

LaRouche trial postponed several weeks . . . again

On Oct. 20, Boston federal Judge Robert Keeton granted motions from most defense attorneys to sever the trial of defendant Roy Frankhauser from that of Lyndon LaRouche, several of his associates, and five organizations. Keeton further decided to try Frankhauser first, thereby delaying the larger trial until at least Nov. 16.

Assistant U.S. Attorney John Markham had joined with the defense in requesting the severance of Frankhauser, and during the argument on Oct. 20, offered Frankhauser's lawyer all the assistance he might need in preparing his case.

Judge Keeton's decision was made over the heavy objections of Frankhauser's court-appointed attorney, Owen Walker, who claimed he was not prepared to go to trial—although the trial of all defendants was scheduled to start Oct. 20. Walker insisted that the severance was simply a tactic for delay by the defense, that it would cost the government more money, that the other defense lawyers wouldn't get paid, that it would take longer, etc., etc.—although Walker himself had previously asked for a severance.

Judge Keeton, however, found that the length of the two trials would not be greater than one consolidated trial.

The primary reason given by Judge Keeton for the severance was the clear evidence that Frankhauser and the rest of the defense were preparing "antagonistic," "inconsistent" defenses, and that the rights of the defense would

be jeopardized by a joint trial. It would be "easier to ensure a fair trial if there were a severance."

The judge's point was repeatedly illustrated by Frankhauser's lawyer, who claimed that his defense strategy would be based on blaming LaRouche for whatever wrongdoing might have been committed. "I've got to put on the government's case," Walker said. "I say that Mr. LaRouche was responsible for anything that happened."

Walker attempted to back-track Oct. 20 on the incompatibility of defenses between Frankhauser and the other defendants, although he had emphasized just that point during pre-trial hearings and jury selection. Walker had gone so far as to bring a motion trying to prevent the other defendants from using a "CIA defense"—which motion was denied by the court.

Walker's hysterical arguments caused some defense attorneys to renew their own severance motions, and others to join it. Thomas Shapiro, speaking for IDL and TLC, summed up the view of the other lawyers by saying that, without a severance, the LaRouche-associated defendants would be facing the prospect of the government attacking them in front, and Walker from behind.

As in the hearing on Oct. 19, Frankhauser tried to speak a number of times, only to be silenced by his court-appointed lawyer. When Markham referred to Frankhauser's "confession" as "freely given," Frankhauser blurted "absolutely not" before his lawyer shut him up. At one point, Frankhauser tried to stand and say, "I would like to be heard," but sat down at the insistence of his lawyer.

A hearing was held Wednesday morning, Oct. 21, on his motion to suppress his "confession"—which is actually an FBI "302" report on statements allegedly made by Frankhauser after his arrest and jailing in October 1986. The motion was denied.

The defendants have presented pre-trial motions documenting the prosecution's actions as flowing out of a campaign launched during mid-1983, visibly centered around National Security Council contract employee Roy Godson, to make LaRouche a target of the FBI's counterintelligence operations.

Defense motions document orders to the Department of Justice to launch such a prosecution from prominent officials, such as Henry A. Kissinger, David Abshire, and Edward Bennett Williams, of President Reagan's Foreign Intelligence Advisory Board, and the Intelligence Oversight Board of special consultant John Norton Moore.

It is widely known, that a section of the intelligence community under the late Director William Casey acted to unleash LaRouche's longstanding political adversaries within the Department of Justice, at about the time Judge William

Clark was leaving the post of National Security Adviser.

According to observers, LaRouche's enemies inside the intelligence community are centered in the Irangate-linked, bipartisan National Endowment for Democracy and the social-democratic nest long centered around Jay Lovestone. After LaRouche crossed Casey by opposing President Reagan's signal to go ahead with the Contra operation, additional factions of the CIA were turned against LaRouche.

After the March 18, 1986 Illinois primary, panic-stricken leaders of the Democratic Party, including National Chairman Paul Kirk and New York Gov. Mario Cuomo, publicly proposed to destroy LaRouche "by legal or other means." Most observers agree, that such demands from Democratic Party leaders pushed elements in the Justice Department to unleash the wave of legal actions on alleged "credit card" and other charges, prepared over the summer of 1986.