

February 22, 2001

Mr. Alan Gold
Gold & Fuerst
20 Adelaide Street East
Suite 210
Toronto, Ontario M5C 2T6

Regarding: Package To US Department of Justice, Public Integrity Section

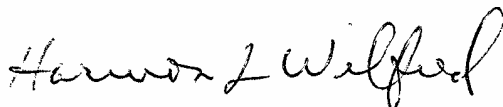
Dear Alan,

Enclosed are copies of letters, legal documents and e-mail communications to be forwarded to the Public Integrity Section of the US DOJ along with our continuing request for a meeting and investigation. This information includes the following:

1. Copies of communication with attorney Jeffrey Herren with regard to the entry of Dr. Ira Gorman as special advocate to my children as follows:
 - Motion to Appointment of Special Advocate and e-mail confirmation of Court approval
 - Letter of Introduction and request for mediation to Dr. Gorman
 - Reply from Dr. Gorman with request for execution of documents.
 - Letter of Confirmation to Dr. Gorman with attached executed documents and forwarding cover letter on Jeffrey Herren's letterhead.
2. E-mail communication with a CBC investigative journalist providing the following:
 - News article on John Suthers' impending appointment as US Attorney for Colorado and commentary dialogue with CBC investigative journalist.
 - E-mail account to CBC investigative journalist regarding my Federal arrest, charges, dismissal and sealing of the records in May, 2000. A graphic account of deliberate abuse and violation of the international treaty by the Federal Marshals involved.
 - News of Michael Witty's recent appeal and dismissal of charges due to a *convenient* conflict on the part of the El Paso County DA. The same DA who assisted in the cover up of Witty's embezzlement of funds from the federally funded El Paso County Pension Fund for over two years until I *blew the whistle* to the FBI.
3. Memorandum of account of the Preliminary hearing on December 22, 2001 with attached copy of transcript.

Please also retain a copy of all information enclosed for your files. Thank you for forwarding this information to the US DOJ ASAP to assist them in their pending investigation for political corruption in Colorado.

Sincerely



Harmon L. Wilfred

CC: US DOJ Public Integrity Section

INMAN FLYNN & BIESTERFELD, P.C.

ATTORNEYS AT LAW

RANDOLPH S. ATWATER, P.C.
M. DEE BIESTERFELD
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DONALD M. BURKHARDT
ANNE A. DeWITT
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OF COUNSEL
ROBERT D. INMAN
JOHN J. FLYNN, JR

January 23, 2001

Clerk of the District Court
Judicial Building
20 E. Vermijo Avenue
Colorado Springs, CO 80903

Re: *In re the Marriage of Wilfred*
Case No. 97 DR 3393, Div. 2

Dear Clerk of the Court:


Enclosed for filing please find an original and one copy of the Motion to Appointment of Special Advocate and Motion Re: Appointment of Special Advocate concerning the above-referenced matter. Please file/date stamp the copy and return same to our office in the enclosed self-addressed stamped envelope.

Upon execution of the District Court Judge please forward a signed copy of the Order to our office in the enclosed self-addressed stamped envelope.

Thank you for your cooperation in this matter.

Sincerely,

INMAN FLYNN & BIESTERFELD, P.C.


Jackie Marks
Legal Assistant

/jlm
Enclosures
cc: Dearna Garcia Wilfred
Harmon L. Wilfred

<p>DISTRICT COURT, EL PASO COUNTY, COLORADO</p> <p>Court Address: 20 E. Vermijo Ave. Colorado Springs, Colorado 80903</p> <hr/> <p>In Re the Marriage of:</p> <p>Petitioner: HARMON LYNN WILFRED</p> <p>and</p> <p>Respondent: DEARNA GARCIA WILFRED</p> <hr/> <p>Attorney: INMAN FLYNN & BIESTERFELD, P.C. By: Jeffrey N. Herren Attorney for Respondent Address: 1660 Lincoln Street, Suite 1700 Denver, CO 80264 Phone Number: (303) 861-5300 Fax Number: (303) 861-2746 Atty. Reg.#: 11374</p>	<p style="text-align: center;">COURT USE ONLY ▲</p> <hr/> <p>Case Number: 97 DR 3393</p> <p>Div/Ctrm: 2</p>
<p style="text-align: center;">MOTION TO APPOINTMENT OF SPECIAL ADVOCATE</p>	

COMES NOW Respondent, by and through her attorney of record Inman Flynn & Biesterfeld, P.C. through Jeffrey N. Herren and respectfully requests the Court Appoint a Special Advocate as follows:

1. This Court Ordered a Special Advocate appointed for the minor children on December 10, 1999.
2. On March 20, 2000 the undersigned counsel entered his appearance in the case.
3. In an Order dated March 22, 2000 the Court Ordered the counsel for the Petitioner to send the names of three Special Advocates to the Respondent to effectuate the Court's prior Order concerning contact with the children in the Respondent's area of residence. In addition, the Court reaffirmed the December 10, 1999 ruling of the District by Judge Hall for telephone contact to be reestablished to the Special Advocate.
4. Counsel for the Petitioner did forward the name of three Special Advocates to the Respondent's counsel. Petitioner's counsel has since withdrawn but Petitioner and Respondent have both agreed to the appointment of Dr. Ira Gorman as a Special Advocate. Dr. Gorman's address is not listed below due to the confidentiality requirements of this case.
5. The parties respectfully requests that the Court appoint Dr. Ira Gorman, Ph.D. as a Special Advocate in this action. The parties further request that Dr. Gorman be ordered to visit with the

children and do an assessment of their mental condition. Dr. Gorman is also to assess the children's willingness or reluctance to see their father. Finally, as previously ordered, Dr. Gorman is to provide an opinion in the form of a written document to the Court and both parties as to whether the children are in need of ongoing therapy and/or if a therapeutic visitation session with Father would be helpful or necessary in order to have in person contact with the Father.

6. Furthermore, the Court approves the requests of the Petitioner that the telephone contact between the Petitioner and the children as previously Ordered by this Court be reestablished under the direction and control of the Special Advocate. The initial telephone conversations with the children and the Petitioner shall be supervised by the Special Advocate.

7. The parties further request that any correspondence or contact initiated by the Petitioner with Dr. Gorman be routed through the Respondent's counsel's office of Inman Flynn & Biesterfeld, P.C., c/o Jeffrey N. Herren, 1660 Lincoln Street, Suite 1700, Denver, CO 80264. When Petitioner hires Colorado counsel, any communication with Dr. Gorman can be through Petitioner's counsel.

8. The Court reaffirms all of its previous findings of fact and conclusions of law concerning this case and specifically reaffirms the request for the Respondent's need to not disclose her or the children's whereabouts to the Petitioner.

WHEREFORE the parties respectfully request the Court Order that Dr. Ira Gorman, Ph.D. be appointed as Special Advocate in this case and proceed immediately with the fulfilling the Court's Orders.

Respectfully submitted this 19th day of January, 2001.

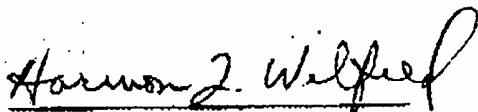
INMAN FLYNN & BIESTERFELD, P.C.

By: 

Jeffrey N. Herren

Attorney for Respondent

APPROVED AS TO FORM AND CONTENT:



Harmon Lynn Wilfred, pro se
Petitioner

Harmon & Carolyn Wilfred

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

CONFIDENTIAL FAX TRANSMISSION

January 31, 2001

To: **Jeffrey Herren**
Company: Inman Flynn & Biesterfeld, P.C.
Tel: (303) 861-5300
Fax: (303) 861-2746
From: **Harmon L. Wilfred**
Number of Pages: 3

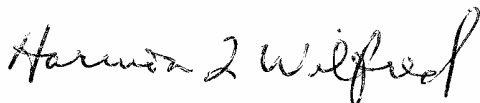
Regarding: **In Re: The Marriage of Wilfred**
Case No. 97 DR 3393, Div. 2
Letter of Introduction to Dr. Ira Gorman

Dear Mr. Herren,

Please forward the attached letter by facsimile to Dr. Ira Gorman ASAP. We are ready to co-operate in any way within our means to resolve this conflict. It is our hope that Dr. Gorman will provide his services as an unbiased force to mediate a global solution under the umbrella of, "The best Interests of the children". We hope you agree.

Please let us know by e-mail (harmony@execulink.com) or fax the moment the Order for Dr. Gorman's entry as Special Advocate is approved. We look forward to participating in this process.

Sincerely,



Harmon L. Wilfred



Carolyn R. Wilfred

cc: Alan Gold, Esq.
US DOJ

CONFIDENTIAL FAX TRANSMISSION

January 31, 2001

To: **Dr. Ira Gorman**
C/O **Jeffrey Herren**
Company: Inman Flynn & Biesterfeld, P.C.
Tel: (303) 861-5300
Fax: (303) 861-2746
From: **Harmon L. Wilfred**
Number of Pages: 2

Regarding: **In Re: The Marriage of Wilfred**
Case No. 97 DR 3393, Div. 2

Introduction and Request For Mediation

Dear Dr. Gorman,

My wife, Carolyn, and I would like to provide this letter as an initial introduction. As you are aware, you have been chosen by us and my ex-wife, Dearnna, to provide services under our requested Court Order as a Special Advocate to our children, Danielle and Isaac Wilfred. We look forward to your first and subsequent reports on the children's welfare and to the opportunity to speak to Danielle and Isaac regularly by phone with your supervision.

With the recent package of information we forwarded to your attention through Mr. Herren, including the case history outline and my request to the US Justice Department for an investigation, we hope it is clear that there is much more to this case than meets the eye. On the other hand, with all of the attention on criminal and political issues, the most important issue of all appears to have been all too easily neglected..... "The best interests of the children". We have attempted to bring this issue into the forefront with every letter we have written to every government agency --local, state and federal-- and every attorney we have had on retainer since this ordeal began over 3 years ago. The most recent news from US DOJ Chief of Staff Michael Horowitz is that our request has now been referred to the Criminal Division's Public Integrity Section for investigation. The mandate for the PIS is as follows:

The Public Integrity Section oversees the federal effort to combat corruption through the prosecution of elected and appointed public officials at all levels of government. The Section has exclusive jurisdiction over allegations of criminal misconduct on the part of federal judges and also monitors the investigation and prosecution of election and conflict of interest crimes. Section attorneys prosecute selected cases against federal, state, and local officials, and are available as a source of advice and expertise to other prosecutors and investigators. Since 1978, the Section has supervised the administration of the Independent Counsel provisions of the Ethics in Government Act.

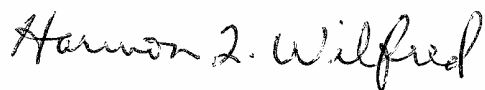
While this investigation proceeds, and inasmuch as possible, without the outside influence of the criminal/political matters, we are most interested in ensuring that Danielle and Isaac are provided for physically, mentally, emotionally and spiritually. It seems that this entire conflict began with differences between me and Dearna that could not be resolved within the family unit. These differences not only brought about a breach in the marriage but also placed Danielle and Isaac at the continued risk of maternal child abuse. We are not suggesting that you make judgements about who was or is right or wrong, however, it seems you are certainly qualified to make such judgements from a psychological perspective. In reviewing your Curriculum Vitae, we have taken particular interest in your background in divorce mediation. Beyond your primary task as ordered by the Court to evaluate the children in their current environment, we also believe it would indeed be in *the best interest of the children* that the relationship between their biological parents be normalised, if not at least healed to the point of reasonable interaction.

There are many issues to be dealt with that have been repeatedly convoluted and complicated by the political/criminal involvement of the El Paso County DA and other elected and appointed officials in Colorado. We believe, however, with your background in mediation as well as related matters in the domestic/criminal arena, you would be perfect in clarifying the issues at hand and assisting our family in working out our differences and providing the most beneficial, *ultimate joint environment* for Danielle and Isaac to thrive as our children. As you and the choice of your services are the object of the first agreement Dearna and I have made in three years, and as the platform is certainly "The best interests of the children", we would like to capitalise on this opportunity to carry the momentum of this platform, as our primary theme, into a successful mediation through your good services to end this conflict once and for all.

To this end, we would like to extend an invitation for you to come to Canada and visit with our family in Stratford, Ontario at your earliest convenience to accomplish any and all aspects required for the Court Order and to augment your preparation for successful mediation. Carolyn and I are available as needed for evaluation, psychological testing and/or interviews to assist you in your reports and recommendations. Our Toronto attorney, Alan Gold will also make his office available for any formal meetings you may require during your stay.

Thank you for your most needed assistance. We look forward to hearing from you with a schedule and itinerary.

Sincerely,



Harmon L. Wilfred



Carolyn R. Wilfred

cc: Alan Gold, Esq.
US DOJ

Harmon & Carolyn

From: "Harmon & Carolyn" <harmony@execulink.com>
To: [REDACTED]
Sent: January 10, 2001 12:26 PM
Subject: Re: Suthers Article and "Connections?"

Hello [REDACTED]

Why didn't they kill me when they had me in Colorado in May, 2000? In a very institutional and careful way, they did attempt to do so! When I was supposed to be released after 3 weeks of incarceration by federal order when the charges were dismissed and sealed by a federal judge for violation of the international treaty, instead of releasing me, two federal marshals with my release papers in their hands and with full knowledge of violating the treaty, picked me up and deposited me in the Denver City jail. Why Denver City? Denver City has never had anything to do with my case. The Downtown Jail location is commonly known as "The Killing Fields." When I asked the federal marshals why they were arresting me and who would give such an order with the knowledge that they were absolutely violating the very order in their possession, I was told to shut up, they were following orders and it was none of my business who gave the order. One Marshal named Eddy, who had become close to me during my trips back and forth to the federal court, due to our similar religious beliefs, apologized to me as I objected and reminded him he was breaking the law, but stated that he had to carry out his orders. The man could not look me in the eye. When deposited in the downtown holding cell, I was processed in with no charges on a federal marshal hold with no bond for the 4 day holiday weekend.

I was placed in two separate holding cells over a period of about 8 hours where the level of hostility was off the charts. The cells were no more than 10 feet by 20 feet and contained at least 75 or more prisoners who had just been brought in that evening and arrested for drug dealing, armed robbery and drug use ranging from alcohol and cocaine to pot and crack cocaine. I know, I talked to some of them. These places were so crowded there was standing room only. During my first 6 hours in these hell holes I watched the officers in charge regularly and deliberately provoke and challenge prisoners by entering the cell with clubs and weapons and dragging one out of the cell and beating him right in front of us. The hostility in that place was amazing. When I did not fall prey to this ploy, I was placed in a 23 hour lock down 5ft by 6ft cell with a rubber floor mat. During my stay I was awakened late one night, taken to a holding cell and repeatedly pushed around and challenged by officers as above. I did not break mentally or emotionally during these altercations as I believe was their intention. At the end of the 4 day holiday weekend, they transferred me to the Arapahoe County Jail and placed me in another holding cell for over 4 hours before they finally brought me before a judge in belly chains, handcuffs and shackles in a condition of absolute filth. When I told the Judge that there was no attorney there to represent me, she demanded that I represent myself or go back to jail. When I invoked the treaty violation to the judge, she was compelled to let me go. I was released in a filthy jail uniform with no ID and no money, 60 miles and a long distance call from anyone who could help me and expected to walk down the street without getting re-incarcerated.

There is so much more I can share. Why did they not kill me? First of all,

22/02/01

this was an international extradition which could create an international incident. Secondly, would it not be easier if they could simply drive me into a nervous breakdown or have another prisoner take care of it for them totally unrelated to the case? During my 3 week "stay " at the federal prison, our then private investigator, Sy Lee was so concerned about my and Carolyn's safety, he was constantly vigilant on the phone with the jail and my attorney and actually placed an around the clock surveillance with Carolyn for her personal safety. He was the first to let us know that he had reason to believe our challenge was much higher in the Republican party than Suthers or the State of Colorado.

I am quite possibly the stickiest wicket the US Republican party has ever faced. Especially when my case includes using my children as pawns in their scheme to shut me up.

██████████ there is sooooo much more. This story has to be released quickly. I do not know how much time I have before they come across the border with their next offensive. I want to do this correctly and effectively and believe your advice is sound. Please step up your schedule... for my kids... for my continued safety.... please!
I will wait.

Please confirm your receipt of this e-mail with your reply, however brief. It is comforting to know that you are vigilantly on this story to its conclusion.

Grateful!

Harmon & Carolyn

Harmon & Carolyn

From: "Harmon & Carolyn" <harmony@execulink.com>

To: [REDACTED]

Sent: February 9, 2001 11:37 AM

Subject: Witty Appeal and Comment (mine) (SEE ATTACHED)

Hello [REDACTED]

I got the file opened. We were certainly unaware of this development. Interesting that Witty gets a decision in his favour that confirms the conflict between the DA's office and the Pension Fund. Especially since Suther's threatening letter to me (18 months before Witty was charged) denying his and his cohort's (including Witty's) original involvement in the embezzlement ties the DA into the *same conflict* in my case. Not to mention the tie in with Suther's and the DA's office through the extortion letter I was forced to sign to keep my mouth shut about Witty and company that was created and enforced by Suther's own law firm of Spark's and Dix.

Good hunting! Sure hope the 5th gets on board soon. Thanks for the info.

Harmon

22/02/01

WITTY'S DISMISSAL

COLORADO COURT OF APPEALS

October 26, 2000

No. 99CA0360

The People of the State of Colorado,

Plaintiff-Appellant and Cross-Appellee,

v.

Michael Witty,

Defendant-Appellee and Cross-Appellant.

Appeal from the District Court of El Paso County

Honorable Gilbert A. Martinez, Judge

No. 97CR2978

Division II ORDER AFFIRMED, JUDGMENT

Opinion by JUDGE STERNBERG* REVERSED, AND CAUSE

Taubman and Nieto, JJ., concur REMANDED WITH DIRECTIONS

Jeanne M. Smith, District Attorney, David H. Zook, Chief Deputy District Attorney, Colorado Springs, Colorado; Ken Salazar, Attorney General, John J. Krause, First Assistant Attorney General, Denver, Colorado, for Plaintiff-Appellant and Cross-Appellee

David S. Kaplan, Colorado State Public Defender, Dana Nichols, Deputy State Public Defender, Douglas D. Barnes, Deputy State Public Defender, Denver, Colorado, for Defendant-Appellee and Cross-Appellant

*Sitting by assignment of the Chief Justice under provisions of the Colo. Const. art. VI, Sec. 5(3), and §24-51-1105, C.R.S. 2000.

The Fourth Judicial District Attorney (District Attorney) appeals the disqualification of her office and the appointment of a special prosecutor in a criminal action against the defendant, Michael Witty. In that action, defendant entered a guilty plea to the charge of felony theft, but with the District Attorney's consent, specifically reserved the right to appeal on the basis that his speedy trial rights had been violated. Alleging violation of those rights, defendant cross-appeals. We affirm the



The disqualification of the District Attorney is affirmed. The judgment of conviction is reversed, and the cause is remanded with directions to dismiss the charges.

JUDGE TAUBMAN and JUDGE NIETO concur.

These opinions are not final. They may be modified, changed or withdrawn in accordance with Rules 40 and 49 of the Colorado Appellate Rules. Changes to or modifications of these opinions resulting from any action taken by the Court of Appeals or the Supreme Court are not incorporated here.

Return to Court of Appeals or October 26, 2000

* JEANNE SMITH > DISQUALIFIED!
JOHN SUTHERS

CONVICTION REVERSED