

Grand jury indicts 'Get LaRouche' kidnaping ring

One hour before a scheduled preliminary hearing on Oct. 6, a federal grand jury in Alexandria, Virginia handed down an indictment for conspiracy to kidnap against Donald L. Moore, Edgar Newbold Smith, Galen Kelly, and Robert Point. The indictment also contains a second count of solicitation for kidnaping against Moore.

The four are charged with plotting to kidnap Lewis du Pont Smith, a 36-year-old man who is an heir to the du Pont chemical fortune, as well as his wife Andrea Diano Smith, and to spirit them to an offshore yacht belonging to Newbold Smith, his father. There, the two were to be drugged and forcibly "deprogrammed" to break their loyalty to the ideas and policies of Lyndon LaRouche. The grand jury action obviated the need for a preliminary hearing. Present in the courtroom were John Markham, representing E. Newbold Smith; Mira Boland of the Anti-Defamation League (ADL), who sat next to Don Moore and his wife; and many reporters. Not present was Don Moore's lawyer, Mark Rasch.

History of lawlessness

The accused (Moore, Kelly, Smith) and their lawyers (Markham and Rasch) and helpers (Boland) are the guts of the "Get LaRouche" concert of action. Markham and Rasch were the prosecutors in the notorious 1988 railroad trial of LaRouche and six associates. Moore, fired earlier this year as a sheriff's lieutenant in Loudoun County, Virginia, had boasted that he "led" the 1986 raid against LaRouche's residence and LaRouche-affiliated companies—a raid intended to result in LaRouche's death. Kelly claims to be a "deprogrammer" of religious cult members. Boland is a key operative for the powerful, tax-exempt, organized-crime front known as the ADL, with an inside track in all the prosecutions of the LaRouche movement. All of these people work with the Cult Awareness Network (CAN), which uses slander and intimidation to keep LaRouche supporters from giving money to the political cause of their choice. The indictments suggest CAN is willing to go even further to suppress democracy.

Violent crime was planned

According to the indictment, it is alleged that on June 26, 1992, Moore went to the residence of Doug Poppa, also a former Loudoun sheriff's deputy, to recruit him to assist Moore, Smith, Kelly, Point, and others whom "Moore described as Green Beret and CIA types, in kidnaping of a mem-

ber of the Smith family." The indictment alleges a three-month plot between Moore, Smith, Kelly, Point, and others in which they conspired and planned the kidnaping of Lewis du Pont Smith and his wife. An arraignment was set for Oct. 13.

The magistrate held a detention hearing for Kelly. The government argued that Kelly should be held without bond because he is a violent threat to the community and poses a risk of flight. They presented evidence that on the day of their arrest, Kelly was in Moore's house in Virginia where they were plotting a new kidnaping plan to overpower Lewis du Pont Smith with a motorcycle gang which would violently kidnap him in a "paramilitary operation." The magistrate said that it appeared from the indictment that Moore was the main ringleader, and that Kelly should be let out on the same conditions as Moore.

Galen Kelly's lawyer presented the magistrate with letters attesting to his upstanding character. One letter was from Herbert Rosedale, the founder of the American Family Foundation and the Cult Awareness Network, and a funder of the ADL—the private institutions at the heart of the conspiracy to silence LaRouche. Rosedale wrote that he had known Kelly for 10 years. Rosedale was present at a Paris meeting in May 1990, with Cynthia Kisser, the executive director of CAN, where further actions against the LaRouche movement were designed.

Lewis du Pont Smith rips media

On Oct. 5, Lewis du Pont Smith released a comment which reads, in part, "I believe that, as a citizen of the United States, I have the right, protected under the First Amendment, to politically associate with and financially support causes that I believe in.

"The criminal charges which were brought against my father and three other individuals by the U.S. government in the Eastern District of Virginia are very serious.

"The media generally have portrayed these events—the arrests, the government's criminal complaint, and legal proceedings—as a family soap-opera-like feud between myself and my father. The issue is not between my father and myself.

"The real issue, which the government makes clear in its criminal complaint and which is revealed elsewhere by the government's chief informant, is that there is a national kidnaping-for-hire criminal ring, the Cult Awareness Network (CAN), of which my father, Galen Kelly, Don Moore, and others who oppose presidential candidate Lyndon LaRouche are a part.

"I am shocked, but not at all surprised, that my wife and I were the targets of the Cult Awareness Network and its alleged plot to kidnap, torture, and use drug-induced mind control techniques to break our wills.

"I am relieved that federal law enforcement agencies and the U.S. Department of Justice are finally beginning to round up the alleged perpetrators of this alleged criminal kidnaping thought-police ring."

Documentation

U.S. complaint targets LaRouche persecutors

The following complaint was filed with the United States District Court, Eastern District of Virginia on Sept. 30, 1992, in Alexandria, Virginia.

United States of America
v. Donald Moore
Galen Kelly
Edgar Newbold Smith
Robert Point

Criminal Complaint
Case Number: 92-1250M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. . . .

Scott Salter Special Agent Federal Bureau of Investigation

. . . From on or about June, 1992 through on or about the present time, in the Eastern District of Virginia and elsewhere, the defendants, **Donald Moore, Galen Kelly, Edgar Newbold Smith and Robert Point**, did willfully, knowingly and unlawfully combine, conspire, confederate and agree with each other to willfully, knowingly and unlawfully seize, confine, inveigle, decoy, kidnap, abduct and carry away, in the special maritime and territorial jurisdiction of the United States, two adult persons, to wit: **Lewis du Pont Smith and Andrea Diano Smith**, in violation of Title 18, United States Code, Section 1201(a)(2).

Overt Acts

In furtherance of the conspiracy, and to effect the objects thereof, the defendants committed diverse overt acts in the Eastern District of Virginia and elsewhere, including but not limited to, the following:

1. On or about July 7, 1992, in the Eastern District of Virginia, coconspirator **Donald Moore** traveled from Loudoun County, Virginia to the home of coconspirator **Edgar Newbold Smith** in Radnor, Pennsylvania for the purpose of acquiring intelligence information on the day-to-day activities of **Lewis du Pont Smith and Andrea Diano Smith**.

2. On or about Aug. 18, 1992, in the Eastern District of Virginia, coconspirator **Donald Moore** traveled from Loudoun County, Virginia to the home of **Edgar Newbold Smith** for the purpose of meeting and discussing the kid-

naping plans with **Edgar Newbold Smith** prior to proceeding to New Jersey where **Moore** planned to meet and discuss the kidnaping with **Robert Point**.

3. On or about Sept. 15, 1992, in the Eastern District of Virginia, coconspirator **Donald Moore** traveled from Loudoun County, Virginia to the home of **Edgar Newbold Smith** in Pennsylvania as the first leg in a trip to the law office of coconspirator **Robert Point** in New Jersey for the purpose of meeting with coconspirators **Robert Point and Galen Kelly** to discuss the plans to kidnap **Lewis du Pont Smith and Andrea Diano Smith**.

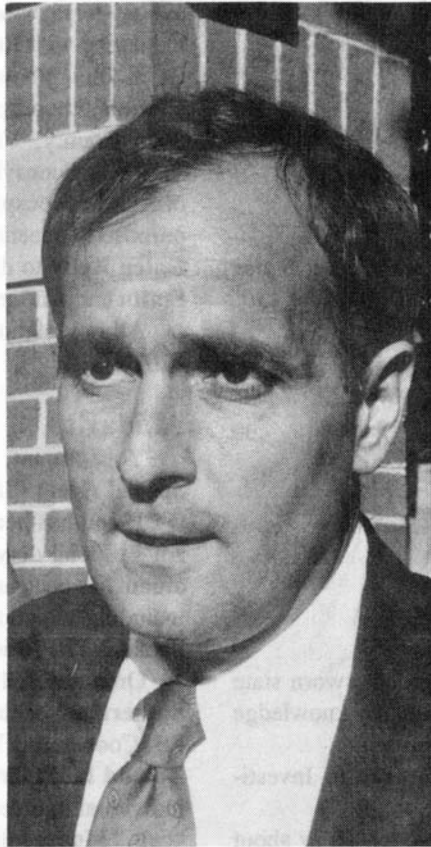
All in violation of Title 18, United States Code, Section 1201(c).

Affidavit

Your affiant, Scott Salter, is presently employed as a Special Agent (SA) for the Federal Bureau of Investigation (FBI) and has been so employed for three years. Your affiant's official duty station is at Washington, D.C. and your affiant has been assigned the investigations of violent crimes including violations of Title 18 of the United States Code, Sections 1201 (kidnaping).

On June 29, 1992, your affiant was advised by SA **Scott Sutherland** of the FBI that an individual described as an FBI Cooperating Witness (CW) advised SA **Sutherland** that **Donald L. Moore, Jr.**, is involved in a plan to abduct an individual in order to "deprogram" him of the influence of a "cult." **Moore** told the CW that the individual to be abducted is a member of the **du Pont** family and that the individual lives in the Philadelphia, Pennsylvania area. **Moore** told the CW that he and others involved in the plan are associated with a group called the Cult Awareness Network. They plan to use a female to lure **Lewis du Pont Smith** to a hotel room where he will be given a drink containing a sedative which will render **Smith** unconscious. Once unconscious, the plan calls for **Smith** to be taken to a yacht waiting off the United States Coast where he will be held until he is "deprogrammed." **Moore** told the CW that he planned to travel to Philadelphia on or about June 29, 1992 in order to meet with another involved individual and further discuss the plan.

On July 2, 1992, your affiant was advised by SA **Sutherland** that the CW met with **Moore** following **Moore's** trip to Philadelphia. **Moore** told the CW that in Philadelphia he met with **Galen Kelly** and the two discussed plans to abduct **Lewis du Pont Smith**. **Moore** advised that **Lewis du Pont Smith** is the son of **Edgar Newbold Smith** and that the planned abduction and deprogramming is sponsored by **Edgar Newbold Smith**. **Moore** reiterated to the CW that the plan calls for **Lewis du Pont Smith** to be lured to a hotel room by a female where he will be given a sedative to render him unconscious. The plan calls for **Lewis du Pont Smith** to be taken to a yacht owned by **Edgar Newbold Smith** waiting 60 miles off the United States Coast where he will be deprogrammed. **Moore** told the CW that he and **Kelly** are



Left: "Deppity Dawg" Donald Moore leaves the federal courthouse in Alexandria, Virginia after his indictment on kidnaping charges on Oct. 6. Included in the cheering section for him and the other alleged conspirators were: (center) attorney John Markham, representing E. Newbold Smith. Markham was one of the prosecutors in the frameup conviction of Lyndon LaRouche in 1989. (Right) Mira Lansky Boland of the Anti-Defamation League, a top operative of the "Get LaRouche" task force.

concerned as to what to do about **Lewis du Pont Smith's** wife after he is abducted. **Moore** then explained to the CW that **Moore** and **Kelly** are considering abducting **Lewis du Pont Smith's** wife prior to abducting **Smith**.

On June 30, 1992, the affiant was advised by SA **Michael Reith** of the FBI's Wilmington, Delaware Resident Agency, that **Lewis du Pont Smith**, a 36-year-old male is the son of **Edgar Newbold Smith** and **Margaret Smith**. **Lewis du Pont Smith** was identified as residing in Philadelphia, Pennsylvania with his wife **Andrea Diano Smith**. SA **Reith** advised that in the past several years **Lewis du Pont Smith** had been involved in civil litigation against his parents in Philadelphia, Pennsylvania over control of **Lewis du Pont Smith's** trust fund.

On July 6, 1992, your affiant was advised by the CW that **Moore** planned to travel to Philadelphia on July 7, 1992 and remain in that area until July 10, 1992. **Moore** invited the CW to go with him on the trip and assist **Moore** in conducting surveillance of **Lewis du Pont Smith** in order to determine **Smith's** daily routine and further devise the abduction plan.

The CW agreed to travel with **Moore**.

On July 7, 1992, the affiant was advised by the CW that **Moore** was scheduled to pick the CW up in **Moore's** vehicle and that they would travel to the Philadelphia area on July 7, 1992 at approximately 8:00 p.m. On that date, at approximately 8:15 a.m., in Loudoun County (which I know to be in the Eastern District of Virginia), FBI agents observed the CW enter a 1980 Oldsmobile Cutlass bearing Virginia license tag JQF-445, registered to **Donald L. Moore, Jr.**, and travel from Loudoun County, Virginia to 871 Leslie Road, Radnor, Pennsylvania, a residence the CW later identified as the home of **Edgar Newbold Smith**. On July 8, 1992, SA **Daniel Murphy** of the FBI's Philadelphia Field Office advised your affiant that telephone subscriber information identified 871 Leslie Road, Radnor, Pennsylvania as the home of **Edgar Newbold Smith**.

On July 8, 1992, FBI agents in Philadelphia observed **Moore** and the CW apparently surveilling **Lewis du Pont Smith** in Philadelphia and at **Lewis du Pont Smith's** place of employment in Upper Darby, Pennsylvania.

On July 10, 1992, the affiant was advised by SA **Gregory Auld** of the FBI's Philadelphia Field Office that he interviewed the CW on July 9, 1992. The CW advised that, prior to departing Leesburg, Virginia, **Moore** paid the CW \$400.00 for the upcoming four days work in Philadelphia. The CW advised that at **Moore's** direction, the CW and **Moore** surveilled **Lewis du Pont Smith** on July 8, 1992 in order to determine **Smith's** daily routine. They located **Smith's** vehicle at his place of employment in Upper Darby, Pennsylvania and observed **Smith** enter a restaurant after work on July 8, 1992. Moore instructed the CW to conduct the same type of surveillance of **Smith** on July 9, 1992 (the CW instead traveled to the FBI Office in New Town Square, Pennsylvania). The CW advised SA **Auld** that he and **Moore** are staying at the home of **Edgar Newbold Smith** while **Edgar Newbold Smith** is staying in Maine. On July 9, 1992, **Edgar Newbold Smith** called his residence and spoke with **Moore**. The CW was present and heard **Moore** tell **Edgar Newbold Smith** that they had conducted surveillance of **Lewis du Pont Smith**. . . .

On July 10, 1992, your affiant was advised that on July 10, 1992, monitoring agents in Philadelphia overheard an incoming call received by **Donald Moore** (who was at telephone number 215-688-7664) from **Edgar Newbold Smith** (who was at telephone number 207-276-3765). During the call the two mentioned **Galen Kelly** twice, indicating that they needed **Kelly's** guidance. **Moore** told **Edgar Newbold Smith** about a surveillance of **Lewis du Pont Smith** conducted by **Moore** at his place of employment. . . .

On July 15, 1992, **Edgar Newbold Smith** placed a call from telephone number 215-688-7664 to **Donald Moore** at telephone number 703-822-5580. The call was intercepted and monitored by FBI agents in Philadelphia and in Washington, D.C. During this conversation **Moore** and **Smith** discussed the plot to abduct **Lewis du Pont Smith**. They agreed that the plan for the abduction could not be finalized until they speak with **Galen Kelly**. **Moore** and **Smith** assured each other that their telephones are "safe" and then **Smith** told **Moore** that one problem they will have after **Lewis du Pont Smith** is "lifted" is that **Lewis du Pont Smith's** wife will bring a great deal of attention to the disappearance of her husband. They tentatively agreed that it is preferable to "lift" **Lewis du Pont Smith** without taking his wife, however **Moore** stated that **Galen Kelly** would be the best person to ask, and he speculated that if the wife were taken she could be "turned" also.

During the course of this investigation the CW maintained contact with **Donald Moore** through in-person contacts and through telephone conversations. The CW consensually recorded in-person contacts when possible and all telephone conversations were recorded by the CW. Your affiant has listened to all tapes made by the CW. During a conversation between **Moore** and the CW on Aug. 11, 1992, **Moore** discussed the plan to abduct **Lewis du Pont Smith**,

bluntly referring to the operation as a "kidnaping."

On Aug. 17, 1992, **Moore** told the CW that they are to travel to Radnor, Pennsylvania on Aug. 18, 1992 to meet with **Edgar Newbold Smith** at his residence. **Moore** also stated that they would travel to South Amboy, New Jersey on Aug. 19, 1992, in order to meet with **Robert Point** and perhaps **Galen Kelly**. **Moore** described **Point** as a lawyer and a friend of **Galen Kelly**. **Moore** told the CW that the purpose of the trip is to discuss the plans to abduct **Lewis du Pont Smith**.

The CW has advised me of the following. On Aug. 19, 1992, at the direction of **Donald Moore**, the CW and **Moore** traveled from Loudoun County, Virginia to the home of **Edgar Newbold Smith**. On that date, **Smith**, **Moore**, and the CW discussed the plan to kidnap and deprogram **Lewis du Pont Smith**.

The CW has advised me of the following. On Aug. 19, 1992, the CW and **Moore** traveled from Radnor, Pennsylvania to 111 North Broadway Street, South Amboy, New Jersey, the law office of **Robert Point**. While in **Point's** office **Moore**, **Point**, and the CW discussed the plan to abduct **Lewis du Pont Smith** and **Point** discussed other abductions and deprogrammings in which he and **Galen Kelly** have participated. **Moore** and **Point** openly discussed the abduction of a woman in New York City which occurred in September 1991. **Point** stated that that operation went badly largely because it was handled poorly by **Tony Russo**, a police officer who was put in charge of the actual abduction. They also discussed an abduction which occurred in Washington, D.C. and which also went badly. They described that abduction as a situation in which they mistakenly abducted the wrong woman. **Point** told **Moore** and the CW that he and **Galen Kelly** are in the process of planning the abduction of an individual who is involved with a "cult" in New York City. **Point** stated that he has maintained contact with the individuals who want that person abducted and deprogrammed. During the conversation **Point** directed his secretary to bring the file on that case and she delivered a folder to **Point** (which the CW believes contained information on that planned abduction).

The affiant is aware that **Galen Kelly** is the subject of an ongoing investigation being conducted by FBI agents in Washington, D.C. concerning the abduction of a female, hereinafter Jane Doe, in Washington, D.C. on or about May 5, 1992. In that case, Jane Doe was the roommate of a woman whose mother has persistently encouraged her (i.e., Jane Doe's roommate) to leave the homosexual relationship in which she now lives with Jane Doe and another female roommate. Jane Doe advised that she was forcibly abducted by two men and two women as she left work in the early morning hours in Washington, D.C. on May 5, 1992, and taken in a van to an unknown location, believed by Jane Doe to be in Virginia. While being transported, Jane Doe asked one of her abductors his name; he replied "Galen Kelly." Eventually

the van stopped and an older woman entered and told the abductors that the victim was not "my daughter." Jane Doe was transported back to Washington, D.C. and released; as her abductors left, they threw Jane Doe's thermos (which she had been carrying) out of the van. The thermos was provided to the FBI and subsequent analysis identified a latent fingerprint on the thermos as belonging to **Galen Kelly**. An analysis of telephone toll records showed that the mother of Jane Doe's roommate (the intended victim's mother) placed calls to the Cult Awareness Network in Chicago in the three months prior to the May 5, 1992 abduction.

On Aug. 25, 1992, the CW advised your affiant that during the return trip from South Amboy, New Jersey, **Moore** told the CW the specific details of the May 5, 1992 abduction in Washington, D.C. **Moore** told the CW that he (**Moore**) had done the surveillance and planning for the abduction. He provided **Galen Kelly** with the information as to where the target of the abduction could be found and he provided photographs of the intended victim. **Moore** explained that the woman who was abducted had cut her hair and was driving the intended victim's vehicle which resulted in **Kelly** and the three other participants abducting the wrong woman. **Moore** explained that while **Kelly** and the other three abductors went to commit the actual abduction, he waited in the parking lot of a hotel in Leesburg, Virginia with the mother of the intended victim. **Kelly** and the others brought the woman to that location and the mother stated that the woman they brought was not her daughter. **Moore** then showed the CW a photograph of the two white females. **Moore** explained that one of the women in the photograph was the woman they intended to kidnap and the other woman is the one they actually abducted.

The affiant was advised by SA **Richard Fanelli** of the FBI's New York Office that **Galen Kelly**, **Anthony Russo** and others are the subjects of an investigation regarding the kidnaping of an adult woman in New York City in September, 1991. In that case an adult woman was abducted from her home in New York and taken to Pennsylvania and later to New Jersey. The abduction was sponsored by the woman's parents who wished to have their daughter "deprogrammed" of the influence of her boyfriend with whom she resided. The "deprogramming" was not successful and the woman was eventually released. . . .

On Sept. 15, 1992, your affiant was advised by SA **Thomas Flosnik** of the FBI's Washington Metropolitan Field Office that the CW provided information on Sept. 15, 1992 regarding items located within **Moore's** vehicle. The CW stated that within **Moore's** Oldsmobile, which bears Virginia license tag JQF-445, are papers and photographs pertaining to the abduction of the woman in Washington, D.C., on May 5, 1992, including pictures taken of the intended victim, papers and photographs pertaining to **Lewis du Pont Smith**, including pictures of his home, place of business, and pictures of him with his wife; and a Rolodex card

file which contains the names and telephone numbers of other persons who participate in kidnaping plans. SA **Flosnik** provided the CW with an electronic transmitter device and instructed the CW to utilize the transmitter during the Sept. 16, 1992 meeting in South Amboy, New Jersey.

Later on Sept. 15, 1992, the CW telephonically contacted your affiant and advised that the CW and **Moore** departed Leesburg, Virginia (which I know to be in Loudoun County in the Eastern District of Virginia) at approximately 2:00 p.m. on Sept. 15, 1992 and traveled to 871 Leslie Road, Radnor, Pennsylvania, arriving at approximately 6:00 p.m. The CW stated that they would travel to South Amboy, New Jersey on the morning of Sept. 16, 1992.

On Sept. 16, 1992, your affiant was advised by SA **Andreas Stephen** of the FBI's Newark Field Office that at approximately 1:00 p.m. on Sept. 16, 1992, FBI agents in South Amboy observed the CW and another individual, who fit the description of **Donald Moore**, enter the office at 111 North Broadway Street, South Amboy, New Jersey. The agents also monitored the CW's electronic transmitter and overheard the CW in conversation.

On Sept. 16, 1992, at approximately 7:45 p.m. the CW telephonically advised your affiant that on Sept. 16, 1992 at approximately 1:00 p.m. he met with **Moore**, **Kelly**, and **Point** at 111 North Broadway Street, South Amboy, New Jersey. During the meeting the four discussed the planned abduction of **Lewis du Pont Smith**. The CW stated that **Moore**, **Kelly** and **Point** discussed several options available to abduct **Lewis du Pont Smith** which included using force and violence. The CW advised that the meeting concluded at approximately 5:15 p.m.

On Sept. 17, 1992, your affiant was advised by SA **Ronald Butkowitz** of the FBI's Newark Field Office that he and other FBI agents observed **Donald Moore's** vehicle arrive in the vicinity of 111 North Broadway, South Amboy, New Jersey at approximately 1:00 p.m. on Sept. 16, 1992. The agents monitored the CW'S electronic transmitter and overheard four individuals in conversation, which lasted until approximately 5:10 p.m.

Based on the above facts and circumstances, the affiant believes probable cause exists to believe that **Donald Moore**, **Galen Kelly**, **Robert Point**, and **Edgar Newbold Smith** have violated Title 18, United States Code, Section 1201(c) in that they have conspired to kidnap **Lewis du Pont Smith** and **Andrea Diano Smith**, and that, in furtherance thereof, the defendants have committed overt acts in the Eastern District of Virginia, including the travel by Donald Moore from the Eastern District of Virginia (which I know to be the judicial district encompassing Leesburg and Loudoun County, Virginia) to Pennsylvania on July 7, 1992 and to New Jersey on Aug. 18, 1992 and Sept. 15, 1992, respectively.

Scott Salter, Special Agent Federal Bureau of Investigation