

LONE STAR



*One of
these stars
belongs to me.
I'll do what I must to keep it Free!*

WARRIOR



News Of The
TEXAS MOTORCYCLE RIGHTS ASSOCIATION

IDENTIFICATION STATEMENT

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EDITORIAL GUIDELINES

Letters to the Editor are welcome. Only current paid TMRAII members may submit a “Letter to the Editor”; a phone number must be included with the letter for contact/verification purposes. Maximum of 150 word except Seminar reports. Please do not submit slanderous or accusing letters or profanity.

LONE STAR WARRIOR MATERIAL DEADLINE

All submissions intended for Warrior publication must be received by the **11th** of each month.

Send Warrior material to the Editor.

For Ads and Rates in the Warrior contact the state office.

If you wish to receive the Warrior by Email, go to www.terry-g.net/sput/ and click on email me the Warrior. Follow instructions.

CHAPTER MEETING SCHEDULE

1st Tuesday – Austin Minutemen, Austin

1st Tuesday – Big Spring, Big Spring

1st Wednesday – Panhandle, Amarillo

1st Thursday – Plainview, Plainview

1st Saturday – 1st Brazoria County, Angleton

2nd Sunday – Heart of Texas, Axtell

2nd Tuesday – Big Country, Abilene

2nd Tuesday – San Angelo, San Angelo

2nd Tuesday – Tri-County, Stamford

2nd Wednesday – D/FW, Dallas

3rd Sunday – North Central, Wichita Falls

3rd Wednesday – El Paso, El Paso

3rd Wednesday – Tarrant County, Fort Worth

3rd Thursday – Lubbock, Lubbock

3rd Thursday – Permian Basin, Midland

3rd Saturday – Independence Riders, Jacksonville

4th Thursday – Hood County Blues, Granbury

CHAPTER INFORMATION listed by city

Big Country chapter meets the 2nd Tuesday @ 7:00 p.m. at American Legion Post 57, 302 S. 11th St., Abilene 79602, (325) 672-8348 Contact: Ron (915) 692-9389

Panhandle chapter meets the 1st Wednesday @ 7:00 p.m. at Soncy Beech Road House, 6740 Hester Dr., Amarillo 79124, (806) 376-4804 Contact: Cody (806) 376-4804

1st Brazoria County chapter meets the 1st Saturday @ 11:00 a.m. at Sissy's, 2610 N. Velasco St., Angleton 77515, (979) 849-4932 Contact: Frank (979) 964-3480 or Roddy Mohler (979) 233-1439

Austin Minutemen chapter meets the 1st Tuesday @ 7:30 p.m. at Vinny's Ten-O-Three Cafe, 1003 Barton Springs Rd., Austin 78704, (512) 482-8484 Contact: David "Batman" Richey (512) 461-7715 or (512) 467-7800 batman@hardcorecustomcycles.com

Heart of Texas chapter meets the 2nd Sunday @ 1:00 p.m. at Jim's Cycle Shop, Highway 31, Axtell 76624, (254) 863-5460 Contact: Jim (254) 863-5460

Big Spring chapter meets the 1st Tuesday @ 7:00 p.m. at The Spanish Inn, 200 NW 3rd St., Big Spring 79720, (432) 267-9340 Contact: The Blonde Bomber (432) 213-4421

D/FW chapter meets the 2nd Wednesday @ 7:30 p.m. at VFW Post 4477, 300 S. Smith St., Dallas 75211, (214) 339-5800

Contact: Elmer (214) 316-3405

El Paso chapter meets the 3rd Wednesday @ 7:00 p.m. at Rancher's Grill, 9530 Viscount Blvd., El Paso 79925, (915) 598-1266 Contact: Jerry Kelly (915) 433-8955

Tarrant County chapter meets the 3rd Wednesday @ 7:00 p.m. at American Legion Post 516, 6801 Manhattan Blvd., Fort Worth 76120, (817) 451-7222 Contact: Mike (817) 468-7328

Hood County Blues chapter meets the 4th Thursday @ 7:00 p.m. at VFW Post 7835, 3670 W. Hwy. 377, Granbury, 76048, (817) 573-9350 Contact: Rosanne "Mama Blue" Kayl (817) 910-2608 or (817) 243-8870 mamabluetx@alltel.com

Independence Riders chapter meets the 3rd Saturday @ 12:00 noon at VFW Post 3984, Memorial Dr. & US69, Jacksonville 75766, (903) 586-1306 Contact: Tommy Wilson (903) 589-7888

Lubbock chapter meets the 3rd Thursday @ 7:00 p.m. at Bleacher Sports Cafe, 1719 Buddy Holly Ave., Lubbock 79401, (806) 744-7767 Contact: Barry Ross (806) 781-4719 barryrobinet@aol.com

Permian Basin chapter meets the 3rd Thursday @ 7:30 p.m. at Warfield Restaurant, FM 1788 and I-20, Midland 79706, (432) 563-4900 Contact: Jan "Dumas" Walker (432) 366-6432 itsdumas@grandecom.net or Ed (432) 689-6050

Plainview chapter meets @ 6:00 p.m. the 1st Thursday at VFW Post 5399, 1024 N. Broadway St., Plainview 79072, (806) 288-0149 Contact: "Cel" (806) 296-9714

San Angelo chapter meets @ 7:30 p.m. the 2nd Tuesday at Pepe's Diner, 3618 W. FM2105, San Angelo 76901, (325) 655-5511 Contact: Broise (325) 657-9304 or Robert Hillegas (325) 655-4816

Tri-County chapter meets the 2nd Tuesday @ 7:00 p.m. at Bulldog Machine, 211 S. McKinley (south side of Wes-T-Go on Hwy. 6), Stamford 79553, (325) 773-3056; Bring a covered dish! Contact: Larry or Susan (325) 773-5086

**North Central chapter meets the 3rd Sunday @ 2:00
p.m. at Deli Planet, 4016 Burkburnett Rd., Wichita
Falls 76306, (940) 855-1921**

Contact: Mary Beth Looney (940) 855-9125
dodymiteandbeefus@peoplepc.com

TO OUR READERS

Gerald R. "Garry" Brookman

SCAN USA is a new **free** service that provides sex offender and other alerts via e-mail and cell phone; see related news article in this issue of the Warrior.

Texans become eligible for **free** credit reports; see related news article in this issue of the Warrior.

Mark your calendars – Worldwide Ride-to-Work day is Wednesday, July 20, 2005.

State Comptroller Carole Keeton Strayhorn announces candidacy for Governor; see related news article in this issue of the Warrior.

HB823 "Right to Carry" in vehicle effective September 1, 2005

HB 823 is a significant step legalizing the carrying of a handgun in your car without a Concealed Handgun License (CHL). Currently, it is a "defense to prosecution" to carry if you are "traveling." "Traveling" is not defined anywhere in law. And a "defense to prosecution" means that you can still be arrested and charged with unlawful carry, and you would have to hire an attorney to submit evidence to convince a judge and jury that you were "traveling." HB 823 states law-abiding citizens would be presumed to be "traveling" if you were in your car, not otherwise engaged in criminal activity, and not otherwise prohibited from possessing the handgun under state or federal law. The law allows anybody who owns a handgun and who's "traveling" to legally carry that handgun. We have always been able to carry while "traveling." However, "traveling" was not defined in statutory law and the case law, some of it dating back to the 1800s, was contradictory. So practically "traveling" meant whatever the local prosecutor thought it did. Now we have a definition. "Traveling" is when you are in a privately-operated motor vehicle. Note that this gains and loses over the old "definition." The gain is that now you don't have to be going on a trip to be traveling. You can keep a gun in your car while running errands around town, or whatever. The loss is that you are only traveling while in your car. If you are going from Houston to El Paso and stop for gas along the way, you can no longer carry into the convenience store to pay for your purchases. The new "traveling" rule does NOT replace the CHL. You still must be licensed to carry while walking down the street, going into stores, picnicking at a public park, etc. Carrying ONLY in your car is a very limited option.

When the CHL (Concealed Handgun License) Law was passed back around 1995, the public raised strong

opposition, saying, among many other ridiculous things, that Texas would revert back to the days of the "Wild West", with gunfights in every street, every day. Well, thankfully the CHL law passed, and all of those dire predictions have failed to come true. Responsible CHL holders have not let those flawed suppositions to occur! It's saved many lives...even right behind the courthouse in Tyler, Texas, when Mark Wilson, a CHL holder, took decisive action, even giving his own life, to seriously curtail the actions of, and to help stop an armed, body armored lunatic bent on hurting lots of good folks. I see the bill as an expansion of freedom and our federal Second Amendment and Texas Article 26 rights, even though I as a licensee won't take direct advantage of the process. The new law will benefit me, however, as I no longer have to worry about my spouse borrowing my car while there's a handgun in it. Please let me know if you have further questions.

CHAIRMAN'S CORNER

Sputnik

Still watching for the governor to make his decisions on what to do with the Bills that were sent to him. After that is all said and done we shall rewrite our information booklet and include "2005 In Review." It is not going to be very encouraging to those who get discouraged easily but we did better than most during this session. Of course we will have at least one Special session and probably more. Your Chairman will then get on the road in an attempt to build membership, convince Clubs to add \$1 to their Charity Rallies for TMRA 2 and to learn why most chapters are not bothering to make the monthly donations requested to pay for our state secretary. Remember many of you are due for renewal this month and it is imperative that you take care of that as soon as possible. The association is broke and really hurting financially. We shall discuss giving up the office at our next Advisor meeting. That will be one hell of a setback for us but I currently see no way around it. We simply don't have any room left on my wife's credit cards to carry the association this time. We have been using them for our personal living expenses for the past few months.

June 19, 2005 Update

The governor has vetoed 19 Bills thus far. Among them was our Bill SB 1195 concerning Consent Searches. (*see related news article – Ed.*) Today is his last day to do anything else with any Bills. I expect another Fathers Day Massacre from him today. On a better note I attended the East Texas Chopper Guys Rally in Old Sawmill Town. We signed up 132 members this weekend. I didn't sleep Friday or Saturday night and just got back into the office in the wee hours of this morning. Put this out, grab a quick shower and hit the hay. I have to speak at a Libertarian function at 4:00pm this afternoon.

Concerning the NTR Rally

This has been a trying experience for all concerned. It was primarily a case of two worlds colliding with one world not realizing the depth to which honor goes for bikers. While a settlement has been reached the issue has not been resolved to the point of back slapping and hand shaking in my point of view. I have told those in charge of the Rally that I would be happy to meet with them next year to help avoid a repeat of this years problems. As chairman of TMRA 2 I work for the Bikers in Austin. I stand with Bikers in everyday life as well.

What happens now?

Several riders have questioned what happens now with the helmet law not passing, should we buy the sticker. Our answer is that, each individual has to make that choice for his self. The law clearly states that if you show an insurance card or rider training certificate the officer can not write you a ticket. We have taken the time and expense to go to court with countless riders all over the state to have illegal tickets dismissed. We have told each rider upon dismissal you now have a lawsuit that you can't lose. To date not one rider has been willing to take that step.

Writing a ticket after you show proof of compliance with the law is illegal. That officer has violated your civil rights and the agency they work for is guilty of failure to train. A no helmet stop that leads to a fishing expedition is also illegal. However there is only so much an organization can do to protect your rights. It comes down to you being willing to do your part. We ask that you report any stop for no helmet to TMRA 2. We will use this for munitions in the next session. A letter or Email will be fine. We can share that with the legislators during the off session. The battle doesn't end just because the session ends. It is always ongoing even during the off session. Texas ABATE, Texas COC and TMRA 2 work hard to protect your rights. Report any illegal helmet tickets to one of these groups and we will share information. Report any action taken because of a no helmet stop that you believe to be illegal to these groups as well. For instance we have heard of colors being taken after a helmet stop. This is illegal as hell and should not be accepted without a court hearing. We will always do OUR part but it is up to YOU to file the suits and hit them in the pocket book. That is our best remedy for now.

PATRIOT ACT

This week, a Senate committee in secret session approved new Patriot Act provisions (I believe 11-4) that are nothing less than an end-run around the Constitution. The proposed new government powers would allow the FBI to issue search orders without prior judicial approval and to seize personal records from medical facilities, libraries, hotels, gun dealers, banks and other businesses without any specific suspicion of criminal activity, or any specific facts connecting the records sought to an agent of a foreign government. The Bush Administration wants the Patriot Act made permanent, it wants even more power, and it doesn't want Congress to ask any more meddlesome questions about the Bill of Rights. Contact your Congressman by phone and speak out to stop the government from stripping away our rights

HIPAA

U.S. Reps. Michael Burgess (R-Texas) and Ted Strickland (D-Colo.) on June 8 introduced H.R. 2793 -- "The HIPAA Recreational Injury Technical Correction Act" -- would bar health-care discrimination against those who take part in legal transportation and recreational activities such as motorcycling, ATV riding, snowmobiling, or horseback riding. U.S. Sens. Susan Collins (R-Maine) and Russ Feingold (D-Wis.) introduced similar legislation in the Senate: S. 577, "The HIPAA Recreational Injury Technical Correction Act." These two Bills will be great for us. Please contact your Congressman and US Senators and ask that they support these Bills. If you don't know who represents you or how to contact them go to the website www.tmra2.org and click on who represents me.

HB 2337

BIOMETRIC DRIVERS LICENSE

It would become our Federal ID. This information can be used to break the code of your internet as well as most other accounts you have. Digimark, one of the two companies that have bid for implementation of the program has already had the same type information stolen in Nevada. Several Bills have been sent to the governor also allowing different agencies to have access to this information including HB 178 by Rep Denny and Senator Averitt to allow election officials access. Doesn't it seem that the outcome of this Bill was a forgone conclusion long before it's introduction. Plans are being studied to utilize this document with cameras to enable government to locate citizens anywhere. Based on past performance it is no surprise that these two legislators would be involved in this type legislation

one would expect to encounter in Nazi Germany or Communist China. The big question would be what happened to those thousands of Republican Delegates who met at the 2004 State Convention. They promised smaller government and less intrusion in our private life including the following:

"The Party directs that legislation be introduced in both the United States Congress and the Texas Legislature to repeal existing statutory requirements to end the ever increasing, incessant, recurring, and calculated gathering, accumulation, and dissemination of fingerprints, Social Security numbers, financial and personal information of law-abiding citizens by business and governments, the use of which are contrary to and destructive of our individual and collective freedom. Such legislation shall provide remedy and redress to any individual denied service for refusing to provide the above-mentioned information." Didn't anyone bother to tell the legislators about the Party Platform? Bush called the Supreme Court decision that state's rights to legalize medicinal marijuana are unconstitutional a big victory for the administration. This next Bill would be an even bigger victory in his view. Another good man turned to crap in the cesspool inside the beltway. HR 1526 must be stopped. Let your congressman know that if they support this Bill they will no longer be acceptable candidates during the next election. Then get off your tail and do what it takes to turn them out to pasture.

HR 1528

FAILURE TO PROTECT CHILDREN FROM DRUG TRAFFICKING ACTIVITIES

SEC. 425. (a) It shall be unlawful for any person who witnesses or learns of a violation of sections 416(b)(2), 417, 418, 419, 420, 424, or 426 to fail to report the offense to law enforcement officials within 24 hours of witnessing or learning of the violation and thereafter provide full assistance in the investigation, apprehension, and prosecution of the person violating paragraph (a). (b) Any person who violates subsection (a) of this section shall be sentenced to not less than two years or more than 10 years. If the person who witnesses or learns of the violation is the parent or guardian, or otherwise responsible for the care or supervision of the person under the age of 18 or the incompetent person, such person shall be sentenced to not less than three years or more than 20 years. This proposed new law also requires you to provide full assistance in investigating, apprehending, and prosecuting drug law offenders who are personally known to you. This could involve working undercover and wearing a wire to entrap and convict friends, family members, and neighbors.

This law, as with so many others, is constructed in such a way that it can be justified as a measure to protect children, which includes anyone under the age of majority, including many college students. It also ensnares the private activities of parents related to substances like marijuana. The government considers parents who smoke pot in the privacy of their bedroom after hours a serious threat, whereas Senators and Congresspersons who drink large amounts of alcohol in front of their children in the light of day, are not. Examples of activities that could force you to inform or face the risk of prison time:

You see a joint passed to a college student. Call the police immediately.

Your child has a substance-abuse problem and begs someone else to acquire drugs. You cannot deal with this as a family matter, or in a drug-treatment setting. You must inform on both of them.

Your hear someone say they bought Ecstasy to share with College age friends. Report this within 24 hours or risk prosecution. Your sister, who has kids, mentions that she bought some pot to share with her husband.

Inform on your sister or risk prison time.

Is this the kind of America you want to live in?

And finally we have two new District Advisors now, District 3 and District 17. Look on the officer's page to get the contact information. If anyone out there has an Email account and has not received a message from the State Chair within the past 15 days checking on addresses please call the office. We have a toll free number you can call so it won't cost you anything to do this.

Ride Free - Ride Sober

Sputnik
State Chair

TREASURER'S REPORT

Jan "Dumas" Walker

The TMRA2 Officers and membership thanks the following organizations and their members for their generous contributions to TMRA2.

In addition to these groups, we also thank the numerous individuals who have joined or renewed their memberships, and their additional contributions.

Thank You for July, 2005!

Tarrant County Chapter - \$100

Northwest Texas COC - \$100

Big Spring Chapter - \$100

Elmer McKeegan - \$81

Dee McClure - \$79

El Paso Chapter - \$100

Hood County Blues chapter - \$200

NEWSARTICLES

When You Refuse to Consent to a Police Search, Can Your Spouse, Significant Other, or Passenger Override That Refusal?

The U.S. Supreme Court Takes an Important Fourth Amendment Case. Last month, the Supreme Court decided to review *Georgia v. Randolph*. The case asks the following question: if a husband refuses to give police consent to search his house, may the police get consent from his wife and then go ahead with the search? This question is important because a large number (perhaps the overwhelming majority) of warrant less searches are conducted on the basis of consent. The more flexible the concept of "consent," therefore, the more searches the police can perform, without a warrant, without probable cause, and without any real basis for believing that criminal activity is afoot.

Why Police Want Your Consent

Ordinarily, police must have a good reason to invade your privacy. If an officer wants to search your home, for example, the Fourth Amendment requires that she first obtain a warrant, after demonstrating to a neutral magistrate that she has probable cause to believe that she will find evidence of crime there. In the absence of a warrant (or an emergency explaining the failure to obtain a warrant), the police officer violates your constitutional right against unreasonable searches and seizures when she crosses the threshold of your home. And even with a warrant, the officer must limit the scope of her search to the areas where the evidence she seeks might reasonably be located. In other words, she can't search your desk drawers for a stolen big-screen television.

But all of that changes when you consent. Once you give a police officer permission to search your home, you relieve them of the obligation to obtain a warrant and probable cause. You relieve them, as well, of the obligation to limit the scope of their search to correspond with their basis for suspecting wrongdoing. A simple "go ahead" in response to the question, "do you mind if I look around?" converts what would have been an unlawful invasion of privacy into entirely legal activity. It forfeits the Fourth Amendment objections you might otherwise have had to the search. So it is clear why police seek consent for searches -- it saves them a lot of trouble, and it opens doors that the Constitution otherwise keeps firmly shut. But why does anyone consent?

Why People Give Consent

The main reason people consent to searches is that they do not know any better. To many, a police officer's

request for consent may sound like an empty gesture that does not truly allow for a negative response. The person to be searched may well hear an implicit "we could do this the easy way (with consent) or the hard way (without consent) -- it is up to you" in the police question. Who would prefer "the hard way" in the face of those alternatives? But don't police tell the suspect that he has the right not to be searched? After all, when a suspect is arrested, he is told -- before any interrogation may take place -- that he has the right to remain silent. Doesn't the "consent search" scenario require essentially the same thing? The Supreme Court has said no. According to the Court, the fact that a person might not know that he has the right to refuse consent to a search is merely one factor in the determination of whether his consent is voluntary. The Court has reasoned that the police need not give warnings (to eliminate any doubt about the suspect's knowledge of her rights), because warnings might detract from the informality of an otherwise friendly interaction between civilians and the police. The Supreme Court has explained that "the community has a real interest in encouraging consent, for the resulting search may yield necessary evidence for the solution and prosecution of crime...." Furthermore, the Court has concluded, it would be "thoroughly impractical" to require an effective warning about the right to refuse.

Third Party Consent

It is with this perspective on consent searches -- as desirable events that should be understood to have occurred whenever plausible -- that the Supreme Court addressed the question of third party consent. Third party consent occurs when the person who gives police permission to perform a search is not the same person as the target of the search or the defendant in the later criminal prosecution.

You may have a roommate, for example, with whom you share a kitchen, bathroom, and living room in a two-bedroom apartment. The police suspect that the roommate possesses marijuana and has hidden it in the home you share. They either lack probable cause, and thus lack grounds for a search warrant, or do not want to bother to try convincing a judge that they are entitled to one. And they also believe that you are more likely to consent to a search of the common areas of the dwelling than your roommate is. So they ask for your consent to a search of the living room and bathroom. You might say yes, because you either don't mind or don't think you have a choice. The police then search the medicine cabinet in your bathroom to find evidence connected to your roommate. Perhaps they find something. Perhaps they do not. Either way, legally, they have not violated the Fourth Amendment. But what if it turns out that you didn't have actual authority to consent to the search of

the medicine cabinets? Perhaps you and your roommate agreed that you would use the shelves on the wall, and your roommate would use the medicine cabinet, because he has an embarrassing infection and doesn't want his medications to be visible.

According to the Court, a lack of actual authority doesn't matter either. As long as the police reasonably believed that you had authority to consent and that your general consent to the search of the bathroom contemplated the medicine cabinet as well, the police have done nothing illegal.

Disputes Between Those with Common Authority: The Government's Side

It is in this context that the issue of disputes between people with common authority over the premises arises. The police receive consent to search from someone other than the search target or future defendant. But this time, the police have already requested consent from the target and received a negative response. Should the police be able to proceed with a search on the basis of the third party consent they subsequently obtain from a roommate or spouse? It may seem obvious that the answer is yes - and that the case is therefore a slam-dunk for the government. If the well-established legal rule is that police need consent from only one party with common authority, then it follows logically that the existence of a non-consenting other person with common authority is irrelevant. After all, there is little difference between the target's saying "no" to a request for consent, on the one hand, and the target's not being asked or given an opportunity to say "yes," on the other -- either way, the target has not given anyone permission to search his home. If his consent is needed for a search, then the search is illegal. If it is not, then the search is fine. Consider an analogy. You own a car. Someone who lives down the street from you decides to "borrow" that car. You leave your key in the ignition because it saves time when you're in a rush. Your neighbor gets into your car and drives around on various errands during the day, without ever asking you for permission or otherwise getting your authorization. That person has illegally taken possession of your car. It is no defense, moreover, for the person to say "well, you never said that I couldn't borrow it." The default rule is that he cannot borrow it -- it takes an affirmative act by you to change that default. Therefore, the "borrower's" failure to obtain your permission to use the car is equivalent to his having expressly asked to borrow it and received a clear "no" in response. In the same way, the government could argue, the failure to give consent for a search is legally indistinguishable from an affirmative response of "no" to a request for consent. If the former does not preclude third party consent, then the latter -- where police ask the

target and he says "no" before they go to the roommate or spouse -- should not either.

Disputes Between Those with Common Authority: The Other Side

But this argument for the government -- persuasive on the surface -- is flawed. Consider what happens when you share common authority over premises with another person. You can invite friends over to the house. You can authorize guests to use the bathroom or sit in the living room, and you can do these things without calling your roommate or spouse to make sure he's okay with it. But that is not because "yes" necessarily trumps "no" when it comes to understandings and expectations about shared spaces. Rather, it is because the default of "no permission" changes when one of the people with common authority over the premises grants someone permission to enter -- whether a friend or a neighbor or the police. Once one of you invites a person in, the default becomes permission. Consider again the car analogy. Your neighbor still wants to borrow your car, and he still has not asked for your permission. This time, however, he has asked your spouse, who co-owns the vehicle, and your spouse has said "okay." In this scenario, if your neighbor claimed that "your spouse said I could borrow the family car," and you believed that claim, then you would no longer have any reason to complain about your neighbor's actions. Your spouse, in other words, has the implicit authority to speak for both of you when someone requests permission to use your joint property. Unless you say otherwise, your spouse's permission thus counts as permission from both of you. That is why your failure to raise an objection to the neighbor's borrowing the car - - recall the "you never said no" defense -- is meaningful when the other joint owner has said "yes," in a way that it is not when neither of you has granted permission. If instead, however, your neighbor has asked you first and you have said no, his subsequently going to your spouse and getting permission would present a very different set of circumstances. Your spouse now no longer speaks for both of you, even implicitly, because you have already made your wishes known to the neighbor. By failing to accept your refusal, the neighbor -- at the very least - has behaved improperly by seeking a different "ruling" from your spouse. You could now understandably complain about the neighbor's actions and say **"I already told you no. Going to my (spouse, significant other, or passenger) to ask for permission was out of line."**

Now return to the consent search case. When the police officer asks you whether it is okay if she looks in the bathroom, your affirmative response speaks for both you and your roommate. If, however, your roommate has

already refused consent, then you can no longer speak for him.

The question, at that point, really does become whether "yes" can trump "no" -- rather than whether people with common authority can consent to searches and entries on each other's behalf (prior law makes clear that they can).

This is why police officers always separate the occupants of a vehicle. Whenever a police officer tries to separate you from the other occupants of your vehicle be sure to **SHOUT** in a loud voice: **“NO - YOU MAY NOT SEARCH MY VEHICLE AND YOU MAY NOT ASK MY (SPOUSE, SIGNIFICANT OTHER, OR PASSENGER) FOR PERMISSION TO SEARCH!”**.

The Court Should Rule Against the State

Let us take a step back and consider how important it is for police to be able to perform consent searches. The Supreme Court seems to think it is essential, saying that "a search authorized by a valid consent may be the only means of obtaining important and reliable evidence." But is the Court right to value consent searches so highly? Consent searches that could not otherwise take place -- that is, searches that are not supported by probable cause, a warrant, or some other measure of reasonableness -- are, by that very index, unlikely to yield results. They are based on hunches and other unsubstantiated police guesses and thus, they frequently end with a needless invasion of privacy coupled with the waste of precious police time. These fruitless "consent" searches typically happen below our radar, because police have no incentive to tell us about them, and they only rarely cause the sort of injury that would motivate a lawsuit. In the unusual case in which police guess correctly, we hear about the consent search, and that selective revelation conveys the misleading impression that something appropriate and reliable must have motivated the search in the first place. The invasion of privacy, moreover, can be substantial, because people rarely feel that they have the right or the option of saying no when police ask for permission to search, no matter how extensively. And over time, police may come to feel entitled to get consent, which only emboldens them to ask for permission to search on flimsier grounds and with a greater air of legal rectitude. But that is all set by existing Supreme Court precedents. The question now before the Court is a relatively narrow one: whether police should be able to "cheat" when it comes to consent -- ask dad, and when he says no, just go to mom or grandma, etc., until they hear the answer they want. As rare as it is for people to exercise their right to privacy in the face of police "requests" for forfeiture, those assertions -- when they do occur -- deserve respect. If the Court holds otherwise, it will further whittle away the right against unreasonable searches and seizures --

the right to make police accumulate probable cause and seek a warrant from a neutral magistrate before showing up at your doorstep or your car window, hoping to look around.

Though the Court seems so far to have been mesmerized by the "need" to search without any basis for believing the search will yield results, it should wake up from its trance and close the door to your private spaces.

Class Action Filed Against Harley-Davidson, Inc.

A securities class action has been filed in the United States District Court for the District of Wisconsin against Harley-Davidson, Inc. (NYSE:HDI) and individual defendants Jeffrey L. Bleustein and James L. Zeimer on behalf of all persons or entities, except for defendants, who purchased or otherwise acquired Harley-Davidson securities (the "Class") between January 21, 2004, and through April 14, 2005, inclusive (the "Class Period"). Harley-Davidson designs, manufactures, markets and finances the purchase of heavyweight motorcycles, as well as sales of motorcycle parts, accessories, apparel and general merchandise and is the parent company for the group of companies doing business as Harley-Davidson Motor Company, Buell Motorcycle Company and Harley-Davidson Financial Services. Plaintiff alleges that during the Class Period, defendants used false and misleading accounting measures designed to conceal its practice of stuffing of the distribution channels for the Company's motorcycle products. Defendants' scheme caused the price of Harley-Davidson stock to become and remain inflated, allowing defendants to sell nearly 740,000 shares of the stock at inflated prices for proceeds of approximately \$45.9 million. On April 13, 2005, following the Company's shocking announcement of plans to reduce motorcycle production and product inventory levels, the Company's share price plummeted from its previous close of \$58.77, for a two-day loss of \$11.57, losing 19.6% of its value to close on April 14, 2005, at \$47.20 on volume of over 51 million shares. It is alleged that during the Class Period, defendants knew and concealed that: (a) quarterly and annual motorcycle shipment numbers to dealerships stated by the Company were "padded," in that the quantity of motorcycles shipped often exceeded retail demand; (b) quarterly and annual product shipment numbers stated by the Company represented a false and misleading measure of accounting for motorcycle sales and the Company's future prospects; (c) annual shipment numbers significantly overstated the Company's progress and prospects when compared against the Company's 2007 retail sales goal; (d) motorcycle shipments to the Company's dealerships had actually exceeded retail demand by tens of thousands of units in 2003 and 2004; (e) Company claims of 16,000 retail sales in excess of

wholesale shipments during the first half of 2004 would not correct the Company's inventory problems; and (f) the planned 20% increase in wholesale shipments for 2004 could only worsen the Company's inventory problems; (g) despite claims of a "gap" between supply and demand, requiring a further increase in 2005 inventory levels, continued stuffing of the Company's distribution channels had already caused them to become saturated; and (h) the profitability of Company's finance division could no longer be counted on to offset the financial impact of continued growth of excess retail inventories, owing to the steep rise in the Company's 1Q 2005 credit losses. If you bought Harley-Davidson, Inc. securities between January 21, 2004 and April 14, 2005, inclusive, and would like to obtain information about the lawsuit, then you are invited to call (866) 467-1400 to speak with an attorney.

Harley-Davidson sues aftermarket engine manufacturers

Harley-Davidson recently filed a lawsuit against aftermarket engine builders S&S Cycles and Delkron, claiming the companies violated patent rights on certain engine components, as well as company trademarks. Filed in the U.S. District Court for the Eastern District of Wisconsin (Case No. 05-C-0298) on March 17, 2005, the lawsuit alleges that the companies copied parts related to the Harley-Davidson Twin Cam 88 engine (right), as well as violating Harley-Davidson trademarked names, including Evolution, FXR, Softail, Twin Cam 88 and Sportster, as well as some common-law trademarks such as Evo, Shovel and others. The lawsuit appears to represent a change in Harley's relationship with the huge, V-twin aftermarket industry. After years of building thousands of engines that shared interchangeable parts with Harley production engines, the aftermarket companies now find themselves at odds with the Motor Company.

S&S is known as a major supplier of engines and components to the aftermarket and custom world. Big Dog Motorcycles, which is projected to sell over 4,000 units this year, is just one of the top-name manufacturers utilizing S&S products. Paul James, communications manager at Harley-Davidson, said, "We had repeatedly notified them (S&S, Delkron) about infringements on Harley-Davidson patented parts and intellectual properties."

He said the components Harley was most concerned about were the transmission to engine interface and the lubrication system on the Twin Cam engine—parts that The Motor Company had spent numerous research and development hours on.

Previous engines developed by Harley-Davidson always had a certain amount of interchangeability with past designs. The Evo (right) for instance, actually shared

many common parts with older models. When introduced in 1999, the Twin Cam was hailed as a truly new engine, even though Harley designers made sure it looked very much like its predecessors. So many new and innovative parts were created, a company spokesman at the introduction said he could hold in one hand the number of parts that were interchangeable with parts from previous big twins.

With that level of development and testing, James said, the company had no choice but to enforce the patents they own and have the exclusive rights to.

Through press releases, S&S has responded to the suit saying Harley-Davidson's complaints are unfounded and the company plans to continue production. "S&S has reviewed the issues raised in Harley-Davidson's complaint and believes they are without legal basis," stated one release dated March 24. "S&S respects the intellectual property rights of others and the S&S products at issue in this lawsuit were the result of S&S's own engineering designs. S&S does not have any connection to Delkron in this action and does not believe that Harley-Davidson had any basis to name them and Delkron in the same lawsuit." On a more personal note, S&S President Brett Smith said in the same release, "It is a great disappointment that Harley-Davidson is taking legal action against us. My grandfather, George Smith, helped found the V-Twin performance aftermarket industry in the mid-1950s and assisted Harley-Davidson with their Bonneville record run in 1970. We have always felt that a mutually beneficial relationship existed between S&S and Harley-Davidson; our 145-Tribute project in 2003 is evidence of that—100 years for Harley-Davidson and 45 years for S&S and the performance aftermarket. "We do not understand why after all this time Harley-Davidson is raising these claims. Whatever the reason, this lawsuit will not affect our continued commitment to be the premier provider of Proven Performance components to the V-Twin aftermarket." S&S issued another release on April 1. "We want to assure our customers of our continued commitment," said Michael Scaletta, S&S Cycle's current product engineering manager and third-generation family member. "We will continue supplying our Proven Performance products, including twin cam style engines and components, to our customer base. This lawsuit will not change how we approach product development or sales of our high performance engines, components, and assemblies." Steve Swarthout, owner of Delkron, Inc., which manufactures cases and other aftermarket engine components, declined to discuss the suit at this time. "Our attorneys are working on it," he said.

Texas Judges and the Price of A Biker's Life

In Denton County, Texas, the man that used duct tape to tape a dog's mouth closed to keep it from barking and the dog later died received two years in prison for this crime. In Ellis County, Texas, a driver of a car turned and killed a biker, had no insurance, failed to have her two children in seat belts, endangered the lives of her children, and said, "I Didn't See The Biker" received a \$250 fine and is still driving around Ellis County, Texas. Now we know what the judicial system in Texas really thinks about Bikers!!

New service provides sex offender and other alerts via e-mail and cell phone

How would you like to be e-mailed with "sex offender movement alerts?" Or receive them on your cell phone? A Houston company is making that possible. SCAN U-S-A (www.scanusa.com) began the free alerts May 24, 2005 in California, Texas and Florida, and plans to expand the service nationwide.

The alerts are sent to Internet-enabled devices when sex offenders update their home addresses with authorities. Critics say the alarms may provide a false sense of security, since the databases depend on the willingness of sex offenders to check in with police. A survey last year showed a fourth of all such sex offenders nationwide -- about 132-thousand -- fail to follow state registration laws. Dubow reports that there's a new service that provides sex offender alerts to people by way of e-mail and cell phones. Dubow reports the company SCAN USA is offering **free** updates on sex offenders via e-mail and cell phones. Dubow reports the system has its critics. Dubow reports that critics see several problems with a company providing information on sex offenders.

Scan USA Chief Operating Officer Russell F. Krauss displays the company's new predator alert feature of SCAN, Tuesday, May 24, 2005 in Houston. Subscribers can get "sex offender movement alerts" sent to their cell phones or Internet-enabled devices whenever the sex offender registries in California, Texas and Florida are updated. Houston-based SCAN USA, which already sends information about weather, natural disasters, and public safety emergencies, began the offender alerts Tuesday with plans to expand it nationwide, saying users already feel safer.

Texans become eligible for free credit reports

Starting June 1, 2005, each Texan will be eligible to receive a free credit report once a year from the country's three major consumer reporting companies. Thanks to a change in federal law passed last year, consumers can request a report from Equifax Inc. (NYSE: EFX),

Experian Information Solutions Inc. and Trans Union L.L.C., which sell credit information to creditors, insurers and employers. The credit histories include information on where consumers live, how they pay bills, whether they have filed for bankruptcy, and whether they have been sued or arrested. Rights to the free reports were issued in phases nationally to help ease demand. Texas and other Southern states will join Western and Midwestern consumers who already have had access to their credit reports. Eastern states and U.S. territories will be eligible Sept. 1. "If you have ever taken out a loan to buy a car or a house, you know firsthand about the importance of making sure your report is accurate," says U.S. Rep. Lloyd Doggett, D-Austin. "Someone else's mistake shouldn't cost you money." For more information, visit www.annualcreditreport.com.

State Comptroller Carole Keeton Strayhorn announces candidacy for Governor

Carole Keeton Strayhorn, the fast-talking state comptroller who makes sport of chastising Republican Gov. Rick Perry, said Saturday she would challenge the governor in next year's GOP primary. "Now is time to replace this do-nothin' drugstore cowboy with one tough grandma," Strayhorn, 65, told hundreds of cheering supporters at a block party near the state Capitol.

Strayhorn's announcement came shortly after Perry vetoed education funding from the state budget bill, and called lawmakers back to Austin for a special session on school finance.

She took the opportunity to launch another verbal torpedo at Perry. Known for her rapid-fire speech and sharp tongue, Strayhorn has spent the past year attacking Perry's leadership and policies. "A leader does not hold our children's education hostage and certainly would never even allow a discussion about school not opening on time because he cannot fix what is broken," she said. Strayhorn was elected comptroller -- the state's chief financial officer -- in 1998, when she was still known by the last name Rylander, the name of her second husband. In January 2003 she married her high school sweetheart Ed Strayhorn. She became the first woman elected Texas comptroller after serving on the three-person Texas Railroad Commission, a statewide-elected post. Before that, the former Democrat served nonpartisan posts on the Austin school board and three terms as Austin mayor before switching parties.

"I want my legacy to be that with every breath of air in Carole Keeton Strayhorn's lungs, she fought passionately for education, she fought passionately for paychecks and jobs and she fought passionately for protecting our most precious resource, our children," Strayhorn said, with the Capitol dome in the background. As she spoke, the crowd broke out in repeated applause. One woman brought her horse to the event to show her appreciation for Strayhorn's support on agricultural and horse issues. Another woman held a sign "Texas needs one tough grandma."

"She's great and I think she'll do a great job for all Texans," said Beki Halpin, 56, of Austin. Throughout much of her speech, Strayhorn denounced Perry. Among her chief criticisms of Perry have been over his policies regarding state health care cuts and education. The catalyst for their clash, she has said, came when Perry, in the final days of the 2003 legislative session, cut funding for her plan to provide free community college education to high school graduates. Perry's office has disputed her account, saying the governor worked to pass a version of the program. The Legislature rejected Strayhorn's proposal. After that, Strayhorn refused to certify the state budget until Perry vetoed certain items.

Lawmakers then stripped Strayhorn's agency of two prominent duties: government efficiency recommendations and school performance reviews. She claims the governor's office prompted the lawmakers to make the changes, an allegation the governor denies.

CHAPTER REPORTS

DFW chapter minutes for June 8, 2005

We discussed the current legislative situation. All of our bills are now dead. We did help defeat a few bills this session which was good news. The road block bills did die. A few bills of interest did survive and here are their current status. HB823 (update to travelers gun law) Passed and is awaiting the gov's signature. SB1311 Relating to the establishment of an all-terrain vehicle trail and recreational area program; providing a penalty. Passed and is awaiting the gov's signature. SB1195 (requiring a person to sign a form prior to a search) Passed and is awaiting the gov's signature. HB 2337 establishes the Biometric drivers license which becomes our Federal ID. This information can be used to break the code of your internet account. Digimark, one of the two companies that have bid for implementation of the program has already had the same type information stolen in Nevada. Several Bills have been sent to the governor also allowing different agencies to have access to this information including HB 178 by Rep Denny and Senator Averitt to allow election officials access. Doesn't it seem that the outcome of this Bill was a forgone conclusion long before its introduction. Plans are under way to utilize this document with cameras to enable Texas government to locate citizens anywhere. The May 21st General membership meeting had us discussing the expected results of the legislative session. The only way this will change is when bikers take office. We need to consider getting some of our own to take positions in the House and Senate.

We need everyone to write their House and Senate representatives and express their dismay as how this session went. Ask them if they will Co-sponsor each of our bills next session (remember to ask only one bill per letter sent). Co-sponsor is the issue here. We want to know who we should work with to get re-elected. When you receive a response forward it to the state office so they can start putting together a list of those we need to beat the street for and get re-elected.

HR 1528 FAILURE TO PROTECT CHILDREN FROM DRUG TRAFFICKING ACTIVITIES

SEC. 425. (a) It shall be unlawful for any person who witnesses or learns of a violation of sections 416(b)(2), 417, 418, 419, 420, 424, or 426 to fail to report the offense to law enforcement officials within 24 hours of witnessing or learning of the violation and thereafter provide full assistance in the investigation, apprehension, and prosecution of the person violating paragraph (a). (b) Any person who violates subsection (a) of this section shall be sentenced to not less than two years or more than 10 years. If the person who witnesses or learns of the violation is the parent or guardian, or otherwise responsible for the care or supervision of the

person under the age of 18 or the incompetent person, such person shall be sentenced to not less than three years or more than 20 years. This proposed new law also requires you to provide full assistance in investigating, apprehending, and prosecuting drug law offenders who are personally known to you. This could involve working undercover and wearing a wire to entrap and convict friends, family members, and neighbors. This law, as with so many others, is constructed in such a way that it can be justified as a measure to protect children, which includes anyone under the age of majority, including many college students. It also ensnares the private activities of parents related to substances like marijuana. The government considers parents who smoke pot in the privacy of their bedroom after hours a serious threat, whereas Senators and Congress persons who drink large amounts of alcohol in front of their children in the light of day, are not. Examples of activities that could force you to inform or face the risk of prison time:

You see a joint passed to a college student. Call the police immediately. Your child has a substance-abuse problem and begs someone else to acquire drugs. You cannot deal with this as a family matter, or in a drug-treatment setting. You must inform on both of them. You hear someone say they bought Ecstasy to share with College age friends. Report this within 24 hours or risk prosecution. Your sister, who has kids, mentions that she bought some pot to share with her husband. Inform on your sister or risk prison time. Is this the kind of America you want to live in? If not, please ask your elected representatives to oppose this Bill before it's too late.

Tony brought \$200 collected at the Armadillo Cycle Club campout for TMRA2. Thanks to the Armadillo Cycle Club for their support. Glad everyone came out, good to see our guests, hopefully we'll see you all soon again.

Elmer H. McKeegan

El Paso chapter minutes for May 18, 2005

Glen called the meeting to order. The Pledge of Allegiance was said by all. The invocation was given by Lupe Ibarra. Debbie read the minutes from the April meeting. Mark made a motion and it was seconded by Dimple to accept as read.

Glen went over bill we have. All the bills died in the House but still alive in the Senate. Jerry explained what had happened with our bills. Jerry explained that they had 19 bills to vote on, we were 18 at 7:30 p.m. and at midnight it was over. If the Senate sits on it we're toast. Sweeper went over our Don't Gamble With Your Rights Run scheduled for August 27, 2005. He asked for three door prizes from each club and the deadline is August 1, 2005. As of today we have 7 new members. Alexjandro

Lozano, running for re-election for City Council, spoke to everyone tonight.

Mando informed everyone of the First Aid Class that is going to be taught. It will be held at the Multipurpose Center on Viscount. Chich, Dusty, Danny and some other people will be giving the class. We need 50 people for the class. We will start off with 2 Officers from each club, Organization or Association for the first class which will be held on June 18, 2005. There will be a second class where other people from the clubs, organizations and associations can attend. The point of contact will be Debbie. Call her and give her the name of the people attending and from which club, organization or association they are from.

Jerry then opened the floor for nominations for Officers. Sweeper made a motion to keep the same Officers and it was seconded and passed. Bear said the nobody else does anything and it was applauded. Jerry said that this is not a dictatorship. If anyone wants to study and help thru the year we will be grateful. If anyone wants to learn the ropes please say something. Bear said that he would like to help Debbie when she needs it. Venny made a motion to adjourn and it was seconded by Lupita. The meeting was adjourned. Next meeting is on June 15, 2005 at Rancher's Grill at 9530 Viscount (corner of Gateway West and Viscount).
Debbie Rios

Permian Basin chapter minutes for May 19, 2005

The Permian Basin Chapter held its May meeting on the 19th. We are still without a Chapter Coordinator, and our Asst Chap Coordinator has not been well. So, Chapter Sec/Tres Dumas Walker, and Dist. 31 Advisor Dean Maltsberger, have taken on the responsibility of conducting our monthly meetings. Though attendance at our meetings continues to be very small, we still have 4-5 very dedicated, hard working members who have taken up the slack, and are still working for, and in the place of, those members who seem to have become disinterested. These 4-5 Supermembers (as in Superman) are planning to keep the Permian Basin Chapter alive, and active, by having a fund raiser. On the weekend of October 7-8-9, rain or shine, the Permian Basin Chapter is having a Chili Cookoff/Campout in the beautiful riverside park, in Water Valley TX. Bikers or not, young or old, male or female, everyone is invited to our Chili Cookoff. Dogs (on a leash, please) are even welcome at our Chili Cookoff. Dogs like chili, so buy him/her a bowl, too. On May 21st, P.B. Chapter members, Dean Maltsberger and Bob & Jan Walker attended the Texas Motorcycle Rights Association General Membership Meeting, in Brady. Many of us at the meeting were feeling down, because we had worked hard on our "clean" helmet Bill

(HB264), and we had the support needed to get the Bill passed. But, Bill Walker and Del Essary brought our spirits back up by reminding us that our Bills were not defeated. They simply did not make it to the Floor in time to be voted on. And, they reminded us that this session was not a loss, because we DID manage to stop some "junk" Bills from being passed.

At the Gen Memb Meeting, in Brady, our Chairman asked for every Warrior in the Association to write their Representative, and let them know that we think they did a sorry job this session. And, ask the Reps if they will support our (same) Bills, next session. Hopefully, after receiving our letters, they will stop the bickering amongst themselves and get to work on issues more important than cheerleader's outfits & dances, and which breed of dog should be the State Dog. On the other hand, if your Rep did a good job, then be sure you write to thank them. The next Permian Basin Chapter meeting will be June 16th. If you live in the Midland/Odessa area, and would like info on our meetings, then call Dumas at 366-6432 or Dean at 550-7361.

San Angelo chapter minutes for June 15, 2005

We had six present to discuss Texas Legislative failures, various upcoming events, and planned events conflicting with several others. We must pick the one most important to each of us to attend. Why? Some events benefit TMRA2. Also discussed lack of interest and attendance at our meetings and what we can do to have membership participation. The date of our meetings was moved to accommodate most. Where are they? Know a little how Sputnik feels! Mailed event flyers and reports off internet brought by Linda A. Thanks. Dismissed at 8:30 p.m.

Tarrant County chapter minutes for June ??, 2005

Preacher led opening prayer followed by the Pledge of Allegiance. Sam read the finance report and was accepted. Preacher read Secretary report and was accepted. Mike Alvey discussed Legislation session. Forever bills are over, Dead in water. Helmet bill stays as is. District meeting this weekend in Brady. St. Rep Joe Moreno died in auto accident last week. Memorial was held in Austin for him. October 15 Mid South mile in Denton--training seminar. We need to be there. TMRA2--trans from airport. C.O.C. will have hospitality booth. Sassy made motion to adjourn. D-Man second. Meeting adjourned at 7:30 p.m. Benny Ray, Robyn Cullers, and Jerry Miney were all visitors this week.

Tri-County chapter minutes for May 10, 2005

Larry Trotter opened the meeting with the Pledge of Allegiance. Then I read the minutes for the last meeting. Larry made a motion to accept them, it was seconded by Mark Sellers and the minutes were accepted unanimously.

Next the Safety Officer, Dean Rosenquist, related a personal story to the group. A small group was out riding, husbands and wives, near Coronado's Camp. It was a four lane road but, a white Dodge pick-up was dogging the rider in the rear. The group decided to turn left, used the proper signals and proper lane and slowed to make the turn. Dean decided to take a hard look back before turning and it was a very good thing he did. The Dodge pick-up was passing them at about 80 mph in a "no passing zone" at an intersection. Instead of turning they pulled off the opposite side of the road to catch their breath. This is what it means to ride defensively. Watch what the others on the road are doing, because they are not going to watch what you are doing. In that kind of situation it doesn't matter who is in the right. The riders would have been dead had they not been watching the other people's actions. BE CAREFUL!!!! Any line on a highway is a dead line, watch out when you have to cross one. We then congratulated Bill Martin. He and his "Putaglide" got 2nd place at the Easyriders Show in Dallas. Congratulations on a great job to Bill and Ben Littlejohn (with a little help from Larry Trotter). They all did a great job and are still working on a sidecar for the motorcycle. It will be very unique and a beautiful ride. Mark Sellers also built a bike and put it in the show. It too was a unique statement. We congratulate all of them for their participation and creativeness. Mark Sellers, the Road Captain, told the group about a poker run and bike show at the Dalby Correctional Facility in Post. There was to be a group leaving Hamlin at 8:30 on Saturday morning, Next, Larry related some news items from Sputnik. He says there were about 3,400 bills filed in the state capital. 34 have passed. One was that Cheerleaders can not show their butts. We are so proud. He also said that the helmet bill was probably dead. The Republican's are now in control of the house and senate. He then invited any or all to attend the TMRA II's General Membership Meeting. It will be held in Brady on May 21, 2005 at 1:00 pm. He and I plan to attend. The rest of the meeting concerned Old Glory Day's. Mark Seller's volunteered to be in charge of the poker run and bike show. We decided to have 1st, 2nd, and 3rd Peoples Choice. Mark Sellers will build the trophies and we will get trophy plaques from Steven's Stamp Co., they are reasonably priced. We will serve hamburgers again this year. Judd will get T-shirts again. We voted on having a band play out at Lake Boudreaux, it passed and so there will be entertainment. We also voted to have two

(2) portable potties again this year. There will also be a Sunday morning service provided by the CMA (Christian Motorcycle Association). Larry and I won the 50/50 drawing. In total \$54.00 was collected and we donated ours back to the chapter. Alan Beard donated a brisket for our meeting and Bill Martin cooked it. Thanks Alan and Bill!! Mark Seller's made a motion to adjourn; it was seconded by Ben Littlejohn and passed unanimously. Dusty Smith closed the meeting with a prayer.

DISTRICT ADVISOR REPORTS

#03 – Cynthia “Kanga” Axtell

Roo and I have had a busy month for the month of May. First we were off to NCOM for the first time. It was awesome. I met a lot of new faces and saw some known ones. I was thrilled to see Ben Nighthorse Campbell there. He was a Senator from my district when I lived in Durango, CO. We split up on the classes so that one of us went to each one. One of the classes was "The Nuts & Bolts of Insurance" which Roo went to. I went to the "How to Get Elected & Lobby" class which had our illustrious Chairman (who was seated as a Board Member at this conference!) imparting Legislative Wisdom. There were a couple of areas of the country that ABATE members reported they weren't getting' along with some of the patches in their area. My thoughts are, folks, united we stand! Let's put aside whether "I think you stink" and work together for the greater good! This ain't an ego thing, it is survival! It was also mentioned that there is a Sport Bike Association getting started under the same wings of C.O.C. and I think this is a great idea. Sputnik made mention in the Legislative Class that when you are talking to a group of people about a bill or issue, make it relevant to the lifestyle of the people you are talking to! I had an opportunity to do a presentation at a church right after we got back from Nashville and took those words of wisdom to heart. The NSBA (National Sport Bike Association) will do just that for those folks who like that kind of riding. I had about a week to recuperate from riding to Nashville and back (guess I am getting old) and we were back on the road to Brady for the Advisors' Meeting and the General Membership meeting that followed it. Being the new kid on the block, I was honored to be seated as Advisor for District # 3 with a unanimous vote. I hope that I don't let anyone down for that vote of confidence. I was happy to be accompanied by Roo and Wizzard on the journey, even if they did get me in trouble.

The upshot of the General Membership meeting was that we are going to push all four of the Bills we pushed this session for the next session. I will also be contacting members of this Legislative session to let them know that if I performed so poorly at my job as they have this session, I would not only be out of a job, but my employer might be out of business and that goes for both the State and Federal level. The Helmet Bill and Hippa (Insurance) Bill go hand in hand and we have all worked on these and know them backwards and forwards. So, let's just keep on plugging! The Failure to Yield Bill fits right in with these two bills which I have been connected to since resolutions were formed after the Primary last year, It is ridiculous for 77% of motorcycle accidents to be caused by someone turning in front of a motorcycle

and then we have to pay for a whole insurance policy times 2 to have uninsured and underinsured coverage. For me, the Call to Vote Bill is so important I get tongue tied just trying to verbalize my feelings here. As we watched from the Gallery, at Legislative Day, a Bill was read amongst chatter and laughter (on the floor), a guy ran around to chairs where no one was sitting, and started punching their vote buttons for these ghostly persons. This is WRONG! We are the people who sweat and work to pay the salaries and retirement for these people. If they can't be accountable, get rid of them. Vote them out and vote someone in who wants to do the job, not just talk the talk.

It doesn't seem that we were all that successful with our Bills this session, but on the whole, we weren't unsuccessful, totally. Hmmm! That sounds like a truly political statement, don't it? We were successful in getting the Helmet Bill all the way to the Senate for a hearing, this is a great feat! They know we are serious. We just need to keep getting more and more people lined up, paying dues (cause there ain't nothing free in this world) and voting. Running for office won't hurt a thing either. All I know is, the more I do and see when it comes to Legislative Action, the more I realize that I can make a difference and so can you! My thanks go to the new members, donations and renewals that have stepped up to the plate since I started my responsibilities for TMRA2. The FortyTwo Taillights, a new club out of New London, donated \$40 to the cause. The Cherokee Wind Warriors renewed their pledge of support at their April meeting. Peanut Bob-did you get your patch sewed on yet? Any one who needs a patch or to be put on the membership list can get in touch with Terri, she is doing a great job, just has some catching up to do! And thank you Goldie, for your dedication and the help you have shared during this transition. Anyone in District #3 (or else where) can reach me at (903) 530-8149 (cell), email at cynthia_axtell@hotmail.com<mailto:cynthia_axtell@hotmail.com>, or send mail to 15408 Big Oak Bay Rd., Tyler, TX 75707. I look forward to seeing YOU at the next TMRA2 meeting.

#22 – Greg Bodovsky

The current legislative session was embarrassing for our Great State of Texas. The legislators (sic), that are in office now, proved that they can NOT legislate!!! The most important issue that they charged themselves with, was put aside so that they could protect us all from homosexuals that want to be able to sign a piece of paper ?. Perry is even boasting that this was a successful session. He has even said that all the gay and lesbian veterans who have served our country should move to another state. That clown has GOT to GO!!! We have no other choice than to clean HOUSE (and Senate) of

EVERY member that has been a party to the disgrace they have thrust upon us. The 79th legislature of Texas ended up being fodder for late night comedians, and that was the ONLY thing it was. Look amongst you and find someone to run against every one of these people that pulled this off. They even voted themselves a raise in their retirement that WE will have to pay for. ?

The State meeting of TMRA2 in Brady was poorly attended to say the least. If you can think of a better way for us to get together, then please let us know. You are all welcome to the quarterly Advisor meetings in Elgin, so come to one (or all) of those if you can. Don't forget that YOU are the voice of TMRA2. Turn another rider on to TMRA2 any chance you can. TMRA2, ABATE, and C.O.C. are protecting your right to ride, and they all need your participation to keep it up. Since we didn't get our bills passed, you can bet that you will see more and more infringements on our right to ride. We still need incident reports on stops, and will continue to fight each and every one that warrants it, so if you are stopped, take the time to fill out a report and send to me or the state office. Your action could help out a brother or sister down the road. Make it to a chapter meeting. Someone has taken their time and energy to hold that meeting. Help them to help you. Bring someone with you when you can. If you need to contact me, my email address is hdrider@htcomp.net. Phone # is 245.582.3252. Don't forget that you can get a new Membership Shirt and other stuff online at <http://tmra2products.homestead.com/> or call Suds and Butterfly At 972-938-7646

#25 – Dee McClure

OK, People, the session is over and everyone is getting out and going places so PLEASE talk to others, encourage them to come to a meeting and/or join TMRA 2 outright. As for my People in District 25, I want to set up a date, time and place to get together and talk about a chapter or two (if necessary) in this district. I want YOUR input on this very important project. My thought is some place in the San Marcos/New Braunfels area on a Saturday or Sunday afternoon for starters but I am open to suggestions. We may already be working on this by the time you receive this Warrior so check in with me or the State office, if your email or mailing address changes. My phone number remains the same – 832/867-5819 and that is my cell phone number which is good all the time so don't use the excuse of just having to call in the evenings or weekends. I have faith in you People, that we can work together, expand our membership base and educate everyone not just riders but anyone who wants to learn and utilize the process to defend our rights and liberty. If you know someone who is interested and doesn't ride, invite them along anyway as they may be that diamond in the rough that we need.

Everyone has something that they can contribute no matter if it is visible or not to you. Now some of you have become “untouchable” by phone or email so please let me know if there is an alternate way to contact you or if you are not happy with the Association over something so that I can possibly help remedy the situation. I attended the Austin chapter meeting last night and once again it was a good meeting with lots of information. We can't impress on each of you enough how important it is to stay in the loop of info and how vital it is that you fill out an incident report every time, you are stopped by an officer. We need documentation to present both in Court and to legislators in support of our issues. In case you haven't figured it out people, WE are the target of the police to support their budget to fight “crime and terrorism.” It is not personal – we are a large unprotected group of people under the laws of anti-discrimination from whom they can extract money until we utilize our AIM lawyers, the legislators and the Court system to become a protected minority. These points were discussed at length in the meeting and afterwards due to the info that Steven Townsend shared with us. You have to condition yourself to be pro-active. Don't dismiss that article or news story that reports whether someone was wearing a helmet or not in an accident. Write or call and let them know you are ANGRY about the way they are discriminating against you with their slant on the story. You can make a difference only if you get up and be heard. We need to be ONE voice speaking out regarding the injustices being launched against us on a daily basis. COC's meetings are at the end of June so I won't be able to report on these or the Old Glory run which I plan to attend 4th of July weekend in this report but look for me to update you in the next Warrior.

#31 – Dean Maltzberger

I could not tell you how disappointed I am with the results of our legislative session this year. It is a shame so many good bills never saw the light of day because of power struggles between legislators. Cleaning up the helmet law is important to me, but for me, the most important legislation that was dropped through the cracks was the enhanced penalty bill for failure to yield. Just recently we have had 3 failure to yield incidents within 2 weeks. We simply must do something to call for responsibility of drivers for their actions. This is the first year that I have not been able to attend Legislative Day or make any other trips to Austin during session. I think being a District Advisor is a job for a person without a day job. Ride free and stay safe.

TMRA2 Major Contributors

SUPPORTER - \$100 or more

Cynthia Axtell & Joey Allen 09/05
Jim "Preacher" Ball 07/05
Frank Barak 04/06
Don Bigbie 07/05
In memory of Al Coburn 08/05
In memory of Nick DeLaCruz 08/05
In memory of Grizzly Druipple 06/05
Dan Mazeau 07/05
Tim Moore 11/05
Walt Mosby 01/06
Beulah Ott 07/05
Rebecca Whaley 07/05

Los Carnales M/C – 12/05
Circuit Riders M/C, Mountain Movers 11/05
Cossacks M/C, National Officers 11/05
Gypsy M/C, Capital City 04/06
Gypsy M/C, Hill Country 07/05
Lubbock Boozefighters M/C 04/06
Magic Dragons M/C 11/05
Patriots M/C LLC 01/06
Winos Crew M/C 12/05

BRONZE - \$250 or more

Mad Mike & Brenda
Karl & Cheryl Ford – 04/06
In memory of Randy "Bikerman" Novotny 06/05
George & Carolyn Tamplen

G & N Scooter Shack 11/05
Gypsy M/C International, Calallen chapter 05/06
LaFeria Gypsy M/C 06/05
Motorcycle Specialties
Old Sawmill Town 11/05
West Texas Motorcyclist-2 11/05

SILVER - \$500 or more

Elmer McKeegan 11/05
DFW COC 01/06
T-Twisters M/C 07/05

GOLD - \$1000 or more

Abilene Gypsy M/C 09/05
Amigos M/C Houston 04/06
Biker Rallies of Texas – 06/06
The Brownswords
Crocodile Lile 06/05
In memory of Cyndi Calhoun
Houston Area COC

PLATINUM - \$1500 or more

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Ten Things All Drivers Should Know About Motorcycles



Ten Facts and Tips all Car and Truck Drivers should know about Motorcycles

- 1** There are a lot more cars and trucks than motorcycles on the road, and some drivers don't "recognize" a motorcycle – they ignore it – usually unintentionally.
Look for motorcycles, especially when checking traffic at intersections.
- 2** A motorcycle may look farther away than it is. It may also be difficult to judge a motorcycle's speed.
When checking traffic to turn at an intersection or into or out of a driveway, realize that a motorcycle is closer than it looks.
- 3** A motorcycle can be easily hidden in a car's blind spots or masked by objects or backgrounds outside a car such as bushes, fences and bridges.
Take an extra moment to thoroughly check traffic, whether you're changing lanes or turning at intersections.
- 4** A motorcycle may seem to be moving faster than it really is.
Don't assume all motorcyclists are speed demons.
- 5** Motorcyclists often slow by downshifting or merely rolling off the throttle, thus not activating the brake light.
Allow more following distance. At intersections, expect that a motorcyclist may slow down without visual warning.
- 6** Turn signals on a motorcycle usually are not self-canceling, thus some riders – especially beginners – sometimes forget to turn them off after a turn or lane change.
Watch for other signs that the motorcyclist is making a turn.
- 7** Motorcyclists often adjust position within a lane to be seen more easily and to minimize the effects of road debris, passing vehicles and wind.
Understand that motorcyclists adjust lane position for a purpose, not to allow you to share the lane with them or to be reckless or show off.
- 8** Maneuverability is one of a motorcycle's better characteristics, especially at slower speeds and with good road conditions.
But, don't expect a motorcyclist to *always* be able to dodge out of the way.
- 9** Stopping distance for motorcycles is nearly the same as for cars, but slippery pavement makes stopping quickly difficult.
Allow more following distance behind a motorcycle because it can't always stop "on a dime."
- 10** Motorcyclists are more vulnerable to injury in traffic collisions than other roadway users since they don't have the advantage of being surrounded by 3,000 pounds of steel.
When a motorcycle is in motion, think of it as a person.

If you or family members ride a motorcycle, the companies in the Sentry Insurance Group recommends the MSF RiderCourseSM to learn new skills or reinforce current skills. Call 1-800-446-9227 or visit www.msf-usa.org to enroll.

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