

Private Corrections Institute, Inc.

Investigative Research re American Private Police Force Organization (APF)

by

Alex Friedmann

Associate Editor, Prison Legal News

Vice President, Private Corrections Institute

Prison Legal News and the Private Corrections Institute have been closely following the situation in Hardin, Montana related to the Two Rivers Prison and a recent proposal by the “American Private Police Force Organization” to operate the facility and build a law enforcement training center in Hardin. Our research on this issue is summarized below, and was first shared with the Associated Press on Sept. 30, 2009.

APF’s Michael Hilton Involved in Fraud Case; Has Criminal Record

According to court records, APF front man Michael Hilton was named as a defendant in a civil lawsuit in Los Angeles, CA in 2000 that included ten counts of fraud and conspiracy. The case resulted in a \$1.4 million judgment against the defendants, including \$339,950 against Hilton. In an unpublished ruling, the California Court of Appeals noted that “Hilton is a convicted felon.” One of Hilton’s co-defendants, Ivano Stamegna, also was identified in the court ruling as a convicted felon. Stamegna accused Hilton of using another defendant in the suit as a pawn and stated that Hilton was the “main perpetrator of the fraud.” At least three of the parties involved in this case, upon reviewing photos of APF’s Michael Hilton from news articles, confirmed that he is the same Michael Hilton who was involved in the civil suit. The case is Bentley v. Carella, Case No. YC035740, Los Angeles Superior Court; the appellate ruling is Bentley v. Carella, 2003 Cal.App.Unpub. LEXIS 8418 (Cal. App. 2d Dist. Sept. 4, 2003).

One of the parties in the Bentley case stated that Michael Hilton used several alias, including “Miodrag Dokovich.” Two bankruptcy petitions were filed in California under the name of Michael Hilton, in 2002 and 2004. Both listed “Miodrag Dokovich” as aliases and both included the same Social Security Number (SSN). Both petitions were dismissed by the court.

A \$5,052 judgment lien was entered against Michael Hilton in January 2006 in Orange County, CA. A \$1,852 small claims judgment was entered against Michael Hilton in Los Angeles County in 2000; the same claimant obtained a \$3,979 judgment against Hilton in 1999. All of these judgments were against a Michael Hilton with the same SSN as the Michael Hilton who filed bankruptcy with the alias of Miodrag Dokovich. Another judgment, in the amount of \$1,040, was entered against Michael Hilton in 1992 under a similar but slightly different SSN. A civil judgment was entered against Michael Hilton and co-defendant Ilia Dokovich in 1992 in the amount of \$83,000, but no SSN was included in that filing.

1114 Brandt Drive - Tallahassee, FL 32308

850-980-0887 - www.PrivateCI.org

According to records from the Los Angeles Superior Court, Michael Hilton, AKA “Chedomire Djokich,” was charged on June 9, 1992 with grand theft (Cal. Penal Code Sec. 487.1), Case No. LBNA011815-01. According to Lexis, Djokich is an alias associated with Michael Hilton; the defendant in this case has the same SSN as the Michael Hilton / Miodrag Dokovich bankruptcy cases and civil judgments.

The Santa Ana Police Dept. also has an arrest record for Michael Hilton from April 1990, for bad checks and grand theft (Case 88-78747). That Hilton has the same birth date (Feb. 1, 1954) as the date that corresponds to the SSN in the Michael Hilton / Miodrag Dokovich bankruptcy cases and civil judgments.

According to a Lexis search, other aliases used by Michael Hilton include Miodrag Dokovich, Miodrag Djokich, Miodrag Djokovich, Michael Hamilton, Anthony M. Hilton, Michael A. Hilton, Michael Milton and Hristian Djokich, plus additional variants.

Discrepancies Involving APF

APF’s website states that the company’s “main office is located in Washington D.C.” However, according to the D.C. Dept. of Consumer and Regulatory Affairs, there is no registered company in D.C. using the American Private Police Force name or similar variant. When APF included its Washington, D.C. address on its website, the address was a virtual / mail-drop office, and the management company stated that APF had not completed its application and thus did not have a valid address at that location. APF has since removed its D.C. address from its website.

The APF website states that “within the last 5 years the United States has been far and away our #1 client.” However, a search of the federal contractor database reveals no government contracts for a company using the American Private Police Force name, or similar variants. See: www.bpn.gov/CCRSearch/Search.aspx

APF was incorporated in California on March 2, 2009, although the company claims it has been operating for years. APF’s Michael Hilton was listed as the company’s registered agent at 10501 Brookhurst Street in Anaheim, CA. That address is a single family residence owned by Serafin Vidovic, a barber in Anaheim (www.cleancutbarber.biz). Mr. Hilton lives in the downstairs of the house, according to Mr. Vidovic.

The APF website (www.americanpolicegroup.com) went online on May 15, 2009, which again conflicts with the company’s claim that it has been operating for years. Although APF has stated it is a subsidiary of another security firm, it has refused to reveal the name of its parent company. The APF website was initially hosted on the same server as several other sites dealing with law enforcement/defense companies (such as www.dpsna.com and www.allieddefensesystems.com), and shared some of the same text as the other sites, indicating it simply copied that information. The APF site also contains a number of typos that would not be expected to appear on a website maintained by a company familiar with law enforcement (e.g., “Air Marshalls” and “kidknapping”).

APF is completely unknown in the private prison industry. According to an Associated Press report, an official with the Professional Services Council, which includes major federal security contractors such as DynCorp and Xe Services (formerly Blackwater), had not heard of APF.

Other Developments

Greg Smith, executive director of the Two Rivers Authority, which has control over the Hardin prison, was placed on administrative leave on Sept. 11, 2009. The reason for his suspension, which occurred just three days after Hardin's proposed contract with APF was announced, was not disclosed. APF stated that it had discussed hiring Smith's wife, Kerri Smith, who is presently running for mayor of Hardin.

On Sept. 25, 2009, APF hired Billings Gazette reporter Becky Shay as the company's director of public relations, to the apparent surprise of her editor. Shay, who had previously reported on the Hardin prison and APF's offer to run the facility, will reportedly be paid \$60,000/year by the company.

The company's recently-hired attorney, Maziar Mafi, is described on his website as practicing in the areas of personal injury, medical malpractice, immigration, business law, litigations [sic] and criminal law. Although Mafi's website states he "has a 100% success rate on appeals in state and federal courts including published opinion from United States Ninth Circuit," a Lexis search of appellate court decisions indicates that of the three opinions in which Mafi is listed as counsel, he won one and lost two. The two appellate cases he lost: SALEHINASAB v. ZARRABI, 2003 Cal. App. Unpub. LEXIS 2223 (Cal. App. 4th Dist. Mar. 7, 2003) and DAVIS v. HAMEDANY, 2005 Cal. App. Unpub. LEXIS 2638 (Cal. App. 4th Dist. Mar. 23, 2005).

Prison Legal News (PLN), founded in 1990 and based in Seattle, Washington, is a non-profit organization dedicated to protecting human rights in U.S. detention facilities. PLN publishes a monthly magazine that includes reports, reviews and analysis of court rulings and news related to prisoners' rights and criminal justice issues. PLN has almost 7,000 subscribers and operates a website (www.prisonlegalnews.org) that includes a comprehensive database of prison and jail-related articles, news reports, court rulings, verdicts, settlements and related documents. PLN is a project of the Human Rights Defense Center.

The Private Corrections Institute (PCI) is a non-profit citizen watchdog organization that works to educate the public about the significant dangers and pitfalls associated with the privatization of correctional services. PCI maintains an online collection of news reports and other resources related to the private prison industry, and holds the position that for-profit prisons have no place in a free and democratic society. For more information: www.privateci.org.

Contacts:

Alex Friedmann
Prison Legal News
(615) 495-6568

Frank Smith
PCI Field Organizer
(620) 967-4616