

October 19, 1999

**Mr. Gregory Craig**

Williams & Connolly  
725 12<sup>th</sup> Street Northwest  
Washington, DC 20005-5901

Regarding: **Urgent Request for Legal Assistance**

Dear Mr. Craig:

Thank you for taking my call on Mr. Alan Gold's referral. I am pleased to know that you are also a "mature father" over the age of 50 with two young children the same age as my daughter Danielle (8) and my son Isaac (5). I am certain that you must have an understanding of how painful it is for me to be so totally removed from my children for such an extended period of time (20 months now) with no contact or report of their whereabouts or well-being. This is especially troubling when you consider that such has been ordered by the Colorado State Court System that currently boasts of the protection of the rights of parents and children. I sincerely pray that you assist in influencing the US Federal Government to intervene. As per your request, the following is a brief of my case with attachments for your review:

I am a US citizen currently living in Canada, by Canadian court order, designed for my personal safety. I presently reside in Stratford, Ontario with my new Canadian wife, Carolyn. Carolyn and I were married in Stratford on August 2, 1998. I am financially supported in this case both by Carolyn and by my father-in-law, Mr. Carl Dare. Mr. Dare is a third generation owner of Dare Foods Ltd., a world renowned international company headquartered in Kitchener, Ontario with operations in Canada, the US, and Europe.

Let me introduce this brief by stating that my two US children have been played as pawns in a horrible game of political corruption extending from the State of Colorado to the US Justice Department, and then into the international scene in Canada. Please receive this brief with the utmost of urgency and immediacy. **Please give this request a priority.** With my TWO INNOCENT CHILDREN AT RISK, I do not have the luxury of time. My children and I require the best legal assistance possible.

The initial portion of this case began in 1990 regarding Wilfred VS Wilfred, Case #89 DR 47 presided over by Judge Joyce Steinhardt of the 18<sup>th</sup> Judicial District in Arapahoe County, Colorado. As I did not have the resources at that time to pursue any reasonable remedy, except the unsuccessful filing against the judgement pro se, to my extreme dismay, the upheld judgement against me and my right to see or have any contact what-so-ever with my son for the last nine years, is still outstanding. As of 20 months ago, this same judgement has been invoked by the El Paso County Colorado District Attorney's Office, along with fabricated criminal charges designed to permit the legal kidnapping of my current two children and thereby extort my return to Colorado.

Once I am forced to return to Colorado, I believe it is the intention of the DA to silence me as a witness to their deliberate cover-up of criminal activity involving the embezzlement of funds from the El Paso County Pension Fund. Because this pension fund is partially funded by the US Federal Government, I believe it would be in their best interest to immediately investigate this entire matter on that basis alone, as well as on the basis of political corruption. As I now have the resources available to legally fight back, I am providing this brief in the hope that you will consider providing direct legal representation to the US Federal Prosecutor in Washington, DC with a request for a full investigation.

In July of 1990, I lived in Arapahoe County, Colorado at which time my previous wife, Sandra Wilfred, received a divorce decree and judgement. During our marriage of 7 years, we adopted an infant son, Tyler Jonathan Wilfred, through a local agency. As a result of my attorney's untimely death less than one month before the divorce trial, and the judge's insistence on disallowing a continuance for further legal representation to prepare my case and insistence upon my representing myself without council, "whether I liked it or not", my constitutional rights were grossly violated by the Court through: denial of due process; illegal search and seizure; violation of attorney-client privilege; violation of religious freedom; and, ultimately, even the denial, for a period of over 14 months, of the receipt of the transcripts of the entire legal procedure to prove my case. Furthermore, as a direct result of my normal religious practices in the Christian faith, I have been prevented by the court from having ANY contact with my son since 1990, in spite of my constant requests over the years, even though there is no legal or professional basis for such a decision by the judge other than her extreme religious prejudice and her opinion "from a layman's point of view". She admitted on the record that she could not find any professional testimony to concur with her personal assessment, even after procuring a psychologist and a psychiatrist to examine me during the proceedings. I now have the transcripts from the entire proceedings and will make same available for review. My current family attorney in Denver, Colorado, Mr. Dale Parrish, will confirm the bazaar nature of these proceedings. This previous unfair judgement has now been used to justify denying my custody rights in the current custody determination with my two children from my subsequent and now previous marriage to Dearnna Garcia Wilfred. Upon request, I will make available a copy of the law suit filed by me, pro se, with the US Federal District Court, in Denver, Colorado in 1990 for the violation of my constitutional rights that was dismissed on the grounds that the US Federal Courts refuse to protect constitutional rights when violated in a family court. I repeat, with no legal or professional justification, I have been prohibited from either seeing or having any contact whatsoever with my son Tyler for over 9 years as a result of that court judgement.

Thereafter, I was married to Dearnna Garcia Wilfred in December of 1990, with whom I fathered my two young children referred to above—my now eight-year old daughter, Danielle Marie Wilfred, and my five-year old son, Isaac Arthur Wilfred. We resided in Colorado Springs, Colorado. I left the U.S. in June of 1997 on an extended business trip bringing me ultimately to Canada. I had experienced serious problems in my marriage to Dearnna prior to this trip, including serious abuse and violence toward me and the children. As a direct result of her behaviour, Dearnna previously had been reported to Social Services for child abuse, including but not limited to violent behaviour toward me and the children, as well as verbal abuse and neglect. The only reason that

she was not recorded and charged with child abuse and ejected from the home at that time was because she entered into a formal agreement with me, my attorney, and a Colorado Social Worker, agreeing to co-operate by permitting me to hire a full-time nanny for the children and to require her to obtain psychological counselling for her abusive behaviour.

However, Dearna did not pursue psychological help, as agreed, and fired the nanny in August of 1997 while I was in Canada on business. When I learned of her action, I was extremely concerned for the welfare of my children, particularly considering the high level of Dearna's mental and emotional instability and abusive tendencies. I also realised that I must remove the children to safety and apply for a divorce. At Dearna's insistence on meeting me in Phoenix, Arizona where I was completing some business in mid-October, 1997, and on her asking me to take the children because of her inability to handle them, I filed for divorce, had her served, and took possession of the children under the advice of my attorney, Seymour Wheelock, who was in Phoenix with me at the time, along with his wife who is a licensed Colorado Social Worker. I then returned to my new home in Stratford, Ontario with the children during the process of the divorce proceeding. I was in the process of completing other extensive business here and also planned to make Canada my permanent home and business headquarters. While in Arizona, Mr. Wheelock also presented Dearna with a Resolution for Divorce and we attempted to maintain contact with her and her attorney for a good faith settlement.

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

A series of bizarre events then commenced, without my knowledge, during what I assumed were good faith negotiations with Dearna for custody and property, which was a deliberate and premeditated deception orchestrated by Dearna's attorney and the DA's office that ultimately resulted in Dearna regaining physical possession of the children and incarcerating me in Canada.

Upon information and belief, and with full documented evidence and witnesses as to the veracity of the following information, I now proceed with this extraordinary account of events that followed.

The former El Paso County District Attorney, Mr. John Suthers, the current El Paso County District Attorney, Ms. Jeanie Smith, and Dearna's attorney, Mr. John Ciccolella, working at the highest political and legal levels in the U.S., both State and Federal, with significant help through Mr. Suthers' political influence at the US Justice Department,

conspired during the so-called good faith negotiations with Dearn's attorney to fabricate "trumped up" charges against me for Criminal Extortion and Violation of a Custody Order. This enabled them to invoke the Hague Commission Treaty between Canada and the US and on February 14<sup>th</sup>, 1998, to come to my home in Canada, seize the children, and force them into an unmarked police van while on a walk with their nanny. They took them directly to the airport and immediately returned them back to Colorado and into the arms of the abusive environment from which they had been rescued four months earlier. The Canadian authorities then arrested me at my home, during which, when I enquired as to why . . . the officer stated in confusion . . . that he didn't have any documentation or evidence from the States as yet. The children's nanny later gave her personal account that Dearn, with the Canadian police, suddenly pulled up at the curb in an unmarked police van and grabbed my children as they attempted to hide behind their nanny in horror, even hiding from their mother who was cursing uncontrollably and who had to be restrained by the police during this so-called "rescue". I was then incarcerated in a maximum security facility in Cambridge, Ontario for a period of eighty-nine days before I was able to obtain bail on May 14<sup>th</sup>, 1998.

In my enquiries through my Canadian attorney regarding how such ridiculous and fraudulent charges could be made on virtually no evidence, I discovered that Mr. Suthers, as the former El Paso County District Attorney, was indeed conspiring with the DA and Dearn's attorney, Mr. John Ciccolella, to launch a vendetta against me in order to silence me from revealing Mr. Suthers' previous involvement in the cover-up of a pension fund embezzlement scheme. This resulted from a previous confrontation with him regarding my having reported to the F.B.I. his involvement in the deliberate cover-up of embezzlement involving the El Paso County Pension Fund in 1995 that threatened his political career, privately generated considerable embarrassment for him and his political constituents, and forced him to imprison one of his friends and business associates. **Please see the enclosed "Rough Draft Affidavit" for a detailed account of the events and evidence surrounding the El Paso County Pension Fund embezzlement incident.**

As a direct result of my efforts as a consultant on behalf of the El Paso County Pension Fund, Mr. Suthers was eventually forced by the FBI to investigate and ultimately press charges against his close friend, Mr. Michael Witty, the Director of the Pension Fund, who was instrumental in this embezzlement scheme and who was sent to prison for eighteen years for his illegal actions. What has not been revealed is that Mr. Suthers himself, with full documentation regarding details of the illegal scheme having been discovered and presented to him directly by me in September of 1994, was instrumental in covering up the embezzlement scheme for a period of nearly two years, from September of 1994 to the spring of 1996. This deliberate cover-up not only involved Mr. Witty, but also several other pension fund contracting entities and individuals working with Mr. Witty. All the while, the DA's office had prohibited me from revealing this information elsewhere, for "security reasons". Only when ultimately reported to the FBI by me, and confronted by the FBI directly, did Mr. Suthers then begin an investigation that deliberately omitted his friends and political allies and focused only on Michael Witty. Even then, it was never revealed that I was the provider of the information. In fact, thereafter, I was forced, under duress and threat of severe punitive damages, to sign a release by a consortium of three law firms representing Mr. Witty, the Pension Fund, and Mr. Witty's participating contractors, stating that I would not reveal any further information or even so much as mention the names of those involved in the Pension

Fund embezzlement scheme, including, of course, Mr. Suthers' involvement, or even reveal the existence of the release agreement itself, without suffering a penalty of \$50,000.00 per event. Mr. Suthers' direct law firm, Sparks and Dix, was one of the three law firms involved in this release agreement. I was even offered money, already owed to me for services performed as consultant to the Pension Fund, on condition that I sign the release agreement without review by my attorney; otherwise, I would forfeit that income. At that point in time, as these law firms were all fully aware, my compensation had been delayed to the extent that my financial situation was such that I was subject to eviction from my home. However, up to the point that I was coerced into signing this agreement, I managed to release enough information to the public and the FBI to force the DA to investigate, at least to the point of forcing Mr. Suthers to uncover Mr. Witty's activity. As a result, along with Mr. Witty's conviction, the County Treasurer and two Pension Fund Board members were fired and heavily fined. This confirmed my information given to Mr. Suthers nearly two years earlier wherein I named the very same people that he was forced to identify and prosecute as a result of "his so-called investigation" two years later. Mr. Suthers had that information on file through my presentation to his office since September of 1995 and deliberately lied to the Pension Fund, and even to the newspapers, about having launched a two-month investigation at that time, finding "no wrong-doing". Even so, Mr. Suthers' friends and political allies continued to be omitted from the final investigation that convicted Mr. Witty. Since these events, I have since been advised by legal council that the release agreement I was coerced into signing is illegal and unenforceable. Therefore, I am ready to provide this documented information to higher authorities upon request without fear of retribution. All of this is a matter of record.

Mr. Suthers thereafter quietly relinquished his position as District Attorney to one of his political allies and constituents, Ms Jeanie Smith, to run in the November, 1998 election for state Attorney General, a race he subsequently lost. However, I believe that Mr. Suthers thereafter has continued to enforce his incredible degree of political power and influence in Colorado to his personal benefit, all the while looking for a way to punish and ultimately silence me and destroy my evidence as to his involvement in covering up the embezzlement scheme. Recent articles in the local media have reported similar vindictive and manipulative tactics where his political opponents have alleged that "Suthers improperly launched a criminal investigation solely to gain an advantage in a civil action" and that he has regularly "used the DA's office and police as his personal gofers to get papers through search warrants". Mr. Suthers, through the current DA, did just that by obtaining my private files from a safety deposit box, including documentation on Mr. Suthers' involvement in the Pension Fund scheme, through one Colorado Springs Police Detective Patterson. Whether the file was kept, destroyed, or given to Mr. Suthers, I do not know; however, what he does not know is that hidden copies of these files and documents, including transcripts of conversations that took place at the DA's office, are available to the authorities upon request.

Since my arrest on false charges and request for extradition from Canada to be delivered to a Colorado jail for trial, Mr. Suthers has been appointed as head of the correction facilities for the State of Colorado, a curious, albeit strategic position for him to hold should I be extradited back to Colorado to be held for trial in a Colorado correctional facility. Dearn's marital dispute against me, the invocation of the previous judgement, and Mr. Suthers' current political assignment have provided him, Ms. Jeanie Smith, and their political allies with the perfect opportunity to destroy my effort to expose

Mr. Suthers' involvement in criminal activity. I have been advised by a prominent attorney close to Mr. Suthers that my personal safety would be seriously jeopardised should I be returned to Colorado prior to the charges against me being removed and this entire situation being legally exposed and challenged at the federal level.

While I was in jail initially, Dearn's attorney used this strategic position to initiate two processes against me to his, and ultimately Dearn's, advantage. The first was a Motion to Waive Mediation regarding our divorce because I was "incarcerated in Canada on criminal charges", while conveniently omitting the fact that he, Ms. Jeanie Smith, and Mr. Suthers were the instigators behind the false charges and my incarceration in the first place. The second was her filing for an uncontested, ex-parte divorce with the same reasoning. Unfortunately, Mr. Wheelock, my attorney, was spending his time fending off a complaint filed against him by the DA with the Colorado Supreme Court for his part in representing me in my divorce proceeding. He was being accused of "misconduct" for his assistance in the rescue and removal of my children from Dearn. Essentially, he was intimidated to the extent of his action to abandon the case and leave me without legal representation while I was incarcerated in Canada. Mr. Wheelock was virtually chased out of the case by the Colorado authorities who even attempted to have him disbarred. The outcome was my legal divorce on April 27<sup>th</sup>, 1998 from Dearn. With the invocation of the previous judgement, full custody of the children was determined in her favour on September 14<sup>th</sup>, 1998. I have been disallowed ANY contact with my two children or any report on their well-being since they were taken from me on February 14<sup>th</sup> of 1998.

On June 1<sup>st</sup>, 1998, I was back in court again in Kitchener, Ontario for an extradition hearing. After a full day's hearing, the judge essentially ignored the general lack of evidence and ultimately deliberated against me on both charges, based entirely upon hearsay evidence and documented, last minute "surprise new evidence" submitted by the District Attorney in Colorado. As the judge had determined that the extortion charge, as the primary charge involved, had no substance, the new evidence was designed to support the extortion charge. The DA alleged the existence of a co-conspirator with the extortion; however, such allegation has since been confirmed and documented as fraudulent. My so-called co-conspirator's charges were dismissed uncontested at the first hearing in Colorado on the grounds of insufficient evidence as admitted and submitted by the DA herself! Documentation of this dismissal and the discrediting of the entire package of "surprise evidence" has been submitted in my successful filing and acceptance by the Canadian justice system of my Application For Extradition Appeal here in Canada. In any case, during the hearing, without immediate knowledge of the new evidence being fraudulent, the Canadian Judge was forced to incarcerate me once again in Cambridge for a period of an additional thirty-six days until my impending extradition back to Colorado. During this entire extradition proceeding, to my disbelief, the prosecution and the judge proceeded without ever considering evidence presented regarding the instability of the mother, and without showing any concern whatsoever for the welfare of the children. Evidence was misrepresented to such a degree that my new attorney, Mr. Alan Gold of Gold & Fuerst in Toronto, Ontario, was able to obtain very expensive, albeit virtually unrestricted bail for me on July 6<sup>th</sup>, 1998 pending an appeal hearing on my extradition on the grounds of insufficient evidence and misrepresentation of evidence. Accordingly, I spent a total of one hundred and twenty-five days (the initial eighty-nine plus thirty-six after losing my extradition hearing) incarcerated in the Cambridge maximum security prison.

Mr. Alan Gold is considered to be among the top 3 criminal attorneys in Canada and is looked upon by the legal profession as one of the top extradition attorneys. He is convinced that this case is totally tainted and has insisted that I get on the offence in the US with a federal investigation. He is available for consultation.

Of continuous extreme concern to me and my new wife, Carolyn, is that throughout this entire process, all the officials involved have made no effort whatsoever to look into the welfare of the children. When Carolyn approached, in writing, The Hague Commission, and thereafter the US Ambassador, the US State Department, the Office of Children's Issues, the Governor of Colorado, and The Department of Human Services and Social Services in Colorado Springs during and after my incarceration from February, 1998 and included affidavits from key witnesses as to Dearnna's past violent and abusive behaviour towards the children, they too all refused to act, or even do so much as check on my children. Being a follower of Hillary Clinton's books on children's issues, Carolyn even approached Mrs. Clinton by letter, fax, and e-mail with no reply. **(see attached letter entitled, "It Takes a Global Village")**.

Upon information and belief, the Colorado Governor's Office, the Human Department of Services and the El Paso County Social Services are just a few of the many state entities in Colorado, including the Office of the El Paso County District Attorney, who have unknowingly or knowingly co-operated with John Suthers' personal political agenda and vendetta as a direct result of his strong political influence. Furthermore, the prosecution is so fearful of our having access to Dearnna's whereabouts for the possibility of filing a motion and presenting her with a subpoena to initiate a complete psychological evaluation that they have placed her under "police protection", justified by ridiculous accusations against me that have absolutely no substance. As a result, even since my release from incarceration on bail, I still have been totally prevented from having any contact with my children and in fact have no idea even where they are being kept. The El Paso County District Attorney's Office is making every effort to conceal from me the whereabouts of both my children and of Dearnna. This has occurred even though my bail conditions include no restrictions as such and I am free to move about the entire province of Ontario, Canada.

Numerous parties in both countries acknowledge these charges against me as being absolutely ridiculous and unbelievable. However, I believe that through very careful corroboration by John Suthers and his constituents at many levels, this vicious attack against me, with the constant over-riding concern of harm to my children, has escalated to a level beyond anyone's imagination. This is all as a result of the previous judgement and the vindictiveness of John Suthers and his political puppets in Colorado who essentially have conspired to use a family dispute and an unfair and unchallenged judgement to their own political and personal advantage. This becomes particularly serious when you consider that John Suthers' strong personal affiliations reach right to the White House and Federal Department of Justice. The State of Colorado actually refused to fund the original application for extradition for lack of evidence and the incredible expense. This precipitated in a rejection of the extradition request by the US Justice Department for lack of evidence and lack of funds. The El Paso County DA then resubmitted a second application for my extradition promising to forward their "surprise additional evidence" (albeit fraudulent) after the fact, as it was being compiled, and agreeing to fund the entire proceeding exclusively with El Paso County funds. Upon information and belief, John Suthers used his personal influence to support this second

request all the way to the White House and to the US Justice Department. As a direct result of his personal involvement and the volunteering of what now must be tens, if not hundreds of thousands of dollars of El Paso County tax payers' money, the second request for extradition was signed by the US Attorney General herself, Janet Reno. All the while, to my amazement, no information has been reported to or by the local, state, or national media pertaining to my being charged, to the legalised kidnapping of my children, to the county's attempt at my extradition through the US Justice Department and into Canada, or to the fact that this flagrant and expensive effort is being funded not by the State of Colorado but exclusively by the taxpayers of El Paso County. Could this be an obvious and deliberate cover-up in order to quietly eliminate me and thereby protect the political careers of Mr. Suthers and his political allies involved in the Pension Fund embezzlement scheme?

Waiving extradition and returning to Colorado to challenge these charges and fight for custody of my children is not an option as long as John Suthers and his political allies run the show. There is a good chance that I will win the Extradition Appeal in Canada; however, this does nothing for the safety and security of my children or the removal of these charges. Currently, through fresh evidence being obtained and submitted to my Canadian attorney through my legal council in Colorado, the charges no longer have any legal basis. As a result, in order to avoid being exposed, the El Paso County DA refuses to drop the charges and has launched a new investigation regarding my business activities wherein they are openly and blatantly soliciting my investors in Colorado to sign pre-prepared complaints against me, my company, and my business associates. It is also interesting to note that the two individuals they are legally attacking in this move, Mr. Phil Freytag and Mr. Collin Finn, also participated with me in my investigation of the federally funded El Paso County Pension Fund embezzlement cover-up. This is not the first time that my business activities have been dragged into this case. Because of my involvement as a financial intermediary to obtain significant relief funding for the country of Guatemala, and due to the amount of my reported potential compensation by the DA to the Canadian Justice System, the Canadian Judge determined my bail at \$600,000.00 CAN. This proceeding and the interference by the DA has dramatically affected the sensitive disposition of this highly confidential transaction to the extent of the involvement of key US Federal agencies and political figures all the way to the White House. This issue alone may also provide justification for a federal investigation. **Please see the attached "Guatemala Funding Summary", as a synopsis of how this transaction now relates to this case.**

My concerns and objectives at this time are three-fold: to bring the children to safety immediately; to get these charges against me dropped as quickly as possible; and, to regain contact and ultimate custody of my children. It goes without saying that John Suthers and his political allies involved in the embezzlement scheme must be exposed in order to end their political rein of terror in Colorado. Thereby, the El Paso County Pension Fund and the US Federal Government will finally recover the remainder of the embezzled funds still outstanding. As fantastic as this story seems to be, please trust that it is true. I would implore you to confirm all herein by talking to the witnesses involved and by viewing the documented evidence on hand to verify the political and judicial corruption, criminal activity, and personal vendetta that has so violated my family as to create such an immediate need to rescue my children from an abusive and potentially dangerous environment. Mr. Dale Parrish, of Denver, Colorado and Mr.

Lance Sears of Colorado Springs, Colorado are currently my legal council working to unravel the custody issues as well as to discredit the criminal issues inside the extradition appeal . . . while walking on eggshells with the El Paso County DA. Mr. Parrish and Mr. Sears are of the opinion that if I go to the Federal Prosecutor inside Colorado with the pension fund evidence as it relates to the origin of these charges, "the DA will and can make it impossible for me to ever see my children again". We are currently approaching the custody issues in Colorado by filing motions requesting contact with the children and a full evaluation of the children's welfare. However, this may be very difficult to get approved, without my returning to Colorado. Furthermore, my attorneys have made it quite clear that returning under the current conditions would be at least unsafe, if not potentially dangerous.

Accordingly, I would appreciate your assistance in every way possible to prompt a federal investigation in this matter. Obviously, with concern for my personal safety and unimpaired justice, I must continue to pursue this entire matter from Canada by the advice of U.S. legal council. The Extradition Appeal in Canada is scheduled for January 27, 2000 with no further extensions. Accordingly, **this request is of the utmost urgency**, considering the safety and security of my children as the first and foremost priority.

Thank you for your expedient consideration to this request for legal assistance.

Sincerely,



Harmon L. Wilfred

CC: Alan Gold, Gold & Fuerst