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AT ISSUE

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WEAPONS OF MASS DESTRUCTION

By Scott P. Sigman

Commonwealth v. Johnnie, Harry, and Benjamin Bellmon (26th District)

Pennsylvania's first weapons of mass destruction case began its jury trial Nov. 1, 2004. Following a July 2003 drug raid at 1715 N. Marshall Street in North Philadelphia, defendants were charged with weapons of mass destruction, risking a catastrophe, violations of the uniform firearms act and other related charges, including drug offenses.

The police recovered three grenades, an armor piercing artillery dart, 20,000 rounds of ammunition, three fully loaded semi-automatic handguns (one with functional laser sights), one fully loaded .357 magnum inside a 3.5 pound bag of marijuana, assault rifles in various stages of assembly, two sniper suits, ammunition-making equipment, video camera surveillance equipment, digital scales, numerous full drug packets ready for sale, drug packaging equipment and drug paraphernalia. Johnnie Bellmon and two of his sons, Harry and Benjamin, were arrested inside the property after the July raid.

Police began this case investigating the murder of one of Bellmon's sons that occurred in the living room of the N. Marshall Street home in April 2003. Since then, Bellmon's other sons, Richard and Harry, along with his brother-in-law Jonathan Logan, were shot in September 2004. Richard Bellmon and Jonathan Logan died as a result of that shooting. Two grandchildren were also shot, but they survived. In the July raid police observed numerous bullet holes in the living room area of the home.

Assistance District Attorney Scott P. Sigman presented 27 witnesses and 156

Scott P. Sigman, Esq. is an assistant district attorney with the Special Narcotics Prosecution Unit. He also is a YLD Zone 1 co-chair.

exhibits during the two-week trial. One of the notable witnesses was a U.S. Army sergeant with 15 years of experience assigned to the Ft. Dix EOD (Explosive Ordinance Disposal Unit), who served two tours of duty in Afghanistan and two tours of duty in Iraq, and specialized in disarming nuclear weapons and IEDs (improvised explosive devices). The sergeant testified that the Bellmons had two of three components needed to make the inert grenades operable (black powder and primer); all that they needed to arm the grenades was a screw available at any hardware store.

Another notable witness was the imprisoned gangster rapper from the RAM Squad (Richard Allen Mafia), Tommy Hill, a/k/a John Wilson. Hill testified that the Bellmon family was in a drug turf war with Dawud Bey and that Bey killed Bellmon family members. Hill further testified that the Bellmons were planning to retaliate with grenades and guns, intent on avenging the deaths in this highly residential area — three blocks from Temple University's main campus and surrounded by schools and churches. Hill explained that the Bellmons were going to load the grenades prior to use.

Defense attorneys asked Hill if he was making up this case like rappers make up songs, Hill responded, "I rap about selling drugs and acting like a gangster because that is what I do, I sell drugs and I act like a gangster, I rap about reality, this case is about reality!"

The defense attorneys did not dispute that the defendants knew Hill or that the drugs were found in the house. They claimed that these defendants were selling water ice, not drugs, even though no water ice paraphernalia was found.

After hearing all of the evidence, the judge would not allow the jury to consider the WMD charge, stating that he

did not believe that these defendants could make the grenades live even though the defense had no expert testimony. The jury returned a verdict of guilty for each defendant on every charge they were allowed to consider.

Commonwealth v. James Hogeland (15th District)

Pennsylvania's second weapons of mass destruction case began Dec. 28, 2004. The defendant, James Hogeland, was charged with weapons of mass destruction, risking a catastrophe, violations of the uniform firearms act and other related charges, including drug offenses stemming from a July 2004 drug raid at 6532 Torresdale Avenue in northeast Philadelphia.

During the raid, one-half kilogram of crystal meth was recovered along with bombs, bomb making equipment and 21 firearms — some with homemade silencers. The defendant received regular shipments of meth that were mailed from Arizona to Philadelphia. The HIDTA Parcel Task Force, the Philadelphia Police North Narcotics Field Unit and the District Attorney's Office were able to intercept a package that contained a half-kilo of crystal meth. The package was then outfitted with an electronic tracking device and a controlled delivery was made at the Torresdale Avenue address. Soon after the delivery, police executed a search and seizure warrant, at which time they encountered a violent pit bull (requiring four officers to discharge firearms), numerous rifles, shot guns, hand guns, explosive making equipment and a live IED (improvised explosive device).

After presenting five witnesses including a member of the Philadelphia Police Bomb Disposal Unit, Judge Marsha Neifield held all charges for trial. A trial date has not yet been set.