

Billington appeal denied, Ascher jailed

by Bruce Director

The Commonwealth of Virginia continued to defy all internationally accepted standards of justice in late June as one associate of Democratic presidential candidate Lyndon LaRouche was jailed and another was denied an appeal by the Virginia Supreme Court.

On June 15, Rochelle Ascher surrendered to authorities in Leesburg, Virginia and began serving her 10-year sentence. Ascher joins LaRouche, who is still serving his 15-year sentence at the Federal Medical Center in Rochester, Minnesota, as the only other activist currently confined to prison.

On June 11, a three-judge panel of the Virginia Supreme Court unanimously denied the petition for appeal of Michael Billington, who faces 77 years in prison. The petition had outlined 10 areas of error made in earlier rulings by the trial court and Virginia Court of Appeals, including issues such as double jeopardy, the breakdown in attorney-client relationship before trial, and the unconstitutionality of jury sentencing when the trial judge says his practice is not to alter jury sentences. In Billington's case, Judge Clifford R. Weckstein affirmed the sentence given by the jury.

These two cases were both riddled with massive prosecutorial and judicial abuses which are characteristic of Virginia justice, where the Confederacy still reigns today. Ascher was tried in January 1989 on charges of borrowing money without registering as a "broker-dealer," fraud in soliciting loans, and conspiracy to defraud. The charges were blatantly political, especially since, at the time of the indictments, political loans had never been ruled by the Commonwealth to be "securities." That decision was made three months *after* the 1987 indictment of Ascher and her co-defendants.

Ascher's trial was equally outrageous, as she was subjected to a jury in Loudoun County, Virginia, where LaRouche resided. The jury had been inundated by hostile media coverage, and was flagrantly prejudiced against LaRouche. The animus of the jury was writ large in its decision to sentence Ascher to an unprecedented 86 years in jail.

Ultimately, trial Judge Carlton Penn reduced the sentence to 20 years, with 10 suspended. Penn then ordered Ascher immediately to prison, and it was only after an emergency appeal that the Virginia Court of Appeals released her. She remained free on bond while she appealed her conviction. The Court of Appeals eventually heard the case, but upheld the verdict with an arrogant decision which ignored facts and law. In early June, the Supreme Court of Virginia denied to

hear any further appeals and refused to stay execution of the sentence while Ascher continues her appeals up to the U.S. Supreme Court.

Billington was tried in Roanoke, Virginia, after the case of LaRouche associates were transferred out of Loudoun County, before the notorious Judge Weckstein, a partisan of the drug lobby's Anti-Defamation League (ADL). Billington's trial drew international attention after Weckstein forced Billington to go to trial with a defense attorney, Brian Gettings, who claimed Billington was legally insane for insisting on his right to a jury trial.

The 'Get LaRouche' task force

Ascher's incarceration is the direct result of the role of Virginia Attorney General Mary Sue Terry in the multijurisdictional federal, state, and private agency "Get LaRouche" task force which was initiated in 1982 by Henry Kissinger and the FBI. The so-called evidence against Ascher and her co-defendants came directly from a state-federal 400-man raid and illegal search of LaRouche's "headquarters" in Leesburg in October 1986.

Terry, a creature of the Bush Democratic apparatus of Virginia, pursued her campaign to try to wipe out the publications and movement associated with LaRouche with a gusto that showed no respect for law. Her stated objective was to wipe out fundraising by LaRouche's associates. She has been consistently backed by the state Supreme Court.

In fact, the head of the State Corporation Commission, which accommodated Terry by ruling after the fact that corporate loans, despite their political nature, were "securities," was soon after that ruling appointed to the Virginia Supreme Court.

Even the FBI, in documents released under the Freedom of Information Act, admitted that Terry's actions were "politically motivated." Yet, the courts have permitted the witch-hunt to proceed.

Terry is well known in Virginia as "Bloody Mary," due to her zeal to rush Death Row inmates to execution. She recently gained international notoriety with the case of Roger Keith Coleman, whose colorable claim to innocence was widely recognized, but whose lawyers' failure to file appeal papers on time convinced Terry that he had exhausted his remedies and should not be given the chance to prove his innocence. Coleman was murdered by Terry and the Commonwealth of Virginia on May 20.

Terry's role against LaRouche also coheres with her close relationship with the ADL, which has had a vendetta against LaRouche since the first publication of the book *Dope, Inc.* in 1978. That relationship was flaunted when Terry was given the "Defender of Human Rights Award" by the ADL on April 16, at the same time that Terry was fighting to execute Coleman. Among the special guests at the luncheon was longtime anti-LaRouche operative and former ADL Fact Finding Department head Irwin Suall.