Twitter Thread by File411



File411
@File411

ICYMI
Hate Crime Indictment
Jason DeSimas
Jason Stanley
Randy Smith
Daniel Delbert Dorson
-aiding & abetting
-punched & kicked a Black man -derogatory comments about his actual & perceived race
-assaulting 2 other men who intervened to protect the

What's a bit amazing is this hate crime took place in December of 2018 and the 4 defendants were indicted nearly two year on the nose. Because the Defendants were indicted for a hate crime.
That's a force multiplier or at a minimum an enhancement of 10 years (addition to)

Presented to the Court by the foreman of the Grand Jury in open Court, in the presence of the Grand Jury and FILED in the U.S. DISTRICT COURT at Seattle, Washington
December 16, 2020
WILLIAM M. McCOOL, Clerk
By _____ Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, Plaintiff v. JASON DESIMAS, JASON STANLEY, RANDY SMITH, and DANIEL DELBERT DORSON, Defendants.	NO. CR20-222 RAJ **INDICTMENT**

The Grand Jury charges that:

COUNT ONE

(HATE CRIME)

On or about December 8, 2018, in Snohomish County, within the Western District of Washington, JASON DESIMAS, JASON STANLEY, RANDY SMITH, and DANIEL DELBERT DORSON, each aiding and abetting one another, willfully caused bodily injury to T.S., a Black man, and did so because of T.S.'s actual and perceived race, by among other things, punching and kicking T.S. about the body and making racially derogatory comments about T.S.'s actual and perceived race.

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At first glance you wouldn’t think this had anything to do with White Supremacy -read page 4-
Dorson falsely claimed that he had not planned to attend a white supremacist’s “Martyr’s Day” observance in the state of WA he had not owned a “flight jacket“
https://t.co/yU8t1DkyZA

that he had bloodied his knuckles prior to his arrest when he participated in the assault of T.S., J.B., and A.D. on December 8, 2018, in Snohomish County, Washington.

All in violation of Title 18, United States Code, Section 1001.

COUNT SEVEN

(FALSE STATEMENT)

On or about December 5, 2019, within the District of Oregon, DANIEL DELBERT DORSON knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter, that is, a criminal investigation being conducted within the Western District of Washington, by and within the jurisdiction of the Federal Bureau of Investigation, an agency of the executive branch of the United States. Specifically, DANIEL DELBERT DORSON falsely told a FBI Special Agent that: (1) prior to his trip to Washington State on the weekend of December 8, 2018, he believed the purpose of the trip was to attend a "punk show" and that he did not know about the annual "Martyr's Day" memorial service for a white supremacist that was scheduled for that weekend, and (2) prior to the evening of December 7, 2018, DANIEL DELBERT DORSON did not have his own "flight jacket" (an article of clothing associated with membership in a white supremacist group) and instead was given someone's else "flight jacket" to wear during the weekend of December 8, 2018. In truth and in fact, as DANIEL DELBERT DORSON then well knew, his statements to the FBI Special Agent were false, in that: (1) prior to his trip to Washington State on the weekend of December 8, 2018, DANIEL DELBERT DORSON was aware of and planned to attend the "Martyr's Day" memorial service in Washington State, and (2) DANIEL DELBERT DORSON had already received and owned a "flight jacket" prior to traveling to Washington State in December 2018.

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Doc # 16 Detention Motion by USA
https://t.co/sxaBEqDLWr

“DeSimas admitted that he was a member of Crew 38,
a support club of Hammerskin Nation, a white supremacists organization...DeSimas lied to the FBI, denying that neither he nor anyone else had used the “N” word...”

Magistrate Judge Paula L. McCandlis

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, Plaintiff v. JASON DESIMAS, Defendant	NO. CR20-222RAJ MOTION AND MEMORANDUM IN SUPPORT OF DETENTION

The United States moves for pretrial detention of the Defendant, pursuant to 18 U.S.C. §§3142(e) and (f). Filed contemporaneous with this motion are three exhibits, filed under seal.

1. **Eligibility of Case.** This case is eligible for a detention order because this case involves (check all that apply):

☒ Crime of violence (18 U.S.C. 3156).

☐ Crime of Terrorism (18 U.S.C. 2332b (g)(5)(B)) with a maximum sentence of ten years or more.

☐ Crime with a maximum sentence of life imprisonment or death.

☐ Drug offense with a maximum sentence of ten years or more.

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always read those footnotes

3 other co-defendants are in custody

-Daniel Delbert Dorson ordered detained & will be
transferred to this District
-Randy Smith is detained in the District of OR, on an unrelated federal case
-Jason Stanley is detained at the ID DOC an unrelated case

motivated and denied the use of derogatory and racially-motivated statements made during the assault of T.S. However, the investigation has shown that, on the night of the assault, DeSimas had gathered with his co-defendants and others as part of a weekend memorial service honoring a white supremacist, Robert J. Matthews, who died during a shootout with the FBI on Whidbey Island in 1984, an annual weekend event often referred to as "Martyr's Day." Facebook records for DeSimas' Facebook accounts evidence DeSimas's participation in "Martyr's Day" activities in December 2018, as well as his belief in the inferiority of the Black race; and his active membership in Crew 38 and his support of Hammerskin Nation.[2] *See*, Exhibit B, examples of Facebook postings on DeSimas' Facebook accounts.

The government has also filed, under seal as Exhibit C, a statement by T.S. This statement describes the long-lasting and significant impact that the hate crime has had on him, that he does not know where the defendants are located, and that they could be anyone, and as a result, he is "hypervigilant" and "fearful" of his safety at all times. Entering an order of detention will ensure the safety of T.S. and the other victims and witnesses.[3]

2. *Risk of Flight*

DeSimas has self-surrendered, but this does not mitigate his risk of flight and non-appearance. Efforts to locate DeSimas by law enforcement have been extensive.

Over the past several weeks, law enforcement has made numerous attempts, unsuccessfully, to locate DeSimas. They have conducted dozens of instances of surveillance and spot checks on possible addresses where DeSimas may be located, as

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[2] The Anti-Defamation League describes the Hammerskins as a national and international white supremacist organized known for violence notably against Black persons. https://www.adl.org/education/resources/profiles/hammerskin-nation

[3] The three other co-defendants are in custody. Daniel Delbert Dorson has been ordered detained and will be transferred to this District. Randy Smith is detained in the District of Oregon, on an unrelated federal case. Jason Stanley is detained at the Idaho Department of Corrections, on an unrelated case.

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In the Govt Motion re Detention they proffered;
-DeSimas' Facebook accounts evidence

-participation in “Martyr’s Day” activities in Dec 2018
-his belief in the inferiority of the Black race
-active membership in Crew 38
-support of Hammerskin Nation
https://t.co/IUQJR82y5P

history and the nature of his current offense). But the general existence of a pandemic does not have significant bearing on whether a non-symptomatic defendant’s actual “physical and mental health” weighs in favor of release.

DATED this 21st day of December, 2020.

Respectfully submitted,

BRIAN T. MORAN
United States Attorney

s/Ye-Ting Woo
YE-TING WOO
Assistant United States Attorney

s/Christine M. Siscaretti
CHRISTINE M. SISCARETTI
Trial Attorney
Criminal Section, Civil Rights Division

Shortly thereafter the Court Granted the Government’s Motion to Detain Defendant Jason DESIMAS
but wait - there’s more...
https://t.co/Pkwyk9MYqP

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON DESIMAS,

Defendant.

Case No. CR20-222RAJ-001

DETENTION ORDER

The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has been charged by indictment with counts 1-3: Hate Crime; and count 4: False Statement. The defendant is viewed as a risk of nonappearance based on his history of failures to appear, history of noncompliance with under supervision, and history of substance abuse. The defendant is viewed as a risk of danger based on the nature of the offense, safety concerns for the victim, and his criminal history, including criminal history while under

MOTION for Review of Detention Order by Jason DeSimas. Oral Argument Requested
-defendant apparently self surrendered
-completed drug therapy
-argues he wasn't in hiding
odd the government's filing stated they surveilled him, his car & previous addresses
https://t.co/wKAqjgBhLK

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, Plaintiff, v. JASON DESIMAS, Defendant.	No. CR20-222-RAJ MOTION TO REVIEW AND REVOKE MAGISTRATE JUDGE'S DETENTION ORDER AND MEMORANDUM OF LAW IN SUPPORT Oral Argument Requested Noted for January 1, 2021

Jason DeSimas respectfully moves this Court to revoke the magistrate judge's detention order and promptly release him pending trial with the conditions recommended by Pretrial Services in its December 21, 2020 report. 18 U.S.C. § 3145(b); Local Rule W.D. Wash. MJR 11.

I. Introduction

The Bail Reform Act requires a court to impose only the least restrictive conditions necessary to reasonably assure a defendant's appearance and the safety of the community. The magistrate judge misapplied the legal standard and relied on incomplete facts provided by the government to find that no condition or combination of conditions could reasonably assure Mr. DeSimas's appearance, and that he posed a danger to the community.

Mr. DeSimas is not a flight risk. He has lived in Washington for the past 20 years and has been working as a tattoo artist for the last 17. He has strong ties to this community and is someone that other people trust and rely on. *See* Exhibit 1 (letters of

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I just can’t see an FBI agent saying this, at all:

‘..there were ominous comments made by the agents about needing to find Mr. DeSimas “before Antifa did” for his own safety. Whether or not these individuals provided the information sought by the FBI”
https://t.co/wKAqjgBhLK

child support payments, as he has been lately, his license is in good standing. When he is not keeping current with these payments, it is suspended and he is pulled over and charged with driving on a suspended license.

Mr. DeSimas's failure to pay fines or to appear at court appearances he is notified of through a ticket and a mail summons is not indicative of his willingness to appear for his federal court appearances or comply with federal pretrial supervision. It is far more probative that Mr. DeSimas self-surrendered in this case, has been free from law enforcement contacts for the past two years, and has completed all probation and supervision requirements imposed upon him—including the intensive requirements of King County's Felony Drug Treatment Court.

As to its second argument, the government seems to contend that Mr. DeSimas was somehow evading law enforcement for lengthy periods of time before the indictment was unsealed in this case. Not only is this directly contrary to its argument alleging that he is a danger now that the charges are unsealed, it's simply not logical. The fact that law enforcement had stale information about what car Mr. DeSimas was driving in or his business hours isn't indicative of Mr. DeSimas evading them. People buy new cars. Mr. DeSimas also works in an industry where fluctuating hours are not entirely uncommon based upon changes in artist staffing and availability, traffic, and the like. Finally, precipitous drops in traffic combined with changing state guidance regarding business operations has caused countless Washington businesses to alter their hours, often multiple times, during the pandemic.

On the morning of December 18, 2020, which is the first time that law enforcement attempted to execute the warrant issued in this case, they went to his residence, his business, and his sister's home (where he does not live). He wasn't at any of these places. Not because he was avoiding being arrested by the F.B.I., but because he was out picking up food. According to people who spoke to law enforcement that

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I uploaded DeSimas' Motion Detain-Reconsideration to a public drive. It is odd that he doesn't refute or explain:
his current membership in Crew 38
or his support of Hammerskin Nation
I suppose we'll find out who has the better argument...
/fin
https://t.co/0qklD8Pt0M

Meet Gravy Jason DeSimas

https://t.co/Aspelx9viQ
https://t.co/yy7WD3CVQk



