

Anti-Defamation League is put on trial in Roanoke 'LaRouche' case

by Bruce Director

An explosive battle has erupted in Roanoke, Virginia, where the Anti-Defamation League of B'nai B'rith has been put on trial for participating in a scheme to eliminate any business or political entity associated with the political philosophy of Lyndon LaRouche. In the course of four days of testimony beginning on May 14, Virginia state investigators and ADL officials have been forced to take the stand and defend themselves in the face of massive evidence that they conspired to tamper with a judge, abuse governmental power, tamper with evidence, and run a massive campaign of hate propaganda in the furtherance of a common goal to annihilate the LaRouche political movement.

The hearing is taking place before Virginia Circuit Court Judge Clifford R. Weckstein, who is presiding over the trial of LaRouche associate Richard Welsh. Welsh's attorneys, Don Randolph and Gerald Zerkin, have filed a motion to dismiss the charges based on selective and vindictive and bad faith prosecution. The 45-page motion details the illegal joint operations of the Federal Bureau of Investigation, the ADL, and state government task forces against LaRouche—including the ADL's efforts to tamper with Judge Weckstein himself.

Weckstein's relationship with the ADL was already exposed in a hearing earlier this month, when it was revealed that the ADL, at the urging of ADL national commissioner Murray Janus, had sent Weckstein the ADL's hate literature about LaRouche, along with an ADL resolution calling for the appointment of a Jewish judge to the Supreme Court of Virginia. Weckstein is Jewish.

When Welsh's attorneys issued a subpoena for Janus to appear in the current hearing and testify about his efforts to tamper with Welsh's trial, Weckstein was forced to disclose more letters between himself and John Lichtenstein, a law partner of Janus, and the son of Weckstein's mentor and former partner, Barry Lichtenstein. The letters reveal that it was Weckstein who initiated the communication with the ADL, revealing himself to be even more tainted than he had previously admitted.

The letters detail a trail from Feb. 26, 1990 through May 10, 1990, in which Weckstein wrote to Lichtenstein, sending him copies of leaflets that were distributed exposing Weckstein's connection to the ADL. Lichtenstein, at

Weckstein's request, forwarded the leaflets to Janus, who in turn forwarded them to the national ADL headquarters for action. Janus also sent the leaflets to ADL's Virginia regional director, Ira Gissen. Gissen in turn sent the hate literature to Weckstein.

Because of the massive evidence of impropriety, Weckstein was forced to enforce the subpoena for his good friend Janus. Under oath, Janus admitted to having urged Gissen to send the hate literature to Weckstein, but, incredibly, claimed he had no knowledge that there were ongoing trials of LaRouche associates before Weckstein. As defense attorney Randolph pressed Janus, his testimony became more and more unbelievable.

Seeing the pressure Janus was under, Weckstein tried to cut the testimony off by questioning its relevance. Randolph said the relevance was that Janus is a high-ranking official of the ADL, and that the ADL had gone the extra mile to transfer their animus to the prosecuting agencies. Randolph added that the ADL had gone so far as to illegally obstruct justice by contacting the judge.

Weckstein bristled, ruled Janus's testimony irrelevant, and slapped a \$2,000 sanction on the defense attorneys. (At a later hearing, Weckstein revoked the sanctions, admitting he had been wrong, and apologized).

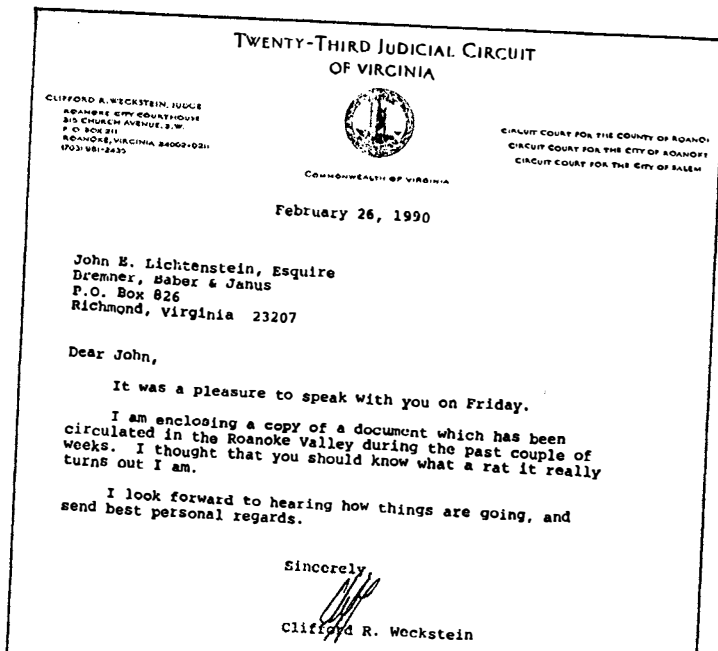
On the basis of the revelations of the additional letters, Randolph renewed his motion that Weckstein recuse himself (i.e., withdraw from the trial) because of bias.

Weckstein is more than tainted

Two days later, Weckstein held a hearing on the recusal motion. Defense attorney Randolph said that his duty to his client was elevated above his respect for the Court. Weckstein, Randolph argued, had previously misled the defense: He had concealed the true relationship between himself and Janus, and had concealed the fact that he had used John Lichtenstein as a conduit to the ADL and had failed to make a full disclosure.

Randolph argued that according to the canon of ethics, the appearance of impropriety is as important as actual bias; and what Weckstein did, he said, reeks of impropriety.

Prosecutor John Russell's response was to call Randolph irrational and paranoid. Russell warned that if the judge



Judge Weckstein (above) and one of his letters conducting informant to his ADL friends.

submits to this pressure, every judge in the Commonwealth of Virginia would be fair game. He urged Weckstein to stay on the case.

Weckstein denied the motion to recuse himself, saying that a smarter judge than he would have handled this whole matter differently.

ADL's Mira Boland forced to testify

While Weckstein was wrestling over how to extricate himself from being further exposed as biased, some of the chief investigators for the prosecution took the stand.

State Corporation Commission investigator John Partham testified that the ADL's material on LaRouche became part of his file and had played a major role in his investigation.

Lt. Terry McCracken, of the Loudoun County, Virginia Sheriff's Department, testified that he had numerous exchanges of information with the ADL's Mira Lansky Boland, from 1985 onward. Other law officers testified similarly.

Christian Curtis, a dropout from the LaRouche movement and a key prosecution witness, testified to more than two dozen conversations with Lansky Boland.

When FBI agents Timothy Klund and Edward Gibson were called to testify, their boss, U.S. Attorney for the Eastern District of Virginia Henry Hudson, ordered them not to testify about the exchange of information between the federal government and the ADL. Hudson also ordered them not to testify about the federal prosecution in Alexandria, Virginia, where Lyndon LaRouche and six others were convicted.

After vigorous arguments, the Assistant U.S. Attorney who was representing Hudson admitted that all governments involved in prosecuting LaRouche and his associates would

have to say they exchanged information about LaRouche with the ADL.

The final battle of the week came when the ADL's attorney Barbara Wahl appeared to argue for quashing subpoenas for Mira Lansky Boland, Ira Gissen, national Fact-Finding Division director Irwin Suall, ADL Washington lobbyist David Brody, and all documents in their possession relating to the prosecution of LaRouche and his associates.

Wahl asked Weckstein to quash the subpoena on the grounds it would violate the confidentiality of the ADL's informants who provide them with information on "extremist" groups. She also claimed the ADL's sources were protected by the First Amendment right of journalists. She then shocked the courtroom, asserting that some of the documents could not be produced because they were protected prosecutorial work product. Defense attorneys were quick to question how a supposedly tax-exempt, non-governmental agency could obtain documents produced by and for a government prosecution.

Weckstein, despite his own entanglements with the ADL, was obliged to order Gissen to produce all documents in his possession relating to the prosecution of LaRouche or his associates. He also ordered Boland to appear and to bring with her all documents—including notes, reports, or any other exchanges of information between herself and the Virginia State Police, the Loudoun County Sheriff's Department, the Commonwealth Attorney for Loudoun County, and the U.S. Attorney's office for the Eastern District of Virginia—concerning LaRouche and his movement. She also must produce all communications between herself and FBI agents Klund and Gibson, IRS investigator Larry Lucey, and Virginia State Corporation Commissioner John Partham.