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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 3:19-cr-00112-JO
)	
v.)	
)	April 25, 2019
GLEN STOLL,)	
)	
Defendant.)	Portland, Oregon
)	

STATUS CONFERENCE
TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE STACIE F. BECKERMAN
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

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APPEARANCES

FOR THE PLAINTIFF:

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FOR THE DEFENDANT:

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* * *

1 TRANSCRIPT OF PROCEEDINGS

2 (April 25, 2019)

3 (In open court:)

4 MR. BRADFORD: The next case before the Court is
5 United States of America v. Glen Stoll. Case No. 19-cr-00112.
6 This case is assigned to Judge Jones. The defendant is
7 present, out of custody, and accompanied by counsel,
8 Mr. Noah Horst.

9 Now is the time set for a hearing on the defendant's
10 failure to comply with his conditions of release, and I note
11 that we were before the Court for his initial arraignment and
12 detention hearing last Friday. So less than a week ago, and
13 we're already back before the Court due to the defendant's
14 failure to comply with directives given to him by the Court and
15 Pretrial Services.

16 Thank you.

17 THE COURT: Mr. Horst?

18 MR. HORST: Thank you, Judge.

19 Good afternoon. Noah Horst, H-o-r-s-t. We're ready to
20 proceed; although, I should let the Court know Mr. Stoll and I
21 met with Mr. Nischik from Pretrial, out in the hallway, and I
22 think we have resolved most of the issues, such that we are
23 just requesting a modification of the Court's initial order,
24 ordering him to reside at a clean and sober house and, instead,
25 we would like the Court to enter, with Mr. Nischik's blessing,

1 I think, the address of his -- his house, his residence, where
2 he lives with his wife.

3 THE COURT: Mr. Nischik?

4 PRETRIAL SERVICES OFFICER NISCHIK: Your Honor, I had
5 a chance to speak with Mr. Stoll, and he indicated that the
6 parsonage is actually the residence where his wife lives. She
7 had previously provided an address, but that address was where
8 she receives her mail, and it's not where she actually resides.
9 So the parsonage, his wife's address, the 7311 Grove Street
10 address in the report, that's her residence, and that is where
11 Mr. Stoll is proposing that he could live, and Pretrial
12 Services supports that.

13 I think to accomplish that, we need to have a new release
14 order that puts that address into the second bulleted condition
15 and replaces the one that's there now.

16 THE COURT: Do you have any questions that you need
17 answered that have not been answered adequately?

18 PRETRIAL SERVICES OFFICER NISCHIK: No, Your Honor.

19 Mr. Stoll was cooperative with his attorney's assistance.

20 THE COURT: Okay. Mr. Bradford?

21 MR. BRADFORD: Your Honor, I think that's the
22 overarching issue here is just Mr. Stoll's attitude and failure
23 to cooperate with Pretrial Services.

24 At our last hearing, we talked about some of his beliefs
25 with the sovereign citizen movement, and, I think, some of his

1 conversations with Mr. Nischik were disappointing, to say the
2 least. When he was asked simple questions, he would just
3 simply respond -- like, "Where do you live? Where do you plan
4 to reside?" "I don't understand your question," and refused to
5 answer the questions that Mr. Nischik was asking him. These
6 are not difficult questions. Pretty easy. Pretrial Services
7 has tried to be fairly reasonable.

8 So I am concerned that this a pattern and practice that
9 will continue. I hope it won't. I hope having to come back to
10 court less than a week to resolve a very simple matter that
11 could have been resolved in a private conversation with
12 Mr. Nischik will send a message to the defendant that he needs
13 to take these conditions seriously or the government will seek
14 his detention.

15 THE COURT: Mr. Horst, any thoughts on how to make
16 things run more smoothly going forward?

17 MR. HORST: Judge, I've gotten a chance to spend more
18 time with Mr. Stoll. I think we need to continue to do that
19 and just get sort of some preliminary rules in place where
20 Mr. Stoll and I understand each other and that he understands
21 my instructions regarding communicating with Pretrial.

22 I think the other thing that has been helpful and
23 hopefully qualifies as a suggestion to make things go smoothly
24 in the future would be that Mr. Stoll continue to trust
25 Mr. Nischik and Pretrial and understand that they're not the

1 ones prosecuting him. They're not seeking information in order
2 to provide it to the government. They're seeking information
3 in order to supervise him for Your Honor and to make sure that
4 he's compliant and shows up in court and that the community is
5 safe.

6 And I think that now he understands that and has met with
7 Mr. Nischik a second time with me, I'm hopeful that he will
8 continue to comply.

9 I also think, Judge, if Your Honor might clarify that
10 relationship a little bit, even though Mr. Nischik works for
11 the government, he doesn't work for the prosecutor, that may
12 help a little bit, as well, going forward.

13 THE COURT: Sure. Welcome back, Mr. Stoll.

14 THE DEFENDANT: Thank you, Judge Beckerman.

15 THE COURT: I think your counsel made a good point,
16 and that is this whole process might not have been clear from
17 the get-go. You're not someone who's been involved in the
18 criminal justice system for years and years, like a lot of
19 people that we see, so I will clarify that Pretrial Services
20 does not work with the prosecutor. They work for the Court,
21 and their interest is in helping you stay out in the community
22 so you don't have to sit in prison, pending your trial in this
23 case, and they're here to help you do that.

24 But they also need information from you to make sure
25 you're not doing something that violates our rules, and so

1 you -- I imagine you're unclear as to why they're asking you
2 all these questions. Hopefully, that is now clear. And you do
3 need to answer their questions. In part, because we need to
4 know -- I send these guys out to check on people who are on
5 pretrial release, and I need to know I'm sending them to a safe
6 residence. Certainly, you can imagine in our system,
7 oftentimes they're visiting people in places that are not safe
8 because there's weapons there or people there that seek to harm
9 federal officers. We never know, and that's why we ask these
10 questions and make sure we know who's in the house, are there
11 drugs in the house, are there firearms in the house, because I
12 need to make sure these guys are safe and I'm not sending them
13 into a dangerous situation. So that's why we ask all these
14 questions.

15 So I imagine you may have interpreted that as getting your
16 wife in trouble or you in trouble, and that was certainly not
17 Mr. Nischik's intent. He's here to help you stay out of
18 custody.

19 So it's really important that you answer his questions.
20 I'm disappointed we're back this soon, but I'm hoping that once
21 you see what just happened, and I think that was part of the
22 point of this exercise, is to emphasize that it's important
23 that you work with Pretrial Services. Give him the information
24 that they're seeking.

25 You can always call your lawyer and say, "Hey, they're

1 asking me this. I don't want to answer it for these reasons,"
2 and he can help you navigate those questions. It's really
3 important you work with Pretrial Services so that you don't
4 have to keep coming back and forth to court.

5 Do you have any questions for me, or do you feel like you
6 understand how this is going to go moving forward?

7 THE DEFENDANT: I don't believe so. I appreciate
8 your explanation very much.

9 THE COURT: Okay. I was concerned when Mr. Nischik
10 reported to me that you weren't willing to answer his
11 questions. I think I understand now maybe where your head was.
12 But I asked the marshals to stay because if you were refusing
13 to answer questions, I was going to have them take you into
14 custody. So that's the risk here. I didn't want to do that,
15 but I was prepared to do that because I wasn't exactly sure
16 where your head was and whether you're willing to cooperate
17 going forward.

18 So, going forward, it's very important you work with
19 Pretrial Services. Answer their questions. Call your lawyer
20 if you have any questions about what is expected of you; what
21 is not expected of you. You didn't get off on the right foot,
22 but I'm confident that you get it now and you can move forward
23 without any more bumps in the road.

24 Mr. Bradford, anything else that you wanted to add?

25 MR. BRADFORD: No, Your Honor, thank you.

1 THE COURT: Mr. Horst, anything further?

2 MR. HORST: No. Thank you, Judge.

3 THE COURT: Mr. Nischik, anything further?

4 PRETRIAL SERVICES OFFICER NISCHIK: No, Your Honor.

5 I'll put together a new release order for signature.

6 THE COURT: Okay. Thank you.

7 Mr. Stoll, I hope I don't see you again. I hope you
8 continue to move forward on pretrial release, work with
9 Mr. Nischik, and nobody wants to come back and forth here to
10 Portland every week to answer to the Court. So I have
11 confidence that this will work out better going forward.

12 THE DEFENDANT: Unless we're requesting something of
13 you.

14 THE COURT: Certainly. That's what I'm here for.

15 THE DEFENDANT: Thank you very much.

16 THE COURT: Thank you, Court is adjourned.

17 (Hearing concluded.)

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C E R T I F I C A T E

United States of America v. Glen Stoll

3:19-cr-00112-JO

STATUS CONFERENCE

April 25, 2019

I certify, by signing below, that the foregoing is a true and correct transcript of the record, taken by stenographic means, of the proceedings in the above-entitled cause. A transcript without an original signature, conformed signature, or digitally signed signature is not certified.

/s/Jill L. Jessup, CSR, RMR, RDR, CRR, CRC

Official Court Reporter
Oregon CSR No. 98-0346

Signature Date: 7/29/19
CSR Expiration Date: 9/30/20