

Bush Justice Department corruption exposed in Weaver hearings

by Edward Spannaus

New evidence of corruption in the Bush-era Justice Department, as well as confirmation of well-known patterns of prosecutorial abuses, are emerging as a Senate Judiciary subcommittee holds public hearings on the 1992 Ruby Ridge, Idaho shootout involving Randy Weaver and his family.

This includes the discovery of an apparent lie by Henry Hudson, the former head of the U.S. Marshals Service (who is also the federal prosecutor who railroaded Lyndon LaRouche to jail in 1988), as well as new evidence of Bush Justice Department involvement in the "shoot to kill" rules of engagement which resulted in the shooting death of Weaver's wife Vicki on Aug. 22, 1992.

The first witness in the hearings which began Sept. 6, was Randy Weaver himself, whose testimony revealed an all-too-familiar pattern of entrapment by federal informants, and abusive practices by federal prosecutors. Weaver described how an ATF (Bureau of Alcohol, Tobacco, and Firearms) informant tried for years to induce him to commit illegal acts, until finally, as Weaver put it: "About three years later . . . he caught me in a weak moment when I needed some money." In what he called the "biggest mistake of my life," Weaver admitted, "I sold him two guns. He showed me what he wanted, what he wanted me to do with them, and I said, 'Yeah, I can do that.' "

About six months after this, Weaver continued, he was approached by two ATF agents, who told him, "We are going to take you to court on six or seven firearms violations if you don't join our team." Weaver said he refused to become a "snitch," and so he was then secretly indicted. In order to inflate the significance of what was a minor offense, the ATF case agent gave the U.S. Attorney's Office a "prosecution letter" which falsely claimed that Weaver had been convicted of other crimes; the ATF agent also lied to prosecutors by telling them that Weaver was a suspect in a number of bank robberies.

Although the ATF asserted that Weaver fit the profile of a "major" arms dealer, Sen. Fred Thompson (R-Tenn.) showed that, in those selective conversations with Weaver which were recorded by the informant, "There's nothing in there that indicates that Mr. Weaver is some kind of a regular or massive [dealer] or has any history as far as an arms dealer."

Senator Thompson continued: "What I do see is Mr.

Weaver saying here in this conversation of October the 24th, he says, 'When I get my workshop set up, I can do a better job.' And then the informant says, 'All right, now, you said for \$150 you could do pretty much four or five [shotguns] a week, couldn't you?' And Weaver says, 'Well,' and then the agent picks back up again and they never get back to it. It's pretty apparent what you're talking about here is a fellow sitting out under a shade tree with a hacksaw."

Besides Weaver's alleged promise to supply the informant with five guns a week, the other evidence that he was a "major" dealer was that he supposedly said he could supply guns without a "paper trail." But in this conversation, which was recorded, Weaver's answers to the informant's proposals were "Uh" and "Umumumm." This is highly reminiscent of the Abscam cases of the late 1970s, when an "uh-uh" uttered to an FBI informant was presented as proof positive of criminal intent (see *EIR*, Aug. 25, 1995, pp. 66-73).

At his 1993 trial, Weaver was acquitted on weapons and murder charges; his defense was that of entrapment.

FBI report contradicts Hudson

During the Sept. 12 session of the Ruby Ridge hearings, one-time U.S. Marshals Service Director Hudson gave testimony that directly contradicted an FBI report summarizing an FBI interview with him.

Sen. Herb Kohl (D-Wisc.), commenting that there has been a dispute over when the marshals knew that Randy Weaver's teenage son Sammy had been shot and killed, said to Hudson: "The marshals and the FBI say that they did not know Sammy was dead until about three days after the Aug. 21 shoot-out. However, it appears that you may have had a very different understanding on Aug. 21, 1992. So I'd like to read a section of the report that the FBI made of their Nov. 15, 1993 interview with you."

Kohl then read the following from the FBI 302 report: "While en route to FBI headquarters on August 21st, John Twomey, a marshal, briefed Hudson on the facts that Kevin Harris had shot Bill Degan, the marshals returned the fire, and that it was believed that Sammy had been wounded. Mr. Hudson stated that it was his understanding in the early hours of the crisis that Cooper and Roderick saw Kevin Harris standing over Degan's body and that the younger Weaver had been shot."

Kohl then asked Hudson: "On the basis of this FBI report, how could anyone say that they did not know Sammy had been shot until several days after the incident?"

Mr. Hudson: Senator Kohl, I was equally perplexed when I read that in that FBI 302. I did not know that Sammy Weaver had been shot until after his body was recovered in the birthing shed. I thought—and on the way to the FBI headquarters, I thought that Kevin Harris had been shot. I don't know whether I misspoke during that interview or something was lost in translation, Senator Kohl, but I assure you, sir, that I did not know that Sammy Weaver was shot until his body was found in the birthing shed.

Senator Kohl: So the FBI report that I quoted, which indicates that on August 21st, while en route to the FBI headquarters, John Twomey, marshal, briefed Hudson on the facts, and you're saying that didn't happen?

Mr. Hudson: We had the briefing. We rode to FBI headquarters together. But I was never advised that Sammy Weaver was shot, senator. No, sir.

Senator Kohl: So you're saying that that report written by the FBI on November 15th, 1993, an interview with you, that that's inaccurate.

Mr. Hudson: That is inaccurate.

The LaRouche parallel

Near the end of his testimony, Hudson made a provably false statement. During his opening statement, he had described his many years of law enforcement, as a U.S. Attorney, an Assistant U.S. Attorney, and as a Commonwealth Attorney and Assistant Commonwealth Attorney (county prosecutor) in Virginia. After Hudson and the former United States Marshal in Idaho had described the scope of the law enforcement mobilization against Weaver as consisting of over 400 federal, state, and local agents, Sen. Larry Craig (R-Idaho) asked the following question of Hudson:

Senator Craig: Mr. Hudson, in your years of experience in law enforcement, a director of Marshal Service, were you or your service ever involved in a situation or an incident in which in total people deployed, you arrived at the number of 400?

Mr. Hudson: No, sir.

Senator Craig: Never?

Mr. Hudson: No, sir, not to my recollection.

What Hudson conveniently overlooked was the raid in Leesburg, Virginia, on Oct. 6-7, 1986, which by all official accounts involved well in excess of 400 law enforcement officials, directed against Lyndon LaRouche and his associates. The Leesburg raid, like the Weaver raid, also involved the FBI's Hostage Rescue Team and an armored personnel carrier. As the United States Attorney for the Eastern District of Virginia at that time, Hudson was formally in charge of

that operation, and indeed, he took much of the credit for it publicly in boastful statements to the press.

These are not the first times that Hudson, who was the U.S. Attorney in Alexandria, Virginia from 1986 to 1991, has been caught lying. In 1989, U.S. Bankruptcy Judge Martin V.B. Bostetter dismissed an involuntary bankruptcy petition brought by U.S. Attorney Hudson against three companies associated with LaRouche. On the basis of false statements made in the petitions filed by Hudson, Bostetter ruled that the government had filed the petitions in bad faith, and had perpetrated "a constructive fraud on the court."

Bush Justice Department complicity

The second witness who testified on Sept. 12 was Michael Johnson, the former United States Marshal for Idaho. Johnson presented the committee with the first public evidence indicting high-level Bush Department of Justice involvement in the decision to adopt the "shoot to kill" rules of engagement. Up to this point, the focus has been on the role of FBI officials such as the now-suspended, former FBI Assistant Director Larry Potts, in formulating the modified rules.

Johnson testified that he had overheard numerous telephone conversations during which FBI agents in Idaho were talking to FBI headquarters in Washington, that he had told the FBI agents who interviewed him in October 1993 about this, but that this information had been left out of the FBI 302 summarizing the FBI's interviews of him. Recounting the 1993 FBI interview, Johnson said: "I had told the agents that I was present during a lot of the phone calls when they were talking to Washington, D.C. and that there was no doubt in my mind that whoever was on the end of the phone, that was okaying everything and calling the shots, was from Washington, D.C.

"I also told them, during those conversations while I was sitting there, Agent Richard Rogers [head of the FBI's Hostage Rescue Team] came back into the trailer and during that time, conversation was going back and forth between Agent Rogers and Agent Glenn. And Agent Glenn at that time said something to the effect, 'We've got to run it by'—I can't remember what the exact words were. At that time, Agent Rogers said something to the effect, 'Well, now Terwilliger's involved in this thing.' "

Johnson said that this didn't ring a bell to him at the time, but that he later learned that George Terwilliger was then Deputy Attorney General. In fact, Terwilliger was the top deputy to George Bush's Attorney General William Barr during 1992.

The FBI agents who interviewed Johnson in 1993 were conducting their interviews on behalf of the Justice Department's special task force investigating the Ruby Ridge incident. That Johnson's statements are not reflected in the 302, or in the DOJ task force report, now raises the possibility that the cover-up over the Weaver shootout extends into the Justice Department itself.