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Hells Angels: The federal infiltration

Dennis Wagner
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The man's body lay crumpled in a ditch, face down, unidentifiable except for a blood-soaked leather jacket bearing the Mongols Motorcycle Club insignia.

Burly, tattooed bikers stood around admiring their work, taking digital photographs under a blazing sun.

Among them was Jay "Jaybird" Dobyms, who had told Arizona Hells Angels associates in advance that he and a companion were going to Mexico to kill a rival Mongols gang member.

Two days later in a trailer near Prescott, Dobyms showed off the jacket and snapshots to admiring Hells Angels brothers, who announced that he would be adopted into the world's most notorious outlaw biker club without a required year-long probation.

One of the men grabbed Dobyms and hugged him, saying, "How does it feel to be a Hells Angel?"

The answer came six months later in the form of handcuffs and a criminal indictment. That's how Hells Angels learned that the Mexico homicide was a theatrical ruse: The Mongol was really a federal agent covered with cow's blood and very much alive. Dobyms was a special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, working undercover.

Operation Black Biscuit was touted as "the most successful undercover operation ever pulled on an outlaw motorcycle club." In July 2003, three dozen Arizona suspects were charged with gunrunning, murder for hire and narcotics violations. Five months later, indictments charged 16 Arizona Hells Angels members and associates, including three chapter presidents, in racketeering, conspiracy, murder and drug dealing. Those arrests were synchronized with raids in Nevada, California, Alaska and Washington state netting scores of additional suspects.

Today, there is little doubt that investigators risked their lives to penetrate the club known for its death-head logo and tough-guy attitude, or that the Hells Angels Motorcycle Club across America's West was crippled. The National Association of Police Officers feted task force members with "Top Cop" Awards.

But officials failed to mention serious problems with bikers who worked undercover for the government during the two-year sting. One informer used drugs, beat people up and lied to his handler. Another was arrested by state police and had to be pulled off the street. Both received questionable plea deals.

While prosecutors and task force members declined comment, Hells Angels leaders and lawyers say Black Biscuit is a case study in the misuse of informers.

As the case moves to trial this spring, records obtained by *The Arizona Republic* lend credence to that criticism and raise a question: Was Operation Black Biscuit an undercover success that took dangerous gangsters off the streets, an undercover sting that veered out of control or both?

The informer

Hard-core detectives have a saying about going undercover: The best way to catch a sleazeball is with another sleazeball.

Operation Black Biscuit began, according to ATF Special Agent Joseph Slatalla, with a drug-abusing felon who belonged to the Solo Angeles, a biker club based in Tijuana. A search warrant affidavit written by Slatalla refers to the man only as "CW," initials for cooperating witness. But court papers submitted by defense lawyers identify him as Rudolph "Rudy" Kramer, 46, of Queen Creek, a pony-tailed biker with 10 aliases and a felony rap sheet. Federal agents and prosecutors have not released the identities of informers or commented on their roles in the case.

It is unclear when Kramer joined the Solo Angeles, but records show the sheetmetal worker moved to Arizona in the 1990s looking for a new life. According to a sentencing memo by defense lawyer James Park, Kramer found his answer in Jesus and a job making helicopters.

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Key Players in Operation Black Biscuit

Hells Angels chapter locations
The Hells Angels Motorcycle Club maintains chapters in 23 states and 25 foreign countries. There are 126 members in Arizona, plus dozens more associates, operating under six charters.

The list includes one Nomad group with no home base, plus chapters in Phoenix, Mesa, Cave Creek (north Phoenix) Tucson and Skull Valley near Prescott.

Informers

- Rudolph "Rudy" Kramer, 46, president of Tijuana-based Solo Angeles4 motorcycle club, infiltrated Hells Angels chapters statewide as Confidential Informant #790. Convicted of weapons violation.

- Michael "Mesa Mike" Kramer, 38, former Hells Angels member, helped sting fellow bikers in Arizona and California as Confidential Informant #376. Pleaded guilty to murder.

Bikers

- Kevin Augustiniak, 24, member of Hells Angels charter in Mesa, indicted for murder, pleaded not guilty, trial pending.

- Paul Eischeid, 33, prospect with the Mesa chapter, also indicted for murder, pleaded not guilty, trial pending.

- Robert J. "Bad Bob" Johnston Jr., 48, former president of Mesa chapter, indicted for racketeering and conspiracy, pleaded not guilty.

- Michael Coffelt, prospect at Cave Creek chapter in Phoenix, shot during law enforcement raid; charge of aggravated assault dismissed with prosecution appeal pending.

Agents

- Jay "Jaybird" Dobyms, Tucson special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives; posed undercover as member of Tijuana-based Solo Angeles; supervised informer Rudy Kramer.

- Joseph Slatalla, Phoenix ATF agent; also worked with Rudy Kramer.

- John Ciccone, Los Angeles ATF agent, supervised informer Michael Kramer.

The task force included six special agents with the Bureau of Alcohol, Tobacco, Firearms and Explosives, plus detectives from the Phoenix,

"(H)He and his wife wanted, and began to have, a normal life," Park wrote. "They attended church together . . . Rudy was on his way to walking away from his past and joining 'Middle America.' "

Tempe and Glendale police departments.

Sources: ATF reports and U.S. District Court records.

Instead, Kramer wound up walking into the arms of federal agents.

Park blamed a sleeping disorder and a doctor's misguided prescription: Kramer, who suffered from narcolepsy, was given Desoxyn (methamphetamine) in September 2001 and promptly consumed a 40-day supply of pills in 48 hours. The result: psychotic behavior and an arrest by ATF agents for weapons violations.

Court records indicate that Kramer, with a baby at home and facing a long prison term, played the defendant's trump card: He agreed to become, in the criminals' vernacular, a "snitch," infiltrating outlaw biker gangs.

In arraignment papers, a federal magistrate noted Kramer's long drug history and wrote, "Substance abusers, especially those who use meth, are inherently unreliable and untrustworthy."

That warning did not deter ATF agents. Two months after the arrest, charges were dismissed. Kramer was out of jail, on the loose and dealing in meth and guns again. Only this time he was operating under the color of law.

Getting in deep

As president of Solo Angeles, Kramer burrowed into Arizona's criminal biker world, making drug and firearm contacts in Tucson, Phoenix, Mesa, Bullhead City and Prescott.

He was so busy, in fact, that a pair of Hells Angels intelligence gatherers showed up at his Queen Creek house in June 2002 and announced that they had been sent to interrogate him.

Kramer crafted an answer that appealed to the rivalry with the Mongols Motorcycle Club: According to ATF records, he said he was arming the Solo Angeles in Mexico to combat a Mongols chapter there. He also said he wanted the Solo Angeles in Arizona to collaborate with the Hells Angels on narcotics and weapons smuggling.

The story worked. In July 2002, Kramer met with Robert "Bad Bob" Johnston Jr., president of the Mesa club, and began introducing ATF agents as members of Solo Angeles to Hells Angels leaders statewide.

Months of drug trafficking, gun dealing and partying ensued. Task force members set up undercover houses and used hidden cameras to film biker parties. They helped plan warfare with Mongols. They were offered drugs, frisked for wires and forced to strip before trafficking in methamphetamines and firearms.

One undercover agent got so tight with Hell Angels' leaders that Johnston treated him as a confidant, sharing information he hadn't even divulged to the club's vice president.

ATF records show that as operatives conducted black-market business for the investigation, Arizona Hells Angels chapters waged a secret recruitment competition, inviting the undercover agents to become prospects. They were guests at Hells Angels' funerals and weddings. They took part in an annual biker parade past Florence prisons. They even posed for snapshots with Sonny Barger, the iconic king of outlaw bikers.

Barger, who faces no charges in Operation Black Biscuit, declined comment except for a terse criticism of law enforcement tactics: "It's too bad they get away with what they're doing."

The sting

In an undercover sting, security is essential. One slip-up could be fatal to informers and agents. And, as the case evolved, Rudy Kramer became a liability.

On Sept. 6, 2002, Department of Public Safety officers stopped his car near an Apache Junction meth factory and found drug paraphernalia inside. No new charges were filed, but within days the old firearm indictment was reinstated and Kramer was incarcerated.

Word soon leaked from prison that Kramer was talking to federal agents behind bars. Johnston, the Mesa Hells Angels president, confided to an undercover operative that Kramer might have to be "shanked" in prison.

About that time, Hell Angels leaders in Arizona began hearing rumors from Southern California that the Solo Angeles in Arizona were imposters and should not be trusted.

Black Biscuit task force members came up with an ingenious plan to ensure credibility. In mid-June 2003, Dobyns put out word that he and another Solo Angel were heading to Mexico to battle Mongols. After a murder scene was concocted in Phoenix, Dobyns called Arizona leaders of the Hells Angels to report that his lethal mission in Sonora was accomplished.

"The girl down here blew a head gasket," he explained in code, adding that his companion was killed in the gunplay.

The ruse solidified the Solo Angeles status with bikers.

Meanwhile, Kramer filed a guilty plea in court and wrote a letter to the judge begging for leniency: "Your

honor, I give my word I will never again come in contact with, own, buy, sell or in any way possess another firearm or weapon for the remainder of my life. I swear to you and my Heavenly Father, this is true."

He was sentenced to five years in prison and vanished, apparently into protective custody.

Biker respect

Rudy Kramer wasn't the only government plant. Federal agents unwittingly signed up a murderer as well.

On Oct. 27, 2001, the Mesa Hells Angel chapter held its weekly "church meeting": a membership assembly at the clubhouse in a residential area near the city's heart. After official business was completed, the bikers began to party. A Hells Angels prospect was instructed to go out and find women. He returned with 44-year-old Cynthia Yvonne Garcia, who joined the festivities.

As the evening progressed, Garcia began "talking trash" about club members and their patches. ATF reports say one of the bikers, 38-year-old Michael Christopher Kramer (no known relation to Rudy) grabbed Garcia by the hair and warned her be respectful. She kept liping off, so Hells Angels member Kevin Augustiniak allegedly knocked her to the floor and began kicking her face, joined by Paul Eischeid, a prospect at the club.

ATF records say a semiconscious Garcia was loaded in the trunk of a car, driven to Usury Pass Road near the Salt River and dragged into bushes. Augustiniak and Eischeid purportedly stabbed her more than two dozen times. Michael Kramer heard gurgling noises and felt Garcia grab his pant leg. He was given a knife and slashed at her neck. Augustiniak allegedly tried to sever the woman's head, but failed.

The corpse was found on Halloween.

Michael Kramer had been a Hells Angel for five years, and a member of Arizona's Dirty Dozen biker club before that. Yet, one month after the killing, he met with Los Angeles ATF Agent John Ciccone and, without disclosing his crime, offered to become an informer. It was an offer the lawman did not refuse.

Testifying at a federal drug trial in California, Kramer claimed he started working for the ATF to avoid prison and to be safe from his accomplices. "I got a conscience," he added. "... What happened out there in the desert was screwed up."

Despite pangs of conscience, Kramer told Ciccone only that he had information on a "hypothetical" incident in Arizona, without providing details. The upshot: On Dec. 1, 2001, the government enlisted a killer as a paid operative.

Michael Kramer quit his job as a garbage-truck driver, moved to the San Fernando Valley and began to infiltrate the Hells Angels there, playing the role of an Arizona drug runner.

Federal taxpayers covered Kramer's rent, utilities and other living expenses. He was given cash to buy guns and drugs, plus an extra \$500 a week. The informer contract prohibited him from breaking laws except when authorized by agents as part of the sting, a provision he ignored.

Behind Ciccone's back, Kramer repeatedly got high on meth and gave it to bikers, strippers and others. He beat a man with a baseball bat and left a biker dead on the freeway in a traffic accident. He also lured an untold number of people into drug deals.

Better knives

Two months after Michael Kramer became a confidential informer, he offered to help solve the hypothetical crime in Arizona.

He wanted immunity. Agents wanted to crack an unsolved murder case. A deal was struck.

Kramer came back to Mesa bearing a pair of expensive knives as gifts for his alleged accomplices. In a recorded conversation with Eischeid, he joked that sharper blades would make decapitation a breeze: "I figured this time, you know, instead of having to do it 50 times, we could just (take) one good one and a good (expletive) twist."

"Yeah," Eischeid agreed, "these are (expletive) great knives."

Kramer also brought a knife to Augustiniak, who discussed the likelihood of getting caught. "If you turn out to become a rat on the whole deal, well, then you'll get handled the way she was handled," he said.

"Same to you, brother," Kramer answered.

In January 2003, 14 months after Michael Kramer became an operative, he signed a plea agreement to serve five years of probation for murder, but not one day behind bars.

Eischeid and Augustiniak, who pleaded not guilty, are awaiting trial.

Family members of Garcia, the murder victim, could not be reached for comment.

Michael Kramer was unavailable, apparently under federal protection.

Legal battles

By midsummer 2003, Operation Black Biscuit had run its course. Top Justice Department officials decided to spring their enormous trap, raiding Hells Angels clubhouses, homes and businesses throughout the West. Hundreds of law officers were brought in to conduct searches, arrest suspects and turn the Hells Angels inside out.

D-Day was July 8. At 4:42 a.m., Glendale police SWAT officers with an armored vehicle and a videographer moved into position outside headquarters for the Hells Angels Cave Creek charter on a quiet residential street in north Phoenix. Club prospect Michael Coffelt was alone inside, on security duty, when bedlam struck. A voice yelled, "Police! Police!" The armored vehicle rammed through a wall. Officers shot a backyard dog. Flash-bang grenades sailed through the clubhouse window.

Coffelt opened the front door. Amid the confusion, Glendale police Officer Laura Beeler, stationed just outside with a rifle, pulled the trigger repeatedly, hitting Coffelt with bullets and shrapnel.

The takedown, practiced at a mock clubhouse, lasted 14 seconds. Coffelt survived to face a charge of aggravated assault after Beeler reported he had shot first. A gun found beside Coffelt had not been fired.

Last month, Judge Michael Wilkinson of Maricopa County Superior Court ruled that the police raid was really an unlawful "attack" and dismissed charges against Coffelt, a decision being appealed by prosecutors. The judge found that Beeler's actions were understandable under the chaotic circumstances. Reviews by the Glendale Police Department and County Attorney's Office cleared the officer. Coffelt has filed a civil suit.

In the scheme of things, it was a minor victory for the Hells Angels. But club members and lawyers say the raid was symbolic of law enforcement practices throughout Operation Black Biscuit.

Truth by trial

In Arizona alone, the government assembled 800 hours of bugged conversations, 92,000 phone calls and 8,500 seized documents to prove that Hells Angels is a criminal enterprise.

Investigators confiscated computers and files containing drug ledgers, membership lists, meeting minutes and bylaws. They seized 600 guns along with silencers, explosives, drugs, stolen vehicles, cash and a human skull. The combined evidence paints many Hells Angels as violent, cop-hating, drug-dealing, gunrunning criminals.

As the prosecution rumbles toward an April trial in U.S. District Court, some defendants are expected to cut plea deals. Others are trying to get charges thrown out because of government wrongdoing, especially the role of informers.

Defense attorneys argue that operatives who duped their ATF handlers may have entrapped Hells Angels suspects and are likely to lie under oath in court. They complain that task force members went on *America's Most Wanted* to brag about their big sting, yet prosecutors won't formally identify the snitches or divulge their deals.

"The conduct of the government violates, irreparably, the rights of the defendants to due process, to a fair and impartial jury," defense attorney Mark Paige wrote.

Michael Kramer's character is especially problematic. In the California drug case, prosecutors were forced to admit that their paid informer used drugs, assaulted people and lied throughout the operation. If ATF agents cannot trust their operatives, Hells Angels lawyers ask, why should a judge or jury believe anything they say?

"Based on what I've seen, this is not a racketeering case," said Brian Russo, an attorney for Johnston, the Mesa charter president. "This is overstepping by the government."

In court papers, prosecutor Michael Kemp answered that informers were never asked to lie except as part of the sting. He said their testimony is backed by tape recordings, photos, statements from agents and physical evidence. He explained that agents appeared on *America's Most Wanted* for a legitimate purpose: seeking public help to track down fugitives. In short, Kemp argued, the deceit by informers is not grounds to squelch a huge criminal case.

Today, the Hells Angels Motorcycle Club appears to be a shambles: leadership behind bars, mystique broken, organizational records in government hands. Prosecutors are trying to gain ownership of chapter houses by having the entire Arizona club labeled a criminal enterprise.

Legal jousting continues from Las Vegas to Los Angeles and elsewhere. In Phoenix, Judge David Campbell of the U.S. District Court in Arizona has sided mostly with prosecutors. But it remains to be seen whether Operation Black Biscuit will go down as a historic undercover success, or a sting that went bad.

Reach the reporter at dennis.wagner@arizonarepublic.com or (602) 444-8874.

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