

Trial opens for 3 in test of Pa. law on weapons

The Kensington men are the first charged under a law banning weapons of mass destruction.

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A Pennsylvania state law against weapons of mass destruction is being tested for the first time this week in the trial of a Kensington man and his two sons, who are accused of stockpiling guns, ammunition and grenades to protect their alleged marijuana-distribution business.

Johnnie Bellmon, 61; Harry Bellmon, 41; and Benjamin Bellmon, 30, are charged with a host of weapon and drug charges, including possessing weapons of mass destruction and prohibited ammunition, risking a catastrophe, and conspiracy.

If convicted of the weapons of mass destruction charge - which became law after the Sept. 11 terrorist attacks - each man faces a maximum 20 years of prison time in addition to the standard sentence.

Defense attorneys for the men said the Philadelphia District Attorney's Office is misusing an antiterrorism statute to prosecute a simple marijuana case and a vintage military weapons collector.

"This is a drug case - nothing more - with various items that are decommissioned weapons," said Lewis Hannah, defense attorney for the father, Johnnie Bellmon.

"These are not weapons of mass destruction, and I believe it's a miscarriage of justice for the Bellmons to be prosecuted under this statute," Hannah said. "I don't think this statute was meant to be applied to individuals who are collectors of novelties."

July raid

Police raided the Bellmons' home in the 1700 block of North Marshall Street on July 17, 2003, a day after a confidential informant purchased marijuana at the brick rowhouse.

"What they found inside this property was not only a drug operation, but so much more," Assistant District Attorney Scott Sigman told jurors yesterday during his opening statement. "It was an arsenal of destruction and catastrophe."

In addition to large bags of marijuana and packaging equipment, investigators seized four loaded handguns; more than 20,000 rounds of live ammunition; an ammunition-making machine; sniper suits, which are designed to blend into vegetation; three grenades; an artillery rocket; an inoperable World War II-era machine gun; and disassembled rifles.

Sigman spread out all the evidence before the jury.

"They were not for show, but for use. They were not for decoration, but for destruction. The Bellmon family had these weapons to protect their drug operation," he told the jury. "Together, all these things in someone's house is risking a catastrophe... you are risking the lives of your neighbors."

Block cleared

When police discovered the weapons cache, they evacuated the entire block.

But Hannah told jurors that Harry Bellmon, a collector, legally purchased decommissioned military weaponry from mail-order catalogs.

One of the grenades was from World War II, the other two were from the Korean War - and all three were inoperable, Hannah said.

But Sigman said the Bellmons were in the process of making bombs, an activity prohibited by the weapons of mass destruction law.

The trial is set to resume today before Common Pleas Court Judge James Lineberger, and prosecutor Sigman expects to call the rapper known as Tommy Hill to the stand. Hill, whose real name is John Wilson, has specific information about the Bellmon family drug operation, Sigman said.

Hill pleaded guilty in July to federal cocaine-distribution charges and agreed to cooperate with authorities. He was once the leader of the rap group RAM Squad. Before crime boss Joseph Merlino was jailed in 1999, the South Philadelphia Mafia leader helped RAM Squad obtain a recording contract.

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