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Hells Angels Sues Over Visa Denials for Foreign Members

The Hells Angels Motorcycle Club has a history of clashing with law enforcement, but the group is hoping a Washington federal judge will take its side in a new fight over federal immigration law.

In a [lawsuit \(PDF\)](#) filed last week, Hells Angels challenged policies that bar foreign members from traveling to the United States.

Hells Angels describes itself as a club for motorcycle enthusiasts, but it's classified as a criminal organization by the U.S. Department of State and U.S. Department of Homeland Security. In a lawsuit filed August 16 in U.S. District Court for the District of Columbia, Hells Angels claims that the "known criminal organization" designation isn't warranted and that federal officials have a blanket policy of denying visas to foreign members that conflicts with federal immigration laws.

Hells Angels, according to the complaint, has chapters in 35 countries, including the United States, and clubs in at least four more countries are seeking to join. When foreign members tried to travel to the United States in the past for events such as the semiannual "World Run," the group claims that they were denied visas because of their affiliation, even if they didn't have criminal records.

According to the State Department's Foreign Affairs Manual, the department, in coordination with the Homeland Security Department, designated Hells Angels as a known criminal organization in 2011. In what one of Hells Angels' lawyers confirmed was a typo, the lawsuit states that the designation happened in 2001, but the Homeland Security Department didn't exist until 2002.

The group claims that by declaring all Hells Angels members ineligible for a travel visa, the federal government is going against the Immigration and Nationality Act, which calls for individual evaluations of visa applicants to decide if they're coming to the United States to take part in unlawful activities. They're also claiming that they've been deprived of due process rights because there's no way to challenge the "known criminal organization" designation.

The group is suing for a judgment that they're not a criminal organization and that the State Department and Homeland Security Department's policy violates federal law, as well as an injunction stopping the government from enforcing its policy against Hells Angels members.

Spokesmen for the Homeland Security Department and State Department declined to comment. A representative of the U.S. Citizenship and Immigration Services could not be reached for comment.

Hells Angels is being represented by Margaret Wong of Margaret Wong & Associates in Cleveland, Ohio, and Matthew Robinson of Robinson & Brandt in Covington, Ky. Neither could immediately be reached comment.

The case is before U.S. District Judge Colleen Kollar-Kotelly.

<http://legaltimes.typepad.com/blt/2012/08/hells-angels-sues-over-visa-denials-for-foreign-members.html>