would focus there. "We don't pick a jurisdiction. We take the enforcement action where it's warranted & where we can do it effectively," DEA spokesman Timothy Massino said. Nonetheless, Hernandez approved 20 times as many wiretaps as his counterparts in San Bernardino County. DEA officials said they could not explain that difference. Zellerbach said Riverside's wiretaps multiplied during his tenure because prosecutors & the county's court became more "efficient & effective" in handling surveillance applications & word spread throughout the LE community, bringing still more applications. Eventually, Zellerbach said, he learned the county was among the nation's wiretap leaders. "I thought we were doing a hell of a job," he said. Zellerbach said the taps yielded significant arrests & seizures. And they paid other dividends. "We liked it because in these difficult economic times, my budget was being cut, & that

was a way to somewhat supplement funding for my office," he said in an interview. Prosecutors would not say how much money they received. Zellerbach said the operation grew under the leadership of an aggressive new lawyer, Deena Bennett, who still heads the wiretap unit today. Bennett, a one-time contestant on the reality show *Survivor*, rebuffed attempts to contact her, telling a reporter that "the fact that you have my cellphone number is really harassment, & I'm going to report it."

WIDESPREAD ARRESTS & SEIZURES: Investigators have used wiretaps in Riverside to seize hundreds of pounds of drugs & millions of dollars in cash. The taps have helped agents pinpoint smuggling tunnels dug beneath the Mexican border & map the inner workings of South American trafficking groups. But if the taps also produce arrests, they are difficult to find. Prosecutors seldom make use of state-court wiretaps in the Fed courts around Los Angeles. And defense lawyers in Riverside said they only rarely encounter cases with disclosed wiretaps in state court. The county's public defenders handle 40,000 criminal cases a year; no more than 5 involve disclosed wiretaps, said Steve Harmon, the head of that office. Instead, court records & interviews with DEA officials & prosecutors show the drug agency has used the fruits of its Riverside wiretaps to help stop & seize shipments of drugs & cash elsewhere in the United States. In some of those cases, agents used wiretaps to identify drug couriers, then tipped off other investigators, who were told to find their own independent evidence to conduct a search. That practice, known within the agency as "parallel construction," is now the subject of an investigation by the Justice Dept's inspector general. "That approach ends up insulating dubious police practices from any kind of judicial review. That's what so pernicious about it," American Civil Liberties union lawyer Nathan Wessler said.

Riverside's District Atty's Office reported approximately one arrest for every 3 wiretaps that concluded last year, among the lowest rates of any jurisdiction that conducted more than a handful of taps. That's a sign, Hestrin acknowledged, that many of the wiretaps may be leading to prosecutions in other jurisdictions. One surfaced last year after a state trooper stopped a tractor trailer on a remote stretch of interstate highway outside Harrisonburg, Va., ostensibly because some of the tiny LED bulbs around its cab had burned out. The trooper, Keith Miller, summoned a drug-sniffing dog, & within minutes, officers had pulled 32 kilograms of heroin & cocaine from compartments in the truck's cab. Fed prosecutors indicted the driver, George Covarrubaiz, on drug possession charges. Miller testified during a court hearing – later described by a prosecutor as "a high-wire act" – that he had been tipped off by the DEA that the truck might be carrying drugs, but that the burnt-out lights were his "sole reason" for stopping the truck. The problem for prosecutors was that driving without those lights is not illegal in Virginia. The judge hearing the case warned that he was inclined to bar prosecutors from using the seized drugs as evidence because, if driving without the lights was legal, Miller had no valid reason to stop the truck. So 7 months after Covarrubaiz was stopped & sent to jail, the Justice Dept returned to court & acknowledged there was more to its investigation. Covarrubaiz, a Gov't lawyer wrote, had been picked up in a "wiretap investigation of a significant Calif-based drug trafficking organization." Investigators had been monitoring his calls using a tap approved by Hernandez in Riverside County, & agents from the DEA's secretive Special Operations Division had been tracking his truck across the United States. During a 4 a.m. meeting at a nearby hotel, the agents directed Miller to find a

reason to stop the truck & search it. The agents' reports referred to the episode merely as a traffic stop because "that way they didn't have to provide the information for the directed stop later," agent Gregg Mervis later testified.

Justice Dept lawyers later said they had intended to reveal the wire all along but had not done so sooner because police had not yet locked up some of the investigation's key targets. In particular, Assist U.S. Atty Grayson Hoffman pointed to the truck's owner, Everardo Amador Sr., who he described as "a grave threat to the safety & well-being of the people of the United States." That's hardly how Calif police treated Amador, though. Agents arrested him last year on charges that he had illegally possessed drug money – a far less serious charge than the Fed narcotics case his driver faced in Virginia. A judge freed him the next day on \$5,000 bail, at the prosecutor's request. Amador's lawyer, Nicolas Estrada, called the Justice Dept's characterization "an exaggeration." Covarrubai's lawyer, Randy Cargill, accused the Justice Dept in a court filing of an "extraordinary strategy of doling out truth as it sees fit."

In the end, U.S. District Court Judge Michael Urbanski declared himself "singularly unhappy with the way the Gov't has conducted this case." And in March, the Justice Dept abandoned it altogether, dismissing the charges against Covarrubai. Asst U.S. Atty Heather Carlton told Urbanski that prosecutors had "re-evaluated the evidence" & concluded that "it would be best to terminate the investigation." The rest of her explanation is sealed.

Understanding the Waco Grand Jury Indictments- Does The 1st Amendment Exist in TX? - Nov 11, 2015 - *Texas* - By David "Double D" Devereaux; www.MotorcycleProfilingProject.com - The Waco Grand Jury indictments on 106 individuals for engaging in organized crime are not convictions. The Grand Jury only determines whether the prosecutor has sufficient evidence to indict. The Grand Jury only hears from the prosecutor, no defense Attys are allowed, & does not make a determination on guilt. As examining trials made clear, the basis of the prosecutor's argument in many of these cases relies solely on an individual's association with a MC that had members accused of committing a crime on May 17th. These indictments based solely on association, particularly the cases where the prosecutor admits that there is no evidence that the individual participated in any crime or violence, flies in the face of recent Fed Court precedent. Those associated with MCs are protected against Gov't impositions based solely on membership in an organization that the Gov't has labeled a gang or criminal organization.

Although the Grand Jury is not open to the public, or even to defense Attys, past examining trials challenging the probable cause of the initial arrests reveal that mere association with a club labeled a criminal organization has been the basis of the prosecution's theory for many of the accused. It is very reasonable to assume that many of the 106 indictments handed down by the Waco Grand Jury are based on nothing more than association.

The ability to challenge the prosecution's theory should become more balanced during an actual criminal trial because the standard of proof is much higher. Although I agree with many that are concerned about the seemingly broken Waco criminal justice system, recent Fed decisions seem to say that the underlying assumptions of an indictment based solely on association are unconstitutional.

A US District Court this past Sept, relying on Supreme Court precedent, concluded that the Gov't may not impose restrictions on an individual solely because of their membership in a MC, including a 1% club that the Gov't labels as a gang or criminal organization. The criminal activity of others does not justify denying rights & privileges solely because of association with an unpopular organization.

Coles v. Carlini, in the United States District Court for the District of New Jersey, Civil No. 10-6132 Opinion, 9/30/2015, p.28: "Defendants have pointed to no evidence that by merely wearing Pagan's "colors," Plaintiff was involved in or associated with the alleged violent or criminal activity of other Pagan's members. It is a fundamental principle that the Gov't may not impose restrictions on an individual "merely because an individual belong[s] to a group, some members of which committed acts of violence." In fact, the Supreme Court has long "disapproved governmental action . . . denying rights & privileges solely because of a citizen's association with an unpopular organization." – Healy v. James, 408 U.S. 169, 185-86 (1972).

The decision by the Waco Grand Jury comes as no surprise to many considering the obviously over-broad arrests, excessive bail, & unsuccessful challenges to probable cause during examining trials. And it will not be a surprise if the Grand Jury hands down indictments on the remaining individuals whose cases have not been presented for indictment. It seems obvious to most that an overly-broad indictment affords the prosecution the ability to offer plea agreements to individuals that committed no actual crime. This achieves 2 goals of the prosecution. First, plea deals shield future lawsuits over due process & issues like probable cause. Second, mass indictments increase the probability that pressure will result in individuals providing witness testimony to help convict others.

For example, Alex Hernandez who writes the mcatty.com blog states: "From here, as I have mentioned many times before, the game of law begins. With the indictments returned for engaging in organized crime with underlying offenses of murder & assault, this is no different than buying a car. Start high & work your way down. Think about it: you are facing organized crime charges, your Atty is asking you for money you do not have, & there is a good chance you will spend the rest of your life in prison if you lose at trial. As plea negotiations take place & 90% of cases are worked out with a plea, the State Atty's Office makes you an offer for a lesser offense. Maybe credit for time served or extended probation. What do you do? Chances are you take the plea & try somehow, to move on with your life. Of course, once you take the plea, there goes the civil rights violation lawsuit & the city of Waco lives to see another day."

As much of the motorcycling community across America watches events in Waco unfold, we can only hope that the criminal justice system in Waco begins to recognize the existence of the 1st Amendment to the US Constitution & that innocent individuals are able to persevere & preserve their ability to seek civil lawsuits for the obviously unconstitutional actions of LE in Waco.

I'll Be Back - Nov 11, 2015 - *U.S.A.* - By The Aging Rebel; www.AgingRebel.com - Rebel is taking a nap. I'll be back in a few days. **Happy Veterans Day.**

Biker melee ends in 4 stabbings, gunshots fired - Nov 12, 2015 – *New Jersey* – By <http://HudsonReporter.com> - A post-Halloween party by the Lost Boyz, a MC based in North Bergen, erupted into violence at about 11:45 p.m. on Sat, Nov. 7, leaving 4 people wounded with knives & at least 11 shots fired. The occasion was an open party sponsored by the Lost Boyz on 85th Street & Mazzone Place with members of other clubs including the Hell's Angels, Thug Riders, Brick City Riders, Free Spirits, Hoboken MC, & Lowriders in attendance. Police were alerted after a fight apparently broke out. When officers arrived they found more than 100 members of different MCs outside the clubhouse. Some were injured, while others had driven themselves to the hospital. Due to the size of the crowd, additional police units were requested through mutual aid & police responded from the Hudson County Sheriff's Office, as well as the Fairview, Cliffside, West New York, Guttenberg, Jersey City, & the New Jersey State Police. Initial reports indicated that 9 shots were fired, but a later canvass of the area turned up a total of eleven casings. No gunshot injuries were reported. Numerous knives were recovered, along with a handgun & a small amount of suspected crystal methamphetamine, according to reports. The wounded individuals were from the Hells Angels MC. A multi-jurisdictional investigation is underway with the involvement of the Newark Real-time Crime Center run by the New Jersey State Police. North Bergen police indicated that they are amassing evidence & hope to make arrests very soon.

Bikers' lawyer files civil rights suit against Metro PD - Nov. 12, 2015 – *Nevada* - By Ken Ritter, AP; <http://LasVegasSun.com> - A Nevada lawyer who represents MCs has filed a Fed civil rights, false arrest & negligence lawsuit against Metro Police after he was acquitted in March of a misdemeanor obstruction charge. Stephen Stubbs alleges that a Las Vegas practice of harassing MC members led to his arrest in Nov 2013, & that being found not guilty by a local judge showed the arrest was improper. Stubbs said he was prevented from representing a Bikers for Christ member who was being questioned by police about a traffic violation outside a motorcycle ministry meeting. Stubbs said Kevin Desmairas had a constitutional right to have an Atty present during questioning. Desmairas also is a plaintiff in the lawsuit filed Wednesday by Atty Cal Potter. It seeks at least \$75,000 in damages from the Dept & a police Lt, Yasenia Yatomi.

Officer Larry Hadfield said the Las Vegas Metropolitan PD doesn't comment on litigation. Yatomi didn't immediately respond to a message left with Hadfield.

Stubbs is representing members of biker groups, including the Mongols, Vagos, Stray Cats & Bandidos in a Fed civil rights complaint filed in June 2012 alleging harassment by Las Vegas & other area police. The lawsuit is pending in U.S. District Court in Las Vegas. It was filed a day after a meeting of Mongols Nat'l leaders in Boulder City was monitored by hundreds of local & state police & Fed agents. Stubbs characterizes the bikers he represents as members of fraternal organizations of motorcycle enthusiasts, while state & Fed LE generally characterize the groups as outlaw criminal enterprises. Stubbs was sentenced last month to 18 months of probation after pleading guilty in Las Vegas to unlawful notarization of a signature in a misdemeanor case stemming from a client guilty plea agreement.

I have learned... That the less time I have to work with,
The more things I get done.

Brother Speed settles suit against U.S. gov't over Nampa raid, gets payment – Nov 12, 2015 – *Idaho* – By Betsy Z. Russell; www.Spokesman.com - Ten members of the Brother Speed MC, along with the club itself, will be splitting a \$16,500 payment from the United States Gov't, to settle their lawsuit over a 2013 raid on their Nampa clubhouse that yielded no charges. The club & its members sued numerous Fed agents & the United States, saying their civil rights were violated when Fed agents searching a search warrant broke down the door, set off flash-bang grenades, & sent dozens of heavily armed SWAT team members into the small home. The club members were detained for up to 3 hours while agents forcibly removed their personal property, including their clothing, & confiscated club memorabilia, according to the club's Atty, Craig Durham. "These were regular guys minding their own business that night," Durham said. "They were not a threat, & there was no call for the use of terrifying, military-style tactics to serve a simple search warrant."

The Gov't admitted no wrongdoing but agreed to the settlement, under which the club will receive \$4,000, & the individual members will receive payments ranging from \$500 to \$2,500. "This was never about money," said chapter Pres Daniel Bugli. "It was about standing up for our rights as citizens & members of this community. LE officers shouldn't be able to run roughshod over people's rights based on speculation & assumptions."

Brother Speed was founded in Boise in 1969 by a group of men with a common passion for riding American-made motorcycles, Durham & Bugli said in a news release; it now has several chapters. The members of the Nampa/Caldwell chapter members are primarily tradesmen, they said, including a pipe fitter, a tile setter, an electrician, & a plumber, among others. Four are retired.

In 2010, when the Idaho state budget was short, Brother Speed members collaborated with the state Dept of Parks & Recreation to help maintain & keep open a state park in the Magic Valley. At the time, the Associated Press reported that 9 bikers in black leather jackets adorned with the group's logo, a grinning skull, planted 75 maple trees in a corner of Thousand Springs state park, working alongside college students, a Mormon group & a square dancing club.

Great News! I just figured it out... I am a Seenager. (Senior teenager) I have everything that I wanted as a teenager, only 55 1/2 years later. I don't have to go to school or work. I get an allowance (pensions). I have my own pad. I don't have a curfew. I have a driver's license (so far) & my own car. I have ID that gets me into bars & the Beer Store. The people I hang around with are not scared of getting pregnant & I don't have acne. Life is great.

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...