

Challenge mounts to entrapment tactics

by Barbara Boyd and Richard Magraw

The Civiletti Justice Department's illegal Abscam and Brilab operations against targeted politicians and their supporters in organized labor have exploded in a Brooklyn, New York federal courtroom. Two U.S. attorneys from New Jersey, Edward Plaza and Robert Weir, who were intimately involved in the investigation and indictment of Sen. Harrison Williams, have been disclosing to Federal Judge George Pratt the illegalities and misconduct represented by all the "sting" investigations.

Edward Plaza, chief assistant U.S. attorney for New Jersey, presented the following evidence:

- Mel Weinberg, the convicted swindler who is the key government agent in Abscam cases, admitted to willfully entrapping Abscam defendants. The Justice Department paid Weinberg a bounty for prosecutions Abscam won.

- Throughout all the Abscam investigations, Weinberg continued his own criminal activities, with the full knowledge of the Justice Department.

- There are gross irregularities in the tapes and documents that the Justice Department submitted as evidence in all Abscam convictions. This fact supports the thesis that these materials have been deliberately altered by government officials.

- Plaza's investigation into the Justice Department's irregularities was blocked, stonewalled, and reprimanded by Justice Department officials supervising Abscam.

The damning evidence Plaza has placed in the record is the basis for an urgent call by the National Democratic Policy Committee, an organization whose advisory board is headed by Lyndon H. LaRouche, Jr., for immediate hearings by the Senate Judiciary Committee into the entire Abscam-Brilab investigation and Attorney General Benjamin Civiletti's role in initiating what is now documented to be a political witchhunt.

Such an investigation could proceed utilizing the evidence already on trial court records in the numerous prosecutions, without jeopardizing any pending *legitimate* prosecution. Judge Pratt is using this procedure carefully in the post-trial, due process hearing for seven convicted Abscam defendants.

The victims' defense attorneys are seeking a ruling that the convictions should be thrown out on the basis of

entrapment and "outrageous" prosecutorial misconduct. On Nov. 26, 1980, U.S. District Judge John P. Fullam threw out the Philadelphia Abscam convictions of Harry Jannotti and George Schwartz on precisely these grounds.

Abscam on trial

In his testimony, U.S. Attorney Plaza told the court about his own investigation of Abscam and Weinberg. Plaza began the probe after an August 1979 meeting, in which Weinberg answered Plaza's charges that he was deliberately entrapping Abscam victims. Plaza has testified, "I viewed that several things were giving public officials a criminality test. I viewed that as wrong." Said Weinberg, "If I don't put words in people's mouths, we won't have a case."

Plaza stipulated that Weinberg was referring to the way he coached Abscam victims to portray themselves as criminals in order to impress "the Arab mind." The "Arab" in question was always a paid agent of the FBI.

In the Abscam ploy, victims were told that huge financial deals offered to themselves and their constituencies by the "sheiks" would not come through unless the sheiks thought they were connected with criminal elements, whether or not such connections existed.

Plaza found that several of Weinberg's coaching sessions with Abscam defendants had not been taped or otherwise documented. He also found that the FBI had "lost" control of 100 tape recordings, for an unspecified period of time, breaking the chain of custody, and that there is no clear indication in many of the Abscam tapes of when a session with the phony sheiks begins or ends. The defense has charged that the tapes have been tampered with to favor the prosecution.

Plaza also testified that stolen certificates of deposit, which the Justice Department alleged had been provided by Abscam victim Mayor Angelo Errichetti of Camden, N.J., as a fence, were in fact provided to Errichetti by Weinberg. These stolen certificates had been filled out to demonstrate to the sheiks that Errichetti was a powerful criminal politician.

The Justice Department marked the sections of the tape of this meeting that showed Weinberg setting up Errichetti in this way as "inaudible" or "not pertinent." They were therefore not shown at the defendants' trial.

Plaza testified that Weinberg collected a bonus from the Justice Department for his criminal action in securing the stolen certificates of deposit. Justice pinned their theft on Errichetti, and thus claimed that Weinberg had "recovered stolen property."

Plaza also testified that he uncovered several other instances in his investigation in which Weinberg and the FBI would *initiate* criminal activities in order to entrap Abscam defendants in a chain of criminal events. Weinberg, Plaza charged, was running a "scam within a

scam” by receiving gifts intended for the sheiks and profiting from his own criminal activities—with full FBI and Justice Department knowledge.

Weinberg was promised unspecified bonuses by the Department of Justice for the numbers of politicians he successfully entrapped.

Plaza testified that as soon as he began expressing his concerns about Abscam illegalities, along with those of Weir and former New Jersey U.S. Attorney Robert Del Tufo, to Justice Department superiors, he was blackballed by Abscam prosecutor Thomas Puccio of the Eastern District of New York. Puccio said Plaza was “an enemy of Abscam.” Plaza’s attempts to interview Weinberg and continue his investigation were continuously blocked by Puccio and FBI Special Agent Good, who is Weinberg’s FBI controller.

Plaza is a well-respected U.S. Attorney who is considered to be honest and aboveboard. Nevertheless, Puccio tried to portray both Plaza and Del Tufo as motivated by their political connections in New Jersey. Puccio brought out in court that Del Tufo knew Harrison Williams when Del Tufo was a state legislator, and that Plaza knew Williams’s lawyer, George Koelzer, who was formerly with the Newark U.S. Attorney’s office. Puccio then stated that he had a tape in which George Katz, Senator Williams’s co-defendant, stated that he knew a New Jersey politician who was in trouble, but was protected because he had a “fix in” with Del Tufo.

In cross-examination, however, the local politician turned out to be a “mayor” who had a “fix in” with President Carter, who would lean on then-Attorney General Griffin Bell, who would in turn lean on the New Jersey U.S. Attorney, Del Tufo. Further, both Del Tufo and Plaza had recommended “vigorous prosecution” of this mayor, but Justice’s Tax Division in Washington had turned the case down.

Justice Department Criminal Division head Philip Heymann has telegraphed Judge Pratt that Plaza is violating Department of Justice procedure by turning over certain documents to defense counsel and that he is considering a possible censure of Plaza.

Despite constant impugnation of his motives by his Justice Department superiors, Plaza insisted in court that he is trying to prevent “a terrible embarrassment to law enforcement” in the United States.

The due process hearing is scheduled to continue next week before Judge Pratt. Then it will recess for about two weeks while defense attorneys research the entire Abscam investigative file, now being turned over to them under a previous order from Judge Pratt. The full file is sure to produce more blatant illegalities in Abscam and will be critical as other Abscam cases proceed to appellate court review and hearings on entrapment and governmental misconduct.

Why Reagan must purge the FBI

by Lyndon H. LaRouche, Jr.,
Contributing Editor

President Ronald Reagan will not have a chance of delivering on his campaign promises to the U.S. citizens unless his administration begins with a deep-going political purge of the Federal Bureau of Investigation. Like many innocent, average citizens, President Reagan may not yet know the truth about the FBI; now that he is entering the White House, he can and must be told that truth.

From its beginnings under the Quaker “Torquemada,” J. Mitchell Palmer, the Bureau of Investigation (later FBI) and its famous spokesman, J. Edgar Hoover, were closely tied to the forces which created and which still control Willy Brandt’s Socialist International. Its purpose, from the beginning, was to become a political “Gestapo.” In the value judgments of most citizens, the FBI’s political side has been outrightly *treasonous*.

Today, at this moment of writing, the political components of the FBI are working on the side of international terrorism in conscious and intimate cooperation with the forces behind both Willy Brandt’s Socialist International and the foreign-intelligence divisions of the Soviet KGB. It is understandable that the majority of average citizens, given the facts, would tend to denounce the FBI as “treasonous.”

Let us be fair. Not all FBI Special Agents are guilty of what the majority of average citizens would view as “treason.” During the 1930s, under President Roosevelt, and under Attorney General Robert Kennedy, the FBI went through the motions of becoming a crime-fighting organization. In this connection, the FBI developed operatives and capabilities which were dedicated to tracking down actual felons.

Sincere and dedicated as the “honest cops” of the FBI crime-fighting forces may have been, from the standpoint of the special interests which controlled Director J. Edgar Hoover, the FBI’s crime-fighting activities were always a “public relations stunt.” From its beginnings under Quaker-linked Attorney General J. Mitchell Palmer, the FBI was intended to become a political “Gestapo,” serving the interests of foreign, supranational powers dedicated to subverting and taking over the United States.

It was this same subversive dedication which guided J. Edgar Hoover and his accomplices in their largely