

**CONFIDENTIAL E-MAIL TRANSMISSION**

Date: January 20, 1998  
To: **The American Civil Liberties Union**  
From: **Harmon Wilfred**

Dear National Affiliate:

I know that your procedures are such that you require requests for help to be in writing and channelled through the appropriate state affiliate. However, with TWO INNOCENT CHILDREN AT EXTREME RISK, I do not have the luxury of time. I am also aware that your assistance is unavailable for cases that involve divorce or child custody, except if the case focuses "on instances where government has infringed upon a person's privacy, religion, or speech, or where the government has not followed proper procedures". Please indulge this request and consider that the exception is the rule in this case.

The following is a brief on the events starting in 1990 that led up to the total loss of and contact with my then 2½ year old son to an extremely unjust judgement. As you may recall, in 1990 I submitted a brief and transcripts on the initial portion of this case to the ACLU both at the state and national levels. Your decision at the time was to decline help through the ACLU and recommend other avenues. As I did not have the resources to pursue your recommendation, to my extreme dismay, the resulting judgement against me and my right to see my son is still outstanding and..... as of 11 months ago, this same judgement has been utilised to remove my current two children from me! As I have only recently obtained the resources to fight for my rights as a father, I am providing this brief in the hope that you will reconsider your help and/or provide me with your reference to a prominent law firm, in Colorado or anywhere in the US, who will research the case from a federal constitutional and a general law perspective and advise me of my rights and opportunity to have access to ALL my children.

I am a U.S. citizen currently living in Canada. I presently reside in Stratford, Ontario, Canada with my Canadian wife, Carolyn. Carolyn and I were married in Stratford on August 2, 1998. I am now supported in this case both morally and financially by Carolyn and her father. Carolyn's father is a third generation owner of a well known international company headquartered in Kitchener, Ontario, Canada.

In July of 1990, I lived in Littleton, Colorado at which time my previous wife, Sandra Wilfred, received a divorce decree. During our marriage of 7 years, we adopted an infant son, Tyler Jonathan Wilfred, through a local agency. As a result of my attorney's untimely death less than one month before the divorce trial, and the judge's insistence on disallowing a continuance for further legal representation to prepare my case, as well

as her insistence upon my representing myself without council, "whether I liked it or not", my constitutional rights were grossly violated by the court through: denial of due process; illegal search and seizure; violation of attorney-client privilege; violation of religious freedom; and, ultimately, even the denial for a period of over 14 months of the receipt of the transcripts of the entire legal procedure to prove my case! Furthermore, as a direct result of my normal religious practices in the charismatic faith (prayer and gifts of the spirit), I have been prevented by the court from having ANY contact with my son since 1990, in spite of my constant requests over the years, even though there is no legal or professional basis for such a decision by the judge other than her extreme religious prejudice and her opinion "from a layman's point of view". She admitted on the record that she could not find any professional testimony to concur with her personal assessment, even after procuring a psychologist and a psychiatrist to examine me during the proceedings! I now have the transcripts from the entire proceedings and will make same available for review. This previous judgement has now been used to justify denying my custody rights in the current custody determination with my two children from my subsequent and now previous marriage to Dearnna Garcia Wilfred. Upon request, I will make available a law suit filed by me with the US Federal District Court in 1990 for the violation of my constitutional rights that was dismissed on the grounds that the Federal Courts refuse to protect constitutional rights when violated in a family court. I have neither seen nor had any contact with my son for over 9 years as a result of that court judgement.

Thereafter, I was married to Dearnna Garcia Wilfred in December of 1990, with whom I fathered the two young children referred to above – my seven-year old daughter, Danielle Marie Wilfred, and my five-year old son, Isaac Arthur Wilfred. We resided in Colorado Springs, Colorado. I left the U.S. in June of 1997 on an extended business trip bringing me ultimately to Canada. I had experienced serious problems in my marriage to Dearnna prior to this trip, including abuse and violence toward me and the children. As a direct result of her behaviour, Dearnna previously had been reported to Social Services for child abuse. The only reason that she was not charged with child abuse and ejected from the home at that time was because she entered into a formal agreement with me, my attorney, and a Social Worker agreeing to co-operate by permitting me to hire a full-time nanny for the children and to require her to obtain psychological counselling for her abusive behaviour.

However, Dearnna never obtained any psychological help, as agreed, and fired the nanny in August of 1997 while I was in Canada on business. When I learned of what Dearnna had done, I was extremely concerned for the welfare of my children, particularly considering the high level of Dearnna's mental and emotional instability and abusive tendencies, and I also realised that I must remove the children to safety and apply for a divorce. At Dearnna's insistence on meeting me in Phoenix, Arizona where I was completing some business in mid-October, 1997, and on her asking me to take the children because of her inability to handle them, I filed for divorce, had her served, and took possession of the children under the advice of my attorney, Seymour Wheelock, who was in Phoenix with me at the time along with a Colorado Social Worker. I then returned to my new home in Stratford, Ontario with the children during the process of the

divorce proceeding. I was in the process of completing other extensive business here and also planned to make Canada my permanent home and business headquarters. While in Arizona, Mr. Wheelock also presented Dearna with a Resolution for Divorce and we maintained contact with her attorney for a good faith settlement.

Mr. Wheelock returned to Colorado Springs and attended an unexpected emergency court hearing called by Dearna's attorney while I was en route to Stratford. I did not attend this hearing personally as I did not have sufficient notice. My attorney did attend on my behalf, along with numerous supportive witnesses. However, because I was absent at that hearing, the judge refused to permit any testimony from the witnesses in attendance on my behalf regarding Dearna's incompetence as a mother and her documented abusive behaviour toward the children. Instead, the judge gave temporary custody of the children to Dearna and totally refused to hear any testimony or review her known history of child abuse. Moreover, Dearna had admitted openly to a number of individuals in court that day that she wasn't at all concerned for the children as long as they were with me. The fact of the matter is that I had been the primary care-giver for both children since the day they were born as Dearna simply could not handle them. One of my primary objectives in life has always been to father and provide loving care for my children.

Dearna then contacted my ex-wife Sandra and invoked the entire previous proceeding and judgement into the current proceeding, bringing into question my right to custody and any further contact with my children. A series of bizarre events then commenced, without my knowledge, during what I assumed was good faith negotiations with Dearna for custody and property, which ultimately resulted in Dearna regaining physical possession of the children and incarcerating me in Canada. This action was instigated by Dearna's attorney solely through fraudulent misrepresentation and flagrant misuse of the legal and judicial systems in both the U.S.A. and Canada as well as the Hague Commission on the Civil Aspects of International Child Abduction. Through initial instigation and manipulation by the El Paso County District Attorney at the highest political and legal levels in the U.S., both State and Federal, with significant help and influence by a prominent political figure and former District Attorney in El Paso County, Colorado, Mr. John Suthers, Dearna's attorney conspired with Mr. Suthers to fabricate "trumped up" charges against me for Criminal Extortion and Violation of a Custody Order. This enabled Dearna and her legal team to invoke the Hague Commission Treaty between Canada and the US and on February 14<sup>th</sup>, 1998 for Dearna to come to my home in Canada, sweep the children into an unmarked police van while on a walk with their nanny, take them directly to the airport and immediately return them back to Colorado and into the arms of the abusive environment from which they had been rescued four months earlier. The Canadian authorities then arrested me at my home, during which, when I enquired as to why..... the officer stated in confusion..... that he didn't have any documentation from the States as yet. The children's nanny later gave her personal account that Dearna, with the Canadian police, suddenly pulled up at the curb in an unmarked police van and grabbed my children as they attempted to hide behind their nanny in horror, even hiding from their mother who was cursing uncontrollably and who had to be restrained by the police during this so-called "rescue".

I was then incarcerated in a maximum security facility in Cambridge, Ontario for a period of eighty-nine days before I was able to obtain bail on May 14<sup>th</sup>, 1998.

In my enquiries through my Canadian attorney regarding how such ridiculous and fraudulent charges could be made on virtually no evidence, I discovered that Mr. Suthers, as the former El Paso County District Attorney, was conspiring with Dearna's attorney to launch a vendetta against me. This resulted from a previous confrontation with him regarding my having reported to the F.B.I. his involvement in a pension fund embezzlement scam in 1995 that threatened his political career, generated considerable embarrassment for him, and forced him to imprison one of his friends and business associates. As a direct result of my efforts as a consultant on behalf of the El Paso County Pension Fund, Mr. Suthers was forced by the F.B.I. to press charges against his close friend, Mr. Michael Witty, the Director of the Pension Fund, who was instrumental in this embezzlement scheme and who was sent to prison for eighteen years for his illegal actions. Simultaneously, the County Treasurer and two Pension Fund Board members were fired and heavily fined, and two major law firms incurred severe financial losses after losing their case in support of those charged. All of this is a matter of record. Mr. Suthers also resigned his position as District Attorney thereafter to run in the November, 1998 election for state Attorney General which he subsequently lost. However, Mr. Suthers thereafter has continued to enforce his incredible degree of political power and influence in Colorado to his own benefit, all the while looking for a way to get back at me for having uncovered and reported this illegal matter against his close friends and political allies. He has since been assigned a position as head of the correction facilities for the State of Colorado, a curious, albeit strategic position for him to hold should I be extradited back to Colorado to be held for trial in a Colorado correctional facility. Dearna's marital dispute against me, the invocation of the previous judgement, and his current political assignment has provided Mr. Suthers and his political allies with the perfect opportunity to destroy my effort to expose them all. I have been advised secretly, by a prominent attorney close to the situation with Mr. Suthers, that my personal safety would be seriously jeopardised should I be returned to Colorado prior to the charges against me being removed and this entire situation being legally exposed and challenged.

While I was in jail initially, Dearna's attorney used this strategic position to initiate two processes against me to his, and ultimately Dearna's, advantage. The first was a Motion to Waive Mediation regarding our divorce because I was "incarcerated in Canada", while conveniently omitting the fact that he and Mr. Suthers were the instigators behind my incarceration. The second was her filing for an uncontested, ex-parte divorce which Mr. Wheelock did not refute, in spite of my request and direction to him to do so. Unfortunately, Mr. Wheelock was spending his time fending off a complaint filed against him by the DA with the Colorado Supreme Court for his part in representing me in my divorce proceeding. He was being accused of misconduct for his assistance in the removal of my children from Dearna. Essentially, he was intimidated to the extent of his action to abandon the case and leave me without legal representation while I was incarcerated in Canada. Mr. Wheelock was virtually chased out of the case by the Colorado authorities who even attempted to have him disbarred. The outcome was my legal divorce on April 27<sup>th</sup>, 1998 from Dearna, and with the invocation of the

previous judgement, full custody of the children was determined to her favour on September 14<sup>th</sup>, 1998. I have been disallowed ANY contact with my two children since they were taken from me on February 14<sup>th</sup> of last year.

On June 1<sup>st</sup>, 1998, I was back in court again in Kitchener, Ontario for an extradition hearing. After a full day's hearing, the judge essentially ignored the general lack of evidence and ultimately deliberated against me on both charges based entirely upon hearsay evidence and documented, last minute "surprise new evidence" submitted by the District Attorney in Colorado that has since been confirmed and documented as fraudulent, and same has been submitted in the case for my Appeal here in Canada. In any case, the Canadian Judge incarcerated me once again in Cambridge for a period of an additional thirty-six days until my impending extradition back to Colorado. During this entire procedure, to my disbelief, the prosecution and the Judge proceeded without ever considering evidence presented regarding instability of the mother, and without showing any concern whatsoever for the welfare of the children. Evidence was misrepresented to such a degree that my new attorney, Mr. Alan Gold, of Gold & Fuerst, from Toronto, Ontario, was able to obtain virtually unrestricted bail for me on July 6<sup>th</sup>, 1998 pending an appeal hearing on my extradition on the grounds of insufficient evidence and misrepresentation of evidence. Accordingly, I spent a total of one hundred and twenty-five days (the initial eighty-nine plus thirty-six after losing my extradition hearing) incarcerated in the Cambridge maximum facility prison. Mr. Alan Gold is among the top 3 criminal attorneys in Canada and is considered by the legal profession to be one of the top extradition attorneys here. He is convinced that this case is totally tainted and has insisted that I get on the offence. He is available for consultation. As I now can afford it, I would prefer the same prominence of legal representation in the US. Needless to say, I consider you and your organisation to be of that calibre.

Of extreme concern to me and my new wife, Carolyn, is that throughout this entire process, officials have made no effort whatsoever to look into the welfare of the children. When Carolyn approached the Hague Commission, and thereafter the Department of Family Services in Colorado Springs, in writing during my incarceration in February, 1998 and included affidavits from key witnesses as to Dearn's past violent and abusive behaviour towards the children, they too refused to act, or even do so much as check on my children. As we ultimately discovered, Social Services were just one of many entities in Colorado, including the Office of the District Attorney, believed to fall under the strong political influence of Mr. John Suthers. The prosecution is so fearful of our having access to Dearn for the possibility of filing a motion to initiate a complete psychological evaluation that they have placed her under "police protection" justified by ridiculous accusations against me that have absolutely no substance. As a result, even since my release from incarceration on bail, I have been prevented totally from having any contact with my children and in fact have no idea even where they are being kept. The prosecution is taking every effort to conceal from me the whereabouts of both the children and Dearn. This has occurred, even though my bail conditions include no restrictions as such and I am free to move about the entire province of Ontario, Canada.

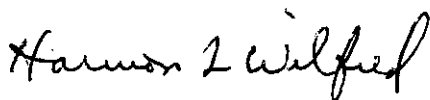
Numerous parties in both countries acknowledge these charges against me as being absolutely ridiculous and unbelievable. However, through careful corroboration by the

prosecution at many levels, this vicious attack against an innocent man with the constant over-riding concern of harm to my children has escalated to a level beyond anyone's imagination, all as a result of the previous judgement and the vindictiveness of political officials in Colorado who essentially have used a family dispute and an unfair and unchallenged judgement to their own political and personal advantage. This becomes particularly serious when you consider that John Suther's strong personal affiliations reach right to the White House and Federal Department of Justice. As a direct result of such influence, even though the first application submitted by Colorado for my extradition was rejected by the US Justice Department, Mr. Suther's intervention in the second Colorado request for extradition resulted in it being signed by the US Attorney General herself, Janet Reno.

My concerns and objectives at this time are three-fold – to bring the children to safety immediately, to get these charges against me dropped as quickly as possible, and to regain contact and ultimate custody of my children. As fantastic as this story seems to be, please trust that it is true. Please confirm all herein by viewing the evidence on hand and confirming for yourselves the immediate need to rescue my children from an abusive and potentially dangerous environment.

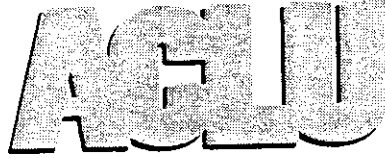
Accordingly, I would appreciate your assistance in every way possible to either get involved directly and/or provide your recommendation as to a Colorado or US law firm respected by your organisation and versed in constitutional and general practice law to help me attain these objectives. Needless to say, whatever Colorado firm you may recommend, it can in no way be related to John Suthers and his political constituents. Obviously, with my concern for safety and unimpaired justice, I initially must pursue this entire matter from Canada with a U.S. attorney in order to launch an effective offence against Colorado. The Extradition Appeal in Canada is scheduled such that my bail release has been extended to May 31, 1999 although Mr. Gold believes that the decision may come before the Appeal Court before that date. Accordingly, **THIS REQUEST IS OF THE UTMOST URGENCY** considering the safety and security of my children as the first and foremost priority. Thank you for your expedient help and/or references.

Sincerely,



Harmon L. Wilfred

cc: Alan Gold, Gold & Fuerst



AMERICAN CIVIL LIBERTIES UNION OF COLORADO

MICHELE A. PARISH, ACTING EXECUTIVE DIRECTOR • MARK SILVERSTEIN, LEGAL DIRECTOR  
400 Corona Street • Denver, Colorado 80218-3915  
303-777-5482 • fax 303-777-1773  
e-mail: aclucolo@papd.ix.netcom.com

February 22, 1999

Harmon Wilfred  
356 Ontario St. Suite 344  
Stratford ON, Canada N5A 7X6

Dear Mr. Wilfred:

Thank you for contacting the American Civil Liberties Union of Colorado. The ACLU staff has reviewed your request and determined that the ACLU will be unable to assist you because your case is not the type of case the ACLU generally accepts. The ACLU accepts cases concerning constitutional and civil rights issues; and generally focuses on cases that affect large numbers of people, rather than on a dispute between just two parties. We usually do not accept cases that involve divorce or child custody proceedings, denial of worker's compensation or unemployment benefits, representation in most criminal cases or complaints about a person's public defender or criminal defense attorney.

Our inability to assist you does not reflect on the merits of your case, and you may wish to contact a private attorney. However, the ACLU **does not** provide referrals to attorneys, nor do we give legal advice. You may wish to contact one of the lawyer referral services in the yellow pages of the telephone directory. Other agencies which offer legal advice are listed on the enclosed sheet, and you also may wish to contact one of these agencies. **In the meantime, please be advised that the law imposes different time deadlines which must be met in each case. The failure to meet those deadlines might prejudice your rights.**

Again, thank you for contacting the ACLU and taking the time and effort to describe your situation. Please do not hesitate to contact this organization if you have other situations you wish the ACLU to review.

Very truly yours,

A handwritten signature in cursive script that reads "Christine N. Cimini".

Christine N. Cimini  
Intake Director



AMERICAN CIVIL LIBERTIES UNION OF COLORADO

MICHELE A. PARISH, ACTING EXECUTIVE DIRECTOR • MARK SILVERSTEIN, LEGAL DIRECTOR  
400 Corona Street • Denver, Colorado 80218-3915  
303-777-5482 • fax 303-777-1773  
e-mail: aclucolo@papd.ix.netcom.com

Unfortunately, the ACLU is unable to attempt to find a volunteer attorney to represent you. However, you may wish to contact one of the organizations listed below. Again, thank you for contacting the ACLU.

Legal Aid Society of Metro Denver  
1905 Sherman St. Suite 400  
Denver, CO 80203  
(303) 837-1313

Colorado Civil Rights Commission  
1560 Broadway, #1050  
Denver, CO 80203  
(303) 894-2997

Equal Employment Opportunity Commission  
303 E. 17th Ave., Suite 510  
Denver, CO 80203  
(303) 866-1300

NAACP Denver  
28 Fairfax St.  
Denver, CO 80207  
(303) 333-9013

Urban League  
1525 Josephine  
Denver, CO 80206  
(303) 388-5861

Colorado Dept of Labor  
Labor Standards Unit-Wage Claims  
1515 Arapahoe St. #375  
Denver, CO 80202  
(303) 894-2900

Housing For All  
2855 Tremont Place, Suite 205  
Denver, CO 80205  
(303) 296-6949

Housing Information and Referral Service  
1905 Sherman, Suite 920  
Denver, CO 80203  
for housing (303) 831-1966  
for landlord/tenant (303) 831-1935

Equality Colorado  
P.O. Box 300476  
Denver, CO 80203  
(303) 839-5540

CLIP(Colorado Legal Initiatives)  
P.O. Box 300397  
Denver, CO 80203  
(303) 830-2100

Colorado AIDS Project  
P.O. Box 18529  
Denver, CO 80218-0529  
(303) 837-0166 or (303) 830-2437

Colorado Supreme Court Office of Disciplinary  
Counsel(complaints about attorneys)  
600 17th St., Suite 510-S  
Denver, CO 80202-5435  
(303) 893-8121



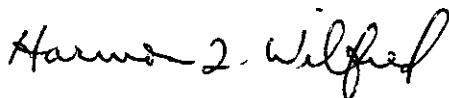
**CONFIDENTIAL FAX TRANSMISSION**

Date: January 25, 1998  
To: **Mr. Stuart Roth and Mr. Jay Sekulow**  
Company: American Center For Law And Justice  
Tel: (757) 226-2489  
Fax: (757) 226-2836  
From: **Harmon Wilfred**  
Regarding: **Third request ----Urgent request for assistance**  
Number of Pages (Including Cover Page) 7

Comments:

Gentlemen,

As per the request of Stuart Roth's assistant Shelley, I am forwarding a fax copy of the attached e-mail legal brief as addressed to the ACLU. The ACLU has requested that I present all information in writing to the Colorado Affiliate, and I am in process of following through with their request, although time is definitely not on my side. It is my hope that the ACLJ will join the legal team. It would be wonderful to see your secular counterpart (ACLU) working side by side with God's best. Mr. Sekulow may remember my name and situation when last presented in 1990. Your choice was to decline help at that time and suggest other avenues. Unfortunately, all avenues take significant financial resources when forced to stand up to the judicial system as an adversary. I have sent this information by e-mail to the ACLJ to your attention at [aclj@exis.net](mailto:aclj@exis.net) on January 18 and January 21, 1999 with no reply to date. Please review this urgent request for assistance at your earliest convenience. Please please please please do not abandon me and my children to face the legal system alone again. My request is to at least receive a referral from you for outside legal representation. Your help in this matter is most appreciated. Thank you.



Harmon L. Wilfred

THE AMERICAN CENTER  FOR LAW AND JUSTICE®  
OF ALABAMA

Willie J. Fears  
*Vice President of Development & Media Relations*

February 9, 1999

Harmon L. Wilfred  
356 Ontario Street  
Stratford, Ontario  
Canada N5A 7X6

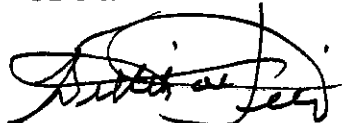
Dear Friend:

Thank you for your interest in the monthly newsletter of the American Center for Law and Justice of Alabama (ACLJA). Our newsletter is posted on our internet website. This will provide a means for you to access it instantly at [www.ACLJAL.com](http://www.ACLJAL.com) on the first of each month.

Enclosed please find a brochure containing detailed information on the ACLJA and its facilities.

Thank you again for your interest. If we can be of assistance, please contact us.

Sincerely,  
AMERICAN CENTER FOR LAW & JUSTICE  
OF ALABAMA



Willie J. Fears  
V.P. of Development and Media Relations

WJF/sf

# Harmon & Carolyn Wilfred

Suite 344 • 356 Ontario Street • Stratford • ON • Canada • N5A 7X6  
TEL (519) 275-2928 • FAX (519) 275-2943

Date: February 9, 1998

To: **Mary Elizabeth "Tipper" Gore**

**OVERNIGHT MAIL**

Company: Home of the Vice President  
34<sup>th</sup> and Massachusetts  
Washington, D.C. 20005

From: **Carolyn Wilfred**

Regarding: **THE IMMEDIATE RESCUE OF TWO US CHILDREN**

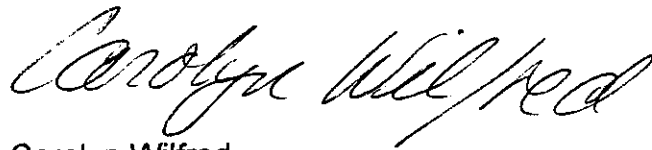
Number of Pages (Including Cover Page) 12

Dear Mrs. Gore,

Two US children are being played as pawns in a horrible game of political corruption extending from the State of Colorado to the US Justice Department, and into the international scene in Canada. Please receive this letter with the enclosed attachments with the utmost of urgency and immediacy, the contents of which contain an open letter to the First Lady, Hillary Clinton. I know that you are an advocate for children and a supporter of family unity, as is the First Lady. I have recently attempted to get this letter and attachments to her through her e-mail and the American Embassy in Canada, as well as through the US Congressmen and Senators noted with no result thus far. Please, please, please, for the sake of these two innocent and precious US children, get this open letter and attachments to her now. Considering the gravity of this situation, with political corruption and criminal issues involved, it is my most sincere hope that you and Mrs. Clinton will get involved as "Global Elders" by reaching out to these two children and probing this matter with a full investigation.

Please reply and let me know that you have received this message personally and please include your intended approach to help in this urgent matter.

Awaiting your reply,



Carolyn Wilfred

Phone: (519) 275-2928

Fax: (519) 275-2943

e-mail: [culla@execulink.com](mailto:culla@execulink.com)



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

March 3, 1999

Carolyn Wilfred  
356 Ontario Street  
Suite 344  
Stratford, ON  
CANADA N5A 7X6

Dear Ms. Wilfred:

On behalf of Mrs. Gore, I want to thank you for taking the time to write. Mrs. Gore appreciates the confidence you have expressed in her by sharing your concerns and asking for assistance.

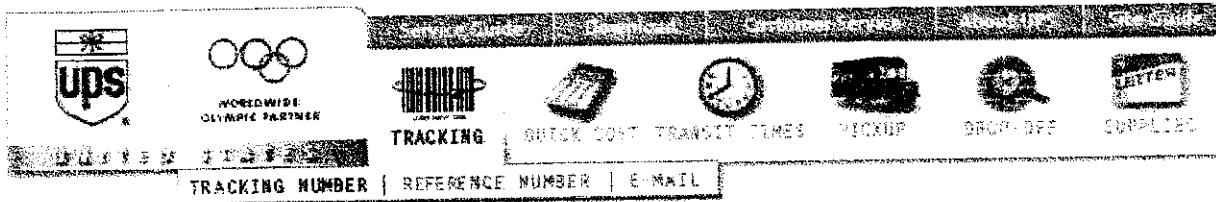
As with everyone who works at the White House, Mrs. Gore is prohibited from intervening in matters before federal administrative bodies, such as the United States Justice Department. Therefore, regardless of the merits of the case, it would not be appropriate for her to take any action on your behalf.

Your understanding of these limitations designed to protect against undue influence is greatly appreciated. Again, thank you for your letter. I hope your situation is satisfactorily resolved.

Sincerely,

A handwritten signature in cursive script that reads "Audrey Tayse Haynes".

Audrey Tayse Haynes  
Chief of Staff for Mrs. Gore



## Tracking Summary

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Tracking results provided by UPS: Feb 10, 1999 10:26 A.M. Eastern Time (USA)

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WAYNE ALLARD  
COLORADO

HART SENATE OFFICE BUILDING, SUITE 513  
PHONE (202) 224-5941  
FAX (202) 224-6471

BANKING, HOUSING, AND  
URBAN AFFAIRS  
ENVIRONMENT AND  
PUBLIC WORKS  
INTELLIGENCE  
COMMITTEE

# United States Senate

WASHINGTON, DC 20510-0606

March 23, 1999

Mrs. Carolyn Wilfred  
356 Ontario Street, Suite 344  
Stratford, ON  
Canada  
N5A 7X6

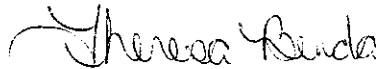
Dear Mrs. Wilfred:

We are in receipt of your fax dated March 5, 1999 with regards to your request for assistance.

Since you have already contacted Attorney General Ken Salazar concerning the matter, you should continue working with his office.

Best wishes.

Sincerely,



Theresa Benda  
Staff Assistant

7340 EAST CALEY  
SUITE 215  
ENGLEWOOD, CO 80111  
PHONE: 303-220-7414  
FAX: 303-220-8126

3400 16TH STREET  
SUITE 30  
GREELEY, CO 80631  
PHONE: 970-351-7582  
FAX: 970-351-7585

228 NORTH CASCADE AVENUE  
SUITE 106  
COLORADO SPRINGS, CO 80903  
PHONE: 719-634-6071  
FAX: 719-636-2590

411 THATCHER BLDG.  
5TH AND MAIN STREET  
PUEBLO, CO 81003  
PHONE: 719-545-9751  
FAX: 719-545-3832

215 FEDERAL BLDG.  
400 ROOD AVENUE  
GRAND JUNCTION, CO 81501  
PHONE: 970-245-9553  
FAX: 970-245-9523

**FAX TRANSMISSION**

Date: February 2, 1999  
To: Peter Chronis  
News Gathering Reporter  
News Room  
The Denver Post  
Tel: (303) 820-1638  
Fax: (303) 820-1369  
From: Carolyn Wilfred  
Regarding: **Two Innocent US Children at Risk as a Direct Result of  
Criminal Activity and Political Corruption in Colorado**

Number of Pages (Including Cover Page) 12

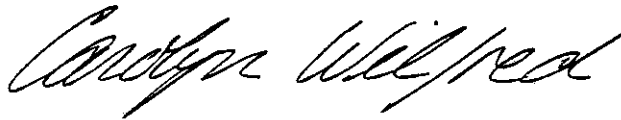
Comments:

Two US children have been played as pawns in a horrible game of political corruption extending from the State of Colorado to the US Justice Department, and into the international scene in Canada. Please receive this fax message with the utmost of urgency and immediacy, the content of which also has been directed as an **open letter** to Hillary Clinton through the US Ambassador to Canada.

Please investigate and verify the validity of the attached information and thereby assist the US federal and international authorities in any way possible.

Thank you for your immediate attention to this matter.

Sincerely



Carolyn Wilfred

Attach:

**FAX TRANSMISSION**

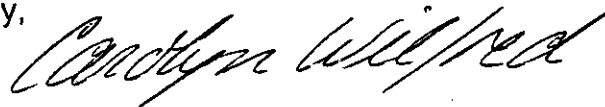
Date: March 5, 1999  
To: **Peter Chronis, Reporter**  
**Denver Post**  
Tel: (303) 820-1638  
Fax: (303) 820-1369  
From: **Carolyn Wilfred**  
Regarding: **Update :Two Innocent US Children at Risk as a Direct Result of John Suther's Actions to Cover Criminal Activity in Colorado**

Number of Pages (Including Cover Page) 4

Dear Mr. Chronis,

Since my February 2, 1999 request for assistance with attachments, I have continued to pursue this issue and wish to report my progress. Attached is a copy of the original request to the American Ambassador to Canada for assistance as well as their reply, forwarding the information directly to the White house as requested, as well as the State Department. Mr. Steve Sena of the State Department, has since forwarded the information to the Colorado Department of Human Services, with a request for state assistance. Also, please note, as indicated in the attached cover letter to Ken Salazar, the new Colorado State Attorney General, the quoted press release out of Washington DC, dated February 9, 1999 from Larry Pozner, the President of the National Association of Criminal Defence Lawyers on the subject of "Prosecutorial Excess", as it relates to his enquiries on this case. My husband and I are still attempting to get an attorney on the case, however, it appears the expense of such an enormous challenge of the very fabric of the US Justice System is standing in the way. As I have said in my letter to Hillary Clinton, "Will no one help and be responsible for innocent children unless they are paid?" As Mrs. Clinton has yet to reply, I must ask the question of you and your resources, as an "Elder" of this "Global Village", will you help us rescue these children? So far, it seems that everyone has assumed that someone else is responsible, and as such, these children have fallen through the cracks of your Justice and Social Service Systems. **To my knowledge, even with the overwhelming documented evidence of abuse, no one on the international, national, state or county level has checked on the safety and welfare of these two children!** Please inform me of your intent to follow up on the safety and welfare of these children, at any level. Will you please involve your investigative resources on this matter, or at the very least, call us to see and hear the evidence for yourself before you decide your course of action?

Awaiting your reply,



Carolyn Wilfred  
Attach:





## NACDL News Release

### For More Information:

Jack King, Public Affairs Director  
(202) 872-8600 ext. 228, [media@nacdl.com](mailto:media@nacdl.com)

### Winning at Any Cost: Prosecutorial Excess Distorting America's Justice System

*Washington, DC, February 9, 1999* -- A slew of recent investigative reports in major newspapers across America document that excess by prosecutors, both federal and local, are on the rise and often in flagrant violation of the very laws prosecutors are sworn to defend.

"The problem of prosecutors breaking the law is more frightening, and does more damage to society, than any common criminal," said Denver attorney Larry S. Pozner, President of the National Association of Criminal Defense Lawyers regarding the recent media attention. "Some prosecutors have come to believe that they are exempt from the code of legal ethics, that the rules of civilized conduct don't apply to them. We look to prosecutors to enforce the law, but who will protect us when the prosecutor becomes the lawbreaker?"

From Boston to Los Angeles, from Seattle back again to Pittsburgh and all points between, intensive media exposes reveal that our nation's vaunted "war on crime" has become a war on the rights of American citizens. And the dark side of that war is finally coming to light: Prosecutors who cheat. Prosecutors who cut corners. Prosecutors who knowingly offer false testimony and fabricated evidence. Prosecutors who conceal evidence of innocence from the defense and the court. Prosecutors who trample defendants' rights, and the Constitution. Why? Because to them, winning isn't everything -- it's the *only* thing.

That win-at-any-cost attitude is a *national* problem, occurring in federal, state and county courthouses across the country.

Thanks largely to investigative reporters who have worked to uncover the problem and the editors who backed them, the American people are learning a sad truth: the war on crime has become a war on the Bill of Rights. Specifically--

- Last month, the *Chicago Tribune* ran a penetrating five-part series by Ken Armstrong and Maurice Possley, "Trial & Error: How Prosecutors Sacrifice Justice to Win," focusing on prosecutorial misconduct since the Supreme Court's 1963 misconduct decision in *Brady v. Maryland*. The series identified 381 murder cases reversed on prosecutorial misconduct grounds such as withholding of exculpatory evidence, improper argument, suborning of perjury, and the like. The series also noted that this month, for perhaps the first time in U.S. history, three former DuPage County, IL, prosecutors will go on trial on obstruction of justice and perjury charges for framing an innocent man for a murder he did not commit. Rolando Cruz went to death row for the murder of 10-year-old Jeanine Nicarico, a *prima facie* case of attempted murder by the police and prosecutors. But very few overzealous prosecutors are themselves brought to justice. "If convicted," the *Tribune* notes, "the three former prosecutors . . . would be the first in the nation to be found guilty of a felony for knowingly using false evidence to send an innocent man to Death Row."

The series, "Trial and Error," can be read or downloaded from the *Chicago Tribune's* site on the World Wide Web at <http://chicagotribune.com/news/nationworld/ws/0,1246,21398,00.html>.

- In December, *Pittsburgh Post-Gazette* reporter Bill Moushey published a 10-part series on how, in the editor's words, "hundreds of times during the past 10 years, federal agents and prosecutors have pursued justice by breaking the law." Moushey catalogued case after case of federal prosecutors, such as the case of informant Mitchell Henderson and citizen Loren Pogue.

Henderson was a former cop, deep in debt, alcohol and drugs who was promised up to \$250,000 by the U.S. Drug Enforcement Administration to set up a sting operation to catch Latin American drug smugglers. Pogue was a real estate developer he once worked for in Costa Rica. After months of failure as a freelance undercover informant, Henderson turned to his old acquaintance. He told Pogue he knew businessmen interested in investing in property in Costa Rica. Pogue agreed to close the deal. For two hours, Pogue sat and listened as federal agents, pretending to be Colombian drug smugglers, talked about building a landing strip and using the property to run drugs.

Defense attorneys, prosecutors and judges all know that mere presence at the commission of a crime isn't a crime. If there had been real Colombian drug smugglers in the motel room, Pogue would have been known as a "witness." Instead, Pogue became the sole defendant in a major money laundering case. Pogue admits he should have walked out as soon as drugs were mentioned. Instead, he stayed long enough to get arrested.

At the trial, Henderson perjured himself. First, he told the jury that a Colombian drug dealer -- not that he knew any -- had approved the land deal. Second, he said that Pogue had been a willing participant,

knowledgeable of the drug connection from the start. But according to DEA and court documents Pogue obtained after the conviction, the government knew that Henderson was making it all up. Despite this evidence, prosecutors maintain that everything Henderson said was true.

The series, "Win at All Costs," may be read or downloaded from the *Pittsburgh Post-Gazette's* website at <http://www.post-gazette.com/win/default.asp>.

- Last spring, investigative reporters Andrew Schneider and Mike Barber of the *Seattle Post-Intelligencer* published their five-part series on the Wenatchee, WA, child sexual abuse witch hunt, "The Power to Harm." They documented the wrongful arrests and prosecutions of 43 persons charged with 27,726 counts of child abuse in 1994 and 1995 in a small town in Washington state. Thirty were convicted; seventeen remain in prison and are challenging their convictions; all were alleged to be part of a child-sex ring operated out of a Pentecostal church. Their accusers were a crusading detective and his foster daughter. Sixty children were torn from their families. Seventeen were put up for adoption. Reprints of the series are available from NACDL Public Affairs.

Many of those convicted remain in jail, dependent upon a cadre of volunteer attorneys working to regain their freedom. Many have been released, but the damage to their families and their reputations in the community is irreparable.

- January 12, the Public Broadcasting System aired a *Frontline* special, "Snitch," exposing how the government's reliance on informants has resulted in major injustices in the War on Drugs. The show examined how federal prosecutors use -- or misuse -- tough mandatory sentencing to send relatively minor drug offenders to prison for decades on the word of criminal informants who willingly say anything to implicate others -- including innocent Americans -- in order to reduce their own prison time.
- In December, the Los Angeles and San Diego papers ran front page stories about San Diego prosecutors so determined to convict four gang members of murder that they lavished an informer and star witness with extravagant privileges while in jail and deliberately hid that fact from defense counsel and the court. Prosecutors provided such amenities as a private cell with color TV and a shower, and conjugal visits in the prosecutor's office with the informer's wife and three of his girlfriends, and concealed these inducements from defense counsel. According to the judge who held the post-conviction hearings, the prosecutors portrayed the informant as "a witness sitting alone in his cell, unattended, remorsefully awaiting judgment, hoping his confession and willingness to testify against truly bad people would in part redeem him." That, the judge said, was "clearly a lie . . . that went uncorrected at trial."

"Despite the recent spate of coverage of misconduct, prosecutorial

discretion is the *least* -covered thing in American government," investigative reporter David Burnham recently told NACDL. In *Above the Law*, his highly-regarded 1996 expose of the U.S. Department of Justice, Burnham criticized his fellow journalists for their tendency to cozy up to prosecutors. "The press has written a lot about bad cops, a lot about judges, but prosecutors, in the main, have only been covered through their leaks and announcements," he said.

As Justice Louis Brandeis warned in *Olmstead v. United States* in 1928, "To declare that in the administration of the criminal law the end justifies the means -- to declare that the government may commit crimes in order to secure the conviction of a private criminal -- would bring terrible retribution."

###

*NACDL is the preeminent organization in the United States advancing the mission of the nation's criminal defense lawyers to ensure justice and due process for persons accused of crime or other misconduct. A professional bar association founded in 1958, NACDL's 10,000 direct members -- and 80 state and local affiliate organizations with another 28,000 members -- include private criminal defense lawyers, public defenders, active U.S. military defense counsel, law professors and judges committed to preserving fairness within America's criminal justice system.*

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**National Association of Criminal Defense Lawyers (NACDL)**  
1025 Connecticut Ave. NW, Ste. 901, Washington DC 20036  
[www.criminaljustice.org](http://www.criminaljustice.org) / [www.nacdl.org](http://www.nacdl.org)  
(202) 872-8600 / FAX(202) 872-8690 / [assist@nacdl.com](mailto:assist@nacdl.com)



# Harmon & Carolyn Wilfred

Suite 344 • 356 Ontario Street • Stratford • ON • Canada • N5A 7X6  
TEL (519) 275-2928 • FAX (519) 275-2943

## CONFIDENTIAL FAX TRANSMISSION

Date: February 17, 1999  
To: **Mr. Steve Sena**  
Company: **Office of Children's Issues**  
**International Child Abduction**  
Tel: (202) 647-2688  
Fax: (202) 647-~~3000~~ 2835  
From: **Carolyn Wilfred**  
Regarding: **Letter and Attachments from American Embassy, Canada**  
Number of Pages (Including Cover Page) 13

Comments: Dear Mr. Sena,

I phoned your office this morning to follow up regarding the attached documents forwarded by mail to your attention and directed to the attention of Hillary Clinton at the White House by Mr. Michael Bellows, Consul General, US Embassy, Canada. As this is a matter of considerable urgency for the safety of my two step children, I am taking the liberty to provide these documents directly for your convenience. Thank you for your immediate attention to this matter. I look forward to your return call.

Sincerely,



Carolyn Wilfred

Advocacy Department  
Office of the Governor  
127 State Capitol Building  
Denver, CO 80203

February 26, 1999


Mr. and Mrs. Wilfred  
356 Ontario Street, Suite 344  
Stratford, ON, Canada N5A 7X6

Dear Mr. and Mrs. Wilfred:

Thank you for taking the time to bring your issue to the attention of the Governor's Advocacy Office. After careful consideration I believe Ms. Izzie Wylde, the Advocate at the Department of Human Services, will best be able to assist you. I have faxed your letter to her office and will be calling her periodically for updates on the progress of your case.

I will also be calling you to inform you of any updates. If you have any further questions, please contact me at 303.866.2885. You may also feel free to Ms. Wylde at 303.866.6145.

Sincerely,



Kristin Streich  
Governor's Advocate

**CONFIDENTIAL FAX TRANSMISSION**

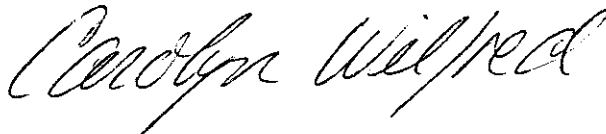
Date: March 11, 1999  
To: **Ms. Kristin Streich , Governor's Advocate**  
Office of the Governor  
Tel: (303) 866-2885  
Fax: (303) 866-6326  
From: **Carolyn Wilfred**  
Regarding: **Letter and Attachments for Review and Further Discussion,  
Re-forwarded on Behalf of the Governor's Advocate**

Number of Pages (Including Cover Page) 3

Dear Ms. Striech,

As per your instructions in your attached letter dated February 26, 1999 in answer to our request for help, I have followed up with a call to Ms. Izzie Wylde. Ms. Wylde informed me she had no information on the matter and referred me to Mr. John Kelly, Director of Human services. Mr. Kelly's information was confined to a portion of the original package forwarded from the US State Department, Washington DC. As Mr. Kelly's package was incomplete, I have re-forwarded by fax a complete package for his review. I will be speaking with him again tomorrow, March 12, 1999. Thank you for your commitment to providing regular updates, as well as any and all continued investigative support as to the safety and general welfare of our two children, Danielle and Isaac Wilfred.

Sincerely,



Carolyn Wilfred

Attach:

**CONFIDENTIAL FAX TRANSMISSION**

Date: March 11, 1999  
To: **Mr. John Kelly, Director**  
Human Services, State of Colorado  
Tel: (303) 866-3631  
Fax: (303) 866-5024  
From: **Carolyn Wilfred**  
Regarding: **Letter and Attachments for Review and Further Discussion,  
Re-forwarded on Behalf of the Governor's Advocate**

Number of Pages (Including Cover Page) 15

As per our conversation today, please review this message and attachments with the utmost of urgency and immediacy in preparation for our next conversation. I will contact you again by phone tomorrow, March 12, 1999, mid to late morning your time (mountain standard time). **Please understand that the focus of our conversation is the safety and security of these children.**

Sincerely,



Carolyn Wilfred

Attach:

Cc: Kristin Streich  
Governor's Advocate  
Office of the Governor



AFFIDAVIT

2/18/98

The Affiant, Jenene Kelley, being duly sworn upon oath, states as follows.

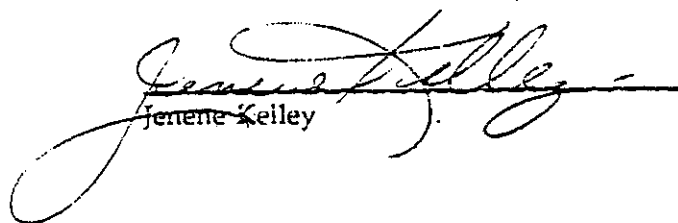
During the month of September, 1997, my husband Seymour Wheelock was asked by Harmon Wilfred for legal assistance. Seymour was asked to make a business trip to Phoenix, AZ to which I accompanied him. I am a Social Worker working for a private agency. I was not present in an official capacity. During the time that we were in Phoenix after Harmon obtained his children I heard and witnessed the following behavior from the Wilfred children.

I observed that the children were very happy to see their father. I heard Danielle ask her father if she had to go back to her mother. During the course of our visit, Danielle stated to me that her mother was mean to her. When I asked her in what way, she stated that her mother yelled and screamed a lot and sometimes would hit her. While combing her hair she stated that her mother would pull her hair. Danielle was starved for attention and affection.

I further heard Isaac state that his mother was going to rub his face in his dirty diaper. Isaac showed fear of going to the bathroom. He had problems with his toilet training. I observed upon Isaac's arrival that he had an uncontrollable nervous laughter. I observed a child who did a lot of hitting. I asked Isaac why he hit people, he stated because his mom hits people. I asked him if she had hit him and he said, "sometimes." He further stated to me that she screams a lot at him.

I also observed that over the course of three days, the children were quite comfortable around their father. I observed Harmon Wilfred participating with his children, laughing, playing and loving them. Danielle and Isaac were delighted with this interaction by their father.

Further Affiant sayeth naught.

  
Jenene Kelley

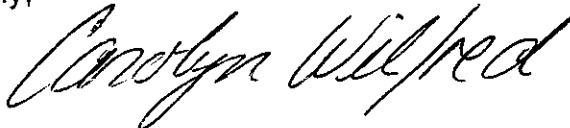
**CONFIDENTIAL FAX TRANSMISSION**

Date: March 12, 1999  
To: **Mr. John Kelly / Director Human Services, State of Colorado**  
Tel: (303) 866-3631  
Fax: (303) 866-5024  
From: **Carolyn Wilfred**  
Regarding: **Follow-up to our conversation today**  
Number of Pages (Including Cover Page) 2

Thank you so much for your kind follow-up on our children, Danielle and Isaac Wilfred. The information you provided about their well being is the first news we have been able to obtain in over a year. As you have read, the situation is very difficult and convoluted on the domestic as well as the political level. We would most appreciate your continued vigilance in watching over the children until this entire situation is resolved. Is there anyone in the field that we could check with periodically for further up-dates? As a former child care professional, I have clearly seen and heard the evidence of abuse to both children by their natural mother, Dearnna Garcia, so it is difficult to accept that their situation is so different now. I have attached just one of the Affidavit's we have on file completed and signed in February, 1998 by Jenene Kelley, an El Paso County licensed foster care professional. Our last known phone number for Ms. Kelley is 719-687-2031. If this number is out of date, I am certain you can find her under your list of Colorado registered foster care professionals. We also have affidavits from our pastor, the nanny, close friends and business associates with similar evidence of abuse being reported. I also know that the Garcia family are very vigilant to keep such matters private.

All this to say, please alert your Social Service professionals assigned to Danielle and Isaac to watch over them closely. My husband and I are in the process of launching a major legal offensive to include the immediate re-opening of the custody issue with a full custody evaluation. Thank you also for forwarding the information back to the attention of the Governor to look into the political motivation of this mess. We pray that an investigation is launched immediately. Thank you again for your kind and vigilant service. We all agree..... It's for the kids.

Sincerely,



Carolyn Wilfred  
Attach:  
Cc: Kristin Streich

**CONFIDENTIAL FAX TRANSMISSION**

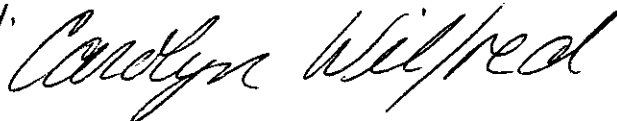
Date: February 25, 1999  
To: **Mr. Bill Owens**  
Company: Governor, State of Colorado  
Tel: (303) 866-2471  
Fax: (303) 866-2003  
From: **Carolyn Wilfred**  
Regarding: **Two Innocent US Children at Risk in Colorado as a Direct  
Result of a Corrupt Colorado Prosecutor's Criminal Activity**

Number of Pages (Including Cover Page) 13

**Please receive this fax message and attachments with the utmost of urgency and immediacy.** Also see the attached letter from the US Ambassador to Canada forwarding these documents directly to the White House as well as Child Services, State Department, Washington, DC. Mr. Steve Sena at the State Department has since forwarded this package to Marva Livingston Hammons, Executive Director, Department of Human Services, State of Colorado with a request for assistance. Mr. Larry Pozner, a nationally recognised Denver criminal attorney is currently making inquiries on this case. Mr. Pozner, as President of the National Association of Criminal Defence Lawyers was quoted in a NACDL news release, February 9, 1999 as follows, "The problem of prosecutors breaking the law is more frightening, and does more damage to society, than the common criminal. Some prosecutors have come to believe that they are exempt from the code of ethics, that the rules of civilized conduct don't apply to them. We look to prosecutors to enforce the law, but who will protect us when the prosecutor becomes the law breaker."

**Please initiate a full state level investigation immediately to expose this travesty and rescue these innocent children.** It would also be most appreciated if you would let me know of your intent to proceed at any level. Thank you for your prompt attention to this matter.

Sincerely,



Carolyn Wilfred

Attach:

Cc: Ken Salazar, Attorney General