

# Illinois prosecutor persists in rampage

by Patricia Salisbury

Ogle County, Illinois, prosecutor Dennis Schumacher is continuing an outrageous series of extralegal and harassing courtroom actions in an attempt to use terror to manufacture a case against political organizers associated with Lyndon H. LaRouche, Jr. To date, Schumacher has rammed indictments of three political associates of LaRouche through a grand jury in Oregon, Illinois, charging that the three were guilty of "burglary, theft, robbery, and intimidation." (See *EIR*, Sept. 1, 1989, p. 58.)

The case is being closely watched internationally, as an escalation in the use of police-state actions to shut down all political voices irritating to the Establishment.

Schumacher, unable to bring any proof of his absurd charges to bear, is engaging in tactics of intimidation, threats, and harassment against both witnesses and their lawyers. On Aug. 24, Schumacher attempted to subpoena the records and files of all employees, volunteers, related companies, organizations, and supporters of Midwest Circulation Company. Judge Alan Cargerman at that time found this constituted a threat to the First Amendment right of freedom of association and quashed the subpoenas.

However, in court proceedings before the same judge from Aug. 27-31, Schumacher demonstrated that he had not a shred of respect for these rights. According to witnesses, the prosecutor appeared enraged by several days of failed attempts to convince Judge Cargerman that the keeper of the records for Midwest Circulation Company, Thomas Szymeko, should be jailed on contempt for allegedly failing to produce records ordered by Judge Cargerman.

## Threatens perjury indictment

After a short hearing on this issue again on Aug. 30, Judge Cargerman quashed the production of MCC subscription lists on First Amendment grounds, as he had the week before. Schumacher then proceeded to try and badger testimony out of Szymeko by serving yet another subpoena on him. When this did not produce the answers he wanted, Schumacher threatened to indict Szymeko for perjury, informing Szymeko's lawyer Michael Null that he would seek an indictment from the grand jury.

Schumacher then requested a hearing before Judge Cargerman, and much to everyone's amazement once again, began his arguments for a contempt citation for failure to

produce what he now said he could prove were missing records. However, he offered no proof of these charges. Judge Cargerman pointed out to Schumacher at several points that he was unable to identify with any specificity any "missing" documents. It became clear that Schumacher not only did not know what records had been produced, but did not care.

The high point of this exchange occurred over a list of subscribers to various political publications, which Judge Cargerman had ruled should be produced with, however, the names and addresses of the supporters blacked out. While Judge Cargerman sat on the bench holding the list in question for all in the courtroom to see, Schumacher launched into a raving tirade about how this very list had never been produced. After five minutes of this nonsense, the judge cut Schumacher off, pointedly noting that the documents had been the center of argument for a good half-hour.

Throughout, attorney Null had been attempting to raise the important question of Schumacher's perjury threat, which he argued was nothing less than an attempt to threaten and harass the witness. Judge Cargerman instructed the witness, Mr. Szymeko, to return to the grand jury room and invoke his Fifth Amendment privilege, after which he would consider the issue of intimidation. Before this could occur, however, prosecutor Schumacher sent the grand jury home for the day, and he himself left the courthouse.

Judge Cargerman, then, in an highly unusual move, granted a hearing on Schumacher's conduct at the request of the defense attorneys, during which he appeared to assure them that Schumacher's fishing expedition with these witnesses was, at least for the moment, at an end.

Schumacher cannot, however, be dismissed as simply as a boorish fool with delusions that he is a prosecutor in Nazi Germany of the late 1930s. While the courage of the defendants, the witnesses, and the defense attorneys has to this point stood up to his terrorism, Schumacher is clearly fronting for the state and national "Get LaRouche" task force which set out to obtain a conviction of Lyndon LaRouche after the March 1986 victories of his supporters in the Illinois Democratic Party state primary, and which is now on a rampage without even the semblance of adherence to law. It is no accident that two of the indicted LaRouche associates, Patricia Noble-Schenk and Ron Fredman, are running for statewide office with gubernatorial candidate Mark Fairchild, who won the Democratic Party nomination for lieutenant governor in 1986. This political activity, which is building a national constituency for alternative policies to the New Yalta appeasement plans of the current Establishment, is the target of the "Get LaRouche" task force. Fairchild and his running mates have responded to this political vendetta by stepping up their campaigns.

In a press conference immediately following the indictments, Mark Fairchild declared that the only thing he and his associates were guilty of, was winning elections, and that they intended to do lot more of that.