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Beutler

Feds quit case against Chosen Few

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The U.S. Attorney's Office on Saturday dropped the indictment against the Chosen Few motorcycle gang, after the government's racketeering case against the Depew-based biker club had started to unravel.

Chief U.S. District Judge William M. Skretny granted the government's application to dismiss the indictment "in light of information that recently came to light," said U.S. Attorney William J. Hochul Jr.

Hochul made the announcement in a two-paragraph statement released Saturday, and did not elaborate further.

Defense attorneys speculated the new information was more damaging evidence against David Ignasiak, a former Chosen Few member turned government witness in the probe against 20 club members and associates.

While the government's case alleged criminal activity by the Chosen Few, defense attorneys throughout argued that there were serious credibility problems with the FBI informant and that the case should be thrown out because of what they called "outrageous government conduct."

U.S. Magistrate Judge Jeremiah J. McCarthy eventually agreed to evidentiary hearings on the issue of government conduct. Twice in three months the judge chastised prosecutors for their handling of the case, ruling that prosecutors improperly influenced the grand jury.

"My hat's off to the magistrate," said defense attorney Paul J. Cambria, who represents Chosen Few President Alex Koschtschuk, 60, of Alden.

"It really proved to be a wise move on his part, because obviously through the course of that hearing we uncovered serious flaws in the government's case to the extent that the government itself recognized and acknowledges those flaws -- at least at the higher levels of the U.S. Attorney's Office -- and took the action they did to dismiss the indictment."

Cambria credited Hochul and Assistant U.S. Attorney J.P. Kennedy for dropping the indictment, as did lead co-counsel Joseph M. LaTona.

"I commend Mr. Hochul and Mr. Kennedy for their courage and integrity in doing the right thing," LaTona said when reached Saturday night.

The FBI in 2009 arrested 20 members and associates of the Chosen Few for engaging in criminal activity ranging from beatings, firebombings, a shooting and death threats against other biker gangs, notably the Kingsmen and the Lonely Ones.

Koschtschuk and fellow Chosen Few member Bradley Beutler have been jailed ever since the roundup.

"As a taxpayer, I think it was a tremendous waste of resources," said defense attorney Paul G. Dell, who represents Beutler.

"In my opinion it was a bunch of middle-age white guys talking tough," Dell said. "There were no dead bodies. There was no drug dealing going on. This is just a bunch of immature stuff by grown men."

Cambria and Dell said both Koschtschuk and Beutler were released from jail Friday night after the lawyers were informed that the indictment was being dismissed.

"[Koschtschuk] said it was the greatest Christmas present he's ever received in his life," Cambria said.

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