

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
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U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
TOLEDO

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 DANIEL LEE JONES, )  
 )  
 Defendant. )

INDICTMENT

JUDGE

CASE NO.

3:09 CR 441

Title 18, United States Code,  
Sections 245(b)(5) and 876(c).

JUDGE DAVID A. KATZ

INTRODUCTION

1. At times relevant to this indictment, DANIEL LEE JONES lived in the Portland, Oregon metropolitan area, and held himself out to be a regional director of the American National Socialist Workers Party, an organization that advocated white supremacist ideology.

2. At times relevant to this indictment, DANIEL LEE JONES mailed to residents of Lima, Ohio, several American National Socialist Workers Party hate flyers related to the shooting of an African American woman by a member of the Lima Police Department.

3. At times relevant to this indictment, F. M. Jason Upthegrove, an African American living in Lima, Ohio, was a citizen of the United States and the president of the Lima, Ohio Chapter of the National Association for the Advancement of Colored People.

4. At times relevant to this indictment, F. M. Jason Upthegrove advocated at community assemblies and to the media for equal police services for African Americans, and

ORIGINAL

-2-

spoke out in the media against the American National Socialist Workers Party's mailing of hate flyers related to the shooting of an African American woman by a member of the Lima Police Department.

COUNT 1

The Grand Jury charges:

1. That the Introduction to this Indictment is re-alleged and incorporated into this Count of the Indictment.
2. That on or about February 14, 2008, in the Northern District of Ohio, Western Division, and elsewhere, the defendant DANIEL LEE JONES, by threat of force, that is, by the delivery of a communication including a hangman's noose in an envelope addressed to F. M. Jason Upthegrove at his home address, did willfully intimidate and interfere with, and attempt to intimidate and interfere with, F. M. Jason Upthegrove, an African American citizen, because he has been participating lawfully in speech and peaceful assembly opposing the perceived denial of the opportunity of African American persons in Lima, Ohio, because of their race, from participating in benefits, services, and privileges provided and administered by the Police Department of the City of Lima, Ohio, in violation of Title 18, United States Code, Section 245(b)(5).

-3-

COUNT 2

The Grand Jury further charges:

1. That the Introduction to this Indictment is re-alleged and incorporated into this Count of the Indictment.
2. That on or about February 14, 2008, in the Northern District of Ohio, Western Division, and elsewhere, the defendant DANIEL LEE JONES did knowingly cause to be delivered by the Postal Service in Lima, Ohio, a communication containing a threat to injure the person of F. M. Jason Upthegrove, by including a hangman's noose in an envelope addressed to F. M. Jason Upthegrove at his home address, in violation of Title 18, United States Code, Section 876(c).

A TRUE BILL.