

FBI targets biker club - 40 indicted so far as feds build racketeering case against Highwaymen

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The federal government has indicted 40 members and associates of Detroit's Highwaymen Motorcycle **Club** , and officials say they are building a racketeering case that will at least double the number of defendants.

The **FBI** 's attempt to smash the Highwaymen -- detailed in court records, hearings and interviews, and based on at least 30,000 wiretapped phone calls -- features allegations of murder for hire, bloody beatings, suspected police corruption, a tractor trailer full of cocaine, interstate theft, and mortgage and insurance fraud.

"We're probably looking at one of the largest indictments in terms of number of defendants that this district has seen," said Assistant U.S. Attorney Diane Marion, who is prosecuting the case.

Indictments alleging large-scale trafficking of powder cocaine were handed down in October and March and a new charge was filed as recently as Friday. Within two months the government wants to combine the existing cases into a much more sweeping indictment involving a range of charges under the Racketeer Influenced and Corrupt Organizations Act and 80 or more defendants, Marion said.

The Highwaymen, founded in Detroit in 1954, gained infamy in the 1970s when some members were convicted of bombing and raiding homes and clubhouses of rivals. The **club** , Detroit's largest, is still seen by many as an outlaw among outlaws -- banned from a federation of Detroit **clubs** founded by a former Outlaws president.

David "Ike" Simon, 47, president of the Detroit Highwaymen, said some members may have committed crimes but the **club** does not sanction anything illegal.

"There seems to be this perception out there that the Highwaymen are this massive, violent, uncontrollable organization, when that's not the case," said Simon, who is not among those indicted.

But a former Highwaymen vice-president and now honorary member, Aref "Scarface" Nagi of Sterling Heights, is jailed awaiting trial.

29 guns in Sterling Heights

Nagi, the owner of two Detroit-area restaurants, a bar and a janitorial company, may represent the newer face of motorcycle **clubs** -- the businessman **biker** . But an **FBI** search of his tidy home on a suburban street turned up 29 firearms, including assault rifles, shotguns and handguns, several of which had been reported stolen, according to evidence presented by the government in attempts to keep Nagi locked up.

In late-night chatter captured in about 30,000 phone conversations intercepted in 2005 and 2006, Nagi talked of beatings, a shooting and "scooby snacks" -- which the **FBI** says was his code word for cocaine.

Nagi's lawyer, James C. Thomas of Detroit, does not dispute it is his client heard on the tapes but said the word "snacks" suggests any drugs Nagi discussed were for personal use, not trafficking. Nagi is an industrious family man who, in addition to his business interests, is a licensed mechanic with a bachelor's degree and a community service award from Wayne State University, Thomas said.

'Rat' identified in raid

But tapes played in court present a different picture. In one, Nagi boasts about beating up a cook at his Pancho Villa's Restaurant in Dearborn, stabbing the man and throwing him in a Dumpster, **FBI** Special Agent Edward Brzezinski testified in U.S. District Court.

In another, Nagi tells his son Nasser to bring him his AK-47 assault rifle and "make sure it was loaded," Brzezinski testified at a hearing in February. Nasser also is indicted in the drug case and on Wednesday had his bond revoked by Chief U.S. District Judge Bernard A. Friedman.

In attempting to pinpoint a location on Fort Street for one of his associates, Nagi said "right down where I shot that guy," and then laughed, Brzezinski said about the taped conversation.

Nagi also talked about an intense search for the **club** insiders he believed were **FBI** informants.

When the **FBI** raided the **club** 's Michigan Avenue clubhouse in Detroit on May 5, they discovered a photograph of one of their two informants -- the word "Rat" scrawled in black marker across his face.

Alleged attempts to locate the informant and harass his family recently caused a federal judge to order Highwayman Robert Joseph Burton, 38, of Allen Park jailed pending his trial.

"If Mr. Burton finds him, he's done," Brzezinski said of the informant at Burton's bond hearing. "They're going to kill him."

Burton, who lives near the informant's father's house and rides by there to get home, denies trying to locate the informant, trying to have the informant killed and harassing the informant's family, said Burton's lawyer, Steven Scharg.

Lawyer: Calls were 'puffery'

Randy "Tru Story" Ferguson, 59, a Detroit Highwayman not named in the indictments and one of the **club**'s national officers, said a **club** informant would be spurned but not killed for reporting activities to authorities.

"We have a bond between us," said Ferguson, a Vietnam-era U.S. Army veteran.

"When someone breaks that bond, it's as though one of your military friends just went over to the enemy side."

Thomas, Nagi's lawyer, dismisses much of what his client talks about on the tapes as "puffery." For example, officials have no other evidence a cook was stabbed at his restaurant and thrown in a Dumpster, Thomas said.

The Highwaymen raise money for the families of slain police officers and charities such as Toys for Tots and the Make-A-Wish Foundation, Thomas said at a hearing.

Federal officials believe Highwaymen influence has extended to unnamed local police departments, according to testimony.

Asked in court in December why the **FBI** never asked area police to pull over Nagi's vehicle to see if he carried the numerous firearms he talked about, Brzezinski said numerous police corruption allegations are being investigated.

"Pretty difficult to just go to a police department and ask them to pull him over ... you don't know who you're talking to," he said.

Bill Grills, supervisory special agent for the **FBI**'s gang criminal enterprise program in Detroit, said the **FBI** does not believe there is widespread infiltration of local police, but even isolated cases can hurt an investigation.

Simon said the federal government is branding his entire **club** for the actions of a few.

"You're going to throw a net over everybody in an attempt to get the big fish, but 99 out of 100 people are going to slide right back out, because they've done nothing wrong," he said.

Prominent Detroit **biker clubs**

Detroit is home to two large motorcycle **clubs** and many smaller ones, according to the **FBI**. Notable **clubs** deemed "outlaw" groups by the **FBI** include:

About the Highwaymen

¥ The Highwaymen Motorcycle **Club** is Detroit's largest outlaw motorcycle gang, with upwards of 100 local members, compared to about 60 for the Outlaws, said Assistant U.S. Attorney Diane Marion. No other local outlaw gang comes close to those two, she said.

¥ The Highwaymen are excluded from the Detroit Federation of Motorcycle **Clubs** - an association set up in the 1970s by a Detroit Outlaws president to head off turf wars. "None of the **clubs** in the federation are involved in any of that," federation lawyer James L. Feinberg said in reference to allegations against Highwaymen in the federal indictments.

¥ Though not a national **club**, the Highwaymen has chapters in Florida, Kentucky, Tennessee and Indiana.

¥ The gang, founded in 1954, has survived one 22-defendant federal indictment under the Racketeer Influenced and Corrupt Organizations Act in 1987 and an earlier federal indictment in 1973. Second-generation gang members now face charges.

¥ Leonard "Dad" Moore, now an aging Highwaymen leader at 59, went to prison as a result of the 1987 and 1973 indictments. His son, Leonard "Bo" Moore, 36, of Lincoln Park, is a Highwayman charged with drug conspiracy in an indictment handed down in October. Similarly, Robert Joseph Burton, 38, of Allen Park, a gang member indicted for powder cocaine trafficking in September and more recently charged with witness tampering, is the son of longtime Highwayman Joseph Burton, 60.

Caption: Aref Nagi Robert J. Burton In May, the **FBI** found a photo of one of their informants with "Rat" scrawled across it at the Highwaymen Motorcycle **Club**'s clubhouse.

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