



[Redacted]

06/09/2009 02:38 PM

To [Redacted] /R8/USDAFS@FSNOTES, [Redacted]

[Redacted] /R3/USDAFS@FSNOTES, [Redacted]

[Redacted] /R8/USDAFS@FSNOTES, [Redacted]

cc [Redacted] /R3/USDAFS@FSNOTES, [Redacted]

[Redacted] /R9/USDAFS@FSNOTES, [Redacted]

[Redacted] /VO/USDAFS@FSNOTES

bcc

Subject Fw: Is [Redacted] - ILLEGALLY - "representing the Rainbow Family"? - again

=====

[Redacted]
Enforcement and Liaison Staff
USDA Forest Service
Law Enforcement and Investigations

[Redacted]
[Redacted]
[Redacted]
[Redacted]

----- Forwarded by [Redacted] on 06/09/2009 05:36 PM -----



[Redacted]

06/08/2009 11:26 PM

To [Redacted]@fs.fed.us>, <[Redacted]>

<[Redacted]>

cc [Redacted], <[Redacted]>

<[Redacted]@fs.fed.us>

<[Redacted]@fs.fed.us>, <[Redacted]@fs.fed.us>

<[Redacted]@fs.fed.us>, <[Redacted]@fs.fed.us>

<[Redacted]@fs.fed.us>, <[Redacted]@aol.com>

<[Redacted]@fs.fed.us>

<[Redacted]@ec.usda.gov>, <[Redacted]@fs.fed.us>

<[Redacted]@hcnmedia.com>, <[Redacted]>

<freeexpressionusa@yahoo.com>

Subject Is [Redacted] - ILLEGALLY - "representing the Rainbow Family"? - again

June 9, 2009

[Redacted], plunker
Box 8574, Msla. Mt. 59807

(in reply refer to: 1550 2/27-2 -- R)

Howdy [Redacted], et. al.,

According to sources within the Forest Service, and, (apparently) some "Rainbows" i.e. potential annual gatherers... someone intends to violate 18 USC 1001 i.e. false witness to federal officers, etc., by declaring to be a "representative of the Rainbow Family" (so as) "to sign the

permit", supposedly for some Gathering. Obviously, this could not be for (what I call here) the "Annual July 1-7 Gathering for Peace, Healing, and Justice" AKA "Rainbow Family Gathering", to be held within the State of New Mexico, on public land, (likely) National Forest land, within your jurisdiction and authority.

Apparently, from what I gather, this person is Chairman of - Hispanic Communications Network - (address listed below). Chairman [REDACTED] is a legal "representative" of Hispanic Communications Network, and is not, and can not act as a 'representative' of "Rainbow Family" nor act in any capacity as being legally credible for signing a permit for said Gathering - unless [REDACTED] and Hispanic Communications Network intend to host/sponsor/etc. a Gathering of 75 or more people, in their own name and for their own purpose. I list several reasons below WHY [REDACTED] is not legally qualified.

Note: Why does Hispanic Communications Network, who has contracts with the Department of Justice, National Drug Council, Boy Scouts of America, Lance Armstrong Foundation, want to become involved in a criminal act through their Chairman [REDACTED] signing for, and representing the "Rainbow Family"?

Correct me if I am wrong, but this places Hispanic Communications Network in the position of being co-HOLDER for a Gathering of "Rainbow Family" AND FRIENDS; it is likely Hispanic Communications Network may not realize that [REDACTED] will have "immunity", BUT not Hispanic Communications Network - note: an individual who signs the permit, any permit under 36 CFR 251 has "immunity" from prosecution/suit/etc. upon signing -- HOWEVER, Hispanic Communications Network, who [REDACTED] works for, could be LIABLE for any accidents, injuries, etc... even emotional distress of attendees. I am not sure Hispanic Communications Network realize that their "legal representative" Chairman [REDACTED] is signing them on along with himself as being HOLDER.

This is the 2nd, perhaps 3rd time, [REDACTED] has attempted or sought to conspire to violate 18 USC 1001, and act as a "agent" and sign a permit as a 'representative' of the "Rainbow Family". For example, in 2004, California, [REDACTED], Government Relations 'representative' for Hispanic Communications Network, signed as a "representative" of "Rainbow Family", at the insistence, conspiracy (perhaps orders) of [REDACTED]; and blatantly, involved Hispanic Communications Network by using their equipment i.e. fax, and offices, in order to co-ordinate this illegal action.

Again, 3rd case, in 2001, Idaho, [REDACTED], sought to sign a permit, in a similar illegal action.

With all the problems Lance Armstrong has with his image i.e. folks/media accusing him of "doping" etc... I find it slightly disconcerting for his name (even remotely) being associated with "Rainbow Family-style Gatherings". I am sure you are familiar with the fact that the media, and the Forest Service Law Enforcement, tend to dwell on the concept that "Rainbow Gatherings" are some sort of 'dope festival'.

It is true, there are a number of individuals who come in Peace, with Respect, and add their voices and petitions to the peaceable assembly for purpose of expression; some of these voices are OPENLY raised in Prayer with Marijuana, an herb these individuals regard as Sacrament.

Also, there a number of individuals who have Doctor's prescriptions for the use of Medical Marijuana, and OPENLY petition during the Gathering for furtherance of this Healing Way.

To the uneducated or narrow, such Voices raised in Song, Dance, Karmic Work (volunteering for many tasks) have one meaning; to those who have Respect, these Voices raised in Open Prayer and Petition are simply certain forms of Expressive Sharing on Common Ground in Gathering. Rainbow Family Invitation is for human beings to come in Peace, Share the Common Ground: Home, also in Peace.

It would seem (from checking their website) Hispanic Communications Network is on another Path through Life, with another way of doing their work; perhaps, some of what they do is compatible with Rainbow family and Annual Gatherings, but not to the point of Hispanic Communications Network seeking to exert legal control over the Gatherers. It would seem counterproductive to their current efforts. Perhaps they don't know their Chairman, Jeff Kline, has gotten them involved?

██████████ LEGALLY CAN NOT BE A "RAINBOW FAMILY" "REPRESENTATIVE" BECAUSE:

- (1) As mentioned above, he is already a "representative" for Hispanic Communications Network... this is a different (business) ASSOCIATION than the "spiritual association" known as the "Rainbow Family".
- (2) Rainbow Family are individuals who are of a certain Credo: this Credo includes the simple concept of "no leaders or followers" i.e. no one can act as an agent or representative of anyone other than their own individual self - (parents, etc. excepted).
- (3) Consensus is the Way those of the Creed known/called Rainbow Family conduct their associational interactions. The Opinion in Boy Scout v. Dale (Su.Ct.) guarantees the rights of this association to enjoy its' own style of association i.e. individuals whose faith/lifestyle in concert and Credo and Creed known/called Rainbow Family.
- (4) ONLY those individuals who fully accept - give Consensus to the Creed and Credo of Rainbow Family are actually credible brothers and sisters of the Rainbow Family, et. al..
- (5) Annual Gatherings hosted/invitee Rainbow Family, et. al., have many individuals and groups, communes, sects, posse, gangs, clans, tribes, religious orders, political solidarity crews, etc... even members of the Republican and Democratic Parties, plus any number of Congressional People, Police Authorities, etc., etc.. AND Media persons, etc. etc. etc... Many, many persons attend these Annual Gatherings, are Welcomed - even regarded as 'family" by brothers and sisters of the Rainbow Family HOWEVER, these individuals and crews ARE NOT Rainbow Family (by their own choice). An example of this is the ██████████ who testified in Montana at the trial of ██████████ This ██████████ testified of the difference between his religious sect and Rainbow Family. In no way would/could the Forest Service construe this individual of ██████████ to be Rainbow Family nor accept this devotee's signature, as "representative", on a Permit for an Annual Gathering from this ██████████
- (6) ██████████ is an individual who attends Rainbow Family Gatherings, BUT does not accept nor give Consensus to the Common Credo, Creed of Rainbow Family; therefore ██████████ is NOT Rainbow Family, rather, an ██████████ is ONLY an individual who attends a Rainbow Family inspired event. In order to be "Rainbow Family" ██████████ would have, at minimum, to

accept the 'unique nature of the rainbow family' its' Credo/creed.

(7) Hispanic Communications Network contracts with the Department of Justice. Special Federal Agents, specifically Incident Commander [REDACTED] are of the Department of Justice. This is an obvious clear "conflict of interest". Rainbow Family is a spiritual/religious event NOT a F.B.I. sponsored event. The same applies to the National Drug Policy Council i.e. White House. Surely, the White House and President Obama are not using the Forest Service permit scheme, with [REDACTED] as a way of "back door" legalization of marijuana? Incidentally, Guam v. Guerrero, (also, U.S. v. Israel - religious use; plus O Centro v. (SuCt.) On religious accommodation) - religious use marijuana cases - ruling state marijuana in use as sacrament on federal lands is legal, and should be accommodated.

I have been "recognized" by the Federal Government, many times, in and out of Court, as being an individual, who is one of the "founders", "creators" of the Rainbow Family, Rainbow Family of Living Light, Rainbow Family Tribe, etc. et. al.. I have been (successfully) prosecuted and imprisoned, at the insistence of the same Federal agencies, as a "leader" of the Rainbow Family - according to MY Creed, Credo, being a "leader" is not viable, and I refuse the "honor". Regardless, I have credibility concerning identification of someone who is in tune, in consensus with, and therefore is in the Rainbow Family, etc. et. al..

This is a simple task: simply ask if they are in CONSENSUS with the Creed and Credo of the Rainbow Family? If so, the idea of signing a permit or being a representative of the Rainbow Family (as the Forest Service, govt. define) is simply outside the Ways, Credo of the Association of Individuals who Ride the Rainbow Family Tribal trail. ONLY by choice (of self-choosing) to be Rainbow Family i.e. flying the colors; AND, by LIVING THE CONSENSUS OF THE BROTHERS AND SISTERS OF RAINBOW FAMILY as is clearly stated, repeatedly, as "no leaders... etc." is one of the "associational assembly of individuals, brothers and sisters known as Rainbow Family".

[REDACTED] does NOT accept, agree or give his consensus to these simple consensus that are well known, respected, understood and lived by those of the Creed: Rainbow Family. Until he does, he is, as many are, "regarded" as a "brother" BUT is not (actually) Rainbow Family, and is, at a Gathering, welcomed as only some one individual (or agent for Hispanic Communications Network, whichever).

"Many are called (invited), Few are chosen - of those who are chosen they choose themselves."

It is my understanding, [REDACTED] has notified you that as an "individual who intends to attend" he is Applying, and where there is a question concerning WHO will "sign"... [REDACTED] is entering a petition for the continued legal accommodation of the policies developed by the authority of the UnderSecretary of Agriculture Mark Rey (during his tenure), and the U.S. Forest Service Chief Kimbell. This is a balanced, good use of the "alternative manner" clause of 36 CFR 251 i.e. use of operating plan developed in cooperation between gatherers and forest service resource, etc.. This includes [REDACTED] volunteering to act as a "contact" i.e. someone who will help to communicate resource, health, etc. goals to the gatherers.

This Peace action, of an "individual", is in accordance with the Creed and Credo of Rainbow Family. Garrick is not presenting himself as a "representative" of Rainbow Family, rather as a concerned individual who intends to attend. A vast difference from [REDACTED]'s actions, on behalf of Hispanic Communications Network?

I have asked Chairman [REDACTED] to withdraw [REDACTED] name, and not to claim (falsely) to be Rainbow Family, nor (falsely) claim [REDACTED] can act as 'representative' of Rainbow Family.

I ask you, IF [REDACTED] is in fact "willing" to sign a permit - if it is for the Annual Gathering July Rainbow, then state your objections, based on his lack of legal right to sign, etc..

Please respond to this email, and inform me of the answers to the questions and comments I have made in this email. Thank you.

[REDACTED], plunker, Montana, rainbow family tribe (creed)

[REDACTED] number is [REDACTED], his email is [REDACTED]

<http://www.hcnmedia.com/key.html>
< <http://www.hcnmedia.com/key.html> >

For all general inquiries, please contact:
Info@hcnmedia.com
Telephone: 202-637-8800
Fax: 202-637-8801

Hispanic Communications Network
Attention: Sales Group
1126 16th Street N.W., Suite 350
Washington, DC 20036
Info@hcnmedia.com
Telephone: 202-360-4096
Fax: 202-637-8801

LIST OF OFFICERS OF COMPANY::

[REDACTED]
President

[REDACTED]
CHAIRMAN

[REDACTED]
DIRECTOR OF GOVERNMENT RELATIONS
=====

CLIENT LIST (in part):

Department of Justice
Office of National Drug Control Policy
Lance Armstrong Foundation
Boy Scouts of America

USDA, Food and Nutrition Program
Department of Health and Human Services
EPA, Office of Environmental Justice, U.S. Department of Energy,
National Highway Traffic Safety Administration
U.S. Department of Energy Department of Housing and Urban Development
The Department of Justice's Juvenile Gang Prevention Campaign

CASES:

- (1) BOY SCOUTS OF AMERICA et al. v. DALE, No. 99-699. Decided June 28, 2000
- (2) Gonzales v. O Centro Espirita Beneficenteuniao Do Vegetal No. 04-1084 February 21, 2006
<http://caselaw.lp.findlaw.com/scripts/casesummary.pl?CiRestriction=marijuana+religious+freedom>
- (3) United States v. Jefferson, 175 F. Supp. 2d 1123 (N.D.Ind. 2001).
- (4) DRUG PROSECUTION -- People of Guam v. Benny Toves Guerrero. United States Court of Appeals for the Ninth Circuit. No. 00-71247. May 28, 2002. 24 p.
Full Text at: caselaw.lp.findlaw.com/data2/circs/9th/0071247p.pdf
["A Rastafarian -- whose Jamaica-based religion regards marijuana as a sacrament that brings believers closer to divinity -- could not be federally prosecuted for merely possessing marijuana, a decision that upheld a portion of the 1993 Religious Freedom Restoration Act. The same reasoning would apply to drug prosecutions on other federal property." San Francisco Chronicle (May 29, 2002) [online].]
- (5) "Religious Land Use and Institutionalized Persons Act of 2000".

Public Law 106-274 An Act To protect religious liberty, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE. << 42 USC 2000cc note>>
This Act may be cited as the "Religious Land Use and Institutionalized Persons Act of 2000".

- (6) Leading REGULATION CASE concerning (Government) Lands:
Thomas et al. v. Chicago Park District, No. 001249. (1/15/2002):

(7) C. The FEHA and Differing Definitions of Religion
1. The FEHA

The elements of a religious creed discrimination claim are that: the plaintiff had a bona fide religious belief; the employer was aware of that belief; and the belief conflicted with an employment requirement. (*Soldinger v. Northwest Airlines, Inc.* (1996) 51 Cal.App.4th 345, 370.) With respect to the first element, possession of a bona fide religious belief, section 12940, subdivision (a) states in part: "It shall be an unlawful employment practice . . . [¶] (a) For an employer, because of the . . . religious creed . . . of any person, to refuse to hire or employ the person . . . or to bar or to discharge the person from employment . . . or to discriminate against the person in compensation or in terms, conditions, or privileges of employment." Further, section 12940, subdivision (1), states in part: "It shall be an unlawful employment practice . . . [¶] . . . [¶] (1) For an employer . . . to refuse to hire or employ a person . . . because of a conflict between the person's religious belief or observance and any employment requirement, unless the employer . . . demonstrates that it has explored any available reasonable alternative means of accommodating the religious belief or observance . . . , but is unable to reasonably accommodate the religious belief or observance without undue hardship"

Definition of the terms "religious belief or observance" and "religious creed" are provided in a statute and in a regulation. Section 12940, subdivision (1) defines religious belief as follows: "Religious belief or observance, as used in [section 12940], includes, but is not limited to, observance of a Sabbath or other religious holy day or days, and reasonable time necessary for travel prior and subsequent to a religious observance." Further description of the scope of the religious belief protection in the FEHA is found in section 12926, subdivision (o), which states: "As used in this part in connection with unlawful practices, unless a different meaning clearly appears from the context: (o) 'Religious creed,' 'religion,' 'religious observance,' 'religious belief,' and 'creed' include all aspects of religious belief, observance, and practice." The administrative agency charged with enforcing the FEHA, the Fair Employment and Housing Commission, has also enacted a regulation defining "religious creed." California Code of Regulations, title 2, section 7293.1 (regulation 7293.1), defines "religious creed" as follows: "'Religious creed' includes any traditionally recognized religion as well as beliefs, observations, or practices which an individual sincerely holds and which occupy in his or her life a place of importance parallel to that of traditionally recognized religions." Consistent with regulation 7293.1, plaintiff argues that his commitment to a vegan lifestyle occupies a place in his life parallel to that of traditionally recognized religions. Regulation 7293.1, by its express terms, reflects the notion that religious creed extends beyond traditionally recognized religions to encompass beliefs, observations, or practices occupying a parallel place of importance "to that of traditionally recognized religions" in an individual's life. As will be discussed later, that concept of religion originates from two United States Supreme Court cases involving conscientious objection to military service--*United States v. Seeger* (1965) 380 U.S. 163, 164-188, and *Welsh v. United States* (1970) 398 U.S. 333, 335-344.