

200 more lawyers back LaRouche's appeal

Baltimore attorney R. David Pembroke on July 27 took the unprecedented step of requesting the Fourth Circuit Court of Appeals in Richmond, Virginia to accept a supplement to the mass amicus curiae (friend of the court) brief which he had filed in support of the appeal of Lyndon LaRouche and his six associates. With his request, Pembroke submitted the names of nearly 250 additional attorneys who have signed the amicus brief.

LaRouche, Will Wertz, Ed Spannaus, Michael Billington, Dennis Small, Paul Greenberg, and Joyce Rubinstein were convicted of conspiracy and fraud, solely for failure to repay political loans, in a blitzkrieg trial last fall. Their appeal is currently pending before the Fourth Circuit Court of Appeals. All seven are currently being held in federal prisons, in Minnesota, Virginia, West Virginia, and Pennsylvania.

Fair trial in jeopardy

When initially filed on May 25, the Pembroke amicus brief had been signed by 144 attorneys from around the United States. These attorneys joined with Pembroke in asserting that "if these convictions are allowed to stand, no defendant in the Eastern District of Virginia or any other district in the Fourth Circuit can be assured of a fair trial—especially a defendant, who as a public figure engaged in political life of the nation, is the subject of considerable controversy and adverse pre-trial publicity."

Thus, by now nearly 400 prominent U.S. attorneys have sent a message to the government, and the Fourth Circuit, that they consider the LaRouche appeal to be a crucial test as to whether constitutional guarantees are going to be upheld or not. As the brief argues, "such a precedent [upholding the LaRouche conviction] would be a potential threat to the rights of any accused anywhere in the United States and would represent a dangerous erosion of the fundamental rights guaranteed by our Constitution and Bill of Rights."

Meanwhile Richmond was rocked in early July, when the news came out that Delegate William Robinson had filed his own amicus curiae brief in connection with the federal appeal for LaRouche and his six codefendants. The brief by attorney Robinson, a black Democratic member of the Virginia state legislature, was accepted by the Fourth Circuit Court of Ap-

peals in Richmond July 5, over the objection of federal prosecutor Kent Robinson, who also attempted to prevent the Fourth Circuit from formally accepting the Pembroke brief.

The news of Delegate Robinson's brief shocked political opponents of LaRouche in the media, such as the *Washington Post*, into covering the appeal they have otherwise blacked out. The state Democratic Party leadership, especially Attorney General Mary Sue Terry, has bragged about its role in the political prosecutions of LaRouche and his associates.

Mr. Robinson, who is running unopposed for his fifth term in the legislature, told the *Post* that he had taken this action as a lawyer concerned with constitutional rights, not as a politician.

"I don't identify with, endorse or otherwise agree with LaRouche, but I think he's entitled to the same guarantees as any other defendant," Robinson told the *Post*. When asked if he feared political repercussions against him, Robinson said he didn't, but "I'm a lawyer first and need to be able to express myself."

Delegate Robinson's amicus brief is the first to elaborate the atrocity represented by Judge Albert V. Bryan's granting of the government's *in limine* motion, which deprived the defendants of the right to raise the issue of systematic financial warfare and the government's role as the sole initiator of the involuntary bankruptcy proceedings against the three corporations which had incurred the loans in question at the trial.

New signers

Especially following the publication of 50,000 copies of the book *Railroad!* which documents the constitutional violations in the LaRouche case, the perception is growing that the government was out to "get" LaRouche and his movement, and that this is part of a more general trend toward "police-state justice" in the federal courts.

Among the new signers of the Pembroke brief are one dozen professors of constitutional and international law from some of the nation's most prestigious law schools. Additionally, the brief was signed by the presidents of seven regional Bar Associations, two minority Bar Associations, the director of the California Young Lawyers Association, two presidents of state chapters of the American Trial Lawyers Association, and two presidents of state chapters of the National Association of Criminal Defense Lawyers.

Putting their names on the brief as well were a past president of the California Attorneys for Criminal Justice, a former congressional representative, the former counsel to the late Gov. Averell Harriman, two county Democratic Party chairmen, and civil rights attorneys from organizations including the ACLU, Common Cause, the NAACP, and the National Council of Public Auditors.

So far, no date has been set for the LaRouche appeal. In the meantime, the six accused who had remained at the Alexandria Detention Center to prepare their joint appeal, have all been moved to federal prison facilities.