

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 10-
	:	
VINCENT JOHNSON	:	18 U.S.C. § 875(c)
	:	18 U.S.C. § 2261A(2)(B)
	:	18 U.S.C. § 245(b)(5)

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting in Trenton, charges:

INTRODUCTION TO COUNTS ONE, TWO, AND THREE

At all times relevant to this indictment:

1. The Puerto Rican Legal Defense and Education Fund (PRLDEF) was a nonprofit organization that maintained offices in the State of New York. PRLDEF's mission was to promote equality for persons of Latino descent in the United States. To that end, PRLDEF lawfully aided and encouraged persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided by the United States and each State and subdivision thereof, including, but not limited to, using the courts to seek redress of grievances, voting and qualifying to vote, enrolling in and attending public schools and public colleges, and applying for and enjoying employment.

2. C.P. and J.G. were employees of PRLDEF.

3. N.P. was the daughter of C.P. and was employed by the Mexican American Legal Defense and Education Fund (MALDEF).

4. **VINCENT JOHNSON** resided in Ocean County in the State of New Jersey and was

the subscriber of the email account “devilfish579@aol.com.”

5. Between November 2006 and August 2008, **VINCENT JOHNSON** used the email account “devilfish579@aol.com” to send threatening communications to C.P.’s work email account.

These threatening communications included, but were not limited to, the following:

A. November 21, 2006:

“[C.P.] . . . Do you have a last will and testament? If not, better get one real soon.”

B. November 22, 2006:

“Like the tyrant Mussolini, [C.P.] makes others accountable, but thinks he is imperious [sic] to judgment. Mussolini was judged and so it will be with [C.P.]”

C. November 25, 2006:

“And to [C.P.], I say this: ‘Come get me, big boy.’ ‘I have come to bury, [C.P.], not praise him.’”

D. December 5, 2006:

“[C.P.], I and others like me are going to cause you irreparable harm if you continue to violate the laws of this country and the rights of American citizens. The rhetorical manure that you generate is going to smack you 6 feet under and if you wish to continue to be a bully then I suggest you find a place where you would be accepted.”

E. January 13, 2007:

“To the primary recipients of this article, read and heed as the American people are fed up with illegal aliens which your chickenshit organizations sanction. All it is going to take is for one lousy, diseased, uneducated illegal alien to bother me in the wrong way and your organizations will get shit on big time. Our guns are loaded and we will take you out as well

whether by the courts or by true fire power.”

F. January 13, 2007:

“To all members of [PRLDEF and other organizations]....come get us....our guns are ready to take you out.”

G. January 14, 2007:

“If the idiots in the organizations which this e-mail is being copied to can't fathom the serious nature of their actions, then they will be on the hit list just like any illegal alien...actually, they are already on the list.”

H. February 5, 2007:

“[C.P. and others]: . . . I have received confirmation that there are American vigilante groups operating to counter the problems associated with illegal aliens in this county....these groups are equivalently as violent as the Mexican drug cartels...they are not part of the Minutemen or other peaceful groups who are dealing with illegal immigration which your organizations sanction. So be warned or we may find you in the obits.”

I. February 15, 2007:

“What's that you say? You have been given a mandate by God to allow this? Is this the same God that the terrorists draw their authority from to attack nations who don't believe in their Islamic law or your dogma? If that is the case, then you are now in the crosshairs.”

J. February 19, 2007:

“[C.P.] . . . Perhaps a call to your daughter, [N.P.], at MALDEF? Make it a family affair? I have not come to praise you, [C.P.], but much rather to bury you.”

K. February 22, 2007:

“[C.P.] of the Puerto Rican Legal Defense and Education Fund: I’ve given some thought about a dilemma that you might be interested in resolving. Let’s start with the premise that someone really thinks that you are a total piece of shit and should somehow suffer the consequences of being so. That person decides that the best way to get back at you is in the ‘Hispanic way’ by kidnapping, raping and brutally killing your daughter, [N.P.], who works under [J.T.], president etc of MALDEF. This kind of stuff happens in Mexico all the time without any resolution of the crime.”

L. February 25, 2007:

“[C.P. and others] . . . You mother fuckers may think you have the power to mandate and dictate for the sake of low life chickenshit scum like this [referencing a news article that describes a kidnapping allegedly committed by a person of Latino descent], but rest assured that true Americans along with the American government know who you are, where you live and work and we are not putting up with your fucking shit anymore. What’s that you say? How can anyone say such things to you? Get used to it....this is America, not Mexico. . . . Get into the American groove or we will destroy your sorry asses.”

M. May 27, 2007:

“Read this story [referencing a sexual assault allegedly committed by a person of Latino descent] and comprehend it then ask yourselves why American citizens should not destroy you for supporting such people....and don't think it can't happen as you are just as guilty as the scumbags who raped this girl.”

N. June 2, 2007:

“Let’s get one thing straight: the people who you sanction are low life pieces of sh*t [sic]...the word is out about your organizations and I wouldn't be the least bit surprised if your organizations are attacked. There can be absolutely no argument against the fact that Mexicans are scum as all they know how to do is f*ck [sic] and kill. . . . It would give great pleasure to be at funeral services for members of [PRLDEF and other organizations] as I would piss on their graves.”

O. June 13, 2007:

“Rest assured that if I am the least bit bothered by an illegal alien whose presence in this country has unlawfully been sanctioned by [C.P.], then [C.P.] had better start running.”

P. July 7, 2007:

“The primary recipients of this e-mail have very little time to get their houses in order.”

Q. July 13, 2007:

“[C.P.] . . . Be advised and also be advised that your creation of the fear of litigation and legal expenses to a community that prefers to uphold the law will only [sic] one thing: you and yours are going to get killed.”

R. August 13, 2007:

“Since Osama bin Laden has a price on his head, then there should be no reason why [C.P. and others] and many others who sanction illegal alien terrorism should not receive the same classification. . . . It’s time that we destroy them with whatever it takes to do so. . . . The crimes committed by illegal alien invaders are not going to stop until these organizations are destroyed and the invaders are either decimated or leave this country.”

S. September 4, 2007:

“I won't waste my time with legal endeavors...my preference would be to buy more ammunition to deal with the growing chaos created by the pro-illegal alien groups. RIP [C.P. and others] who are not the friends of our democracy.”

T. September 7, 2007:

“As I have expressed to my congressman, I will kill any goddamn illegal alien who crosses my path in the wrong way and I am not the least bit intimidated by gangs or chickenshit organizations like [PRLDEF and other organizations] which are doing their utmost to promote the violation of our laws. The individuals who run these organizations already have prices on their heads because of the crime committed by the illegal aliens they support. It is clearly evident that there is a symbiotic malevolent connection between most of them including family. . . . And the lawyers and leaders from pro-illegal alien organizations will need a last will and testament.”

U. September 15, 2007:

“Last Call . . . [C.P. and others]: After reading the article below [referencing a lawsuit filed in federal court by PRLDEF and other groups on behalf of persons of Latino descent] can you give me simply one good reason why someone should not put a bullet between your eyes for your actions that are promoting lawlessness in this country? It certainly would be nice to get a decent response before someone decides to do just that since Americans now feel that we have to be judge, jury and executioner at this point. As Bush is aware we don't listen to his bullshit anymore to protect your asses....his credibility is shot so your asses could get shot. . . . For protection please call 1 866 347 2423.”

V. August 25, 2008:

“To [C.P. and others] . . . Go ahead, scumbags, complain to the FBI as I have already twice set the record straight that you are con-artists....and in time you are going to get sued if not killed by some irate person whose family was marred because you have promoted the violation of our immigration laws. . . . I certainly would not want to be your secretary who intercepts and reads this e-mail as I might quit working for you knowing full well that you are breaking the law and could be putting my life in jeopardy.”

COUNT ONE

Paragraphs 1 through 5 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

6. From on or about November 21, 2006, through on or about August 25, 2008, in Ocean County in the District of New Jersey, **VINCENT JOHNSON** knowingly and willfully transmitted in interstate commerce, from the State of New Jersey to the State of New York, email communications that contained threats to injure and kill employees of PRLDEF.

All in violation of Title 18, United States Code, Section 875(c).

COUNT TWO

Paragraphs 1 through 5 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

7. From on or about November 21, 2006, through on or about August 25, 2008, in Ocean County in the District of New Jersey, **VINCENT JOHNSON**, while located in the State of

New Jersey and with the intent to place a person located in the State of New York, namely C.P., in reasonable fear of the death of, and serious bodily injury to, C.P. and his daughter, N.P., knowingly used an interactive computer service and facilities of interstate commerce to engage in a course of conduct that placed C.P. in reasonable fear of the death of, and serious bodily injury to, C.P. and his daughter, N.P.

All in violation of Title 18, United States Code, Section 2261A(2)(B).

COUNT THREE

Paragraphs 1 through 5 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

8. From on or about November 21, 2006, through on or about August 25, 2008, in Ocean County in the District of New Jersey and elsewhere, the defendant, **VINCENT JOHNSON**, by threat of force, and the threatened use of a dangerous weapon, that is, a gun, did willfully intimidate and interfere with, and attempt to intimidate and interfere with, employees of PRLDEF, who were citizens, because they were and had been, and in order to discourage them from, lawfully aiding and encouraging persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided for by the United States and any State, and subdivision thereof, as set forth in Title 18, United States Code, Sections 245(b)(1) and (2).

All in violation of Title 18, United States Code, Section 245(b)(5).

INTRODUCTION TO COUNTS FOUR, FIVE, AND SIX

At all times relevant to this indictment:

9. The Mexican American Legal Defense and Education Fund (MALDEF) was a nonprofit organization that maintained offices in the State of California. MALDEF's mission was to promote equality for persons of Latino descent in the United States. To that end, MALDEF lawfully aided and encouraged persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided by the United States and each State and subdivision thereof, including, but not limited to, using the courts to seek redress of grievances, voting and qualifying to vote, enrolling in and attending public schools and public colleges, and applying for and enjoying employment.

10. J.T., C.M., and N.P. were employees of MALDEF.

11. C.P. was the father of N.P. and an employee of the Puerto Rican Legal Defense and Education Fund (PRLDEF).

12. **VINCENT JOHNSON** resided in Ocean County in the State of New Jersey and was the subscriber of the email account "devilfish579@aol.com."

13. Between January 2007 and February 2009, **VINCENT JOHNSON** used the email account "devilfish579@aol.com" to send threatening communications to J.T.'s work email account.

These threatening communications included, but were not limited to, the following:

A. January 13, 2007:

"To all members of [MALDEF and other organizations]....come get us....our guns are ready to take you out."

B. January 14, 2007:

“If the idiots in the organizations which this e-mail is being copied to can't fathom the serious nature of their actions, then they will be on the hit list just like any illegal alien...actually, they are already on the list.”

C. February 2, 2007:

“[J.T.], First of all, you don't mean shit to me as it is apparent that you are a scumbag lawyer who could possibly be shot and killed for violating the rights of American citizens. . . . It is now a very strong possibility that Americans have created forces (above and beyond the border patrol and national guard) to kill those who encroach upon this country.....and your organization which sanctions illegal immigration could be hit as well. I strongly encourage you to honor the laws of this country or we may find you in the obituaries. Americans are not opposed to legal immigration, but your organization believes in open borders..... hence you may be shot and killed. . . . In other words, [J.T.], there is a price on your head for violating our federal laws which the president, our US attorney and our federal judges are mandated to uphold. . . . I am giving you fair warning that your presence and position is being tracked...you are dead meat...along with anyone else in your organization. Everyone knows that [N.P.] is associated with [C.P.]”

D. February 5, 2007:

“[J.T. and others]: . . . I have received confirmation that there are American vigilante groups operating to counter the problems associated with illegal aliens in this county....these groups are equivalently as violent as the Mexican drug cartels...they are not part of the Minutemen or other peaceful groups who are dealing with illegal immigration which your organizations

sanction. So be warned or we may find you in the obits.”

E. February 15, 2007:

“What’s that you say? You have been given a mandate by God to allow this? Is this the same God that the terrorists draw their authority from to attack nations who don't believe in their Islamic law or your dogma? If that is the case, then you are now in the crosshairs.”

F. February 25, 2007:

“[J.T. and others] . . . You mother fuckers may think you have the power to mandate and dictate for the sake of low life chickenshit scum like this [referencing a news article that describes a kidnapping allegedly committed by a person of Latino descent], but rest assured that true Americans along with the American government know who you are, where you live and work and we are not putting up with your fucking shit anymore. What’s that you say? How can anyone say such things to you? Get used to it....this is America, not Mexico. . . . Get into the American groove or we will destroy your sorry asses.”

G. May 11, 2007:

“[J.T.] . . . I am going to tell you this....if I am bothered in any way, shape, manner or form by of [sic] piece of illegal alien scum who you have sanctioned, your ass will be mine and I encourage every other American citizen to go after you, your organization and others which promote illegal immigration.”

H. May 27, 2007:

“Read this story [referencing a sexual assault allegedly committed by a person of Latino descent] and comprehend it then ask yourselves why American citizens should not destroy you for supporting such people....and don't think it can't happen as you are just as guilty as

the scumbags who raped this girl.”

I. June 2, 2007:

“Let’s get one thing straight: the people who you sanction are low life pieces of sh*t [sic]...the word is out about your organizations and I wouldn't be the least bit surprised if your organizations are attacked. There can be absolutely no argument against the fact that Mexicans are scum as all they know how to do is f*ck [sic] and kill. . . . It would give great pleasure to be at funeral services for members of [MALDEF and other organizations] as I would piss on their graves.”

J. June 27, 2007:

“[J.T.] . . . As I have expressed to congressional members et al, if I am the least bit bothered by illegal aliens who you sanction, then I will take action...and if that means going after your sorry ass, then so be it.”

K. July 7, 2007:

“The primary recipients of this e-mail have very little time to get their houses in order.”

L. August 13, 2007:

“[J.T.]: You and your organization have crossed the line far too many times and it's about time that you and yours be put in your place.”

M. August 13, 2007:

“Since Osama bin Laden has a price on his head, then there should be no reason why [J.T. and others] and many others who sanction illegal alien terrorism should not receive the same classification. . . . It’s time that we destroy them with whatever it takes to do so. . . . The crimes committed by illegal alien invaders are not going to stop until these organizations are

destroyed and the invaders are either decimated or leave this country.”

N. September 4, 2007:

“I won't waste my time with legal endeavors...my preference would be to buy more ammunition to deal with the growing chaos created by the pro-illegal alien groups. RIP [J.T. and others] who are not the friends of our democracy.”

O. September 7, 2007:

“As I have expressed to my congressman, I will kill any goddamn illegal alien who crosses my path in the wrong way and I am not the least bit intimidated by gangs or chickenshit organizations like [MALDEF and other organizations] which are doing their utmost to promote the violation of our laws. The individuals who run these organizations already have prices on their heads because of the crime committed by the illegal aliens they support. . . . And the lawyers and leaders from pro-illegal alien organizations will need a last will and testament.”

P. September 15, 2007:

“Last Call . . . [J.T. and others]: After reading the article below [referencing a lawsuit filed in federal court by the Puerto Rican Defense and Education Fund and other groups on behalf of persons of Latino descent] can you give me simply one good reason why someone should not put a bullet between your eyes for your actions that are promoting lawlessness in this country? It certainly would be nice to get a decent response before someone decides to do just that since Americans now feel that we have to be judge, jury and executioner at this point. As Bush is aware we don't listen to his bullshit anymore to protect your asses....his credibility is shot so your asses could get shot. . . . For protection please call 1 866 347

2423.”

Q. August 25, 2008:

“To [J.T. and others] . . . Go ahead, scumbags, complain to the FBI as I have already twice set the record straight that you are con-artists....and in time you are going to get sued if not killed by some irate person whose family was marred because you have promoted the violation of our immigration laws. . . . I certainly would not want to be your secretary who intercepts and reads this e-mail as I might quit working for you knowing full well that you are breaking the law and could be putting my life in jeopardy.”

R. February 5, 2009:

“[J.T.] . . . Well, you flaming asshole, you are putting yourself and your staff at great risk to support illegal alien parasites like yourself and by virtue of the network that I operate under information about your malevolent ways is broadly disseminated. . . . And you could very well find yourself belly up 6 feet under at the hands of someone beyond my control....probably someone who hangs in your neck of the woods and is absolutely tired of your crap. What will the FBI gain if they come to me again? NOTHING, asshole, except that I approve of your prosecution and potential execution.”

COUNT FOUR

Paragraphs 9 through 13 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

14. From on or about January 13, 2007, through on or about February 5, 2009, in Ocean County in the District of New Jersey, **VINCENT JOHNSON** knowingly and willfully transmitted

in interstate commerce, from the State of New Jersey to the State of California, email communications that contained threats to injure and kill employees of MALDEF.

All in violation of Title 18, United States Code, Section 875(c).

COUNT FIVE

Paragraphs 9 through 13 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

15. From on or about January 13, 2007, through on or about February 5, 2009, in Ocean County in the District of New Jersey, **VINCENT JOHNSON**, while located in the State of New Jersey and with the intent to place a person located in the State of California, namely J.T., in reasonable fear of the death of, and serious bodily injury to, J.T., knowingly used an interactive computer service and facilities of interstate commerce to engage in a course of conduct that placed J.T. in reasonable fear of the death of, and serious bodily injury to, J.T.

All in violation of Title 18, United States Code, Section 2261A(2)(B).

COUNT SIX

Paragraphs 9 through 13 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

16. From on or about January 13, 2007, through on or about February 5, 2009, in Ocean County in the District of New Jersey and elsewhere, **VINCENT JOHNSON**, by threat of force, and the threatened use of a dangerous weapon, that is, a gun, did willfully intimidate and interfere with, and attempt to intimidate and interfere with, employees of MALDEF, who were

citizens, because they were and had been, and in order to discourage them from, lawfully aiding and encouraging persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided for by the United States and any State, and subdivision thereof, as set forth in Title 18, United States Code, Sections 245(b)(1) and (2).

All in violation of Title 18, United States Code, Section 245(b)(5).

INTRODUCTION TO COUNTS SEVEN, EIGHT, AND NINE

At all times relevant to this indictment:

17. The League of United Latin American Citizens (LULAC) was a nonprofit organization that maintained offices in the District of Columbia. LULAC's mission was to promote equality for persons of Latino descent in the United States. To that end, LULAC lawfully aided and encouraged persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided by the United States and each State and subdivision thereof, including, but not limited to, using the courts to seek redress of grievances, voting and qualifying to vote, enrolling in and attending public schools and public colleges, and applying for and enjoying employment.

18. B.W. was an employee of LULAC in the District of Columbia.

19. **VINCENT JOHNSON** resided in Ocean County in the State of New Jersey and was the subscriber of the email account "devilfish579@aol.com."

20. Between January 2007 and August 2008, **VINCENT JOHNSON** used the email account "devilfish579@aol.com" to send threatening communications to B.W.'s work email account. These threatening communications included, but were not limited to, the following:

A. January 13, 2007:

"To the primary recipients of this article, read and heed as the American people are fed up with illegal aliens which your chickenshit organizations sanction. All it is going to take is for one lousy, diseased, uneducated illegal alien to bother me in the wrong way and your organizations will get shit on big time. Our guns are loaded and we will take you out as well whether by the courts or by true fire power."

B. January 13, 2007:

“To all members of [LULAC and other organizations]....come get us....our guns are ready to take you out.”

C. January 14, 2007:

“If the idiots in the organizations which this e-mail is being copied to can't fathom the serious nature of their actions, then they will be on the hit list just like any illegal alien...actually, they are already on the list.”

D. February 15, 2007:

“What's that you say? You have been given a mandate by God to allow this? Is this the same God that the terrorists draw their authority from to attack nations who don't believe in their Islamic law or your dogma? If that is the case, then you are now in the crosshairs.”

E. May 27, 2007:

“Read this story [referencing a sexual assault allegedly committed by a person of Latino descent] and comprehend it then ask yourselves why American citizens should not destroy you for supporting such people....and don't think it can't happen as you are just as guilty as the scumbags who raped this girl.”

F. May 27, 2007:

“[B.W.] . . . I think you bastards had best get some matters straightened out real quick as I am sure if you don't, there most certainly is going to be bloodshed. Based upon the below article [referencing opposition to an immigration bill], your national treasurer is attempting to incite a cause that is certainly not healthy for your organization. The attitude of the idiots who believe this country which has been developed over the past 150+ years by Americans

(while Mexico has remained a stagnant cesspool) is now the property of illegal alien Mexican scum is a very serious charge. If violence evolves from the dysfunctional rhetoric of [LULAC's national treasurer], then you and yours will be held accountable....and knowing the lawless caliber of Mexicans you are looking for trouble. . . . I am putting you on notice to get rid of the Mexican flag along with your national treasurer now.”

G. June 2, 2007:

“Let’s get one thing straight: the people who you sanction are low life pieces of sh*t [sic]...the word is out about your organizations and I wouldn't be the least bit surprised if your organizations are attacked. There can be absolutely no argument against the fact that Mexicans are scum as all they know how to do is f*ck [sic] and kill. . . . It would give great pleasure to be at funeral services for members of [LULAC and other organizations] as I would piss on their graves.”

H. July 7, 2007:

“The primary recipients of this e-mail have very little time to get their houses in order.”

I. August 29, 2007:

“[B.W.] . . . Considering that this country has more gun owners than any other country in the world it would be far wiser for you to get arrested by appropriate authorities then to face the rage of a gun owner who has grown tired of your redundant BS.”

J. September 4, 2007:

“I won't waste my time with legal endeavors...my preference would be to buy more ammunition to deal with the growing chaos created by the pro-illegal alien groups. RIP [B.W. and others] who are not the friends of our democracy.”

K. September 7, 2007:

“As I have expressed to my congressman, I will kill any goddamn illegal alien who crosses my path in the wrong way and I am not the least bit intimidated by gangs or chickenshit organizations like [LULAC and other organizations] which are doing their utmost to promote the violation of our laws. The individuals who run these organizations already have prices on their heads because of the crime committed by the illegal aliens they support. . . . And the lawyers and leaders from pro-illegal alien organizations will need a last will and testament.”

L. September 15, 2007:

“Last Call . . . [B.W. and others]: After reading the article below [referencing a lawsuit filed in federal court by the Puerto Rican Defense and Education Fund and other groups on behalf of persons of Latino descent] can you give me simply one good reason why someone should not put a bullet between your eyes for your actions that are promoting lawlessness in this country? It certainly would be nice to get a decent response before someone decides to do just that since Americans now feel that we have to be judge, jury and executioner at this point. As Bush is aware we don’t listen to his bullshit anymore to protect your asses....his credibility is shot so your asses could get shot. . . . For protection please call 1 866 347 2423.”

M. August 25, 2008:

“To [B.W. and others] . . . Go ahead, scumbags, complain to the FBI as I have already twice set the record straight that you are con-artists....and in time you are going to get sued if not killed by some irate person whose family was marred because you have promoted the

violation of our immigration laws. . . . I certainly would not want to be your secretary who intercepts and reads this e-mail as I might quit working for you knowing full well that you are breaking the law and could be putting my life in jeopardy.”

COUNT SEVEN

Paragraphs 17 through 20 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

21. From on or about January 13, 2007, through on or about August 25, 2008, in Ocean County in the District of New Jersey, **VINCENT JOHNSON** knowingly and willfully transmitted in interstate commerce, from the State of New Jersey to the District of Columbia, email communications that contained threats to injure and kill employees of LULAC.

All in violation of Title 18, United States Code, Section 875(c).

COUNT EIGHT

Paragraphs 17 through 20 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

22. From on or about January 13, 2007, through on or about August 25, 2008, in Ocean County in the District of New Jersey, **VINCENT JOHNSON**, while located in the State of New Jersey and with the intent to place a person located in the District of Columbia, namely B.W., in reasonable fear of the death of, and serious bodily injury to, B.W., knowingly used an interactive computer service and facilities of interstate commerce to engage in a course of conduct that placed B.W. in reasonable fear of the death of, and serious bodily injury to, B.W.

All in violation of Title 18, United States Code, Section 2261A(2)(B).

COUNT NINE

Paragraphs 17 through 20 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

23. From on or about January 13, 2007, through on or about August 25, 2008, in Ocean County in the District of New Jersey and elsewhere, **VINCENT JOHNSON**, by threat of force, and the threatened use of a dangerous weapon, that is, a gun, did willfully intimidate and interfere with, and attempt to intimidate and interfere with, employees of LULAC, who were citizens, because they were and had been, and in order to discourage them from, lawfully aiding and encouraging persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided for by the United States and any State, and subdivision thereof, as set forth in Title 18, United States Code, Sections 245(b)(1) and (2).

All in violation of Title 18, United States Code, Section 245(b)(5).

INTRODUCTION TO COUNTS TEN, ELEVEN, AND TWELVE

At all times relevant to this indictment:

24. The National Council of La Raza (NCLR) was a nonprofit organization that maintained offices in the District of Columbia. NCLR's mission was to promote equality for persons of Latino descent in the United States. To that end, NCLR lawfully aided and encouraged persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided by the United States and each State and subdivision thereof, including, but not limited to, using the courts to seek redress of grievances, voting and qualifying to vote, enrolling in and attending public schools and public colleges, and applying for and enjoying employment.

25. J.M., G.B., and D.E. were employees of NCLR.

26. **VINCENT JOHNSON** resided in Ocean County in the State of New Jersey and was the subscriber of the email account "devilfish579@aol.com."

27. Between January 2007 and August 2008, **VINCENT JOHNSON** used the email account "devilfish579@aol.com" to send threatening communications to an email account maintained by NCLR. These threatening communications included, but were not limited to, the following:

A. January 13, 2007:

"To the primary recipients of this article, read and heed as the American people are fed up with illegal aliens which your chickenshit organizations sanction. All it is going to take is for one lousy, diseased, uneducated illegal alien to bother me in the wrong way and your organizations will get shit on big time. Our guns are loaded and we will take you out as well

whether by the courts or by true fire power.”

B. January 13, 2007:

“To all members of [NCLR and other organizations]....come get us....our guns are ready to take you out.”

C. January 14, 2007:

“If the idiots in the organizations which this e-mail is being copied to can't fathom the serious nature of their actions, then they will be on the hit list just like any illegal alien...actually, they are already on the list.”

D. February 15, 2007:

“What's that you say? You have been given a mandate by God to allow this? Is this the same God that the terrorists draw their authority from to attack nations who don't believe in their Islamic law or your dogma? If that is the case, then you are now in the crosshairs.”

E. February 25, 2007:

“[J.M. and others] . . . You mother fuckers may think you have the power to mandate and dictate for the sake of low life chickenshit scum like this [referencing a news article that describes a kidnapping allegedly committed by a person of Latino descent], but rest assured that true Americans along with the American government know who you are, where you live and work and we are not putting up with your fucking shit anymore. What's that you say? How can anyone say such things to you? Get used to it....this is America, not Mexico. . . . Get into the American groove or we will destroy your sorry asses.”

F. May 27, 2007:

“Read this story [referencing a sexual assault allegedly committed by a person of Latino

descent] and comprehend it then ask yourselves why American citizens should not destroy you for supporting such people....and don't think it can't happen as you are just as guilty as the scumbags who raped this girl.”

G. June 2, 2007:

“Let’s get one thing straight: the people who you sanction are low life pieces of sh*t [sic]...the word is out about your organizations and I wouldn't be the least bit surprised if your organizations are attacked. There can be absolutely no argument against the fact that Mexicans are scum as all they know how to do is f*ck [sic] and kill. . . . It would give great pleasure to be at funeral services for members of [NCLR and other organizations] as I would piss on their graves.”

H. July 7, 2007:

“The primary recipients of this e-mail have very little time to get their houses in order.”

I. August 10, 2007:

“Sweet [J.M.] . . . And know this, [J.M.], our immigration system is not broken, but at the rate you and others like you are presenting your venue, you will find out what the real meaning of broken is when you become a target for continuing to break out laws. . . . This e-mail will be disseminated to hundreds of people who will move it along so that millions upon millions will read it or become aware of the malevolent agenda of your organization.”

J. August 13, 2007:

“Since Osama bin Laden has a price on his head, then there should be no reason why [J.M. and others] and many others who sanction illegal alien terrorism should not receive the same classification. . . . It’s time that we destroy them with whatever it takes to do so. . . . The

crimes committed by illegal alien invaders are not going to stop until these organizations are destroyed and the invaders are either decimated or leave this country.”

K. September 15, 2007:

“Last Call . . . [J.M. and others]: After reading the article below [referencing a lawsuit filed in federal court by the Puerto Rican Defense and Education Fund and other groups on behalf of persons of Latino descent] can you give me simply one good reason why someone should not put a bullet between your eyes for your actions that are promoting lawlessness in this country? It certainly would be nice to get a decent response before someone decides to do just that since Americans now feel that we have to be judge, jury and executioner at this point. As Bush is aware we don’t listen to his bullshit anymore to protect your asses....his credibility is shot so your asses could get shot. . . . For protection please call 1 866 347 2423.”

L. August 25, 2008:

“To [J.M. and others] . . . Go ahead, scumbags, complain to the FBI as I have already twice set the record straight that you are con-artists....and in time you are going to get sued if not killed by some irate person whose family was marred because you have promoted the violation of our immigration laws. . . . I certainly would not want to be your secretary who intercepts and reads this e-mail as I might quit working for you knowing full well that you are breaking the law and could be putting my life in jeopardy.”

COUNT TEN

Paragraphs 24 through 27 of this Indictment are hereby incorporated into this Count by

reference as though fully set forth herein.

28. From on or about January 13, 2007, through on or about August 25, 2008, in Ocean County in the District of New Jersey, **VINCENT JOHNSON** knowingly and willfully transmitted in interstate commerce, from the State of New Jersey to the District of Columbia, email communications that contained threats to injure and kill employees of NCLR.

All in violation of Title 18, United States Code, Section 875(c).

COUNT ELEVEN

Paragraphs 24 through 27 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

29. From on or about January 13, 2007, through on or about August 25, 2008, in Ocean County in the District of New Jersey, **VINCENT JOHNSON**, while located in the State of New Jersey and with the intent to place a person located in the District of Columbia, namely J.M., in reasonable fear of the death of, and serious bodily injury to, J.M., knowingly used an interactive computer service and facilities of interstate commerce to engage in a course of conduct that placed J.M. in reasonable fear of the death of, and serious bodily injury to, J.M.

All in violation of Title 18, United States Code, Section 2261A(2)(B).

COUNT TWELVE

Paragraphs 24 through 27 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

30. From on or about January 13, 2007, through on or about August 25, 2008, in Ocean

County in the District of New Jersey and elsewhere, **VINCENT JOHNSON**, by threat of force, and the threatened use of a dangerous weapon, that is, a gun, did willfully intimidate and interfere with, and attempt to intimidate and interfere with, employees of NCLR, who were citizens, because they were and had been, and in order to discourage them from, lawfully aiding and encouraging persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided for by the United States and any State, and subdivision thereof, as set forth in Title 18, United States Code, Sections 245(b)(1) and (2).

All in violation of Title 18, United States Code, Section 245(b)(5).

INTRODUCTION TO COUNTS THIRTEEN AND FOURTEEN

At all times relevant to this indictment:

31. The National Coalition of Latino Clergy and Christian Leaders (CONLAMIC) was a nonprofit organization that maintained offices in the State of New Jersey. CONLAMIC's mission was to promote equality for persons of Latino descent in the United States. To that end, CONLAMIC lawfully aided and encouraged persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided by the United States and each State and subdivision thereof, including, but not limited to, using the courts to seek redress of grievances, voting and qualifying to vote, enrolling in and attending public schools and public colleges, and applying for and enjoying employment.

32. M.R. was an employee of CONLAMIC.

33. **VINCENT JOHNSON** resided in Ocean County in the State of New Jersey and was the subscriber of the email account "devilfish579@aol.com."

34. Between January 2007 and September 2007, **VINCENT JOHNSON** used the email account "devilfish579@aol.com" to send threatening communications to an email account maintained by CONLAMIC. These threatening communications included, but were not limited to, the following:

A. January 13, 2007:

"To the primary recipients of this article, read and heed as the American people are fed up with illegal aliens which your chickenshit organizations sanction. All it is going to take is for one lousy, diseased, uneducated illegal alien to bother me in the wrong way and your organizations will get shit on big time. Our guns are loaded and we will take you out as well

whether by the courts or by true fire power.”

B. January 13, 2007:

“To all members of [CONLAMIC and other organizations]....come get us....our guns are ready to take you out.”

C. January 14, 2007:

“If the idiots in the organizations which this e-mail is being copied to can't fathom the serious nature of their actions, then they will be on the hit list just like any illegal alien...actually, they are already on the list.”

D. February 15, 2007:

“What's that you say? You have been given a mandate by God to allow this? Is this the same God that the terrorists draw their authority from to attack nations who don't believe in their Islamic law or your dogma? If that is the case, then you are now in the crosshairs.”

E. February 25, 2007:

“[A]ll the rest of you dysfunctional assholes of the pro-illegal alien lobby read the article and fathom my statements: . . . You mother fuckers may think you have the power to mandate and dictate for the sake of low life chickenshit scum like this [referencing a news article that describes a kidnapping allegedly committed by a person of Latino descent], but rest assured that true Americans along with the American government know who you are, where you live and work and we are not putting up with your fucking shit anymore. What's that you say? How can anyone say such things to you? Get used to it....this is America, not Mexico. . . . Get into the American groove or we will destroy your sorry asses.”

F. August 13, 2007:

“Since Osama bin Laden has a price on his head, then there should be no reason why [others individuals] and many others who sanction illegal alien terrorism should not receive the same classification. . . . It’s time that we destroy them with whatever it takes to do so. . . . The crimes committed by illegal alien invaders are not going to stop until these organizations are destroyed and the invaders are either decimated or leave this country.”

G. August 28, 2007:

“[Picture of M.R.] Okay, anti-illegal alien supporters, above is the picture of [M.R.], the leader of the dysfunctional organization known as CONLAMIC, The National Coalition of Latino Clergy and Christian Leaders. . . . If this this piece of shit incites illegal aliens by perpetuating false information and claims, then the blood that is spilled will be on his hands. . . . It would be foolish to even consider the possibility of apologies from this low life piece of scum who wears a clergyman’s outfit for the many victims of crime committed at the hands of the very people he sanctions: diseased, poorly educated and lawless illegal alien invaders....because just like illegal alien scum, this unscrupulous degenerate has no concept of right or wrong and obviously is a felon by his actions and words which are in variance with our laws. . . . Consequently, there will be more ranting and raving by this lunatic about the need for ‘comprehensive immigration reform’ until someone ‘euthanizes’ him and puts him out of his misery. Savor his above picture as he may not get the opportunity to grow old.”

H. September 4, 2007:

“I won't waste my time with legal endeavors...my preference would be to buy more ammunition to deal with the growing chaos created by the pro-illegal alien groups. RIP [M.R. and others] who are not the friends of our democracy.”

I. September 7, 2007:

“As I have expressed to my congressman, I will kill any goddamn illegal alien who crosses my path in the wrong way and I am not the least bit intimidated by gangs or chickenshit organizations like [CONLAMIC and other organizations] which are doing their utmost to promote the violation of our laws. The individuals who run these organizations already have prices on their heads because of the crime committed by the illegal aliens they support. . . . And the lawyers and leaders from pro-illegal alien organizations will need a last will and testament.”

J. September 15, 2007:

“Last Call . . . [M.R. and others]: After reading the article below [referencing a lawsuit filed in federal court by the Puerto Rican Defense and Education Fund and other groups on behalf of persons of Latino descent] can you give me simply one good reason why someone should not put a bullet between your eyes for your actions that are promoting lawlessness in this country? It certainly would be nice to get a decent response before someone decides to do just that since Americans now feel that we have to be judge, jury and executioner at this point. As Bush is aware we don't listen to his bullshit anymore to protect your asses...his credibility is shot so your asses could get shot. . . . For protection please call 1 866 347 2423.”

COUNT THIRTEEN

Paragraphs 31 through 34 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

35. From on or about January 13, 2007, through on or about September 15, 2007, in Ocean County in the District of New Jersey, **VINCENT JOHNSON** knowingly and willfully transmitted in interstate commerce, from the State of New Jersey through the State of Virginia to the State of New Jersey, email communications that contained threats to injure and kill employees of CONLAMIC.

All in violation of Title 18, United States Code, Section 875(c).

COUNT FOURTEEN

Paragraphs 31 through 34 of this Indictment are hereby incorporated into this Count by reference as though fully set forth herein.

36. From on or about January 13, 2007, through on or about September 15, 2007, in Ocean County in the District of New Jersey and elsewhere, **VINCENT JOHNSON**, by threat of force, and the threatened use of a dangerous weapon, that is, a gun, did willfully intimidate and interfere with, and attempt to intimidate and interfere with, employees of CONLAMIC, who were citizens, because they were and had been, and in order to discourage them from, lawfully aiding and encouraging persons of Latino descent to participate, without discrimination on account of race, color, and national origin, in benefits and activities provided for by the United States and any State, and subdivision thereof, as set forth in Title 18, United States Code, Sections 245(b)(1) and (2).

All in violation of Title 18, United States Code, Section 245(b)(5).

A True Bill.

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