

Early release expected for LaRouche, co-defendants in Alexandria railroad

Warren J. Hamerman, staff director for the Constitutional Defense Fund, announced in a press release from Washington, D.C. on Oct. 1 that "the U.S. government has formally decided not to appeal the decision of two separate federal judges who found that the government acted unlawfully when it killed three firms associated with political prisoner Lyndon LaRouche via a forced bankruptcy in April 1987. Legal observers say that this should lead to the early release of LaRouche and his co-defendants," Hamerman continued.

The unlawful bankruptcy was carried out by a task force involving U.S. Attorney Henry Hudson, Virginia Attorney General Mary Sue Terry, and the Department of Justice. Hamerman said that on Oct. 1, lawyers for the three LaRouche-associated entities received written confirmation from Kenneth W. Starr, the Solicitor General of the United States, that the government had made the final decision not to appeal the rulings of federal bankruptcy Judge Martin Bostetter and federal Judge Hilton.

Each of those judges, Hamerman explained, had found that the government seizure and shutdown of the Fusion Energy Foundation (FEF), Caucus Distributors Inc. (CDI), and Campaigner Publications was: (1) unlawful; (2) carried out in "objective bad faith"; and (3) done by means of a "constructive fraud on the court."

"LaRouche and his co-defendants are in prison today because the government acted in double bad faith," the release states. "First, it seized the three firms in the forced bankruptcy, and then it turned around and prosecuted the firms for failing to repay the loans which the shut-down companies couldn't repay! This and other evidence proves that LaRouche and his associates were innocent all along. Unless there is a continuing fraud on the legal system by the government, legal observers expect that congressional candidate Lyndon H. LaRouche and his co-defendants will be out of jail soon."

Mr. LaRouche was tried in fall 1988 on vague "conspiracy" charges together with his associates William Wertz, Edward Spannaus, Joyce Rubinstein, Dennis Small, Paul Greenberg, and Michael Billington. After a trial which shocked international observers for its flagrant disregard for the defendants' right to an impartial jury and to present their own case, all were convicted; on Jan. 27, 1989, Lyndon LaRouche, then a 66-year-old man, was sent to prison for 15

years, while the other six were sentenced to prison terms of three to five years each.

A book, *Railroad*, has been published on the Alexandria trial. Renowned jurists, human rights leaders, and political and cultural figures around the world have protested LaRouche's imprisonment. Earlier this year, former Attorney General Ramsey Clark, speaking to a meeting at the Conference on Security and Cooperation in Europe ("Helsinki" forum) in Copenhagen, described the LaRouche case as the most striking example of police-state justice taking over the United States.

\$40-60 million in damages to be sought

"It is also anticipated that the three LaRouche-associated firms will be filing for \$40-60 million in compensatory damages and attorneys' fees," Warren Hamerman announced on Oct. 1. "Among the claims will be full compensation for the principal and interest on the loans to the firms outstanding at the time of the unlawful government seizure, compensation for unfulfilled subscriptions, and the destruction of the 'good will and reputation' of the Fusion Energy Foundation, Campaigner, and Caucus Distributors Inc."

"The final decision on the bankruptcy fully vindicates LaRouche and his co-defendants, because LaRouche political supporters who lost money did so as a result of unlawful government action. Therefore, justice demands that the government must now repay the loans with interest."

"The prosecution team is not the only culpable party. The very presiding judge in the frameup of LaRouche at his Alexandria trial in 1988—the notorious Judge Albert V. Bryan, Jr.—was up to his eyeballs in complicity with the government. In 1987, after the bankruptcy, Bryan made two rulings condoning the bankruptcy procedure. Then, when he had the LaRouche case before him, he not only failed to recuse himself despite his prior rulings, but he granted the government's demand to ban and censor from LaRouche's trial any evidence that the government bankruptcy action had been carried out in bad faith. His outrageous order went so far as to say that the defense could not even say that it was the government which brought the bankruptcy! Thus, Bryan set up his own fraud by bamboozling the jury into drawing the adverse inference that it was LaRouche and his co-defendants who were somehow to blame."