

Skip Humphrey and the criminal abuse of power in Minnesota

by Philip Valenti and a New Federalist Investigative Team

We reprint here four chapters, with slight abridgment, from the New Federalist White Paper "Skip Humphrey and the Criminal Abuse of Power: Case Studies of Corruption, Cover-Up and Official Oppression in Minnesota." The full document can be obtained from EIR. Here is a full listing of chapters: 1) Introduction—the mob, the ADL and Skip Humphrey: plotting with kidnapers; 2) The looting of Minnesota from Kid Cann to Carl Pohl: How organized crime became "respectable"; 3) Corruption in the Humphrey family: Skip's moneymen march to prison in the 1980s; 4) Skip Humphrey, protector of sex criminals: the Jordan child abuse cover-up; 5) The People vs. "Big Brother" Humphrey: the case of Crow Wing County Attorney John Remington Graham; 6) Fascism with a democratic face: the case of Humphrey's environmental gestapo; 7) Humphrey and abortion: case study of a political prostitute.

The mob, the ADL, and Humphrey: plotting with kidnapers

Minnesota Attorney General Hubert H. "Skip" Humphrey III has prostituted his office for political gain, and serves as the corrupt "linchpin" of the Democratic Farmer-Labor (DFL) Party/organized-crime axis which has dominated Minnesota since the gangster days of Floyd Olson and Isadore "Kid Cann" Blumenfeld. If the Humphrey "linchpin" is removed, the whole criminal structure must fall.

These are the dramatic conclusions of a *New Federalist* investigative report, the result of months of in-depth examination of the public record, plus dozens of interviews with key individuals, and study of private files made available by participants in crucial events. The results of the *New*

Humphrey aide is caught on FBI wiretap

This is a partial transcript of a telephone call from Richard Munson to Donald Moore, which was electronically monitored by the Federal Bureau of Investigation, on Aug. 2, 1992. The original tapes were entered into the court record as U.S. Government Exhibit #1, in the case of U. S. v. Smith, Kelly, Point, Moore and Russo, No. 92-420-A, Eastern District of Virginia, Alexandria Division.

Richard Munson is an Investigator in the Office of the Minnesota Attorney General. In depositions taken Dec. 7, 1992 (U.S. District Court for the Eastern District of Pennsylvania, Civil Action No. 92-0396), both Munson and Minnesota Deputy Attorney General James Early admitted prior contact with "former" CIA agent and ADL "fact-finder" Mira Lansky Boland, and with ADL agent Donald Moore, in targeting the LaRouche movement.

At the time of this conversation, Moore was plotting

the kidnapping and "deprogramming" of Lyndon LaRouche supporter Lewis du Pont Smith.

Moore: Well, boy. A voice out of the past.

Munson: Listen, we're still working on this LaRouche deal.

Moore: That is amazing.

Munson: I don't know if you knew that.

Moore: No, I thought it had been shut down.

Munson: No, we had been sued by them as well. I myself personally, and the prosecutor and also the attorney general. And we were sued in Pennsylvania over these warrants that we did, that freeze their bank accounts and get bank records.

Moore: I figured this thing had been shut down.

Munson: Oh, hell no. In fact, we're on the verge of charging at least one of their members, and maybe two here in the next two or three weeks, probably. . . .

Moore: First of all, I need to bring you up on some history here. In 25 words or less I'm no longer working for the Sheriff's office.

Munson: Oh, okay.

Federalist report, summarized below, are expected to fuel demands for a formal investigation of the Attorney General's office, and for the impeachment of Humphrey himself.

The *New Federalist* investigation was triggered by evidence released in a 1992 federal trial in Alexandria, Va., proving extensive collaboration by Humphrey's office with kidnapers, thugs, and spies employed by the Anti-Defamation League of B'nai B'rith (ADL) and the Cult Awareness Network (CAN).

Beneath a thin veneer of respectability, the ADL has for decades run a nationwide illegal spy network and political dirty tricks apparatus, targeting a J. Edgar Hoover-style "enemies' list" of thousands of American citizens and groups. ADL offices in California were raided by the San Francisco police on April 8, 1993, revealing massive evidence of illegal spying and harassment, sometimes on behalf of foreign governments such as South Africa and Israel. ADL agents include corrupt police and law enforcement officials, who have participated in all-expenses-paid ADL junkets to Israel, while big ADL contributors have included gangsters such as Meyer Lansky's partner Moe Dalitz.

A July 1991 ADL-sponsored excursion to Israel included several Minnesota DFL bigshots, like Senate Majority Leader Roger Moe and House Speaker Robert Vanasek. Moe was chairman of Skip Humphrey's failed 1988 campaign for U.S. Senate.

Minneapolis is a major regional center for the ADL, and the Humphrey family is intimately bound, financially and politically, to ADL bosses and moneybags, like Burton and

Gerri Joseph and Dwayne Andreas. Both Joseph and Andreas are super-rich grain traders who made their fortunes by exploiting the farmers of the region, with the political protection of the DFL Party.

Joseph, Andreas, and their wives served as chairmen of the ADL 80th Anniversary Dinner in Minneapolis on June 14, 1993, which presented the ADL "Distinguished Public Service Award" to Walter and Joan Mondale, and which announced the publication of the "Hubert H. Humphrey First Amendment Freedoms Prize Presentations: 1977-1992."

Also participating in the ADL dinner as a member of the "Honorary Committee" was Fred Isaacs, who went to jail in 1960 along with the other DFL/Kid Cann-connected racketeers for looting the old Twin City Rapid Transit Company (TCRT), about which more will be said on this below.

The Joseph, Andreas, and Isaacs families are among the most generous financial supporters of Skip Humphrey's political ambitions.

On Aug. 2, 1992, Humphrey "investigator" Richard Munson was caught on an FBI wiretap, in a compromising discussion with former Loudoun County, Va. Deputy Sheriff and ADL/CAN agent Don Moore (see box). Munson and Moore were recorded plotting to destroy the Lyndon LaRouche political movement.

And, at that very moment, Moore was a ringleader of a conspiracy to kidnap and "deprogram" prominent LaRouche associate Lewis du Pont Smith!

Moore, along with CAN "deprogrammer" Galen Kelly, Lewis Smith's father E. Newbold Smith, and two others, was

Moore: All right. That doesn't mean a thing because I'm still conducting LaRouche investigations. I am basically working for an outfit that is out of Chicago called CAN, Cult Awareness Network. I still do the same things, but I no longer have law enforcement powers down here. . . .

Right now we are awaiting, as a matter of fact, word that the Sheriff [of Loudoun County] may in fact resign. If that occurs I will be running on the Republican ticket, since the Sheriff was a Democrat.

Munson: Great.

Moore: And I will have, to tell you, more than a reasonable chance of winning. In which case should that occur, it's open season on Mr. LaRouche. . . .

I have some 16 file cabinets full of information. The reason why I was—towards the end, I realized that—were frankly some serious problems in what we call our CID [Criminal Investigation Division] section. So basically, since it was my case and since it had never been given a case number, I took the documents home. And guess what? The local prosecutor ruled I had every right to do so. It was my work product. We have a different set of

rules here in Virginia.

Munson: Yeah, we couldn't do that here.

Moore: Yeah. Well, we have a work product rule. We're very primitive down here. You get to take your ball and go home. You may get sent home by the coach, but you get to take the ball.

Munson: What a mess.

Moore: You probably think you're talking to a legal cave man, and you're right. We've got big clubs down here. . . .

As far as I'm concerned, the enemy of my enemy is my friend. You know, that's what the Arabs say, and if you guys are all marching upstream to take them out up there in Chicago, hell, man, when the thing's over, I can give you the name of a couple of TV reporters who owe me big time for the story when LaRouche took out the Illinois primary. There are some people there that would give me an arm just to have a story to whack these people with. So if you're looking for friendly faces, I've got plenty of them.

Munson: Well, that's fabulous and we'd sure like to get these guys.

arrested and indicted by the federal government in September 1992 on kidnap conspiracy charges. Over 60 hours of incriminating tapes of the conspirators were released by the prosecution during the trial, including the Munson/Moore dialogue.

Then, a few months after being acquitted in the du Pont Smith case (with the assistance of a sympathetic federal judge), Kelly was tried again on other kidnapping charges in Alexandria, Va. federal court, and this time he was convicted. Testimony showed that Moore was an accomplice in this crime as well.

Before being fired from the Loudoun County, Va. Sheriff's Department for rifling his boss's files, Moore had been assigned to destroy the LaRouche movement, in collaboration with the ADL, CAN, and corrupt federal prosecutors. Accordingly, Moore participated in an all-expenses paid ADL junket to Israel in the company of San Francisco cop Tom Gerard, one of the accused ADL spies, and others in March 1991. The junket was hosted by ADL Washington, D.C. fact-finding director and "former" CIA agent Mira Lansky Boland, a key leader of the "Get LaRouche" task force.

Moore's buddy Tom Gerard is now under felony indictment by the San Francisco District Attorney, for illegally supplying confidential data on targeted individuals to the ADL, as part of the national spy network exposed by the April 8, 1993 raids.

Both Munson and Minnesota Deputy Attorney General James Early were later forced to admit collaboration with Moore and Lansky Boland in politically motivated operations against the LaRouche movement. (*Constitutional Defense Fund v. James Early, et. al.*, Civil Action No. 92-0396; depositions of James Early and Richard Munson, taken Dec. 7, 1992 at 525 Park Street, Saint Paul, Minn.)

The Humphrey/Mondale DFL machine had already declared war against the LaRouche movement in the early 1980s, over the LaRouche-initiated Strategic Defense Initiative (SDI) policy, adopted by President Ronald Reagan on March 23, 1983. The Soviets were bitterly opposed to the SDI and demanded the destruction of LaRouche.

Democratic presidential nominee Walter Mondale obliged the Soviets by denouncing SDI as "Star Wars" during the 1984 election campaign, and by promoting the Soviet-backed "nuclear freeze" movement. LaRouche, who was on the 1984 Minnesota DFL primary ballot as a candidate for President, went on national television that fall to expose Mondale as a "Soviet agent of influence."

Fascist police-state tactics were ordered by Skip Humphrey personally against LaRouche supporters in the DFL Party in 1986, after two LaRouche-backed candidates won the Illinois Democratic primary election for Lieutenant Governor and Secretary of State in March. Humphrey goons incited violence against DFL primary candidates associated with LaRouche, and succeeded in denying elected DFL delegates and candidates the right to speak at public meetings if they supported LaRouche.

In April, Humphrey called the local police to forcibly expel DFL gubernatorial candidate and LaRouche supporter Andy Olson from a public meeting in Douglas County. Later that year, Humphrey, in coordination with several other state attorneys general and the ADL, tried and failed to prohibit LaRouche campaign fundraising in Minnesota, and to indict LaRouche fundraisers on false charges.

Humphrey brazenly flaunted the fact that his political vendetta against LaRouche was the official policy of his office. Humphrey mailed a "Dear DFLer" letter throughout the state *under the official letterhead of the Office of the Attorney General*, dated Aug. 26, 1986, demanding the defeat of "a LaRouche disciple—Stanley Bentz—in the primary!"

Humphrey called for votes, volunteers and money, and again officially demanded: "Stanley Bentz must be soundly defeated."

Humphrey collaborated with the ADL and corrupt cop Don Moore in 1991, in a scheme to shut down the bank accounts of LaRouche's legal defense fund, and to seize bank records in order to obtain lists of financial supporters to the LaRouche movement. When Humphrey's misrepresentations were exposed in the courtroom, judges in three states struck down Humphrey's fraudulent actions.

As recently as last year, Humphrey demanded the expulsion of LaRouche supporter Richard Van Bergen, who was an elected delegate to the Second District DFL convention. Van Bergen was denied credentials solely because of his association with LaRouche, which led DFLer and Crow Wing County Attorney Jack Graham to denounce Humphrey for dictatorial tactics.

Now, revelations by the FBI of Humphrey's connivance with kidnapers and thugs have finally led to demands for investigation of the Attorney General's office, and impeachment of Humphrey himself.

As this report will show, any honest investigation must conclude that Humphrey and his mega-rich backers, like Carl Pohlad and his partners Curtis Carlson and Irwin Jacobs, are just a sanitized, false-respectable version of the old-time criminal Floyd Olson/Kid Cann fascist Combination, but on a scale of corruption and looting vastly beyond anything possible in the old days.

The case of Crow Wing County Attorney John Remington Graham

John Remington Graham earned a reputation as a persistent and effective defender of individual rights against Humphrey-style totalitarian methods, in his years as a civil liberties lawyer in Brainerd, Minn.

Graham particularly denounced the intrusive, police-state tactics employed by Humphrey insider Steven Rathke, Crow Wing County prosecutor from 1974 to 1990, in regularly seizing children from their parents on the least pretext and

without due process. Rathke's methods won him national recognition as an "expert" on prosecuting "child abuse," and informed opinion had it that Rathke was slated to move up to the Attorney General's job, if and when Humphrey rose to a higher position.

Graham exposed Rathke's agenda, identical to that of Humphrey's "Task Force on Child Abuse Within the Family," to use concocted allegations of "child abuse" to gradually replace the family with state control of children, while covering up the real crimes of organized, politically connected child sex rings. Rathke was the first to publicly join Humphrey in 1985 in calling for the resignation of Scott County prosecutor Kathleen Morris, in order to destroy her investigation of the Jordan child abuse cases.

Jack Graham's confrontation with, and later victory over, the Humphrey/DFL Minnesota establishment, summarized here, began with a typically outrageous display of police-state methods by the Crow Wing County authorities.

On Sept. 21, 1987, a local citizen, Michael Shockman, had disciplined his 7-year-old son Shane by slapping him, causing minor bruises on his face. When the son's school reported the bruises to county authorities, the police came and seized Shane on Sept. 25, removing him from school and placing him in protective custody, with no notice to the parents and no opportunity for a hearing.

The Shockmans engaged Graham as their attorney, who immediately wrote to county authorities, demanding that the child be returned. After Shane was finally released to his parents on Sept. 28, Graham wrote a letter of political protest to the Crow Wing County Board of Commissioners on the Shockmans' behalf, condemning public officials, including Rathke, for promoting the practice of taking children from parents without due process.

When Graham's letter was read before a Commissioners' meeting on Oct. 6, Rathke became enraged, and issued a criminal complaint against Michael Shockman for fifth-degree assault of his son!

As one astonished 24-year veteran of the county sheriff's office later testified, "This criminal charge is most unusual, inasmuch as, to the best of my recollection, no parent has ever been previously charged in this county with simple assault for spanking or slapping his or her child, even where minor bruising has resulted." (Affidavit of Charles Warnberg, Nov. 14, 1987)

After Shockman pleaded not guilty, Graham filed suit on his behalf in U.S. District Court in Duluth, seeking an injunction against any further prosecution of the case. Graham charged Rathke with prosecutorial vindictiveness, arguing that he used his "legal powers to make a political example of Mr. Shockman, for his own political advantage and to answer his political critics."

Rathke responded by calling a grand jury to indict Shockman, in an effort to protect himself from Graham's charges. However, it later emerged that Rathke, in true fascist style, had also sought a "criminal defamation" indictment against

Graham tells Humphrey to withdraw from cases

In a strongly worded Oct. 7 letter to Minnesota Attorney General Skip Humphrey made available to *EIR*, Crow Wing County Attorney John Remington Graham demanded that Skip Humphrey immediately withdraw from prosecution of two widely publicized local cases.

On Feb. 4, 1993, Gov. Arne Carlson, upon Humphrey's advice, appointed Humphrey's office to prosecute two alleged child abuse cases in Crow Wing County. Graham had declined to prosecute the cases, due to lack of evidence.

In his Oct. 7 letter, Graham points out "that the pertinent language in Section 8.01 of Minnesota Statutes reads as follows: 'Whenever the governor shall so request, in writing, the attorney general shall prosecute any person charged with an indictable offense' " (emphasis added). Neither of the accused had been charged with such an offense on Feb. 4, 1993.

"If my suspicions are borne out," Graham writes, "then I shall know that citizens entrusted to my care were accused upon actions of your office, without any lawful authority, and over my protest as first prosecutor in this county, on fraudulent grounds. I need not expand upon the gravity of this possibility.

"I hereby demand that you withdraw your office from the handling of these matters in this county."

Graham himself, merely for having criticized Rathke in his letter to the County Commissioners.

Graham prevailed in pre-trial motions before the federal court in Duluth, but, as he argued in his case for an injunction, he found the courtroom atmosphere suddenly turn hostile against him, with the judge seemingly in cahoots with the opposing counsel. Representing Rathke in these proceedings was none other than former Cass County Attorney Michael Milligan.

Milligan had resigned from office under pressure less than two years before, in the face of evidence that he had raped a 22-year-old woman who had been an incest victim in her youth. Milligan escaped prosecution after Humphrey's deputy, Tom Fabel, arranged a political cover-up by declining to press charges against him.

On Jan. 22, 1988, not only was Graham's suit dismissed, but it seemed clear that the judge was also going to assess him \$25,000 in attorneys' fees, to be paid to Milligan.

The next day, Graham learned that the word among certain members of the Bar Association was that the case had

been "fixed." A respected Brainerd attorney later testified to a conversation he had with a Rathke law partner on Dec. 11, 1987, at the County Bar Association Christmas party:

"Well, we were talking about the Shockman case and the statement was made to the effect that Mr. Milligan had telephoned someone, and a name was mentioned, and I don't remember the name that was mentioned, and that person called the judge in Duluth and that everything had been taken care of or it was in the bag or words to that effect. The person I was speaking with indicated that he would not be surprised if attorneys' fees were imposed against Mr. Graham as a result of those proceedings."

The astounded Graham proceeded to meticulously investigate the attorney's story, and concluded that the case had indeed been fixed among Rathke, Milligan, and two judges "by means of political connections and illicit persuasion."

Convinced of the probability that high crimes had been committed, Graham spoke directly to Gov. Rudy Perpich asking for help, and wrote to the U. S. Attorney detailing his evidence and conclusions. The result of these petitions to his government for a redress of grievances was that Graham found *himself* under investigation by the Minnesota Lawyers Professional Responsibility Board, supplemented by a mass propaganda campaign directed against him through the press, all designed to discredit his allegations. Harassment escalated until he was forced to sell his home and close his practice in Brainerd, and take up residence with his wife and children in Quebec.

On March 23, 1990, Graham was publicly reprimanded by the Minnesota Supreme Court, and suspended from the practice of law for 60 days.

Four-term incumbent County Attorney and DFL/Humphrey golden boy Steve Rathke was considered a shoo-in for re-election in November 1990. Meanwhile, the people of the county placed the name of John Remington Graham on the ballot as his only adversary in the general election.

When the people spoke election day, the Humphrey camp was routed—Graham was elected with a landslide 58% of the vote, leaving Rathke sputtering to the *Minneapolis Star-Tribune* on Nov. 8, "Everybody tells me I have nothing to worry about, and come Tuesday I'm on the short end."

Political intrigues continued against the new County Attorney, but soon escalated into an all-out effort to destroy him, after he defended the right of Lyndon LaRouche supporter Richard Van Bergen to serve as an elected delegate to a 1992 DFL convention, in direct defiance of Skip Humphrey. Graham denounced Humphrey for dictatorial tactics when Van Bergen was expelled solely because of his support of LaRouche, whom Graham characterized as "a Democrat in the tradition of Charles A. Lindbergh, Sr."

Graham also earned Humphrey's wrath by endorsing a public letter to President-elect Clinton, signed by seven former U.S. Congressmen and hundreds of parliamentarians from every continent, calling for political prisoner LaRouche to be freed from the Federal Medical Center prison in Roches-

ter, Minn.

Within a few months, Graham became the target of an orchestrated campaign of vilification and innuendo by his enemies in the county, including false allegations of "sexual harassment," and absurd charges that he tried to sneak into the ladies' room at the courthouse.

On Feb. 5, 1993, Humphrey personally stepped into the picture. Loudly attacking Graham for "lax prosecution," Humphrey made front-page headlines by taking prosecution of two child sex abuse cases out of Graham's hands, lying, "This step is necessary to protect child victims and preserve the confidence in the Crow Wing County criminal justice system."

Humphrey feigned outrage against Graham over these cases, even though the prime witness for the state in one of them had insisted the accused was innocent, and in the other, circumstantial and physical evidence excluded the suspect, as even the doctor examining the child had acknowledged in writing.

Graham fought back, denouncing Humphrey as "a cheap demagogue . . . not fit for public office." (*Minneapolis Star-Tribune*, Feb. 25, 1993)

Humphrey's ploy turned out to be a propaganda cover synchronized with the launching of a petition campaign to recall Graham from office, with signatures being gathered by off-duty deputy sheriffs. The same old Humphrey cabal showed up in this affair as well: Counsel for the petitioners was former Deputy Attorney General Tom Fabel, while the petition itself was drafted by the disgraceful Michael Milligan.

The recall effort was the first attempt to use the provisions of a 1986 law sponsored by Humphrey himself, which made it easier to remove county, but not statewide elected officials. Humphrey had motivated his new law by pointing to the difficulties encountered in removing Kathleen Morris as Scott County Attorney.

Graham was defended from Humphrey's charges in letters to the editor by experienced police officers who had examined his criminal sex case files. A 24-year veteran of the Austin police department wrote, "After seeing the facts I have concluded that those making charges are so misinformed it's pathetic or this is a political vendetta." (*Brainerd Dispatch*, Feb. 11, 1993)

A retired detective captain who served 26 years in the Hennepin County Sheriff's Department stated that "the recommendations made by the County Attorney for sentencing, were in several cases more severe than those recommended in the pre-sentence investigation by the probation officer. . . . In Crow Wing County the ratio of cases charged to cases submitted are unusually high for a crime of this nature, a credit both to law enforcement and the County Attorney." (*Brainerd Dispatch*, Feb. 17, 1993)

When the county auditor at first officially denied the recall petition on grounds of insufficient signatures, Humphrey's confederates were allowed to add more, and the peti-

tion was then accepted.

The besieged Graham appealed to the Minnesota Supreme Court, arguing that the petition was insufficient on its face, since it failed to cite any specific examples of alleged malfeasance. Humphrey's fascist gang proposed to railroad Graham out of office without even specifying the charges against him.

Unexpected help arrived in early July 1993 with the three-day tour of Minnesota by LaRouche associates Lewis du Pont Smith and his wife Andrea, and the tide began to turn against Humphrey. The du Pont Smiths were the targets of a 1992 kidnap and "deprogramming" conspiracy run by agents of the Anti-Defamation League and the Cult Awareness Network, which was broken up at the last moment by the FBI. Humphrey investigator Richard Munson was caught on an FBI wiretap conspiring against the LaRouche movement with one of the would-be kidnapers, former Loudoun County, Va. Deputy Sheriff Don Moore.

The du Pont Smith tour, which included a two-hour interview on the highest-rated radio talk show in the state, generated an outpouring of anti-Humphrey sentiment, forcing him to go on the defensive. Graham joined the du Pont Smiths in an hour-long press conference in Brainerd, which was broadcast in full by a popular local radio station.

Humphrey's executive assistant Eric Johnson responded with the pitiful comment, "Anyone making the allegations they make must be operating a few bricks shy of a load." (*Brainerd Dispatch*, July 1, 1993)

Exactly two weeks later, the recall petition was dismissed as insufficient by order of the Chief Justice of the Minnesota Supreme Court.

"The court," Graham said, "has rebuked an ugly and dangerous hysteria, a mobocracy. It has reaffirmed a principle which was supposed to be established by the statute that abolished the Star Chamber—no one should stand accused unless the charges are specified."

Fascism with a democratic face: Humphrey's environmental gestapo

In his ruthless, obsessive drive to outstrip his father in national politics, Minnesota Attorney General Skip Humphrey has cultivated a reputation for toughness against so-called "green-collar criminals"—alleged violators of environmental regulations. Humphrey has trumpeted his supposed concern over false advertising for plastic garbage bags, while covering up child sex rackets, and looking the other way while his big financial backers in the new Minneapolis Combination loot the economy.

Accordingly, with great fanfare and self-promotion, Humphrey unveiled in 1989 what he said was the first Environmental Investigations Division (EID) in the nation—nick-

named the "E-Team" by Humphrey's PR men. The "E-Team" fiasco became a textbook lesson in "fascism with a smiling Democratic face."

On Dec. 2, 1992, undercover E-Team agents staged simultaneous arrests at two Twin Cities businesses, charging three individuals with felony crimes of "conspiracy or attempt to transport hazardous waste" without a license or manifest. The three were dragged off to jail, strip-searched, photographed, fingerprinted, interrogated and finally released after several more hours of confinement.

Humphrey staged a highly publicized news conference two weeks later, announcing with mock outrage that a total of six felony counts had been returned against the defendants, with each count carrying a maximum of 18 months in prison and a \$12,500 fine.

Humphrey said the E-Team operation "sends out a powerful message: that we are going to be watching for those who intend to violate our hazardous waste transportation laws. . . . The good news is the vast majority of Minnesota companies are complying with our environmental laws. But, a small number of disreputable businesses still don't care." (*Minneapolis Star-Tribune*, Dec. 15, 1992)

The "disreputable businesses" trashed by Humphrey were two tiny firms, Pioneer Custom Cabinets of St. Paul, maker of home cabinets, and All Fire Test of Minneapolis, which sells and services fire extinguishers. Those charged were Pioneer owner Dennis Van de Linde; his bookkeeper Kay Miller, a 61-year-old with 10 grandchildren; and All Fire president Mike Stich, volunteer firefighter and father of four.

It soon emerged that the "E-Team" had staged a heavy-handed entrapment, or "sting" operation in order to concoct charges and boost Humphrey's image. E-Team agents had created a dummy company called Red Lion Disposal, and mailed out phony fliers offering low-cost waste disposal to 571 businesses in the Twin Cities area. Humphrey's fishing expedition netted a mere 19 inquiring phone calls, and only after much cajoling and trickery could the two victim companies be convinced to go along with the deal.

Humphrey had timed his publicity stunt for maximum effect on the state legislature, scheduled to convene in January, in order to justify funding for his junior G-men.

As the facts emerged, outrage exploded against Humphrey. The chairman of the state Senate Environment and Natural Resources Committee, Bob Lessard (DFL-International Falls), called for hearings on legislation to rein in Humphrey's cops. "There is a very fine line between enforcement and entrapment," Lessard declared. "Once you cross the line, you run the risk of being accused of using Gestapo methods." (*Minneapolis Star-Tribune*, Dec. 17, 1992)

Minnesota Pollution Control Agency head Chuck Williams rushed to distance himself from the fiasco, charging that the E-Team was "out of control." He insisted that his staff had objected to E-Team sting tactics, and that in retaliation, Humphrey's agents "started calling my staff names. These

Du Pont heir calls for special prosecutor

Lewis du Pont Smith, an heir to the Du Pont chemical fortune and political associate of Lyndon LaRouche, called on Sept. 30 for the appointment of a special prosecutor to investigate evidence of criminal misconduct by Minnesota Attorney General Skip Humphrey.

Smith pointed to the announcement on Sept. 24 by Virginia Assistant U. S. Attorney Larry Leiser that former Sheriff's Lt. Donald Moore would soon be indicted on new kidnapping charges. Moore is a longtime collaborator of Humphrey against the LaRouche movement. Humphrey investigator Richard Munson was caught on an FBI wiretap plotting with Moore against LaRouche supporters (see p. 28).

"At the very moment that Munson was caught conspiring with Moore," du Pont Smith said, "Moore was a ringleader of a conspiracy to kidnap and 'deprogram' me and my wife Andrea! Humphrey has prostituted his office by conspiring with thugs and kidnapers like Don Moore, and the FBI caught Humphrey's office in the act. I am demanding a special prosecutor to get to the bottom of this and bring Humphrey and his underlings to justice. No one, not even Skip Humphrey, is above the law."

people on my staff are pros, they care, they do the job, and yet they were trying to intimidate us by calling us names. It was high school stuff." (*Minneapolis Star-Tribune*, Dec. 26, 1992)

Williams denounced Humphrey's squad for abusing the "awesome power that government agencies have. You can't have a bunch of renegades going out and busting people, but that's what they're doing." (*Minneapolis Star-Tribune*, Dec. 26, 1992)

Undeterred, Humphrey's prosecutors hauled their victims into court in January 1993 for preliminary hearings. At the end of his hearing in Hennepin County Court, an astounded Mike Stich found himself dragged off to jail again, to be strip-searched again, re-photographed and so on. . . .

Stich pointed out the seeming "coincidence" that his company had been subjected to a surprise inspection by the U. S. Occupational Safety and Health Administration (OSHA) just 10 days before Humphrey's raid, and that afterwards he was audited and inspected by the Minnesota Department of Revenue, as well as by both the federal and state departments of transportation. Observers believe that Humphrey was look-

ing to save face by catching Stich on other violations, in case his phony sting operation fell apart.

After a full hearing in March on Van de Linde's and Miller's motion to dismiss the charges, Ramsey County District Judge M. Michael Monahan issued a scathing opinion on May 14, declaring Humphrey's sting operation an unconstitutional violation of due process, and throwing out the case.

Judge Monahan's memorandum states caustically at the outset that "the prosecution acknowledged that one of the operational goals was to generate publicity. That goal seems to have been achieved." He ridiculed the 19 phone calls, "a 3.327495622% response rate," and two duped entities, "a 0.350262697% success rate," resulting from the 571-piece mailing, showing "that the transportation of hazardous waste within the four metropolitan counties was not a significant enforcement concern."

Judge Monahan's conclusions provide important insight into standard Humphrey police-state methods: "*The crimes charged here are the direct product of police intervention.* Drawing from the arsenal of police tactics developed to catch crafty criminals such as drug dealers and crooked politicians, EID created Red Lion for the purpose of snagging small and very small generators of hazardous waste. It targeted generators who were likely to be particularly susceptible to a cost-based appeal. It took a dragnet approach rather than targeting suspected violators. There is no record basis for concluding that the defendant here, or any of the 570 other receivers of the tacky flier, was predisposed to commit a crime. Indeed, this defendant appears to have been involved in an active and voluntary compliance effort through the appropriate local environmental authorities.

"In addition to trolling in apparently untroubled waters, the way that EID set its hook is troubling. The recorded conversations show a deliberate attempt on the part of the EID to obscure, muddle, and camouflage Red Lion's status. The investigator assured Miller that the waste would be properly handled. He was deliberately sly and misleading in describing the nature and extent of Red Lion's effort to obtain the required licenses and insurance. He used language giving the impress[ion] that Red Lion's efforts to obtain the required licenses and insurance were continuing. He gave the impression that Red Lion had legally operated in other states. The transcripts show that defendant twice told the investigator that it's new to the area of environmental law and that it never before needed to ship waste. The investigator played upon the gullibility and inexperience of Miller. . . .

"Combatting criminal activity, by its nature, requires stealth and strategy as necessary weapons in the police arsenal. But, the availability of such weapons does not sanction their unbridled use. When appropriately used, they are an invaluable police tool. *When misused, they are a source of over-reaching and oppression. That is the case here.*" (*State of Minnesota v. Pioneer Custom Cabinets, Inc.*, Ramsey County District Court, File No. KO-92-3434; emphasis

added.)

These were the gestapo tactics which Humphrey's executive assistant Eric Johnson had called "standard everyday law enforcement practices." (*Minneapolis Star-Tribune*, Dec. 17, 1992)

A few hours after Judge Monahan's ruling, the cowardly Humphrey quietly dropped charges against Stich without so much as an apology or expression of regret, and told the press, "We've reassessed our approaches and learned from our experience." (*Minneapolis Star-Tribune*, May 15, 1993). . . .

Humphrey and abortion: case study of a political prostitute

After years of posing as "pro-life," Skip Humphrey chose Dec. 30, 1992 to announce that he had switched his position on abortion.

With the 1994 race for his father's old Senate seat coming up, as well as a gubernatorial election the same year, Humphrey, an accomplished liar, had no trouble keeping a straight face as he denied any political motivation for his decision.

More forthcoming was abortion-supporter Marlene Kayser, past president of Planned Parenthood, who gushed, "I think it's wonderful. I suppose this means he's going to do something else politically." (*Minneapolis Star-Tribune*, Dec. 31, 1992)

But the unprincipled Humphrey did not just take a rhetorical position; he broadcast his determination to deploy the full police-state power of his 400-man office to confront the anti-abortion Operation Rescue's prayer vigils, scheduled for Twin Cities abortion clinics in mid-July 1993. In the process, Humphrey inadvertently again exposed his practice of politically motivated prostitution of his office.

First, Attorney General Humphrey took the lead in pushing the so-called "anti-stalking" law through the 1993 session of the state legislature, directed explicitly against the upcoming anti-abortion demonstrations. The law gives Humphrey the power to prosecute political targets for felony crimes based on the vaguest of allegations.

As described by the *St. Paul Pioneer Press* on July 21, 1993: "The law makes it a crime to engage in conduct that intrudes on an individual's privacy through phone calls, the mail, in person or other means."

Later, when the Minnesota Sentencing Guidelines Commission voted to set a maximum recommended sentence of 19 months to 25 months in jail for "felony stalking," Humphrey led the chorus denouncing the punishment as insufficient.

Commission member R. A. Randall, judge of the Minnesota Court of Appeals, openly expressed misgivings about the whole idea, saying, "The crime is virtually redundant. When you have the egregious case, there are plenty of laws

to use." (*Minneapolis Star-Tribune*, July 22, 1993)

Humphrey then positioned himself as an "abortion rights" hero with a well-publicized, threatening letter to Operation Rescue leader Rev. Keith Tucci, sternly warning him against "inciting violence" in Minnesota.

As expected, the first person charged for "stalking" under the new law was Operation Rescue activist Brian Oates, who was arrested on June 25 for allegedly tailing an abortion clinic security guard. The Twin Cities media welcomed Oates's arrest with applause and fanfare, celebrating Humphrey's foresight and joining him in demanding stiff penalties.

But Humphrey and his media boosters sang a different tune, when his Assistant Attorney General Kathleen Winters was herself arrested for "stalking" on July 11.

Winters and three others had staked out the Calvary Temple Church in St. Louis Park, a base for anti-abortion activities, and started following Operation Rescue volunteers down Minnetonka Boulevard. When the volunteers realized they were being tailed, they pulled over at a gas station and called the police.

Rev. Gordon Petersen, senior pastor at Calvary Temple, denounced Humphrey for deploying Winters as a spy against the pro-life movement. Reverend Petersen said that Winters had participated in a meeting with him and another local pro-life leader as an official representative of the Attorney General's office, at which Operation Rescue's planned protests were discussed. Petersen told a reporter, "Doesn't there seem to be an obvious collusion?" (*Minneapolis Star-Tribune*, July 22, 1993)

Brian Gibson of Pro Life Action Ministries picketed at the state capital, demanding action against Winters. "She's an officer of the court," Gibson insisted. "When she did what she did she knew she was violating state law. She should have known more than anyone else in the state of Minnesota whether she was violating this law." (*Minneapolis Star-Tribune*, July 24, 1993)

Humphrey, caught once again prostituting his office to help his political friends and harass his enemies, deployed his forces for damage control and cover-up. Deputy Attorney General Jack Tunheim insisted that Winters could not have been in the meeting with Reverend Petersen since her specialty was "environmental law," and he must have mistaken her for another woman named "Cathy."

Tunheim denied that Winters was working for Humphrey at the time of her arrest, claiming that at that moment she was only a volunteer "legal observer" for the pro-abortion forces. A few days later, with the story relegated to the back pages of the newspapers, Humphrey's office confirmed that Winters would neither be fired nor reprimanded for her arrest. At the same time, the St. Louis Park Police Department, the only police department in Minnesota known to have an exchange program with the Israeli Defense Forces, reported that no charges had been filed against Winters and her friends; the case is still "under investigation."