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FOR IMMEDIATE RELEASE  
TUESDAY JULY 14, 2009

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**ALLEGED FOUNDER OF STREET GANG THAT USES VIOLENCE TO CONTROL  
HARDCORE PUNK ROCK MUSIC SCENE ARRESTED ON EXTORTION CHARGE  
FOR SHAKING DOWN \$5,000 FROM RECORDING ARTIST FOR PROTECTION**

CHICAGO — The self-proclaimed founding member of a street gang that purports to exert control through use of violence over hardcore punk rock music in clubs and concert venues in major cities nationwide was arrested yesterday by FBI agents in Los Angeles on a federal extortion charge filed in Chicago. The defendant, **Elgin Nathan James**, allegedly extorted \$5,000 from an unnamed victim, a popular recording artist from the Chicago area, while the victim's band was on tour in late 2005 and early 2006, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, and Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation, announced today.

James, whose exact age is uncertain but is believed to be in his mid-to-late 30s, was arrested last night by FBI agents at his residence in the Silver Lake section of Los Angeles. He was charged with attempted extortion in a criminal complaint that was filed in U.S. District Court in Chicago on Friday July 10 and unsealed today following his arrest. He is expected to have an initial court appearance this afternoon in Federal Court in Los Angeles.

According to the complaint affidavit, James is a founding member of a street gang called “FSU,” which stands for “F( \_ \_ ) S( \_ \_ ) Up,” and “Friends Stand United.” James has stated in magazine and television interviews that he and others formed FSU in the late 1990s in Boston, purportedly to establish control over Boston’s hardcore punk rock music scene and to drive “Nazi skinheads” out of the clubs and venues that hosted hardcore concerts. James and others have boasted through the media and in a self-produced video that one of FSU’s tenets is to outnumber any individual with whom FSU has a conflict and to inflict grave bodily harm upon any such individual in a mass beating.

In a documentary-style video entitled “Boston Beatdown II,” produced in 2004, James and other FSU members described the circumstances surrounding FSU’s formation and existence and boasted about the gang’s beatings and violent methods used to carry them out. FSU members are shown repeatedly beating individuals at hardcore punk rock concerts and on Boston streets. In October 2008, FSU was featured in a History Channel episode of “Gangland,” called “Rage Against Society.” James and other FSU members who were interviewed described the formation of FSU in Boston and its development into a national street gang during 2004-2006, by establishing chapters in such cities as Chicago; Troy, New York; Philadelphia / South New Jersey; southern California; and Seattle, the affidavit states.

In July and August 2005, the complaint alleges, the victim’s band was taking part in an alternative music and extreme sports festival that tours North America in the spring and summer. At that time, according to the victim, the victim was a friend of some members of Rock Band A, also from Chicago, that was participating in the same tour. During a visit to Rock Band A’s tour bus one

night, the victim had a disagreement with an employee of Rock Band A, who the victim later learned was associated with an FSU member in Chicago.

The victim later told law enforcement agents that toward the end of the tour, the victim learned that there was a group of men who wanted to harm the victim, and on the last night of the tour, Aug. 14, 2005, the victim was heckled by a group of people. Later, the victim began to hear and learn more about FSU and was warned by some friends and acquaintances to stay away from FSU, the complaint states. On Oct. 7, 2005, the victim's band was in the Boston area and, as the victim was walking to the tour bus before the show, six unknown men approached the victim, pushed the victim to the ground, and repeatedly kicked and punched the victim, while a security guard simply watched. The victim and an individual who came to the victim's aid were both injured and the victim's band did not perform that night, fearing further attack, the charges allege.

In late October or early November 2005, James allegedly telephoned the victim while the victim was in Mokena, Ill., and the victim recorded a portion of the call. After identifying himself, James allegedly told the victim that James could resolve the victim's dispute with FSU if the victim made a payment to James; otherwise, FSU members would continue to attack the victim as the victim traveled throughout the country. James allegedly told the victim that the victim could do "the right thing" and be "on the right team" by making a \$5,000 "donation" to FSU to be used for bail for an associate of James and to buy Christmas gifts for the associate's children. The victim agreed to think about James' proposal and call James but the victim did not do so, and after James called him again, the victim did not return James call. Throughout November 2005, the victim researched James and FSU on the Internet and located video clips from "Boston Beatdown II," all of which

confirmed James' statements regarding FSU's presence in multiple cities, its propensity for violence, and James' leadership status in the gang, the complaint alleges.

On Nov. 27, 2005, the victim and several friends left a bar in Orlando, Fla., and were jumped by a group of men, some of whom were wearing clothing with logos that said "FSU" and "FSU Nation." The victim escaped with one friend. But another friend and that friend's brother were severely beaten by the gang, the charges allege. About an hour later, the victim received a telephone call from James, and according to the victim, James asked how the victim's trip to Florida was going when the victim had never told James that the victim would be traveling in Florida. After the victim told James that the victim would not be paying the \$5,000, James allegedly ended the call sarcastically, which the victim understood to mean that further attacks would ensue. As a result of this fear, in early December, the victim contacted the FBI in Chicago and agreed to cooperate and record additional phone calls, according to the complaint.

On Dec. 20, 2005, the victim placed a call to James and agreed to pay the \$5,000 so the victim and his band would not have to worry about being harmed during their upcoming tour. After the victim returned from a tour in Japan in January 2006, the victim and James exchanged several messages and had a series of recorded conversations over the next several weeks about how to best facilitate payment of the \$5,000 to James. By early February, James allegedly left the victim a message expressing irritation that the payment was not yet made and implied further harm if a payment was not made soon. When they talked again later that day and a week later, James allegedly made assurances to the victim that he would be safe during shows in New Jersey, Philadelphia and Arizona while they were working out the payment logistics. Eventually, the victim

and James agreed that they would meet in person outside a venue in southern California where the victim's band was scheduled to play on Feb. 25, 2006.

A few days before that, however, on Feb. 21, 2006, the victim's band played in Salt Lake City, where four men wearing masks rushed the victim as the victim was leaving a club after performing, and one of the club's promoters told the victim that one of the assailants was a known member of FSU. The victim called James that night and accused James of not living up to his agreement to fend off any attacks pending the payment being made. James allegedly responded that the attacker had nothing to do with FSU or was possibly a copycat or renegade.

On Feb. 25, 2006, under FBI surveillance, the victim met James outside the southern California club and handed James an envelope containing \$5,000, which the FBI had provided to the victim, according to the charges. Since then, neither the victim nor any of the victim's friends have had any encounter with FSU members or further contact with James. Under federal law, the charge filed against James is attempted extortion, rather than extortion, because the victim was cooperating with law enforcement at the time of the payment.

If convicted, attempted extortion carries a maximum penalty of 20 years in prison and a \$250,000 fine. The Court, however, would determine the appropriate sentence to be imposed under the advisory United States Sentencing Guidelines.

The government is being represented by Assistant United States Attorneys Ryan Hedges and Felicia Manno Alesia. The United States Attorney's Office for the Central District of California and the FBI Office in Los Angeles are providing local assistance.

The public is reminded that a complaint contains only charges and is not evidence of guilt. The defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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