

Morris S. Dees, Jr.
J. Richard Cohen
Peter Tepley
Southern Poverty Law Center
400 Washington, Ave.
Montgomery AL 36104
Telephone (334) 264-0286

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Norman L. Gissel
Attorney at Law
1424 Sherman Ave., Suite 100
Coeur d'Alene ID 83814-4045
Telephone (208) 667-9574

Attorneys for Plaintiffs

IN THE DISTRICT COURT OF THE
FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF KOOTENAI

VICTORIA KEENAN and JASON
KEENAN,

Plaintiffs,

vs.

ARYAN NATIONS (a.k.a. CHURCH OF
JESUS CHRIST CHRISTIAN), an
unincorporated association; SAPPHIRE, INC.,
an Idaho Corporation; RICHARD BUTLER;
MICHAEL TEAGUE; EDWARD JESSE
WARFIELD; JOHN S. YEAGER; and SHANE
WRIGHT,

Defendants.

RICHARD BUTLER

Third-party Plaintiff.

vs.

MORRIS S. DEES, JR., J. RICHARD COHEN,
PETER TEPLY, SOUTHERN POVERTY
LAW CENTER, and NORMAN L. GISSEL,

CASE NO: CV 99-441

AMENDED COMPLAINT FOR
DAMAGES AND INJUNCTIVE
RELIEF AND DEMAND FOR
A JURY TRIAL

AMENDED COMPLAINT FOR DAMAGES AND INJUNCTIVE
RELIEF AND DEMAND FOR JURY TRIAL

Third-party Defendants.)
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Nature of the Action

1. This is a civil action for damages and injunctive relief brought by Victoria Keenan and her son Jason. The Keenans were assaulted and terrorized on a public road by members of the security force for the Aryan Nations. The Aryan Nations and its leader, Richard Butler, operate out of a heavily guarded compound in Kootenai County, Idaho, that is held in the name of Sapphire, Inc., a corporation that Butler controls. Butler, the Aryan Nations, and Sapphire authorized the Aryan Nations security force to use violence against persons that members of the security force see as threats. After the Keenans stopped their car on a public road near the entrance to the Aryan Nations compound, members of the security force chased them for over two miles, shot at them with assault rifles, detained them, battered them, and threatened to kill them. The Keenans seek damages for the injuries they sustained.

Parties

2. Victoria Keenan is a citizen and resident of Bonner County, Idaho.

3. Jason Keenan is a citizen and resident of the State of Washington.

4. The Aryan Nations is an unincorporated association with its principal place of business in Kootenai County, Idaho. It is also known as the Church of Jesus Christ Christian.

5. Sapphire, Inc., (Sapphire) is an Idaho corporation with its principal place of business in Kootenai County, Idaho. It owns the land and buildings

that make up the Aryan Nations compound where Richard Butler, Michael Teague, and the Aryan Nations security force reside.

6. Richard Butler is a resident of Kootenai County, Idaho. He is the founder and leader of the Aryan Nations and the sole living director and stockholder of Sapphire. He is an agent or alter ego of the Aryan Nations and Sapphire and was acting within the course and scope of this agency or as the alter ego when he committed or authorized the acts alleged in this complaint.

7. Michael Teague is a resident of Kootenai County, Idaho. Presently and on July 1, 1998, he was one of the highest ranking officials of the Aryan Nations. Along with Richard Butler, he has had authority over and responsibility for the day-to-day operations of Aryan Nations, including security, since early 1997. He and Butler were responsible for approving and selecting who served on the Aryan Nations security force. They were also responsible for controlling, monitoring, supervising, and training members of the security force. Teague is an agent of the Aryan Nations, Sapphire, and Richard Butler and was acting within the course and scope of this agency when he committed the acts or omissions alleged in this complaint.

8. Edward Jesse Warfield was the Aryan Nations' director of security. He was an agent of the Aryan Nations, Butler, and Sapphire and was acting within the course and scope of this agency when he committed the acts alleged in this complaint. He is currently incarcerated. He has pled guilty to a charge of aggravated assault for his involvement in the attack on the Keenans.

9. John S. Yeager was a member of the Aryan Nations security force. He was an agent of the Aryan Nations, Butler, and Sapphire and was acting within the course and scope of this agency when he committed the acts alleged in this complaint.

10. Shane Wright was a member of the Aryan Nations security force. He was an agent of the Aryan Nations, Butler, and Saphire and was acting within the course and scope of this agency when he committed the acts alleged in this complaint.

Jurisdiction and Venue

11. The Court has jurisdiction over this case because the amount in controversy exceeds \$10,000.

12. Venue is proper pursuant to Idaho Code § 5-404 (1998). Defendants Butler and Teague reside in Kootenai County. The acts of the defendants occurred in Kootenai County, and the principal place of business of the organizational defendants is in Kootenai County.

Statement of Facts

13. The Aryan Nations is an organization dedicated to white supremacy. It was founded and is controlled by Richard Butler, who holds the title of "Leader, Aryan Nations." Butler has authorized Teague to share control with him over the day-to-day operations of the Aryan Nations, including security.

14. The Aryan Nations is headquartered in a heavily guarded compound. The compound includes Butler's house, Teague's house, buildings that house members of the security force, and a guard tower. Saphire owns the land and buildings that make up the Aryan Nations compound. Like the Aryan Nations, Saphire was founded by Richard Butler and is controlled and dominated by him.

15. Defendants Aryan Nations, Butler, and Saphire have a security force. Along with Teague, they have the right to control the duties of the security force members and the manner in which the duties are performed. The Aryan Nations, Butler, and Saphire have authorized the security force to

use violence against outsiders that Butler or the members of the security force see as a threat. Members of the Aryan Nations security force, Butler, Teague, and the organizational defendants, through Butler, have agreed that violence may be used against persons who are perceived to be threats. Members of the Aryan Nations security force are armed.

16. On July 1, 1998, Victoria Keenan and her son Jason stopped their car near the entrance to the Aryan Nations compound to search for Jason's billfold that had inadvertently fallen out of the car. After Jason retrieved his billfold, the Keenans drove off. As they began to drive away, their car backfired.

17. Viewing the Keenans as a threat to the Aryan Nations compound despite the fact that the Keenans were driving away, Warfield, Wright, and Yeager (the Aryan Nations security force defendants) left the Aryan Nations compound in a truck and began chasing the Keenans.

18. During a chase that extended over two miles on a public road, the Aryan Nations security force defendants fired deadly weapons, including an SKS assault rifle, at the Keenans' car, striking it several times.

19. After being struck by bullets and having a rear tire shot out, the Keenans' car careened into a ditch. The Aryan Nations security force defendants surrounded, detained, and terrorized the Keenans. Warfield grabbed and held Victoria Keenan by the hair and threatened to kill her and Jason. He also struck Victoria on the arm. Another security force member struck Jason in the back with a hard object. The Aryan Nations security force defendants held the Keenans at gunpoint.

20. During the attack, Victoria and Jason Keenan feared that they would be severely injured or killed.

21. Victoria Keenan suffered severe head pain for days after the attack, had a large bruise on her arm where she had been struck, and sustained a separated rib.

22. The attack traumatized Victoria Keenan. She currently suffers from severe emotional distress. She has nightmares and anxiety attacks that have caused her to lose time from work. She fears vehicles following her at night. She is fearful of using public roads near the Aryan Nations compound and has a reasonable expectation that if she does so, she will be attacked again.

23. The attack also terrified Jason Keenan, causing him extreme emotional distress and pain.

24. Shortly before the attack on the Keenans, Butler and members of the Aryan Nations, including Defendants Teague and Yeager, interfered with law enforcement officers who were outside the Aryan Nations compound attempting to arrest Aryan Nations members. Butler refused to comply with the orders of the law enforcement officers and instructed his members to likewise refuse to comply. The officers had to spray Butler and Teague with mace to subdue them. Butler was charged with resisting a lawful order of a police officer. Yeager was charged with obstructing an officer, possession of a concealed weapon, and unlawful assembly. Teague was charged with resisting or obstructing officers, malicious injury to property, and unlawful assembly. Other Aryan Nations members were also arrested. Butler was convicted of obstructing a public officer. Teague pled guilty to one count of resisting or obstructing officers and one count of malicious injury to property. Charges against other Aryan Nations members are still pending.

25. Based on the past conduct of the defendants, it is likely that similar attacks on Victoria Keenan, who uses public roads near the compound, will occur in the future.

26. Victoria Keenan has no adequate remedy at law to secure unimpeded access to public roads near the Aryan Nations compound.

CLAIMS AGAINST ALL DEFENDANTS

First Claim: Assault

27. By shooting into the Keenans' car, surrounding the Keenans, pointing weapons at them, and threatening to kill them, the Aryan Nations security force defendants caused the Keenans to suffer from a reasonable apprehension that they would be severely injured or killed.

28. As a result of the assault, the Keenans have suffered severe emotional distress.

29. The Aryan Nations security force defendants were acting within the scope of their duties for the Aryan Nations, Butler, and Saphire when they assaulted the Keenans.

30. The assault on the Keenans was undertaken in furtherance of, and was a foreseeable result of, the conspiratorial agreement among the defendants to use violence against persons who were perceived to be a threat to the Aryan Nations.

31. The actions taken by the Aryan Nations security force defendants when they assaulted the Keenans were authorized by the Aryan Nations, Butler, and Saphire.

Second Claim: Battery

32. The Aryan Nations security force defendant who struck Victoria Keenan's arm intended to strike her and did so without her permission. Warfield intended to grab and hold Victoria Keenan by her hair and did so without her consent.

33. As a result of being grabbed, held by her hair, and struck, Victoria Keenan's person was violated, and she suffered physical injuries, including a separated rib, and emotional distress.

34. The Aryan Nations security force defendant who struck Jason Keenan in the back intended to strike him and did so without his permission.

35. As a result of being struck in the back, Jason Keenan's person was violated, and he suffered physical injuries and emotional distress.

36. The Aryan Nations security force defendants were acting within the scope of their duties for the Aryan Nations, Butler, and Sapphire when they battered the Keenans.

37. The battery of the Keenans was undertaken in furtherance of, and was a foreseeable result of, the conspiratorial agreement among the defendants to use violence against persons who were perceived to be a threat to the Aryan Nations.

38. The actions taken by the Aryan Nations security force defendants when they battered the Keenans were authorized by the Aryan Nations, Butler, and Sapphire.

Third Claim: False Imprisonment

39. The Aryan Nations security force defendants intentionally confined the Keenans to an area fixed by the defendants without the Keenans' consent and without legal authority or privilege.

40. The Keenans were conscious of their confinement.

41. As a result of being detained by the Aryan Nations security force defendants, Victoria and Jason Keenan were unlawfully deprived of their personal liberty. They suffer from severe emotional distress related to their detention.

42. The Aryan Nations security force defendants were acting within the scope of their duties for the Aryan Nations, Butler, and Saphire when they detained the Keenans.

43. The detention of the Keenans was undertaken in furtherance of, and was a foreseeable result of, the conspiratorial agreement among the defendants to use violence against persons who were perceived to be a threat to the Aryan Nations.

44. The actions taken by the Aryan Nations security force defendants when they detained the Keenans were authorized by the Aryan Nations, Butler, and Saphire.

Fourth Claim: Intentional Infliction of Emotional Distress

45. The acts of the Aryan Nations security force defendants against the Keenans, including shooting into their car on a public road, surrounding them, detaining them, pointing weapons at them, threatening to kill them, and committing assault and battery against them, were extreme and outrageous intentional acts.

46. As a direct result of these intentional and outrageous acts, Victoria and Jason Keenan have experienced severe emotional distress.

47. The Aryan Nations security force defendants were acting within the scope of their duties for the Aryan Nations, Butler, and Saphire when they committed these intentional and outrageous acts against the Keenans.

48. The intentional and outrageous acts committed against the Keenans were undertaken in furtherance of, and were a foreseeable result of, the conspiratorial agreement among the defendants to use violence against persons who were perceived to be a threat to the Aryan Nations.

49. The intentional and outrageous acts taken by the Aryan Nations security force defendants against the Keenans were authorized by the Aryan Nations, Butler, and Sapphire.

**ADDITIONAL CLAIMS AGAINST DEFENDANTS ARYAN
NATIONS, BUTLER, SAPHIRE, INC., AND TEAGUE**

Recklessness and Negligence

50. Defendants Aryan Nations, Butler, Sapphire, and Teague were reckless, wanton, grossly negligent, or negligent in one or more of the following ways:

- a. retaining Yeager as a member of the Aryan Nations security force after he had been charged with obstructing an officer, possession of a concealed weapon, and unlawful assembly;
- b. allowing Yeager to arm himself with weapons while carrying out his duties after he had been charged with obstructing an officer, possession of a concealed weapon, and unlawful assembly;
- c. placing and keeping Warfield in the position of Director of Aryan Nations security when they knew or should have known of his propensity for violence;
- d. failing to take appropriate measures to ensure that people using public roads near the Aryan Nations compound were not harmed by the Aryan Nations security force;
- e. failing to use appropriate care in selecting members of the Aryan Nations security force; and
- f. failing to properly control the Aryan Nations security force defendants.

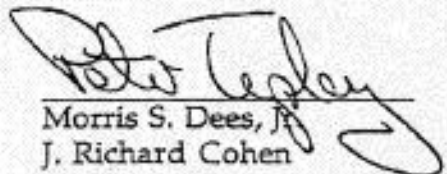
51. The Keenans' injuries were a natural, probable, and foreseeable consequence of the reckless, wanton, grossly negligent, or negligent acts and omissions of the Aryan Nations, Butler, Sapphire, and Teague.

Prayer for Relief

WHEREFORE, Plaintiffs pray for:

- (1) a judgment against the defendants in an amount in excess of \$10,000.00 to sufficiently compensate each plaintiff for his or her damages and injuries;
- (2) an injunction to prevent the defendants from conducting or allowing activities on the Aryan Nations compound that could impede Victoria Keenan's access to and use of public roads near the Aryan Nations compound;
- (3) reasonable costs, interest, and attorney fees; and
- (4) any other relief the Court deems just and proper.

Dated this 24th day of May, 1999.


Morris S. Dees, Jr.
J. Richard Cohen
Peter Tepley

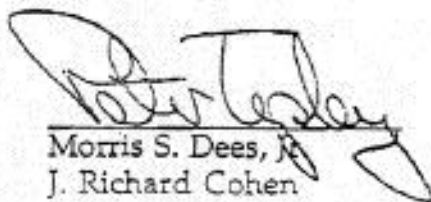

Norman L. Gissel

Attorneys for Plaintiffs

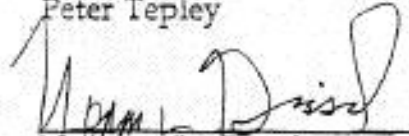
DEMAND FOR JURY TRIAL

The above named plaintiffs, by and through their attorneys, Morris S. Dees, Jr., J. Richard Cohen, Peter Tepley, and Norman L. Gissel, hereby

demand a trial by jury pursuant to the Idaho Rules of Civil Procedure.



Morris S. Dees, Jr.
J. Richard Cohen
Peter Tepley



Norman L. Gissel