

# The NMMRO Newsletter



Freedom And Independence Starts Today

New Mexico Motorcyclist Rights Organization  
PO Box 27673 Albuquerque, New Mexico



Volume 10, Issue 61  
Jan/Feb 2019

## NEW MEXICO MOTORCYCLIST RIGHTS ORGANIZATION 16TH ANNUAL



**BIKE DAY  
AT THE  
*Capitol***  
**2019**

**SATURDAY, FEBRUARY 16 - 2019**

Santa Fe, New Mexico Round House Rotunda  
(State Capitol Building in Santa Fe)

PHOTO EDITOR

NM POST 49  
11005 Central Ave NE Albuquerque, NM 87123

# NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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# NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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## Chair Letter

Greetings and Happy New Year,

If you follow us on Social Media you may be aware of our efforts in supporting House Bill 109, increasing penalties for Careless Driving, during the 2019 Legislative session. So far we have been able to secure Bi-Partisan support for this bill. Representative William Rehm, Sponsored and introduced the bill and Representative Patricia Roybal Caballero, agreed to co-sponsor the bill. Since the pre-filing of the bill we have been working hard to gain further support for this bill. I would like to thank all of the groups and individuals who answered the call, to show up and support us at one of the Town Hall meetings.

Since then Annette and I have both continued to attend other Pre-Session Town Hall Meetings. We will continue to attend as many opportunities in support of this bill to include any Legislative committee meetings we can. We need your support as well. We will publish committee meetings on Social Media and ask that you attend as many as you can. The New Motorcyclists Rights Organization has worked very hard to pass this legislation since 2011, we are confident that this will be the year we can celebrate our success.

The reality of our current legislative situation: We have received several reports that there may actually be a mandatory helmet bill being drawn up. It is critical that we monitor all legislative filings and follow up on any and all rumors. It is our theory that our lawmakers may attempt to sneak in a filling at the last minute by retitling a blank bill after the mid-session deadline for filing new legislation. It is because of this that we need to stay vigilant. If we call on you, you will need to act! You will need to reach out to your Representative and Senator and make you voice heard. If in fact a helmet bill is filed, we want you to understand that we will need to act fast and without delay. We have fought every year, to keep the decision to wear a helmet in the hands of the rider. We will continue our fight but we need you there to support us. This mission cannot succeed with just a handful of people and letters alone.

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# NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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WE NEED YOUR HELP! STAND UP AND FIGHT FOR OUR RIGHTS.

Now on to some good news, this year's Bike Day at The Capitol (BDTC) is going to prove to be a very interesting one and larger than normal. This year we are not only teaming up with the bicycling community but we are also going to be merging our event with the Santa Fe Film Festival. I have been working behind the scenes to coordinate with the Chair of that organization to bring the two groups together on our day at the round house. I will keep you all posted as the event draws closer, but there are little rumors that there will be some celebrities present who are not only riders themselves but may be on board to help support our efforts.

Regards,

Raymond "Wraith" Gallegos

Chairman

New Mexico Motorcyclist Rights Organization

## 10 Facts about Distracted Driving

The act of driving while people are engaged in other activities is explained on Facts about Distracted Driving. The activities conducted by people while they are driving may include necking, shagging, smoking, watching videos, texting, talking on a phone, reading, looking after kids and talking to the passengers. Those activities make the driver lose their concentration on the road. Check other interesting facts about distracted driving below:

### **Facts about Distracted Driving 1: safety**

The distracted driving is not good for it decreases the safety of the bystanders, passengers inside the vehicles, driver and the passengers of other vehicles.

### **Facts about Distracted Driving 2: texting**

There is a report than 18 percent of people admit for texting messages regularly when they drive. Moreover, the report also states that 37 percent of drivers admit for receiving or sending messages when they drive their vehicles.

### **Facts about Distracted Driving 3: the crash risk**

The crash risk is increased 23 times if you send or receive text messages when you drive. That's the report based on the US Department of Transportation.

### **Facts about Distracted Driving 4: the groups of distracted driving**

The cognitive, manual and visual as the three different groups which classify distracted driving

### **Facts about Distracted Driving 5: the cognitive distracted driving**

When the driver's mind is wandering around when he or she is driving, they are engaged in the act of cognitive distracted driving. In simple word, the driver loses his or her focus to drive.

### **Facts about Distracted Driving 6: the manual distracted driving**

When one hand of the driver is off the wheel, he or she is engaged in manual distracted driving.

### **Facts about Distracted Driving 7: the visual distraction**

When your eyes are off the road, you are engaged in visual distracted driving. Get facts about cars here.

### **Facts about Distracted Driving 8: the dangerous act**

The drivers engage in a very dangerous situation when they are engaged in the combination of cognitive, manual and visual distractions. Talking on the phone and texting is influenced by the development of technology.

### **Facts about Distracted Driving 9: the usage of mobile device**

Almost 11 percent drivers in 2008 used their mobile device when they drove. The number represented around 1 million people. Check facts about auto insurance here.

### **Facts about Distracted Driving 10: food**

Eating while driving is also a dangerous act. The top offender is coffee followed by hot soup. Tacos and chili come in the third place and fourth place. The fifth and sixth places are occupied by hamburger and barbecue food.

# NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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## CNMMRO

Greetings from the CNMMRO, we hope your holidays were righteous and that your upcoming year will be prosperous. At this time of year when most motorcycles are parked in the garage getting ready for the upcoming riding season the work of the people involved in Motorcyclist Rights Organizations kicks into high gear. The CNMMRO was involved in several charitable events during the holiday season and will be involved with the NMMRO at the upcoming New Mexico legislative session in an effort to ensure the rights of the New Mexico motorcyclist are protected.

### The Holiday Season

The CNNMRO has traditionally been involved in holiday events in the Rio Rancho area ranging from the old Rio Rancho Toy Run up to the present day support we provide to the St. Felix Pantry, a Rio Rancho charity that provides food, clothing and referral services in an effort to help people get through tough times. Several years ago the CNMMRO decided to also support the BMC Coat Drive, a tremendous effort by the motorcyclist community to clothe those less fortunate, which has now become an annual event we support. With a combination of a \$50 CNMMRO donation, a \$50 member donation, \$20 in proceeds from passing the hat at our December meeting, and clothes donations from members, family, and friends the CNMMRO was able to donate 29 Coats, 59 Pants, 15 Pajamas, 124 Shirts, 73 Pairs of Socks, 4 Pairs of Gloves, 6 Hats, 11 Blankets, and 19 Dresses/Skirts. Dropping off the donation at the Legion on the day of the drive was an experience in itself. The sheer number of highly energetic and extremely organized volunteers was incredible. Thanks to the BMC and all of the other organizations involved in putting on this event.

### The Upcoming NM Legislative Session

The CNMMRO is looking forward to participating in the support of bills in the legislature which promote the safety and freedom of motorcyclists in New Mexico. We also will be assisting in keeping an eye on any legislation introduced which may have a negative effect on motorcycling in our state.

The most important piece of legislation currently on the NMMRO's plate is the Careless Driving bill. This bill was introduced as HB109 by Representative Bill Rehm in the NM House of Representatives. HB109, which is titled "Careless Driving Penalty", is a bill which will increase the range of penalties which could be imposed on someone who commits "Careless Driving" which results in "Death or Great Bodily Harm". The bill will have to make it through several committees in the House and Senate as well as floor votes in each chamber so keep your eyes open when the NMMRO sends out requests for your help. We can finally get this bill passed with your help.

Also, a large part of this session will be the "16th Annual Bike Day at the Capitol". This event has grown from a small gathering of a few bikers to a large mass of motorcyclists which overflows the rotunda at the State Capitol building. When we fill that rotunda they notice us as a political force to be reckoned with. **So, let's** make sure we fill that rotunda again.

As always, the CNMMRO meets on the first Tuesday of the month at the 1933 Brewing Company at 3755 Southern Blvd in Rio Rancho. Thanks for your support.

Dave

## 50 Years of Easy Riding

It is that time again, the time we all rally together and head to the Round House for the Ride to the Capitol. I love the show of bikes in February that clearly represent the local force we have when it comes to influencing our elected officials. Riders brave the cold weather to travel from all over our state to be a visible force in our Capitol. Please be sure you are one of them.

I was reminded that this is the 50 Year Anniversary of the iconic movie Easy Rider (with Dennis Hopper, Peter Fonda and Jack Nicholson). The Santa Fe Film Festival is also happening over that weekend and will be celebrating the film. If you have some extra time - might be neat to go see this cult classic film from 1969. As it came out on the year of my birth - it has always been special for me. It was one of many reasons I decided to take up riding a motorcycle. As a kid I wanted to be cool and I wanted to buck the system. As I get older - that has not changed.

The whole team looks forward to seeing you all at the shop on your way to the Round House. We look forward to breaking bread with you and continuing to support the rights of all riders on the road.

See you on February 16th,

David Pearson Santa Fe Harley-Davidson



## NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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### The Motorcycle Riders Foundation Contracts with Husch Blackwell Strategies

As the 115th Congress nears an end the Motorcycle Riders Foundation (MRF) has contracted with Husch Blackwell Strategies (HBS) a Washington, DC based lobbying firm to pursue passage of our anti-profiling resolutions in both the House of Representatives and the Senate. Our membership has stressed to the MRF how important these resolutions are to the motorcycling community and we are taking proactive steps to seek passage before the end of the year. HBS will advocate for us on Capitol Hill and continue the momentum that we have built over the last two years with this Congress.

Husch Blackwell Strategies (HBS) is a Washington, DC based lobbying firm with a dozen federal lobbyists representing both ends of the political spectrum. The staff at HBS has decades of experience both on Capitol Hill and on K Street advocating for client interests. HBS has a diverse client base representing everything from Fortune 500 companies to small trade associations. Additionally, HBS has a growing state lobbying practice with offices in Texas, Nebraska, Wisconsin and Missouri.

William "Rocky" Fox will lead our efforts with assistance from his colleagues at HBS. Mr. Fox has over a decade of experience in the lobbying world. He has helped represent such clients as the Outdoor Amusement Business Association, MGM Casinos, Drive Right USA and AT&T. Mr. Fox began his career as a staffer on the House Transportation Committee during the passage of the 2005 Transportation bill (SAFTEA-LU). He is a graduate of the University of San Diego and holds a Master's Degree in Public Policy from American University.



### **Every Mongols MC Member Found Guilty in Patch Seizure RICO Case**

For the first time in history, in its latest bid to seize the Mongols Motorcycle Club's logos and collective membership marks, the federal government has successfully indicted the Mongols Nation as an entity comprised of every single full-patched member of a motorcycle club, on felony RICO racketeering and conspiracy charges regardless of personal guilt.

So, what happens next? What does this verdict mean for the Mongols MC, other motorcycle clubs in America, and the First Amendment to the US Constitution? There are definitely more questions than answers. But one thing is certain. The fight to Save The Patch is far from over. Now, more than ever, motorcycle clubs have a critical issue to mobilize around in order to preserve and insure the survival of a lifestyle and a culture.

### **Mongols Nation found guilty.**

On December 13th, 2018, the Mongols Nation, defined as all full-patched members of the Mongols Motorcycle Club, was found guilty by a federal district court jury in Southern California under the federal RICO Act of racketeering and conspiring to engage in racketeering, for conducting and participating in the criminal enterprise called the Mongols Gang. The Mongols Gang is defined by the federal government as all patched members, prospects, and associates of the club. The federal government argued that, since 2002, the Mongols Gang has committed crimes ranging from drug dealing to murder at the direction and benefit of the Mongols Nation.

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## **No one goes to jail?**

Despite a verdict of guilt, no one will be incarcerated as a result. The crimes cited are historical and, in many cases, resolved. The goal here is different. The government maintains that the club's insignia and patches are an element of the criminal enterprise and a tool of intimidation. If the government gets its way during the sentencing phase, prosecutors argue they will literally be able to take the colors off a Mongol's back.

The implications for the motorcycle club community at large are obvious. The federal government's forfeiture strategy could ultimately be applied to other clubs in an attempt to crush the symbolism that defines association in motorcycle clubs. And completely independent of forfeiture, the idea that an entire motorcycle club can be defined as a criminal enterprise regardless of personal guilt also lays the foundation for other severe sentencing options such as excessive fines and asset forfeiture.

### **Personal guilt and the 1st Amendment.**

Beyond immediate impacts to the Mongols MC, the US Attorney's theory of prosecution compromises important judicial principles such as the doctrine of personal guilt, guilt by association, and the fundamental concepts of First Amendment Association and Expression. Indeed, the prosecution's theory obliterates long-standing constitutional principles.

To permit the government to impose restrictions on any person "who wears the insignia of [the Mongols], without regard to or knowledge of that individual's specific intent to engage in the alleged violent activities committed by other members, is antithetical to the basic principles enshrined in the First Amendment and repugnant to the fundamental doctrine of personal guilt that is a hallmark of American jurisprudence." 1

### **Unanswered Questions.**

Independent of collective membership mark issues, and even though no one is going to jail as a result this verdict, what are the potential implications of the Mongols Nation- meaning every member of the Mongols MC- being found guilty of two felony RICO counts? No individual person is specifically named in the indictment. But every member they want to seize property from must be an indicted individual in order to avoid the same judgement that gave the Mongols back their property initially.

Does this mean that every member of the club now has a felony record? Does this mean that members can be denied rights like voting and legal possession of a firearm? Does this mean that the Mongols MC has no 1st Amendment right to associate with one another because all patched members, the Mongols Nation, have been found to all be engaged in a criminal enterprise?

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These questions, at least to the MPP, remain unanswered. So much focus has, understandably, been placed on the patch forfeiture issue that many of these questions haven't yet been considered by those discussing and writing about this case.

The potential impacts are vast. Australia has no 1st Amendment so banning motorcycle club associations does not face the same obstacles as in America. The prosecution's strategy in this case is, the MPP believes, the government's most recent blueprint for circumventing the 1st Amendment and crushing motorcycle clubs in America.

What happens now?

The US v. Mongols Nation Trial, despite a guilty verdict, is still a long way from being over. After the first of the year, the jury will reconvene, enter the sentencing phase, and decide whether they agree with the government's forfeiture requests. And even if the jury grants forfeiture, Judge Carter must then adjudicate the extensive legal and constitutional objections to forfeiture.

Fortunately, even if unsuccessful in every phase of this federal district court trial, the Mongols MC can appeal the decision as they previously did when they lost their patch in district court before overturned on appeal. Unfortunately, there is no guarantee what will happen in the interim if the Mongols marks are seized. If history repeats itself, the Mongols MC will be targeted, harassed, and have property and colors seized by authorities.

Make no mistake. This is NOT just about the Mongols MC. In a very real way, the motorcycle club lifestyle is under heavy attack and survival is not assured. This verdict demonstrates that reality. So, the community must not only continue to fight the good fight- the community must win.



## NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

### Calendar of Events

Date	Event	Location
1-19 Noon	NMMRO MEETING	POST 49– Albuquerque
2-5	CNMMRO Meeting	1933 Brewing Company 3755 Southern Blvd SE, Rio Rancho, NM 87124
2-16	NMMRO Bike day at the Capital	See Attached flyer for Instruction for that day

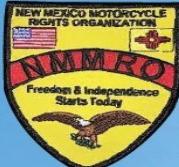
Please email your event flyer to [Mzscarlet7@gmail.com](mailto:Mzscarlet7@gmail.com) so we can get them in the newsletter

### Colors Welcome

- |                           |                    |                  |
|---------------------------|--------------------|------------------|
| * Leo's Nightclub         | * Rt 66 Casino     | * Smokehouse BBQ |
| • American Legion Post 49 | * BJ's Brew House  | * Bubbas         |
| • Ojos Locos              | * Rio Grande Grill | *Sierra Blanca   |
| • Rio Bravo Brewery       | & Tap room (ABQ)   | (Moriarty)       |
| • Molly's                 |                    |                  |
| •                         |                    |                  |

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**NEW MEXICO MOTORCYCLIST RIGHTS ORGANIZATION  
16TH ANNUAL**



**BIKE DAY  
AT THE  
*Capitol*  
2019**

**SATURDAY, FEBRUARY 16 - 2019**

Santa Fe, New Mexico Round House Rotunda  
(State Capitol Building in Santa Fe)



**Meet and line up at Thunderbird Harley Davidson  
beginning at 09:00a KSU @ 10:00 to Santa Fe Harley.**

**KSU from SFH @ 12:30 to Roundhouse.**

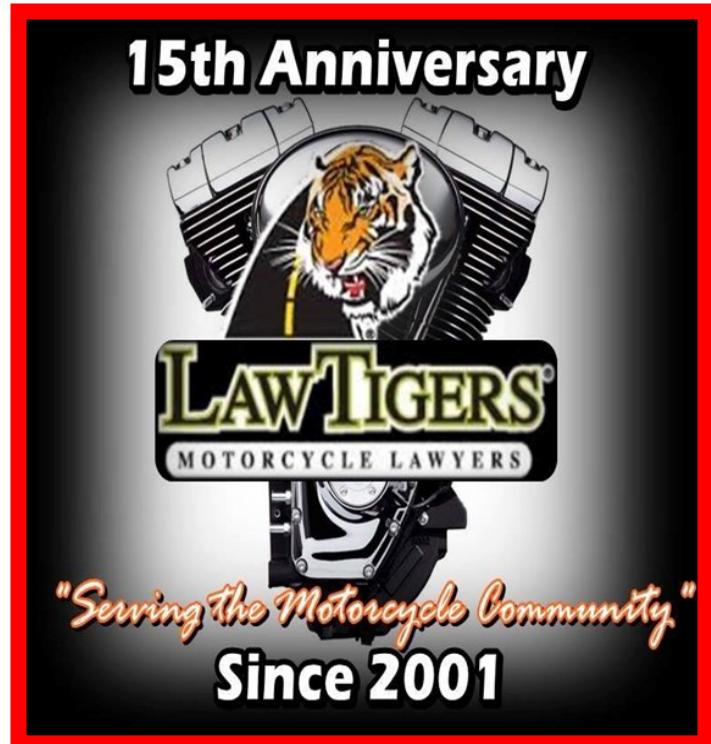
**Event begins at 1:00p at the Santa Fe Capitol Building. Ends at 2:00p**



For more information

**Annette Torrez 505-730-0435 - Raymond "Wraith" Gallegos 505-681-0155**

## Corporate Sponsors



## NEW MEXICO MOTORCYCLE RIGHT ORGANIZATION

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Over 87,000 riders are injured on the road each year.

Standing out will help you stay safe. Most accidents happen because other vehicle drivers just don't pay attention.

In the event of a crash, a motorcyclist is more vulnerable and in much greater danger physically than a driver. Because I'm an attorney and rider too, I have an intimate understanding of the road, its challenges and how to help.

**Stay safe on the road.**  
The next time you go out...

- wear proper protective gear
- add reflectors & brighten your headlights
- always use running lights
- make the front, back and sides of your bike bright!

Riders Representing Riders.

*[Signature]*  
Don Sorey  
(2012 Motorcyclist of the Year)

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