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NORFOLK - Frank Sylvia Jr.'s 1990 Harley Softail was his baby. Ten years of sweat, tons of custom parts and a 22-coat paint job turned his ride into a \$12,500 showpiece that was the envy of his fellow **bikers**.

Then the **FBI** charged him - wrongly, it turned out - as part of the Renegades Motorcycle Club's methamphetamine ring last year. And as it routinely does in drug cases, the bureau seized the **bikers'** money, property, guns and motorcycles, including Sylvia's Harley-Davidson. When Sylvia was acquitted in November, he expected to get his bike back in decent condition.

"Not by a long shot," Sylvia said last week.

Instead, the 22-coat paint job was ruined, and expensive parts were missing. The odometer had mysteriously gained more than 1,000 miles, and the Harley had a Fairfax County sticker on it - leading Sylvia and his attorney to believe that the **FBI** took it for its own use without waiting to see if Sylvia would be convicted.

Now, the **FBI** is investigating whether one of its own broke the law.

On Friday, Chuck Owens, special agent in charge of the Norfolk office, acknowledged that the bike had been "misused," but said the misuse occurred in another **FBI** office.

The U.S. Justice Department's Office of Professional Responsibility is looking into the matter, Owens said, and disciplinary action against any agents or **FBI** employees involved "is a possibility."

The investigation "won't be resolved any time soon," said Phil Mann, assistant general counsel for the Norfolk **FBI** office.

The flap over the seized property is fallout from one of the biggest and longest trials held in U.S. District Court in Norfolk. Federal officials charged 33 defendants last year with being part of a drug distribution ring associated with the Renegades.

Twenty defendants pleaded guilty to drug distribution charges before trial. At the end of the trial, which lasted from September to November 1999, five were convicted of lesser charges, two were convicted of conspiracy to distribute drugs and one was convicted on gun charges.

Five, including Sylvia, were acquitted.

The Renegades defendants had federal forfeiture proceedings brought against them that would have taken any property bought from drug profits or used in selling drugs - including land, homes, cars, trucks and motorcycles.

But under that section of the U.S. Code, the defendants have to be convicted first.

Sylvia isn't the only one associated with the Renegades case who is unhappy with how his property was treated.

Five others who got their motorcycles back also **say** they were damaged while in **FBI** custody. Three have claims against the **FBI** for damages, and two others settled for payments less than the damages they claimed.

Richard "Phez" Connor, James Edwin "Ed" Land Jr., and Amy Stephan, - who was not charged but had her motorcycle seized because she is the wife of the Renegades' Garry Stephan - are still negotiating with the **FBI** over damage to their Harleys, said their attorney, Andrew Protogyrou.

Connor, to this day, is livid. Though convicted of possession with intent to distribute, he was still entitled to get his 1991 Softail back.

"When I saw it, I was shocked," Connor said. "It was all (messed) up. Rusty. It was disgusting."

It's now sitting in a Portsmouth repair shop, awaiting an estimate.

Clarence "Mac" McNamara was one of two **bikers** who settled with the **FBI**. When he got his 1988 Harley back, it

had \$3,000 worth of damage and another 40 miles on the odometer, McNamara said.

"Somebody had been riding it somewhere," he said. "The whole thing is just incredulous."

After months of negotiations, he settled on a \$1,500 payment from the **FBI** in August.

Owens and Mann both said the bureau can't be sure the **bikers** aren't inflating the damage done to their motorcycles.

The **FBI** notes the condition of the bikes when they're seized, Owens said, "but not every scratch."

"I don't want to minimize what happened to the victims, but in the larger context, this was a significant case . . . and we're talking about only a handful of items," Owens said.

In Sylvia's case, he said, "The vehicle was misused, and we've acknowledged that, and we're trying to make the owner whole."

Sylvia, an ex-convict, is understanding.

A born-again Christian who preaches at jails and prisons, the new Frank Sylvia understands how people can screw up and make mistakes - including **FBI** agents.

"I still love America and all that stuff," he said, chuckling.

But the old Frank Sylvia would have been thoroughly ticked off.

Protygyrou knows how he feels.

"The truth is, it's easy for the government to work over the little people," Protygyrou said. "But things have gotten better."

Reach Chris Grier at 446-2643 or [cgrier\(AT\)pilotonline.com](mailto:cgrier(AT)pilotonline.com)

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STEVE EARLEY PHOTOS/THE VIRGINIAN-PILOT

Clarence ``Mac" McNamara, left, and Richard ``Phez" Conner **say** their motorcycles were damaged after they were seized by the **FBI** in the Renegades Motorcycle Club drug bust last year.

``When I saw it, I was shocked. It was all (messed) up. Rusty. It was disgusting."

- Richard ``Phez" Conner, describing the condition of his 1991 Softail when it was returned by the **FBI**.

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