

VIRGINIA FREEDOM RIDERS
RIDERS AGAINST CONSTITUTIONAL EROSION

FREEDOM PRESS

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OCTOBER/NOVEMBER 2005

FREEDOM FIGHTER APPRECIATION PARTY

Bernie and I hosted the first annual Freedom Fighter Appreciation Weekend on our property in Shenandoah County over the October 24th weekend. We had a great time and appreciated the opportunity to show a little gratitude to such a great group of Freedom Fighters. The weekend included conversations, lively debates, joke telling, good food and plenty of libations. Some even managed to fit in a few minutes of target shooting. While we missed the members that could not make it, we had a wonderful time with those that did.

As you know, Freedom Fighter is a level of membership earned by demonstrating commitment to bikers' rights by being actively involved in Virginia legislature. I hope each of you will consider earning this level of membership. Below is an excerpt from a post on the VFR website (<http://www.vfr-race.com/freedom/ftopic296.html>) that describes the Freedom Fighter level:

One of the stipulations for becoming a Freedom Fighter for the Virginia Freedom Riders (VFR) is to be a member for six months. This is an outline of the guidelines used in determining who is eligible for the Freedom Fighter status with the organization.

As stated in our bylaws, "Only Freedom Fighters are eligible for office of the Board as long as they are members in good standing at their election and duration of office. Freedom Fighters are the backbone of the Corporation. Freedom Fighter memberships will be granted on a case-by-case basis. The member must submit a petition to the Board, in writing, expressing their desire to become a Freedom Fighter within the Organization."

In order to become a Freedom Fighter with the VFR, a member must meet the following criteria:

- a) Member must have been a Patriot Member in good standing for at least six months.
- b) Member must hold a valid motorcycle endorsement on their drivers license if operator.
- c) Member must have actively participated in the Freedom Forums on the VFR-R.A.C.E Website or performed an equivalent.
- d) Member must have at least three (3) visits to the Capitol or with an elected representative at the state or local level or performed an equivalent.
- e) Member must participate in VFR-R.A.C.E events.
- f) Member must have recruited at least one new Patriot member.

Freedom Fighter membership status will be determined by unanimous vote of the Board. Freedom Fighters must remain in good standing within the organization and continue to actively participate.

The Freedom Fighter status is considered an honor among the VFR. The Freedom Fighter status identifies you as someone who is serious about fighting for and protecting bikers' rights in Virginia. It signifies that you are someone who understands that accomplishing this is not a spectator sport. The Freedom Fighter rocker you receive will identify you as someone who has stepped up to the plate and does what needs to be done to restore our liberties and protect our freedoms in the Commonwealth.

Freedom Fighter status is a symbol of accomplishment within the VFR, and it comes with obligations. As stated in our by-laws, Freedom Fighters are the backbone of the VFR. Once you accomplish this status, you will be looked upon as a leader in our fight for bikers' rights, and counted on to set an example for all members of the VFR, and all who are involved in this fight. And you will be expected to lead by example.

As you approach your six-month anniversary with this organization, consider whether or not you have done what you can to the best of your abilities for bikers' rights in our great Commonwealth. If you answer "yes", petition the board for the Freedom Fighter status. If you answer "no", consider what you need to do – not only to achieve Freedom Fighter status, but to sleep well at night knowing that you are doing all that you can do to restore and maintain your liberties in Virginia.

Miss Penny
misspenny@vfr-race.com
Virginia Freedom Riders - Legislative Officer
"Government is too big and too important to be left to the politicians."
Chester Bowles (1901 - 1986)

**Don't Forget to VOTE!
November 8, 2005
Election Day**

MARK YOUR CALENDARS NOW!

VIRGINIA MOTORCYCLE LOBBY DAY

January 15-16, 2005

On Sunday, January 15 from 12:00 to 5:00 pm, VCOM lobbyists will lead an information meeting at the Comfort Inn to discuss legislation affecting motorcyclists, and how to take your case to your legislators.

We leave the Comfort Inn at 8:00 am sharp on Monday, January 16 for our annual trip to the Capitol. After lobbying our legislators, we will attend the opening of the House of Delegates daily session, and be recognized from the floor.

Lunch will be provided by The Law Offices of Tom McGrath after we leave the Capitol.

Host Hotel: Comfort Inn and Conference Center
3200 W. Broad St., Richmond, VA

For Room Reservations Call (804)359-4061 and ask for the VCOM rate.

Visit <http://www.vcomonline.org/> for more info.

IMPORTANT WEB LINKS

VFR-RACE WEBSITE

<http://www.vfr-race.com/>

VIRGINIA COALITION OF MOTORCYCLISTS (VCOM)

<http://www.vcomonline.org/>

MOTORCYCLE RIDERS FOUNDATION

<http://www.mrf.org/>

SONS OF LIBERTY RIDERS

<http://www.solriders.com/>

"The only sure bulwark of continuing liberty is a government strong enough to protect the interests of the people, and a people strong enough and well enough informed to maintain its sovereign control over the government."

Franklin D. Roosevelt

THE FREEDOM PRESS

**THE VFR NEWSLETTER WILL BE
PUBLISHED IN FEBRUARY, APRIL,
JUNE, AUGUST, OCTOBER, AND
DECEMBER**

**GOT SOMETHING TO SAY?
LET US KNOW AT**

HTTP://WWW.VFR-RACE.COM/

OR

EMAIL HERSEY@VFR-RACE.COM

**NEWSLETTER DEADLINE
THE 10TH OF EACH MONTH**

FROM THE FACEMAN

Freedom Fighters and Patriots,

We were privileged to attend the Sons of Liberty Riders TEA (Totally Extreme Activists) party in Iowa this summer. The SOLR is a national grass roots bikers rights organization. I can't tell you how nice it was to be surrounded by extreme activists from all over the country.

Listening to their stories of the problems and issues they encounter in their states I felt lucky that I live in the Commonwealth of Virginia. While we have not yet enjoyed victory for our helmet bill, we have a lot of friends in Richmond and have helped make Virginia a safer place to ride. I felt lucky that we have VCOM in Richmond working daily with our Senators and Delegates to pass bills helpful to bikers. But most of all I felt lucky for the opportunity to serve as President of this great organization. United together we will eventually succeed.

All of our Delegates are up for re-election this year. Some of our friends are in tough races for their seat. We need to help, and vote for Delegate Lingamfelter in District 31, Delegate Dick Black in District 32, and Delegate Janis in District 56, Mr. Todd Gilbert is running for District 15. While we haven't yet talked to him, he is a friend of Senator Mark Obenshain. We expect he will be friendly to bikers rights.

Sean Devlin, a biker, is running against Mamy BaCote in House District 95. Delegate BaCote is well liked in her district and this

will be a tough race. I encourage you to support Sean and get the word out to vote for him. Sean will serve District 95 well.

For Attorney General we will support Bob McDonnell. We're kind of on the fence for Governor. The Kilgore's have always been friendly to the biker issues. Mr. Kilgore very much supports the anti gang laws and needs to be clear that he does not include motorcycle clubs as gangs. Lt. Governor Kaine has no real record with us.

Please keep watching the VFR web site, www.vfr-race.com for regular updates.

Lets get the word out to our fellow bikers. Together we can put biker friendly representatives in office and defend freedom and liberty.

Faceman
Bernie Adams
faceman@vfr-race.com
President, Virginia Freedom Riders

"They who would give up an essential liberty for temporary security, deserve neither liberty or security"

Benjamin Franklin

FREEDOM FIGHTERS :: LEADING THE FIGHT

When I was five years old my father had two close friends, Joel and Dave; both of which were true rebels and they both rode Harleys. Dave gave me my first ride down route 1 in Alexandria. I was born with a passion for motorcycles and had to have one. After four years of begging for a dirt bike, I finally got one and have been riding every since.

We were living in Woodbridge when I got my bike and there weren't many places to ride. There were two dirt tracks, a couple patches of woods and the power lines. My dad would load my bike in the car and we were off to find someplace new to ride. We had to be careful and my dad would usually make the first run because there were some people that hated dirt bikes, kids that rode dirt bikes and parents that bought their kids dirt bikes. We had to be careful because they would go to great lengths to "warn" us by stringing clothes line, covering holes on the trails, putting nails on the trails and hiding behind trees so they could jump out and grab handle bars. More than a few times the police were called to move us along, but we were not breaking any laws so they left us alone to continue riding.

I remember going with my dad to town meetings to fight for our right to ride and decades later, I again find myself fighting for motorcyclists rights.

I joined the Virginia Freedom Riders because there are still people that hate motorcycles/motorcyclists and have made it their life's work to take it away from me. I have watched and worked closely with the board members of VFR and have seen first hand what they can and will do. I chose this organization because it's members are reliable, well informed, professional, well organized and don't spend a lot of time just talking about issues that need addressing. Due to VFR, I am fully aware of what's going on with legislation, how I can help to retrieve lost freedoms and how I can keep the government from passing laws that halt my rights as a free American. This organization is on the ball and I am proud to be one of it's members.

~Wildflower

SHIFTING GEARS: TRAFFIC STOPS

You are riding down the road with the wind in your hair (ok, for most of us wind in your hair – for some it would be wind on your scalp) and out of nowhere your mirror fills with the blue lights of justice. You are being pulled over. What do you do now?

Most of us have faced this situation, whether it was on our bike or in our car. It may have been due to a non moving violation, such as an expired plates charge, or it may have been for a moving violation such as speeding. Chances are there is a few reading this who found themselves in the unfortunate situation of being pulled for DUI. Whatever the infraction, we all were trying to figure out how to come away from the stop without a citation, or worse, arrest.

For the past two years I have been helping folks who were not able to come away from such a situation without ticket or arrest. Ten years before that I was the guy prosecuting the unfortunate souls. Two years prior to that, I was the one stroking the ticket, or putting on the cuffs. So based upon that experience I would like to offer a few pointers for either avoiding the ticket/arrest, or at least increasing the chances of gaining an acquittal, or reducing the charge should you have to go to court. The advice I am about to give does not constitute legal advice in the attorney-client relationship sense, nor does following this advice guarantee a successful outcome. However, it is my experience that following these pointers will increase your chances of mitigating damage to your driving and/or criminal record.

First and foremost, common sense reigns. Do not make smart comments no matter how clever the comment may seem. Doughnut comments are definitely taboo. Also, do not argue with the officer even when you know he is wrong. You never, ever, ever win an argument with a police officer. If the officer wants to be an asshole, there is nothing you can do. It is better to take the ticket and say nothing. Save your argument for the court. Also keep in

mind that the more you say, the more evidence against your self you are giving the officer. Do not say anything that you do not want the judge to hear. Sometimes a judge may want to cut you a break in court. A smart-ass statement or argument can kill the court's desire to help you. In short, just think of the guy or gal you know who is always making the smart-ass comment and do the opposite. For those of you who know me and the company I keep, you can guess who I think of in such a situation.

On a similar note, if you find yourself pulled over with an officer asking questions about your speed, or your helmet, exhaust pipes, or other equipment, keep your answers to a minimum. The officer is gathering evidence against you. Do not admit that you were speeding. Do not admit that your helmet is a novelty helmet or that you just changed the pipes. You are merely convicting yourself. You did not realize you were speeding. As far as you are concerned your helmet is legal, and the pipes came on the bike when you bought it. I am not suggesting that you lie, I am merely suggesting that you do not give the officer the evidence he needs to convict you in court. Keep the meeting quick and polite.

In some situations the officer may ask for consent to search you, your car or your bike. Your answer is NO! Never ever allow this. I do not care if you know that you have nothing in the bike or car. Never allow a search of your property or person. I have had plenty of clients who forgot that they left something in the car. I have also had clients who did not know what their spouse or children left in their car. If you are being stopped because the officer is under the mistaken impression that he can tell an unauthorized helmet from one that meets Virginia code (trust me he can't) do not give him the helmet if he asks for it. It is an illegal seizure. I am not suggesting that you fight the officer. I would politely tell him that you believe this to be an illegal seizure and that if he wants to he may take it off but that you are not surrendering your property willingly. And for the love of God please remove the tag from the inside of your helmet that says "for novelty purposes only." We do not want to have to explain that should the officer take your helmet under the circumstances as described above. In short, do not waive any of your rights. No reason to help

the police gather evidence against you. The framers of the Constitution gave us this thing called the Fourth Amendment. Let's not let it go to waste.

Next I would like to address the situation where you find your self pulled over after a few drinks. First and foremost let me say that if you find yourself in this situation then you have already done something stupid. If you have done so on your bike then you have done something very very stupid. Besides the obvious dangers of driving or riding impaired, you have subjected yourself to the ever increasing penalties for DUI. Additionally, if you are riding in such a condition and find yourself the victim of the automobile driver that does not look out for motorcycles; you have probably given up your right to recover any damages for your injuries. Virginia bars recovery for those whose own negligence contributes to their injuries. Generally, if you are drunk, the courts recognize that you contributed to your injuries.

Continued on Page 5

THE VFR WEB SITE
INFORMATION
GRASSROOTS HELP
FREEDOM FORUMS
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PICTURES & MORE
WWW.VFR-RACE.COM

SHIFTING GEARS :: CONTINUED FROM PAGE 4

Should you find yourself stopped for suspected DUI there are several things you can do to increase the chances of avoiding conviction. First, do not admit to drinking. Second, do not take any field sobriety tests. You do not have to. All you are doing is giving the officer evidence of your intoxication. If you think you are fine and can perform them well, keep in mind that your judgment may be a little impaired by the liquor in your bloodstream. Also keep in mind that even if you think you performed the tests fine, the officer may have a different opinion. In court, the officer wins that battle every time. Do not leave your fate to the subjective opinion of the officer judging how well you are doing on the tests. Next, do not take the preliminary breath test. That is the little device that the officer wants you to blow into on the side of the road (and if he wants you to blow into something on the side of the road it damn well better have a gauge on it). You have an absolute right to refuse the preliminary breath test. It is not refusal to do so. In fact, the code requires the officer to inform you that you do not have to take the test.

OK, you have followed the advice above and the officer arrests you anyway. What do you do now? When you get downtown, you have to blow into the machine. You do not have the right to request a blood test instead; the statute was amended a few years ago to give the officer that discretion, but not the defendant. If you do not blow downtown, you are subjecting yourself to a refusal charge. That is 12 months of walking. Unlike a loss of license for DUI for which the court can give you a restricted license to and from work etc, for refusal, you do not get a restricted license. For most of us, that would be a job killer. However, even if you blow above the .08 legal limit, if you have followed the advice in this article, you stand a chance of having the results of the breath test thrown out due to the fact that the officer did not have probable cause to arrest you in the first place. Now if you were so drunk that you fell off the bike when stopped and then puked on the cops shoes, you are screwed no matter what, enjoy your court ordered alcohol rehab treatment.

A few notes on penalties for DUI. Generally for a first offense you will receive suspended jail time, a \$250 fine, loss of license for 12

months with the ability to get a restricted permit to and from work, ASAP, and to take your kids to and from school. If you blow anywhere from .15-.20, you are going to jail for 5 days without credit for good time. The court has no choice. Also you will be required to have an ignition interlock on any vehicle that you operate. That is one of those devices that you have to blow into to start your vehicle. Two problems come with that. You have to pay for the device, which is not cheap. Additionally, ASAP either can't or won't put one on a motorcycle. So if you get convicted of such a charge, you forfeit riding your scoot for a year. Blow a .21 or above you go away for ten days along with the ignition interlock device. Should you get convicted of a DUI and not learn your lesson and get a second conviction, jail time increases. On a third offense, you are now a felon. It's just not worth it.

I could go on for pages but space is limited and you are probably bored already. Hopefully you will not need any of the advice contained in this article. However, if you do I hope it helps. If anyone has any questions regarding any of these matters, or wants to call me a dumb-ass for any of it, feel free to give me a call. Hope to see you soon.

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(757) 595-7505

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Visit <http://www.donorcycles.com/>

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VIRGINIA FREEDOM RIDERS
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OF THE PEOPLE, FOR THE PEOPLE,
BY THE PEOPLE
WE ARE THE PEOPLE

MEMBERSHIP APPLICATION

Membership Dues are \$15.00. Please make check payable to VFR-RACE.

PLEASE PRINT

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #1: _____ Phone #2: _____

Email: _____ Fax #: _____

Are you a registered voter? YES NO (Circle One)

Do you have a motorcycle license? YES NO (Circle One)

What motorcyclists' issues would you like to see VFR-RACE address?

Please mail this completed application along with your \$15 check or money order to:
VFR-RACE, PO BOX 1387, Suffolk, VA 23439-1387



Virginia
Freedom Riders
R.A.C.E.

Riders Against Constitutional Erosion

HELP PROTECT THE
RIGHT TO RIDE

JOIN THE R.A.C.E.

**VIRGINIA
FREEDOM
RIDERS**