

FREEDOM ISN'T FREE ! GET INVOLVED !

A.B.A.T.E. OF NORTHERN NEVADA

**Freedom Isn't Free
Join A.B.A.T.E. of Northern Nevada
Today**

July/August 2005

Karen Bolin-MRF President, Kirk "Hardtail" Willard- Vice President, Jeff Hennie- Washington DC Gov't. Relations, and the other directors. I was very proud to be there representing ABATE of Northern Nevada, as many ABATE representatives through out the U.S. were present. I'm sorry more of our members were not able to attend this unique opportunity that was held just a pleasant day's ride from Elko. This conference is held in a new location each year. Next year the conference will be held in Prescott Arizona. We should plan to make this an ABATE run. We have an opportunity to invite this conference to Elko 2007 the fourth weekend of June. This will be prior to the November elections. If we, as ABATE of Northern Nevada are willing to step to the plate and make this happen, we will be positioning ourselves for the 2007 legislature. This would be an opportunity for our local and state politicians to meet and speak with Washington DC MRF representative Jeff Hennie. If we were to host this event, ABATE of Northern Nevada, would become known and recognized throughout the country as an aggressive political motorcycle rights organization. Do we have the membership that is willing to do this? Let me know what your thoughts are. Now, back to AAA Insurance. In the last newsletter I informed you of how, and why, AAA Insurance is actively opposing helmet personal choice nation

MESSAGE FROM THE PRESIDENT

Nevada motorcyclists have a unique opportunity that has never existed before to get our helmet law changed in 2007. Bob Beers is the senator that introduced SB151 this year. SB151 would have made motorcycle helmet use an adult personal choice. Bob Beers announced this month that he is running for Nevada's Governor in 2007. It is suspected that Jim Gibbons (Harley rider and motorcycle enthusiast) will also run for governor. I believe that the attitude in Carson will be much less "anti biker" during the hearings in 2007 if one of these gentlemen is at the legislative helm.

If anyone would have asked me a year ago if I thought it was possible to get Nevada's helmet law changed I honestly would have had to tell them I didn't know. I was very naive about helmet politics or the procedures to get laws changed. Like most motorcyclists, I despised the helmet law, cursed it, and did nothing to try to change it. I was very hesitant about registering as an ABATE lobbyist this year, I was concerned what people might think! I am pleased to tell you that no one has criticized me, and I haven't lost my full time job.

In fact, John Carpenter and others have commended me for caring enough about an issue to get politically involved. I was told most people don't care enough about how laws might affect them. I have met our senators and legislators; my goal is to gain their respect, and then their support.

What do I think now? Yes, Nevada's helmet law can be changed so that it is an adult personal freedom of choice! It is an uphill battle, how long will it take? I don't know. Is it worth the fight? Hell Yes! It's the principle! "This is American Freedom at stake!" How do we accomplish this? First, the general public must be educated, informed that adult freedoms outweigh the questionable safety a helmet offers. The politicians must realize there are a lot of voters that want change in the helmet law, and will vote for them if they in turn support helmet freedom of choice.

ABATE of Northern Nevada's work is paying off. Everything we have done in the last year is building a network of support and political clout. Our successful membership drive (ABATE of Northern Nevada now has approximately 240 members)

our presence and active role during this legislative session, joining the Nevada Four Wheelers Association and AMA and the Motorcycle Riders Foundation, partnering with Blue Ribbon Coalition, Nevada Confederation of Motorcyclists, and Jarbidge Shovel Brigade. I will soon be writing Mr. Beers and Mr. Gibbons, I will tell them the if they will actively support, and vote for an adult helmet personal choice in 2007 we will work with them and their committee to see that they are elected. With our membership and supporting organizations, generating several thousand votes, we could actually sway the election in their favor. This is politics, we're a political organization, and we're going to play!

Dale and Vicky Andrus, Connie, and I attended the Best of The West conference in Boise, Idaho June 24-26. Motorcycle Riders Foundation (MRF) sponsors this event. MRF is made up of some of our most active and aggressive political motorcycle rights activists in the United States. We had the pleasure of meeting Karen Bolin-MRF Presi-

(Message from the President Continued from Page 1.)

helmet personal choice nationwide. For a quick synopsis; AAA insures cars, cars hit motorcycles and kill motorcyclists, AAA pays big claims. Mandated helmet use reduces motorcycle registrations by 40%. BINGO! AAA pays 40% less claims because there are 40% less motorcycles on the road. I don't have a problem with AAA recommending and educating helmet use but it is unacceptable for AAA to actively speak out during the legislative session in support of mandatory helmet use. Statistics regarding motorcycle injuries and helmet use do not warrant taking an adult freedom of choice away. If they're so damn worried about their claims and policy holders' safety they should mandate their car policy holders to wear helmets. My goal is for all motorcyclists and freedom loving Americans to boycott AAA Insurance until they realize they have gone too far with their helmet lobbying. As soon as it becomes apparent AAA has changed their policy, and no longer actively lobby for helmet enforcement, we will stop our boycott. This is politics, we're a political organization, and we're going to play!

AAA made the mistake of sending me correspondence asking me to consider changing my insurance to their company. They were gracious enough to include a postage paid envelope for my response. I used the envelope to return the following letter:

*Jim Pouliot
President and Chief Executive Officer
AAA Auto Insurance Company*

Dear Jim Pouliot,

I received your No-Obligation quote request form in my mailbox today. I am going to use this opportunity to respond and inform you of my aggravation and deep discontent with AAA.

I am the President of ABATE (A Brotherhood Aimed Toward Education) motorcycle organization. I am also an ABATE lobbyist. On March 22, 2005 a legislative hearing was held in Carson City on SB151 regarding mandatory helmet use for adults. Michael Geeser, Government Affairs AAA Nevada, submitted the attached letter. (which was printed in our last newsletter)

AAA of Nevada does not offer insurance for motorcycles (they do now!) and I find it very aggravating that AAA would take such a negative stance against an adult freedom of personal choice issue.

The information presented in Mr. Greeser's letter contains false information. Mr. Greeser states that after Texas repealed its motorcycle helmet requirement fatalities increased 31%. This statistic had not been adjusted for increases in registrations and miles traveled.

In 1997, prior to the Texas helmet law repeal, there were 115 people who died in motorcycle accidents, and registrations had dropped to 143,000. By 1999, after the helmet law was repealed, deaths had risen to 181, but registrations had increased to 253,000. While fatalities increased by 58 percent during the 2-year period, registrations increased by 77%!

This type of overzealous effort by AAA to misinform our legislators is unacceptable. I will make every effort to discourage potential members from joining AAA and I will encourage existing AAA members to change insurance companies until an apology for inaccurate information is forwarded to Honorable Dennis Nolan, Chair, Senate Transportation and Homeland Security.

Sincerely,

*John Bland, President
ABATE of Northern Nevada*

By the way, to my knowledge, no apology from AAA to Dennis Nolan has been written. Stay tuned for the ongoing AAA saga in next months newsletter!

**John Bland – President
ABATE of Northern Nevada**

Event Update By Connie Campbell

It has been a very busy month since my last update. On June 6, 2005 the Pediatric Brain Tumor Poker Run and B-B-Q was held at O'Carrolls. It was well attended and approximately \$3000.00 was raised for the cause. Congratulations, on a great event to Walt & Donna Young. Thank you to Phil Ackerley and Tammy Christensen for their hard work on the poker run.

June 17 & 18 brought the Elko Motorcycle Jamboree to town. The weather on Friday was a bit chilly, but Saturday turned out to be a nice day for motorcycling. ABATE helped out with the bike rodeo and had our merchandise and membership booth on the sidewalk in front of Elko Trophy. Thank you to all the ABATE members who took a turn at working the booth. We sold some of our ABATE merchandise and gained some new members as a result of this endeavor.

June 24 & 25 was the Best in the West Conference held in Boise, Idaho. John and I, Dale and Vicky Andrus were in attendance. It turned out to be a great opportunity to meet the board members of the MRF. (Motorcycle Riders Foundation) They are one of the most active organizations fighting for motorcyclist rights in the country. It was also well attended by ABATE of Colorado, New Mexico, Arizona, Idaho, Utah, Florida, Washington State, Alaska and California. We also were able to meet Jeff Henne, who is the MRF's lobbyist in Washington D.C. The conference confirmed for us that ABATE of Northern Nevada is on the right track. Our goal of informing the public about our issues and being involved in the community is very important in the scheme of things. Some of the classes that were offered included Grant Writing, Dealing with the Media, Building Political Relationships, and Funding for Rider Safety Programs. The four of us split up and attended all classes. We also put in a bid to have the 2007 Best in The West Conference held here in Elko. I would like some feedback from our membership on hosting this conference. Would you be willing to help out and attend if the conference were held in Elko? Or do you care about it at all? It would be a great opportunity for all of our membership to become involved with the MRF and the issues facing motorcyclists in today's society. Please feel free to e-mail me at historicleenv@frontiernet.net All in all, the trip to Boise was memorable. John's old shovel had some engine trouble and is still in Boise. I am grateful to Sean and Mary Jane Thompson for rescuing me from the back seat of my Sportster on the way home. I'm also grateful to Dale and Vicky for hauling our luggage home and for the use of Dale's memory foam pillow. It got me from Boise to Mountain City, even though I now walk with a limp.

July 2, and the Jarbidge Shovel Brigade event took place. We decorated John Bland's 1929 Model A with posters and flags. John and Dale Andrus rode in the front as we dragged several motorcycle helmets down the street with a rope. Delaney Andrus, Jenn Hobbs and I threw a lot of candy to the kids along the route. We were a bit short on motorcycles for the parade, but we won first place in the Shovel Brigade entries anyway. A big thank-you goes out to John Hobbs, Marvin Orr, Bill Hartsock & Shelby and Dane Andrus for escorting us. The picnic and B-B-Q at the park went well. The Kiwanis did an excellent job with the food. John Bland and I helped with the announcements and speakers, and Dale Andrus did the auction. We sold some ABATE merchandise and again gained some new members. ABATE of Northern Nevada and the Nevada United Four Wheelers Assn. (NUFWA) have joined each others organizations. We also made some great strides with the public in understanding and supporting ABATE's issues. I also want to send a heartfelt thank you to Dale, Vicky & Leslie Andrus. We always know we can count on you folks to volunteer and help in any way you can. Thank- you also to Marvin & Jaque Orr, Phil Ackerley, Bill & Diane Hartsock, Autumn Weight, Britt & Connie Blakeman. My gratitude also goes out to John & Jenn Hobbs, who are new ABATE members. They have helped so much with all of ABATE's recent activities and Jenn is 8 1/2 months pregnant besides. They have been real troopers through it all.

July 15 & 16, the Taylor Canyon Run and Rodeo was held. A change of venue for this activity turned out to be successful for ABATE, in spite of the road closure on Sunday for the road race. Tom Young and Jan, as well as all the staff at Taylor Canyon did a wonderful job for us. The food was excellent, and the rodeo games had good participation. The winners are as follows: Weenie Bite--Marvin & Jaque Orr, Water Balloon Toss—Kevin Siri & Deb Bonetti, Slow Race—Kevin Siri, Keg Push—Tom Wurth, Plunger Race—Bill & Deb Bonetti, Honey I'm Home Race—Kevin Siri, Bike Drags—Britt Blakeman, they received cash and trophies. Marvin Orr also donated a gift certificate for the wet t-shirt winner. For the first time we had a vendor at the event. Rick & Connie Fryfogle from Emmett, Idaho attended. Rick donated several items for the auction, and they also became members of ABATE of N. Nev. We are looking forward to seeing them again at next year's event. Dale Andrus did a great job on the auction. I believe early estimates on the revenue generated for ABATE was approximately \$1800.00. Thank you to everyone who helped with, and attended the event. It was a lot of fun.

We are going back to the park for Bike night now. We get together at 6:00pm on Thursdays, whenever we don't have a meeting. Bring something to b-b-q and drink for a casual and fun evening.

Welcome to some new members and some renewals. I apologize if I have forgotten anyone. Rob & Tawni Kufeld, Christina & John Naungayan, Paul & Kelly Bradshaw, Josh Seeman, Nevada Four Wheelers Assn. Fred Garcia, Craig Doescher, Maria Cammarano & Tom Wurth, Rick & Connie Fryfogle, and Grant Gerber.

Motorcycling Truths

(Author Unknown)

(I.C.M.S. Newsletter Date Unknown)

There is cold, and there is cold on a motorcycle. Cold on a motorcycle is like being beaten with cold hammers while being kicked with cold boots, a bone bruising cold. The wind's big hands squeeze the heat out of my body and whisk it away, caught in a cold October rain, the drops don't even feel like water. They feel like shards of bone fallen from the skies of Hell to pock my face. I expect to arrive with my cheeks and forehead streaked with blood, but that's just an illusion, just the misery of nerves not designed for highway speeds.

Despite this, it's hard to give up my motorcycle in the fall and I rush to get it on the road again in the spring; lapses of sanity like this are common among motorcyclists. When you let a motorcycle into your life you're changed forever. The letters "MC" are stamped on your driver's license right next to your sex and weight as if "motorcycle" was just another of your physical characteristics, or maybe a mental condition. But when warm weather finally does come around, all those cold snaps and rainstorms are paid in full because a summer is worth any price.

A motorcycle is not just a two-wheeled car; the difference between driving a car and climbing onto a motorcycle is the difference between watching TV and actually living your life. We spend all our time sealed in boxes, and cars are just the rolling boxes that shuffle us from home-box to work-box to store-box and back, the whole time, entombed in stale air, temperature regulated, sound insulated, and smelling of carpets.

On a motorcycle I know I'm alive. When I ride, even the familiar seems strange and glorious. The air has weight and substance as I push through it and its touch is as intimate as water to a swimmer. I feel the cool wells of air that pool under trees and the warm spokes of sun that fall through them.

I can see everything in a sweeping 360 degrees, up, down and around, wider than Pana-Vision and IMAX and unrestricted by ceiling or dashboard.

Sometimes I even hear music. It's like hearing phantom telephones in the shower or false doorbells when vacuuming; the patter-loving brain, seeking signals in the noise, raises acoustic ghosts out of the wind's roar. But on a motorcycle I hear whole songs: rock n'roll, dark orchestras, women's voices, all hidden in the air and released by speed. At 30 miles per hour and up, smells become uncannily vivid. All the individual tree-smells and flower-smells and grass-smells flit by like chemical notes in a great plant symphony. Sometimes the smells evoke memories so strongly that it's as though the past hangs invisible in the air around me, wanting only the most casual of rumbling time machines to unlock it.

A ride on a summer afternoon can border on the rapturous.

The sheer volume and variety of stimuli is like a bath for my nervous system, an electrical massage for my brain, a systems check for my soul. It tears smiles out of me: A minute ago I was dour, depressed, apathetic, numb, but now, on two wheels, big, ragged, windy smiles flap against the side of my face, billowing out of me like air from a decompressing plane.

Transportation is only a secondary function. A motorcycle is a joy machine. It's a machine of wonders, a metal bird, a motorized prosthetic. It's light and dark and shiny and dirty and warm and cold lapping over each other; it's a conduit of grace, it's a catalyst for bonding the gritty and the holy. I still think of myself as a motorcycle amateur, but by now I've had a handful of bikes over half a dozen years and slept under my share of bridges.

I wouldn't trade one second of either the good times or the misery.

Learning to ride is one of the best things I've done.

Cars lie to us and tell us we're safe, powerful, and in control. The air-conditioning fans murmur empty assurances and whisper, "Sleep, sleep." Motorcycles tell us a more useful truth: We are small and exposed, and probably moving too fast for our own good, but that's no reason not to enjoy every minute of the ride.

Your editor found some interesting information on a website called www.flexyourrights.org. Due to the recent London terrorists attacks, you are more than likely all aware of the random searches being conducted in New York subways. Innocent citizens are increasingly being searched by the police. Politicians and police agencies are empowered to further expand the number of places where all are considered guilty until proven innocent. (www.flexyourrights.org) The authors on this website express concerns that this unprecedented territorial expansion of police search power is doing grave damage to people's understanding of their Fourth Amendments protections against unreasonable searches and seizures. (www.flexyourrights.org) (The following is for information purposes only and does not express the opinion of ABATE or any of its members or officers. This information could be useful in situations other than subways and subway turnstiles. Thanks. debo)

History of the Fourth Amendment (www.flexyourrights.org.)

The Fourth Amendment: Unreasonable Searches and Seizures

"The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation and particularly describing the place to be searched and the persons or things to be seized."

The Fourth Amendment protection against "unreasonable searches and seizures" was adopted as a protection against the widespread invasions of privacy experienced by American colonists at the hands of the British Government. So-called "writs of assistance" gave royal officers broad discretion to conduct searches of the homes of private citizens, primarily as a way of discovering violations of strict British customs laws. This practice led to a unique awareness among our Founding Fathers of the threat to individual liberty and privacy that is created by unchecked government search powers.

Today, the Fourth Amendment has lost its preferred status among our cherished Bill of Rights Protections. In recent decades, growing concerns regarding crime and public safety in America have forced our Courts to balance the privacy rights contained in the Constitution with the ever-expanding needs of law-enforcement officers whose duty it is to investigate and arrest dangerous criminals. The Supreme Court's rulings in Fourth Amendment cases demonstrate the challenge involved in reconciling these competing ideals.

Ultimately, the Constitution's prohibition against unreasonable searches and seizures has been trimmed-down in recent years and tailored to suit the needs of modern law enforcement as we wage war against drugs and terrorism. For this reason, it is important for conscientious citizens to be familiar with the lawful parameters of police authority to conduct searches, as well as the legal doctrines by which that authority is limited.

The Fifth Amendment Self-incrimination Clause

"...No person... shall be compelled in any criminal case to be a witness against himself or be deprived of life liberty or property without due process of law..."

The right against self-incrimination has ancient roots in common law dating back to biblical times. While most provisions of the Fifth Amendment, such as the right to a jury trial and the right against double jeopardy, impose restrictions upon our courthouses, the right against self-incrimination has a profound effect upon the behavior of law-enforcement officers as they investigate crimes. For this reason, the meaning of the self-incrimination clause has remained one of the most controversial issues in criminal procedure since the Supreme Court's ruling in *Miranda v. Arizona*.

At this time, it is required by the Supreme Court that police inform all criminal suspects of their right to remain silent prior to interrogation. This right extends from the point of arrest throughout the suspect's involvement in the criminal justice system. While many in the law-enforcement community feel that this restriction unfairly limits the ability of police and prosecutors to obtain convictions, studies have shown that conviction rates have not changed significantly since the Court first required police to inform arrestees of their right against self-incrimination.

The Sixth Amendment Right to Counsel Clause

"In all criminal proceedings, the accused shall enjoy the right...to have the assistance of counsel for his defense."

The Sixth Amendment right to counsel is a critical component of the Bill of Rights in that it provides the accused with an advocate who is trained in the legal process and can provide a safeguard against violations of the suspect's other Bill of Rights protections. Interestingly, it was not until 1963 that the Supreme Court held that states must provide a lawyer for all felony suspects, ending disparities in legal representation based on economic class.

Today, all person charged with a serious crime in the United States enjoy the assistance of a defense attorney regardless of economic status. State-employed public defenders represent clients who cannot afford their own attorneys, and contrary to popular belief, achieve roughly equal outcomes

The Relationship Between Self-incrimination and the Right to Counsel

Many Americans, particularly young people, have become cynical about police practices and our legal system. It is not uncommon to lose hope when arrested or even become angry at the officer or the law he is enforcing. It is an important reality however, that our legal system does provide services for the accused. It cannot be overstated how important it is to wait for legal advice before attempting to discuss a criminal charge with police. The subtleties of the legal process require careful decisions about what to say and how to say it. A lawyer will help you prepare for tough questions and can emphasize your positive qualities to the judge, including qualities you didn't know you had.

The constitution includes protections for criminal suspects because the legal system is incredibly complex, involving rules and regulations that everyday people would not understand. If you are charged with a crime, take advantage of the protections the constitution gives you. Don't talk to police about what happened until you have spoken with a lawyer and discussed how to present your side of the story.

... here's what you need to know and do in order to safely and intelligently "flex" your rights:

1. When Refusing a Search, Be Cool

If you choose to walk through a random search area and are stopped, you may refuse to be searched. In fact, Police Commissioner Raymond Kelly has said that you are free to "turn around and leave" any subway system where police are conducting random searches.

So if you are stopped, remain calm and courteous. And don't ever -- under any circumstances -- talk back or raise your voice to the police officer. You have nothing to gain -- and everything to lose -- by escalating the hostility level of the encounter.

Calmly and clearly say "**Officer, I do not consent to any searches. I'm going to exit the station.**" Then immediately exit the station -- and do not return through the same entrance.

2. Refusal is Not Guilt

The police directive states that individuals who refuse to be searched can leave the subway system, and that such a refusal "shall not constitute probable cause for an arrest or reasonable suspicion for a forcible stop."

Warning: If you refuse to be searched and attempt to enter the turnstile anyway, you may be arrested.

3. Shut Your Mouth and Your Wallet

Some media reports state that police are requesting identification and in some cases immigration papers.

You do not have to answer any police questions or give any information -- including your name, ID citizenship or immigration status -- whether or not you consent to a search. But remember, **anything you say can be used against you.**

4. Do Not Physically Resist

Again, it is illegal for police to search, detain, or question you just because you refuse a search. But if the police proceed to detain, search, or arrest you despite your wishes -- do not physically resist. **You may state clearly but non-confrontationally: "Officer, I am not resisting and I do not consent to any searches."**

5. WARNING: DO NOT RUN!

If you refuse to be searched and run into the station, you could be shot to death! (. . . recently . . . an innocent man was shot in the head by police in a London subway station. The man had run away after being approached by an undercover officer.

If you're approached by anyone suspicious i . . . , walk to the nearest uniformed officer for help -- but don't run away.

6. Report Abuses

If you believe your rights have been violated, don't argue with or threaten police. Again, state clearly but non-confrontationally that you do not consent to what the police are doing. Ask any witnesses for their names and phone numbers.

7. Write down the officer's name and badge number and everything you remember as soon as possible. Discuss the matter with a lawyer afterwards or file a complaint with the Civilian Complaint Review Board. . .See the website for more information.

Traffic Stop Scenario (www.flexyourrights.org)

In any given traffic stop, with a few notable exceptions, the below rules will help protect your civil rights and improve your chances of driving away safely—so you don't have to be a legal expert to say and do the right thing.

1) Keep Your Private Items Out of View

This is common sense: Always keep any private items that you don't want others to see out of sight. Legally speaking, police do not need a search warrant in order to confiscate any illegal items that are in plain view.

2) Be Courteous & Non-Confrontational

If you are pulled over, the first thing you should do is turn your car off, turn the dome light on (if it's nighttime), roll down the window, and keep your hands on the steering wheel. Don't immediately reach into your glove compartment for your license and registration. Officers want to be able to see your hands for their own safety. Wait until the officer asks to see your paperwork before retrieving your documents.

The first thing you should say to the officer is, "Hello officer. Can you tell me why I am being pulled over?" The officer may give you a hard time or say, "Why do you think I pulled you over?" Tell the officer you don't know. Most importantly, do not apologize after you get stopped, because that can be considered an admission of guilt and could be used against you later in court.

Show your identification if it's requested. Be respectful and non-confrontational. Refer to the police as "Sir," "Ma'am," or "Officer." Remain calm and quiet while the officer is reviewing your documents. If the officer writes you a ticket, accept it quietly and never complain. Listen to any instruction on paying the fine or contesting the ticket, and drive away slowly.

3) Just Say "No" to Warrantless Searches

Warning: If a police officer asks your permission to search, you are under no obligation to consent. The only reason he's asking you is because he doesn't have enough evidence to search without your consent. If you consent to a search request you give up one of the most important constitutional rights you have—your Fourth Amendment protection against unreasonable searches and seizures.

A majority of avoidable police searches occur because citizens naively waive their Fourth Amendment rights by consenting to warrantless searches. As a general rule, if a person consents to a warrantless search, the search automatically becomes reasonable and therefore legal. Consequently, whatever an officer finds during such a search can be used to convict the person.

Don't expect a police officer to tell you about your right not to consent. Police officers are not required by law to inform you of your rights before asking you to consent to a search. In addition, police officers are trained to use their authority to get people to consent to a search, and most people are predisposed to comply with any request a police officer makes. For example, the average motorist stopped by a police officer who asks them, "Would you mind if I search your vehicle, please?" will probably consent to the officer's search without realizing that they have every right to deny the officer's request.

If, for any reason you don't want the officer digging through your belongings, you should refuse to consent by saying something like, "**Officer, I know you want to do your job, but I do not consent to any searches of my private property.**" If the officer still proceeds to search you and finds illegal contraband, your attorney can argue that the contraband was discovered through an illegal search and hence should be thrown out of court.

You should never hesitate to assert your constitutional rights. Just say "no!"

4) Determine if You Can Leave

You have the right to terminate an encounter with a police officer unless you are being detained under police custody or have been arrested. The general rule is that you don't have to answer any questions that the police ask you. This rule comes from the Fifth Amendment to the U.S. Constitution, which protects you against self-incrimination. If you cannot tell if you are allowed to leave, say to the officer, "**I have to be on my way. Am I free to go?**"

reassert your rights as outlined above, and follow Rules #5 and #6.

5) Do Not Answer Questions without Your Attorney Present

There is no reason to worry that your failure to answer the officer's questions will later be used against you. The truth is just the opposite: Anything you say can, and probably will, be used against you.

In just about any case imaginable, a person is best off not answering any questions about his involvement in anything illegal. Assert your Fifth and Sixth Amendment rights by saying these exact words: "**Officer, I have nothing to say until I speak with a lawyer.**"

***Remember- If you do choose to answer any of the officer's questions, always be honest. Police are not easily tricked and will often become hostile if they feel disrespected. If you feel it is best not to answer truthfully, then don't say anything at all.**

6) Do Not Physically Resist

If the police proceed to detain, search, or arrest you despite your wishes—do not physically resist. You may state clearly but non-confrontationally: "Officer, I am not resisting arrest and I do not consent to any searches." Or you may assert your rights by simply saying nothing until you can speak with an attorney.

Florida Bikers Enjoy Political Success

ABATE of Florida, Inc. reports that four of the bills that they supported have been passed and signed by Governor Jeb Bush. Included in those bills are a Right-of-Way violations measure that enhances penalties against those who are convicted of a right-of-way violation that results in the severe injury or death of another person.

Another ABATE-backed bill will result in stiffer penalties for those convicted of running a red light that causes an accident resulting in the injury or death of another road user.

In addition, a law was passed to modify the state's current handlebar height limit to allow them to be shoulder height when the rider is seated on the bike. Previously, handlebars could be no more than 15 inches from the seat, causing many stock motorcycles to be illegal.

But the coup de gras for Florida riders was a state budgetary item that earmarks \$500,000 for motorcycle safety to be administered by ABATE of Florida, Inc.

'This money will allow us to protect our people,' said James 'Doc' Reichenbach, State President of ABATE of Florida, Inc., and Chairman of the Board of the National Coalition of Motorcyclists (NCOM). ABATE has already begun putting up motorcycle safety billboards.

This is the first time that a state motorcyclists' rights organization has succeeded in getting safety funding approved through the state budget. 'We want other states to know what we did, so that they can do it in their states,' said Doc.

Courtesy of AIM/NCOM Motorcycle E-News Service

(from www.beers4nevada.org)

RUNNING FOR GOVERNOR: Beers announces candidacy (Remember: Senator Beers Introduced SB 151)

Bob Beers was first elected to serve in the Nevada State Legislature in 1998. Prior, he had been active in the Republican Party for nearly a decade, serving as state treasurer for the party and volunteering his time as treasurer for several respected Republican candidates' campaigns.

During his third term as successful state assemblyman in 2003, Bob Beers helped lead a diverse group of moderate and conservative legislators in opposing an unnecessary and unwarranted tax hike — the largest in the state's history. Although tax-and-spend proponents successfully increased spending by 33 percent — a rate three times greater than population growth and inflation — the fiscally responsible opposition succeeded in telling Nevada residents the truth about the excessive tax increase, which later produced a record surplus as predicted.

The following year, Bob Beers ran for state senate, beating a 20-year incumbent (and assistant majority leader) who had voted in favor of the tax increase. As a state senator in the 2005 legislative session, Bob Beers led a new effort to return surplus taxes to the taxpayers and reduce the potential for additional taxes to be levied against Nevadans. (Visit www.beers4nevada.org to see the whole story.)

Courtesy of AIM/NCOM Motorcycle E-News Service

What's This World Coming Too?

Motorcyclist recovering from injuries after plastic wrap prank, July 3, 2005

WYOMING, Mich. A western Michigan motorcyclist is recovering from injuries after crashing into plastic wrap that had been stretched across a roadway as a prank. Jim Anderson suffered a fractured rib and internal bruises after he hit the industrial-strength wrap at about 1:20am yesterday while riding his Harley Davidson home. The 48-year-old said he thought the plastic wrap was fog.

Wyoming, Michigan Police say three teenage boys told police they put the wrap between two sign posts as a prank not expecting something as small as a motorcycle to come down the street.

Updated Information: **'Plastic Pranksters' Charged As Adults - Updat** By Keith Baldi, WZZM-TV

WYOMING, MI -- Two teenagers accused of stretching plastic across a roadway and hurting a motorcyclist are under arrest and charged as adults. The July 1st accident happened in Wyoming just south of the Rivertown Crossings Mall. The 17 year olds were arraigned Thursday morning. After the crash, police say they confessed to taking part in what they called a prank, and what police say could have been a whole lot worse.

Nicholas Gortsema and Andrew Wiltjer, both from Wyoming, were arraigned this morning for felonious assault and

**DO SOMETHING TO PROTECT
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JOIN A.B.A.T.E. TODAY**

MEMBERSHIP APPLICATION

Jr. Membership (16 & Under) \$5.00

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1 Year \$20.00

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I understand that all benefits become effective upon receipt of my membership card. I agree to hold harmless A.B.A.T.E. of Northern Nevada for any accident that may occur at A.B.A.T.E. of Northern Nevada sanctioned events.

Signed _____

Datte _____

Comments, Suggestions, Problems or any way you can help A.B.A.T.E. of Northern Nevada

Mail Applications to:

A.B.A.T.E. of Northern Nevada

P. O. Box 1566

Elko, NV 89803

Office Use Only

Date _____ Rcvd\$ _____ By _____

Continued from Page 9.

charged as adults. Police say a third teen was also involved, but he is being treated as a minor so his name is not being released. At about 1:30 a.m. July 1, police say the boys took a type of industrial plastic that's used as roof material for greenhouses and stretched it between two road signs on Canal Street.

They thought it would be funny to watch a car run into it as it traveled down the dark road and came over the rise. However, instead of a car, it was a motorcycle driven by a retired Grand Rapids Police officer. He thought the road was foggy, ran into the plastic, was thrown from the bike and broke a rib. Police say the boys then drove up next to the man, asked if he was okay and took off. The victim took down their license plate number, and police tracked them down easily. The plastic was strong and police don't know if the road signs would have been ripped out of the ground if a car had run into it, potentially injuring someone.

The teens face up to four years in prison if convicted, although sentencing guidelines call for less.

Cycle Quest/The Sidecar/July 7, 2005 and July 29, 2005

Motorcycles for Sale:

1987 Honda Magna, VF 700 C 4 Cylinder Shaft Drive, Water Cooled, Excellent Runner – Great at picking up Harley Parts and dodging tarantulas. Call Connie 738-3414 Days; 744-4570 Evenings.

1973 Harley Trike, Runs and Drives, Needs TLC. Clean Nevada Title
Call Bill at 738-6015.

Trudy Whetton was the 50/50 winner at the July

**Congratulations
John and Jenn Hobbs
Garrett Franklin Hobbs
born August 3, 2005
20 in. long – 8 Pounds 4oz.**

SECOND ANNUAL CRAWDAD FESTIVAL LABOR DAY WEEKEND

C. J. Strike Reservoir

Leave Friday September 2nd

**Three spots have been reserved for camping.
Please contact John Bland, Connie Campbell,
or Dale and Vicky Andrus for
more information.**

Take your own food and camping gear.

**Call Elko Trophy or Picture This
738-5568**

FREEDOM ISN'T FREE ! GET INVOLVED !

A.B.A.T.E. of Northern Nevada
P. O. Box 1566
Elko, NV 89803

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A.B.A.T.E.'s Website: www.abatennv.org

**Freedom Isn't Free
Join A.B.A.T.E. Today**

**ZZ Top is Playing at Cactus Pete's
in Jackpot on October 9th!!!!**

UPCOMING EVENTS

- A.B.A.T.E. Meeting August 11, 7:00 P.M. Round Table by Raleys
(A.B.A.T.E. Meetings are held on the second Thursday of every month at 7:00 P.M. at the Round Table by Raley's.)
- Bike Nite is Every Thursday at 6:00 P.M. Please Check your e-mail for place. Everyone is Welcome.
- 2nd Annual Crawdad Festival at C.J. Strike Reservoir Labor Day Weekend. Contact John, Connie, or Dale for more info.
Everyone is Welcome.

Christmas for Kids, Inc.

New Officers

Vicky Andrus, Pres.

Phil Ackerly, VP

Danielle Kohler, Sec/Treas.