Written by **Thomas R. Eddlem** on April 21, 2011

# Railroading of Walter Reddy: Patriot's Legally Owned Guns Seized

Reddy had organized one of the first modern-day Tea Party rallies, a December 2008 rally at Boston's Faneuil Hall that featured the then-little-known Rand Paul as a keynote speaker. Rand Paul, an eye surgeon and son of Rep. Ron Paul, has since gone on to become the most prominent U.S. Senator associated with the Tea Party movement.

The following facts are undisputed by both sides of the legal argument over possession of guns:

• Police in Weston, Connecticut, based in part upon an unsubstantiated FBI statement that Reddy was a "person of interest" in a domestic terrorism investigation, executed a search and seizure warrant at Reddy's home on February 14 that involved the local SWAT team. The police took a pump-action shotgun and an antique revolver from Reddy.

• Walter Reddy has no criminal record of any kind.

• Reddy was never charged with a crime, but his legally held guns were taken from him anyway. He is, however, a widely known constitutional political activist and persistent critic of big government.

• Reddy repeatedly asked for an opportunity to get a lawyer before a February 25 hearing on possession of his guns, and was denied his request.

• The chief witness brought by the state against Reddy explicitly stated that Reddy had never acted in a threatening or violent way.

• No other witness even attempted to claim that Reddy was threatening or violent.

"The fact that he wasn't given the opportunity to get a lawyer [for the hearing] is just wrong," Reddy's lawyer Joseph Secola told *The New American*. "It just seems to me that he was not accorded the necessary due process of law. He asked repeatedly for a continuance to get counsel and it was repeatedly denied."

According to the hearing transcript provided by Secola, Connecticut Superior Court Judge Bruce Hudock ruled that, because Connecticut law requires a hearing within 14 days of a seizure of private property, the judge couldn't delay the hearing long enough for Reddy to hire a lawyer. "Well, as I read — before I turn to the State — as I read the statute, in particular, 29-38c(d), it says no later than fourteen days after the execution of the warrant, the Court shall hold a hearing to determine whether

the seized firearms should be returned to the person, or held for the State for a period not longer than one year. So I see a 'shall,' and shall means that there is no — shall means shall. That means we've got to have a hearing in my opinion."

But Secola stressed that the purpose of the 14-day limit in the Connecticut law is to protect the property owner, not the state. "When he says that the law forces me to deny the continuance, that's absurd.... The law can be waived by the party getting the benefit of the legal right," Secola told *The New American*, who termed the judge's ruling "legal error" subject to appeal. In Reddy's case, the lawyer he had initially selected to represent him had a court date for another client that day and couldn't appear at the scheduled hearing on such short notice. "This guy was just railroaded throughout the entire process," Secola concluded.

How badly was Reddy railroaded? Not only was he denied an opportunity to get a lawyer, Judge Hudock told Reddy at the beginning of the case: "Unless you have anything further to say, I'm ready to rule." The unusual part of that statement was that the judge said this before Reddy had the chance to give any testimony, call any witnesses, or present any evidence. How could the judge have possibly been "ready to rule" fairly without hearing both sides first?

Reddy did have something to say in his own defense. But not surprisingly, the judge ruled: "The court finds that ... you are a risk of imminent personal injury to other individuals." He ordered Reddy's guns be kept from him for a full year.

How the court came to such a conclusion is interesting, and possibly frightening for conservative political activists in present-day America.

Facts and truth were apparently immaterial to the judge, who relied upon speculative prosecutor statements that Reddy was a threat because a foreclosure pending against his home meant that Reddy would be highly stressed. The prosecutor's information about a foreclosure hearing was based entirely upon erroneous hearsay statements from a witness, Rand McNeil, who had no direct evidence of Reddy's financial status. "This guy's statements are based upon the allegations that he was in danger of foreclosure," Secola told *The New American*. "They could have just gone on line and seen that there was no motion to foreclose." According to Secola and Reddy, there had been a move to foreclose at one time, but this move had been withdrawn long before the hearing.

The search and seizure warrant was based entirely upon the testimony of one individual, Rand McNeil, as well as a vague statement by an FBI agent. The warrant claimed there was probable cause Reddy had engaged in "reckless use, display or brandishing of a firearm" and "recent threats or acts of violence by such person toward himself/herself or others." Yet McNeil testified at the hearing that Reddy had not been threatening. Responding to questioning from Reddy (who was forced to represent himself in the case), McNeil responded the following way:

> *Reddy:* Rand [McNeil], in the at least 15 years that I've known you, have you ever known me to be violent?
>
> *McNeil*: No.
>
> *Reddy:* Or threatening?
>
> *McNeil:* No.

But according to the police, McNeil had apparently claimed in a prior meeting that Reddy had made some vaguely threatening statements and had a "street sweeper" shotgun in his possession. McNeil

refused to swear to what he had allegedly said in his initial police interview, and in court claimed to have forgotten what he had initially told police. It was probably a wise tactic to take, considering that Reddy's shotgun was not a "street sweeper." Secola noted in his appeal that the "defendant's shotgun is not a street sweeper.... The term 'Street Sweeper' should have never been used in this proceeding." He added that use of the term Street Sweeper "contributed to a substantial misunderstanding of the weapons seized and what the 'threat' — if any —was posed by the defendant. If a new hearing is granted, defense counsel intends to subpoena the weapons seized so the Court and counsel may observe them in open court."

Secola stressed that the shotgun was never produced in evidence at the hearing, nor were even photographs of the shotgun shown to the judge. The shotgun apparently struck McNeil as a frightening gun; the perfectly legal Maverick 88 pump action shotgun had a pistol grip and folding stock. Reddy suspects that McNeil's initial interests may have been financial, as Reddy claims McNeil had repeatedly expressed interest in purchasing Reddy's home.

Prosecutors also stressed during the seizure hearing that the search uncovered that Reddy had a joke "grenade" in his possession, and that Reddy was a danger because this hollowed-out grenade (picture a novelty grenade on an office desk with the sign "Complaints: Take a number" with a number one attached to the pin) indicated a propensity to violence. Pointing out that lawyers are often sold the same novelty items, Secola stressed: "Attached to this motion is a picture of an inert grenade sold to lawyers as a novelty for 'free legal advice.' Is this a 'weapon' subject to seizure in this state?" Secola concluded: "Being weapons experts, the SWAT police clearly knew these were inert grenades and they should have never been seized. They were not weapons. They were seized to prejudice the defendant and this ploy appears to have succeeded."

The variable in the Reddy case is the FBI designation of Reddy as a "person of interest regarding domestic terrorism," according to an "FBI Special Agent Campbell." The original search warrant stated that "Special Agent Campbell of the FBI and Agent Campbell expressed Walter Reddy was a person of interest relating to Domestic Terrorism," and that "on February 8, 2011 Special Agent Coleman of the FBI came to police headquarters and was briefed about the incident."

"I suspect they were doing it under the Patriot Act. I can't prove it yet." Reddy, who remains determined to clear his name, told *The New American*. "I think I may have to file a Freedom of Information Act request to find out why this Special Agent Campbell calls me a person of interest in a domestic terrorism case." Reddy suspects that the FBI may be interested in his latest political action project. "We're working on putting in an alternative money system," Reddy told *The New American*. The "Sovereign State Depository, Inc." he co-founded recently incorporated in Delaware and is being designed to help the dozen or so state legislatures that have passed gold and silver resolutions in the past year to find a way to make commercial transactions in units of gold and silver. "We haven't quite launched it yet," Reddy says, but he notes that the recent conviction of Bernard von NotHaus (and von NotHaus' subsequent designation as a "domestic terrorist" in a Justice Department press release) may be part of a larger federal program to prevent the widespread use of gold and silver as money.

Secola says of Reddy's political activism: "If that's what we mean by domestic terrorism now, it's just completely absurd." He also noted: "I was looking forward to subpoenaing the FBI" on appeal.

Whatever the reason for Reddy's listing as a "person of interest" in a domestic terrorism investigation, it has become clear that merely owning guns can be cause for a patriot to have his legally owned firearms confiscated by government.

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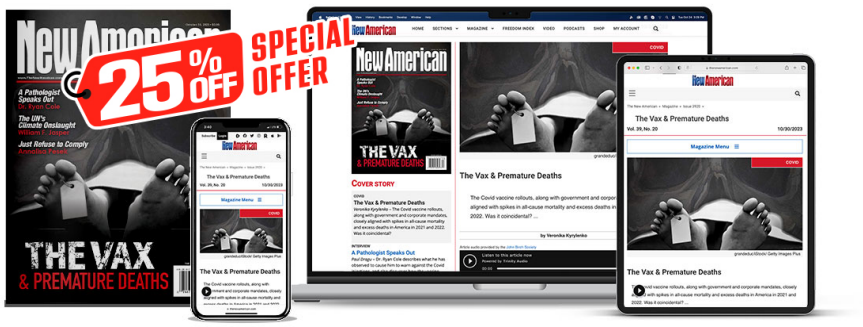


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