

1 out lots of information to other people?

2 A. Oh, I see what you're saying. Well, no, I think that would
3 not be a correct characterization of the practice. Very
4 commonly sources kind of bid up against each other about how
5 much they knew about a situation in the following way.

6 Somebody in the Security staff would call
7 Mr. Frankhauser and report what Mr. Levy had told them without
8 saying it was from Mr. Levy. And Mr. Frankhauser, of course, in
9 order not to be shown -- to show that he was not caught napping,
10 would have to augment this fantasy with, you know, yet more. If
11 there were five assassins according to Mr. Levy's account, there
12 had to be six according to Mr. Frankhauser's account. And this
13 would go back to Mr. Levy, who would, you know, have a dozen.
14 And so it would go. So the point is, yes, you did take
15 information that you received from one source and bounce it off
16 of the other sources.

17 Q. But the purpose of all this activity was to accumulate -- to
18 give to Mr. LaRouche, that was --

19 A. Yes, absolutely. He was the intended recipient, the person
20 for whose eyes and ears this information was received. You
21 know, there were other people who might be considered important
22 such as the CIA, they should find out, too, maybe. But
23 Mr. LaRouche was the person for whom this was collected. And
24 the information was to be used to whatever end and in whatever
25 way he saw fit.

1 Q. Now, could you tell us just a little bit more about just the
2 different members of the Security staff? Mr. Goldstein, had he
3 gone to college? Do you know anything about his background?

4 A. Well, I gather that he went to -- I don't know if it's the
5 University of Indiana or Indiana University. I don't know if he
6 received a degree or much about his studies there.

7 Q. And did you say that -- yesterday you used the word foul
8 language full of violence, something of that sort.

9 A. That's right.

10 Q. Is he always like that or can he be --

11 A. Well, gee, I thought I made that -- that's a fair
12 characterization very often of Mr. Goldstein. My recollection,
13 I could be wrong, is I thought I said that about Mr. LaRouche.
14 And correct me if I'm wrong, but if you're asking to be
15 characterized -- I'm sorry, I should let you do the asking.

16 Q. Well, is that the case with Mr. Goldstein, that his language
17 is full of violence?

18 A. Well, very often Mr. Goldstein seems to have a great deal of
19 difficulty restraining his temper and when he loses it, he
20 becomes extremely intemperate in speech and not -- he doesn't
21 restrict his displays of anger to speech.

22 Q. Well, that's -- then as far as Jeffrey -- well, Michele
23 Steinberg, did you say yesterday that she basically was the
24 strongest believer or something in the organization or that she
25 believed everything that Mr. LaRouche said, had no skepticism

1 about it?

2 A. Well, I'd say certainly that that's true; she had no
3 skepticism about anything Mr. LaRouche said. I don't know if I
4 would characterize her as necessarily as the absolutely
5 strongest believer as though she was more of a believer, let's
6 say, than Helga Zeppe LaRouche or Mr. Spannaus or somebody else.
7 But she would be certainly right up there at the very top rank
8 of, you know, the deluded. I don't know if that's -- but yes,
9 she certainly believed everything.

10 Q. When you were asked about her handwriting yesterday, you
11 said you recognized her handwriting because you had received
12 some sort of communication from her at one point or seen a
13 communication?

14 A. Well, I said that was one of the reasons. Over a period of
15 many years during which I worked with Michele and others, I had
16 seen occasionally their notebooks for the purposes as I
17 indicated, you know, for the purposes of looking at a briefing
18 that they had received and I had not gotten that I was supposed
19 to become cognizant of or to write up in a report in some way or
20 a list of instructions or something of that sort. And I also
21 received a little note at one point from Mrs. Steinberg and so
22 from all these sources I was able to have some recollection of
23 her handwriting style.

24 Q. And what was the note in question?

25 A. Well, it was a -- I wish I had it to read because it's very

1 difficult to characterize. It's a very -- it was a very strange
2 and insulting sort of little thing that she gave me during a
3 period of time in which I think the Security staff was very --
4 was correctly considering whether or not I was still in the
5 game, whether I still believed in this whole thing. I mean, I'd
6 be glad to describe it in more detail, but really it's actually
7 a fairly -- it includes so many internal references to kind of
8 silly organizational details that it would take me a long time
9 to describe what it was about.

10 Q. Well, I'm not -- you said it was unattractive -- or if you
11 said it was unattractive, what did you mean by that?

12 A. Well, let me see. To begin with, it addressed me as
13 "Dr. Tit." I mean, I could go on from there.

14 Q. All right. I don't think you have to.

15 A. I think that characterizes Michele's -- what she considered
16 to be an appropriate way to, you know, write a note to a
17 colleague.

18 Q. Now, you say that nobody in the Security staff would have
19 expressed skepticism about Mr. LaRouche or anything that he
20 said, expressed skepticism with each other?

21 A. Oh, no. No.

22 Q. But towards the end at least you were, in your own mind,
23 very skeptical about a lot of things about Mr. LaRouche --

24 A. Absolutely.

25 Q. -- as you just described?

1 A. Absolutely.

2 Q. But you didn't go around making this fact known to the
3 others on the Security staff?

4 A. No. On the contrary.

5 Q. Did all of you make these pretext calls, all of you on the
6 Security staff, pretending that you were this, that and the
7 other thing?

8 A. Yes, we did.

9 Q. And you yourself would pretend that you were a rabbi or --

10 A. Well, no. I wasn't -- I didn't pretend that I was a rabbi.
11 I did on one occasion represent myself as a minister.

12 Q. All right. But usually you said you were a newspaper
13 reporter, is that --

14 A. Well, newspaper reporter was actually not considered a very
15 good cover, but that was another one that was sometimes used,
16 that's correct.

17 Q. Now, yesterday you said that Mr. Frankhauser until sometime
18 in 1983 was a prime source of information. Was there some
19 change in 1983 or did somebody else come into the picture or did
20 I mishear you?

21 A. I'm sure that I didn't say that he ceased to be a prime
22 source in 1983 or I certainly didn't mean to imply that. In
23 1983, additional -- more figures came into play. I think that
24 the individual Danny Murdock who I mentioned before -- I don't
25 remember precisely when he surfaced, but in 1983 his star was

1 riding high with the Security staff as a source.

2 Also, in 1983 the organization began to have --
3 actually, it began earlier. Let's say in 1982 or so the
4 organization began to have a series of meetings with bona fide
5 actual real intelligence operatives whose, you know, identities
6 are probably known and whose role in the intelligence agencies
7 is well known. So I think that, you know, it may be true to say
8 that in 1983 there were more players in the game. But
9 Mr. Frankhauser continued to be a valued and important source
10 for the organization in its mind as long as I was around.

11 Q. Now, could you describe these meetings in some detail with
12 these actual important Government officials?

13 A. Well, I have difficulty in describing them first hand
14 because I wasn't present in the meetings. In one or two
15 occasions I was part of the entourage which accompanied
16 Mr. LaRouche in meeting with these various people, so I know who
17 they were. I received phone calls in some cases from them.

18 Q. Why don't you describe --

19 A. I had interaction with them.

20 Q. To that extent why don't you describe who they were, when
21 these meetings took place, where they took place.

22 A. Okay. At least one but I believe two meetings took place
23 with Admiral Robert Inman. Robert Inman is the former deputy
24 director of the Central Intelligence Agency. Before that he was
25 director of the National Security Agency, which chiefly handles

1 electronic wiretapping and stuff like that, electronic
2 surveillance, satellites, computers, all that kind of stuff.

3 Inman met with Mr. LaRouche on one occasion in
4 Washington, DC, in a little house on F Street or I guess I
5 should be very, very explicit and say that I was told that
6 that's why we were going there and he was who we were going to
7 meet with.

8 On another occasion I believe Mr. Inman met with
9 Mr. LaRouche in his house in Sutton Place. I wasn't there. I
10 can't vouch for it. That's what I was told was happening. And
11 I received on two occasions in the national office in my
12 capacity as Officer of the Day as I described phone calls for
13 Jeffrey Steinberg from Admiral Inman.

14 Q. Now, Admiral Inman, was he second in command at the CIA?

15 A. That's correct. During this period -- well, during the
16 period of the first meeting he was still second in command of
17 the CIA. During the time of the second meeting if it indeed
18 took place and the time of the telephone calls which I know for
19 certain took place because I received them, he was a private
20 citizen working for, I believe, a Texas computer company or I
21 think he actually owns the company.

22 Q. So that's during the Sutton Place visit he was a private
23 citizen, if it -- or during the time --

24 A. I believe so. Yes, I believe so.

25 Q. The F Street meeting in Washington was when he was the

1 deputy -- Admiral Inman was the deputy director of the CIA?

2 A. At that time he was the deputy director. And my
3 understanding was the facility -- well, the facility which we
4 were meeting was very obviously an official Government
5 facility. You were challenged when you showed up. Official
6 Government cars were there. People were getting in and, you
7 know, going off and stuff like that. So it was an official --
8 the meeting took place at an official Government facility while
9 I knew just from general knowledge that -- and, of course, we
10 were watching the intelligence community very closely. It was a
11 big preoccupation that Admiral Inman was the No. 2 man and, in
12 fact, was being bandied about as the future director.

13 Q. And who else besides Mr. LaRouche from the LaRouche
14 organization met at F Street with Admiral Inman?

15 A. I don't recall if anyone else accompanied him. I'm sure
16 someone else was in the meeting with him. I don't recall who
17 that was and I don't recall if anybody else accompanied him in
18 any capacity other than as a security adjunct.

19 Q. Other than Mr. Inman, were there meetings by Mr. LaRouche
20 with high Government officials?

21 A. Yes, a number of them.

22 Q. And who were those officials?

23 A. Well, there was a meeting described to me when I was on duty
24 with the organization as a member of the Security staff with the
25 -- with John McMann, who I believe was subsequently the director

1 of the CIA in Langley, Virginia at the CIA headquarters in
2 Langley. I'm not sure if that meeting was actually with McMann
3 or with an assistant to him. I was told that it was with
4 McMann. Subsequent accounts I've heard it described as a
5 meeting with an assistant.

6 Another Government official of some rank who met with
7 Mr. LaRouche is the former National Security Council director
8 for long-range planning, I believe was his title. His name was
9 Norman Bailey. He is now a consultant, not any longer in the
10 U.S. Government.

11 There were others. There was a man named Pollock from
12 the National Security Council. I don't recall if Mr. Pollock
13 met expressly with Mr. LaRouche or only with, you know, with his
14 underlings. But that was another person who met on a high level
15 in the U.S. Government with Mr. LaRouche. There were others,
16 but those are some of the most conspicuous who come to mind.

17 Q. Now, when you're talking about Mr. Pollock, that's the
18 National Security Council?

19 A. Council, that's right.

20 Q. That was headed by Mr. MacFarlane at one point and
21 Admiral Poindexter?

22 A. Yes, that's right, the people -- well, I won't characterize
23 what they did.

24 Q. Now, you said that yesterday that during 1983 or 1984 one of
25 your primary activities for the LaRouche organization was to be

1 involved in the so-called NBC case or litigation.

2 A. Yes, that's correct.

3 Q. Is that correct?

4 A. That's correct.

5 Q. When did you start working on that case and how long did you
6 work on it?

7 A. I don't remember precisely when it started. Somewhere in
8 1983. I'll take a stab at it. I'll say June of 1983, but I'm
9 not certain -- NBC began to or a particular reporter from NBC
10 began to call the national office and request an interview with
11 Mr. LaRouche and, you know, make very clear that she was putting
12 together a show on the LaRouche organization. And immediately
13 thereafter the Security staff was notified that a slander was
14 being prepared by NBC. There was never any doubts in anybody's
15 mind the content of the show, of its being favorable or
16 unfavorable to Mr. LaRouche. That was a given. **And therefore,**
17 **at that point the Security staff began to collect the**
18 **information which would be necessary to counterpunch against**
19 **this, you know, new threat to Mr. Larouche's reputation and**
20 **well-being.**

21 Q. So when you say you were involved in the NBC case, were you
22 involved in the counterpunching activities arising from this
23 reporter's investigation or were you involved in an actual
24 lawsuit?

25 A. Well, I had -- for some reason I drew the short straw on

1 this one and I was involved on pretty much every aspect of the
2 NBC case from the preparing of background information on the
3 reporters to discussion with legal counsel about possible
4 strategy and, you know, information and tactics, things of that
5 nature, to preparing the subpoenas for service of witnesses to
6 getting witnesses served. The people that we were going to draw
7 into the case had to be served with subpoenas, and I would try
8 to locate them, get the subpoenas drawn up, get somebody to go
9 serve subpoenas on them. There was, you know -- I delivered the
10 paper to the attorneys' offices. Pretty much I functioned in
11 every possible capacity from, you know, investigator to what
12 would be kind of like a paralegal capacity, I guess, in the
13 course of this charade.

14 Q. Now, the name of the reporter at NBC?

15 A. Was Pat Lynch, Patricia Lynch.

16 Q. Tell us what the litigation was about. Did somebody sue
17 somebody else?

18 A. Mr. LaRouche after careful consideration himself sued NBC
19 for libel.

20 Q. And what were the -- what were the allegations of libel? In
21 other words, libel, he said that NBC had said something bad
22 about him?

23 A. That's correct.

24 Q. And therefore, they owed him some money to make up for this
25 slander or libel?

1 A. That's correct.

2 Q. All right. And what was it as you understood working for
3 this that the libelous statement was?

4 A. Well, you know, you ask the question in such a way that you
5 make me kind of ratify the idea that they were libelous
6 statements. I know you didn't mean to do that. I can tell you
7 what was described in the suit as libelous statements. At the
8 time I could vaguely see a problem technically with one or two
9 of the things that they said, but I didn't -- I mean, nothing
10 that they said was libelous in any sense of the term that I
11 understand either legally or in casual use.

12 However, what was upsetting to Mr. LaRouche was that
13 NBC had allowed a number of former members to appear on the
14 television with their identities disguised describing various
15 organizational practices. One young woman described the
16 organization's practice of telling its members -- its women
17 members to get abortions because having children would be
18 deleterious to their political work and would take their time
19 away from their ability to do nice things, like raise money. At
20 the time that this broadcast was aired, the organization, which
21 was now trying to court the right wing, was portraying itself as
22 a pro-life organization, and this was embarrassing, to say the
23 very least. So that disturbed the organization. And that was
24 one of the counts.

25 Another thing which was disturbing to the organization

1 was that Mr. LaRouche in West Germany was said to have been, as
2 he sometimes does, ranting and raving about the need to see to
3 it that the organization had the capability of killing Jimmy
4 Carter if anything happened to Lyndon LaRouche. I subsequently
5 discovered or it was told to me by other persons working on that
6 case that Lyn in fact had said such a thing and, of course, he
7 didn't really mean or at least I'm saying my impression is he
8 didn't really mean the organization should kill Jimmy Carter.
9 But as I said, in previous statements he liked to use violent
10 language. He liked to say, Let's get that one; we're going to
11 destroy this one; or we're going to hang that one by the sour
12 apple trial, whatever.

13 So I discovered subsequently that he had made such a
14 statement. That was what was being characterized. And I
15 discovered this in the context that we were trying to determine
16 whether or not a former member had been present when he said it.
17 So that was another one that they were very angry about, that
18 NBC reported that Mr. LaRouche had made these kind of
19 suggestions that Jimmy Carter should be, you know, gotten rid
20 of. They didn't like that very much for the obvious reason. I
21 ceased to regard that as libelous as soon as I heard about the
22 fact that it was actually taking place and that, moreover, it
23 was a big problem for us whether or not the -- whether or not a
24 certain person no longer in the organization was there and had
25 heard it.

1 There were other characterizations, characterizations
2 about involvement with criminal underworld, which
3 characterizations I knew were true. Everybody in the
4 organization of any significance in any, you know, length of
5 membership knew they were true; allegations about the
6 organization's having uttered anti-Semitic statements, which I
7 knew were true.

8 Well, right along down the line these were the kinds of
9 characterizations which the organization objected to, and I
10 would object to them, too, except for one thing.

11 Q. Well --

12 A. They were true.

13 MR. WALKER: Your Honor --

14 A. I'm sorry. You asked for the allegations. And I have to --
15 I want to state them not as though they were true --

16 Q. I understand.

17 A. -- but as they ought to be characterized, not as though the
18 organization's belief that they were libelous was true but how
19 they ought to be characterized.

20 THE COURT: Mr. Walker, we'll need a recess sometime
21 soon. Is this an appropriate place?

22 MR. WALKER: I think this might be a good time.

23 THE COURT: All right. Members of the jury, we'll take
24 a 20-minute recess. You may go to the jury room.

25 (Morning recess at 11:30 a.m.)

1 (Court reconvened at 11:56 a.m.)

2 THE COURT: Did you want to confer about any of the
3 other matters before we bring back the jury?

4 MR. MARKHAM: Your Honor, I just don't believe that a
5 stipulation is appropriate because of the various issues that
6 will have to be stipulated to.

7 THE COURT: All right. You may be seated.

8 Mr. Walker, how much longer do you expect to be on your
9 examination of this witness?

10 MR. WALKER: Fifteen minutes, your Honor, fifteen or
11 twenty minutes.

12 THE COURT: All right. How much time do you expect on
13 redirect?

14 MR. MARKHAM: Five minutes.

15 THE COURT: All right. I think we better face the
16 other matter, then. I take it --

17 MR. MARKHAM: We have the witnesses here.

18 THE COURT: All right.

19 MR. MARKHAM: I have one other witness that will come
20 on before those anticipated witnesses, but I anticipate my
21 direct of him to be no more than three or four minutes. And
22 that sets up Mr. Rasch's examination of the credit card victims
23 involved.

24 THE COURT: All right. Now --

25 MR. WALKER: Could I find out who that is, your Honor,

1 just --

2 MR. MARKHAM: Yes. Merrill Worthen and Paul Corkery,
3 both named in the indictment.

4 MR. WALKER: Well, your Honor, just as a matter of
5 procedure, I mean, I know Mr. Markham has been helpful. I just
6 -- I never heard of Paul Corkery before, I don't think, and I
7 thought he was going to tell me the witnesses -- are those the
8 -- excuse me, your Honor. May I ask Mr. Markham --

9 THE COURT: Yes, you may.

10 MR. WALKER: Are those the victims or --

11 MR. MARKHAM: Yes.

12 MR. WALKER: Oh, I'm sorry. I'm sorry. I thought this
13 was somebody else you were talking about.

14 THE COURT: All right. Well, Mr. Walker, unless you
15 have some proposal for a stipulation that you are willing to
16 make that would change this issue as I have indicated to you, I
17 think I have to overrule the objection and allow these witnesses
18 to testify.

19 MR. WALKER: Well, frankly, your Honor, I really don't
20 know what they'll say. I gather they're going to say that they
21 didn't agree to have money charged to their account or something
22 like that, and I would be prepared to stipulate to that fact.

23 MR. MARKHAM: The anticipated testimony is, your Honor,
24 that they were approached by LaRouche organizers in Boston, that
25 money was solicited from them, in essence they gave a small

1 contribution or one contribution and at a later time they
2 received a bill for a much larger contribution. They will be
3 shown the credit card slips which represent those larger
4 contributions as to which there is a stipulation that the slips
5 were deposited into TLC's account or IDL's account. And they
6 will be asked if they authorized those items, and they will say,
7 it is anticipated, that they never did and, in fact, that they
8 had told the group they didn't want to contribute in one case.

9 That's important for several reasons, not the least of
10 which is to establish the motive of certain people who we have
11 alleged are coconspirators of Mr. Frankhauser to, in fact, leave
12 the jurisdiction. The credit card slips involved, which we will
13 show these people and which they will say are fraudulent,
14 although they won't characterize it that way but I will argue it
15 that way; they will just say they're unauthorized -- the credit
16 card slips have the initials of the coconspirators on them, MG,
17 RS or CP, depending on who the perpetrator was. And after these
18 fraudulent slips were filled out, Frankhauser, it will be shown,
19 said, Get these people out of the country, and these people
20 left. This will show that they had a motivation for taking his
21 advice. That's the Government's theory, and I think it's
22 relevant for that theory.

23 MR. WALKER: Your Honor, of course it's relevant if
24 Frankhauser said, Get these people out of the country. That's
25 what this case is about. The case is not about, I would

1 suggest, primarily -- and I'm prepared to stipulate to what
2 Mr. Markham said. I assume -- I mean, I --

3 MR. MARKHAM: Well --

4 MR. WALKER: I don't see the point of putting these
5 people through the -- through this exercise. I know Mr. -- a
6 lot of yesterday's -- I don't mean to make a sort of a -- I
7 mean, this shouldn't be practice for the main trial, see how
8 everything's going to go, because I'm confident the main trial
9 is going to be rather different.

10 THE COURT: Well --

11 MR. WALKER: And I just -- indeed, I think it's
12 probably a little -- I'm not going to ask these people very many
13 questions.

14 THE COURT: I don't want to be taking time to work out
15 the terms of a stipulation. Are you saying that, for example,
16 that you would be willing to have read to the jury as a
17 stipulation the statement that Mr. Markham has just made as to
18 what he expected -- well, he has included some things in there
19 about his argument -- but the statement of the expected
20 testimony of the witness?

21 MR. WALKER: I have forgotten -- I'm willing to do
22 that, your Honor. I don't know how the Court phrased the
23 question. I think the answer is yes, I am willing to.

24 THE COURT: Mr. Markham, if he is willing to stipulate
25 to everything that you would get from the witness, why shouldn't

1 I accept the stipulation instead of having you call the
2 witnesses?

3 MR. MARKHAM: Because he is not going to do that when
4 he wants to call a witness and get something from the life blood
5 of a witness. A stipulation goes by fast. A stipulation
6 doesn't make all the same points. A stipulation isn't going to
7 embody all of the testimony they had about who called them or
8 how they identified themselves. And I don't see why the
9 Government should have to have its evidence, which is highly
10 relevant, reduced to the insipid form of a stipulation.

11 Mr. Walker in his opening statement in essence said
12 that Mr. Frankhauser is a joke and he wasn't taken seriously and
13 that this wasn't a serious matter, and the Government has to
14 prove that this is a serious matter. And I respectfully submit
15 that the Government should not have to be reduced to insipid
16 forms of proof when the evidence is relevant. There's nothing
17 highly prejudicial about this. I said in my opening statement
18 Mr. Frankhauser was --

19 THE COURT: Well, now, I don't agree that a stipulation
20 is an insipid form of proof. On the other hand, Mr. Walker, I
21 think there is a point that there are details that would be
22 given in the testimony of the witness that it's difficult to
23 reproduce in a stipulation and which have a bearing on the
24 cogency and weight of the evidence, given the fact that the
25 Government has the burden of proof beyond reasonable doubt. And

1 especially when the proposal comes at a time when it would delay
2 the trial for me to wait to see if a full stipulation can be
3 worked out, I am not inclined to allow it. So I will overrule
4 the objection.

5 MR. WALKER: Your Honor, could I ask the Court to give
6 an instruction after these witnesses testify if indeed it's
7 necessary -- after they testify to remind the jury that
8 Mr. Frankhauser is not charged and never has been charged or is
9 not charged -- is not charged --

10 THE COURT: No. I don't think that's appropriate. I
11 will, of course, give appropriate instructions in relation to
12 that question in my charge to the jury. I don't think I should
13 be commenting on the evidence as it goes along. I will not do
14 that.

15 MR. WALKER: All right.

16 THE COURT: All right. The jury may be brought in.

17 (The jury returned to the courtroom at 12:04 p.m.)

18 THE COURT: You may be seated.

19 You may proceed, Mr. Walker.

20 MR. WALKER: Thank you, your Honor.

21 BY MR. WALKER:

22 Q. Mr. Tate, I think you said first met Frankhauser back in the
23 70s in Reading, Pennsylvania, and he indicated he was interested
24 in working for this organization.

25 A. Yes, that's correct.

1 Q. All right. Did he mention anything to you about having
2 worked as a detective?

3 A. At that time, no, not to my recollection.

4 Q. Did he later mention anything like that to you?

5 A. Well, I wouldn't characterize it as detective. He indicated
6 at a later point that he had been involved in various kind of
7 investigations. "Detective" I think implies police
8 investigations.

9 Q. Well, maybe the word is private detective -- I didn't mean
10 governmental, working for the Government as a detective.

11 A. Oh, I see. Was he working as an independent -- did it
12 appear to me that he was working in an independent capacity as a
13 private investigator? I don't mean to rephrase it --

14 Q. Yes, exactly. Thank you.

15 A. No, he never said anything like that to me at least.

16 Q. You referred at one point to the fact this morning that
17 Mr. Frankhauser and perhaps yesterday was referred to -- one of
18 his code names was Frick and Frack?

19 A. Well, that referred both to Mr. Frankhauser and his former
20 associate, Mr. Lee Fick. The two as sort of a -- the two
21 together were Frick and Frack, that's correct.

22 Q. And so is it fair to say that for a period of time starting
23 in about 1982 Mr. Fick started working in Reading, Pennsylvania
24 for the organization in the same capacity or somewhat the same
25 capacity as Mr. Frankhauser together with Mr. Frankhauser?

1 A. Yes. In conjunction with Mr. Frankhauser, yes.

2 Q. And on many occasions Mr. Fick would call up and provide or
3 be called and provide information, is that correct?

4 A. Well, I don't think that would be quite correct as to many
5 occasions. He would be really the fall-back option. If an
6 attempt were made to contact Lee Fick, the basic purpose of the
7 message would generally be, Get Roy to call. There might be
8 some exchanges, but for the most part Lee Fick was regarded as
9 kind of a sidekick of Mr. Frankhauser, as his assistant, at
10 least in the early period rather than as someone operating on
11 quite his same level of competence. There was some -- we were
12 given to understand that he had had the same organizational
13 affiliation in terms of intelligence agency ties as
14 Mr. Frankhauser, but clearly he was regarded as the junior
15 partner.

16 Q. All right. And I think you just said now at least in the
17 beginning he was subordinate or worked under Mr. Frankhauser.
18 Did he assume an increasing -- this is Mr. Fick. Did he assume
19 an increasing role as time went on while you were with the
20 organization?

21 A. Well, he -- once people got to know him and so forth, I
22 think that might be a fair characterization. But he was still
23 always regarded really as the assistant to Mr. Frankhauser. He
24 could be separated from him and, you know, instructed to do
25 something separately, but he was never on the same level in the

1 Security staff's estimation as Mr. Frankhauser.

2 Q. And that was -- you're talking about the time you worked for
3 the organization, which was up until --

4 A. Yes.

5 Q. -- August 17, 1984?

6 A. That's correct, yes.

7 Q. And was Mr. Fick down there, as well, on these security
8 patrols?

9 A. Oh, yes.

10 Q. When I say "down there," I mean in Virginia.

11 A. Yes.

12 Q. All right.

13 A. He was.

14 Q. You say you were responsible for sending payments to
15 Mr. Frankhauser at least for a period of time.

16 A. Yes, that's correct.

17 Q. And did you also send payments to Mr. Fick?

18 A. Yes, I did.

19 Q. Were any of those payments paid -- each time did you send
20 independent payments to each one, or were they ever combined in
21 some way or do you recall the details?

22 A. Usually both payments were put into one envelope. Each
23 postal money order was separately made out, one to Lee Fick, one
24 to Roy Frankhauser, but they were sent in the same envelope to
25 Roy Frankhauser.

1 Q. Now, was there a -- I think you said in 1984 at least the
2 figure increased to \$500 a week, that was the payment to
3 Mr. Frankhauser. When in 1984 did it increase, if you recall?

4 A. I'm not certain, and in point of fact it may have increased
5 earlier. I'd have to say that by 1984 there had been an
6 increase, and the final figure of which I was aware, the highest
7 amount of money which I ever sent was \$500.

8 Q. And did you ever send lower figures at an earlier time?

9 A. I recall that there was a lower figure. I think I said this
10 in previous testimony. I don't remember precisely what it was.
11 At some definite point there was a raise.

12 Q. And do you remember if Mr. Fick got a raise, too?

13 A. I don't recall if he similarly got a raise, no, I don't
14 recall.

15 Q. But Mr. Fick also purported like Mr. Frankhauser to have
16 these connections with the CIA or the Government or down the way
17 or what have you?

18 A. That's a question -- you're asking if he made such
19 representations?

20 Q. Yes.

21 A. Well, as I said, it's as far as I can go, I was told that he
22 made such representations.

23 Q. He didn't talk to you about that himself?

24 A. No, he did not. He did associate himself in discussions
25 which Mr. Frankhauser was motivating in which he would use such

1 terms of art as "our organization," "our associates" and so
2 forth, and Mr. Fick was on hand nodding away and deferring to
3 Mr. Frankhauser in his description of the intelligence items
4 purportedly gleaned from these terms of art which we all
5 understood to mean the CIA and/or other intelligence agencies.

6 Q. When you say -- it sounds like -- were you in a room
7 together with Mr. Frankhauser and Mr. Fick on some occasions?

8 A. Sure. On a number of occasions, sure.

9 Q. When this type of talk about --

10 A. Sure.

11 Q. -- these sources --

12 A. Yes.

13 Q. -- was engaged in?

14 MR. WALKER: Excuse me just a second, your Honor.

15 THE COURT: Surely.

16 (Pause)

17 BY MR. WALKER:

18 Q. Now, with respect to those notebooks, I guess they aren't
19 right here this morning, but you say that the various members of
20 the Security staff -- and that included you sometimes, as well
21 -- when you had these conversations with sources would write
22 down while the source was speaking and write down as accurately
23 as possible what they were saying, is that correct?

24 A. Well, yes, when they were acting in their capacity as
25 sources conveying intelligence. If we were standing around in a

1 hotel lobby shooting the breeze, then, of course, we wouldn't
2 whip out our notebooks and write down Mr. Frankhauser's report
3 about his -- well, whatever it might be. But just when we were
4 receiving intelligence reports per se, then, of course, we made
5 note of them.

6 Q. When the Security staff had conversations with individuals,
7 was it just one member of the Security staff having a
8 conversation with the individual such as Mr. Frankhauser or any
9 of these other people that you have mentioned, or would there be
10 more than one listening at the same time?

11 A. Well, most commonly -- since most often, as I indicated
12 previously, the conversations were by telephone, most commonly
13 there would be only one person; but now and again an extension
14 or conference line was picked up by somebody else. But still,
15 under those circumstances we're talking about a report being
16 received by one or two members of the Steering Committee, so
17 most typically it would be one person if it was a telephone
18 report.

19 Q. All right. Now, once one member of the Security staff got
20 some information, would they ever convey that to another member
21 of the Security staff who would then write down what they -- the
22 same information in their notebooks?

23 A. Yes.

24 Q. I see. So in other words, let's say Mr. Frankhauser called
25 up and said, The KGB is -- I've just received word the KGB has

1 an agent in the country and has been seen near whatever that
2 farm -- Woodburn Farm.

3 A. Right.

4 Q. So let's -- Jeffrey Steinberg might write that down in his
5 notebook. Is that a possibility?

6 A. Yes.

7 Q. If he was the one that got the call?

8 A. That's certainly correct, yes.

9 Q. And he would hang up and say, Gosh, Roy reports that there's
10 a KGB agent in the vicinity. And maybe Mr. Greenberg or Michele
11 Steinberg or Mr. Goldstein in their notebook would write down
12 something to the same effect?

13 A. That's correct.

14 Q. So it may be the case that -- so if there is a conversation
15 recorded in a -- what appears to be a conversation recorded in a
16 notebook, it may very well be recorded second hand.

17 In other words, if Greenberg has "Roy," or "Clay" or
18 something, "Assassination possible. Agent seen," he may not
19 have heard that from Roy at all?

20 A. Directly. Yes, that's certainly possible.

21 Q. Now, you said yesterday that Mr. Spannaus -- incidentally,
22 is Mr. Spannaus in court today?

23 A. Yes, he is.

24 Q. All right. Can you just point him out just so the members
25 of the jury --

1 A. Well, Mr. Spannaus is the gentleman sitting with his hand on
2 his lips, with glasses, in the front row of the audience
3 section.

4 Q. Who is smiling at the moment?

5 A. He is the gentleman who is smiling, yes, sir.

6 Q. Now, --

7 A. Why he is smiling is a mystery to me, but perhaps he knows
8 and --

9 MR. WALKER: Your Honor, I move to strike that
10 statement.

11 THE WITNESS: I'm sorry. Excuse me.

12 THE COURT: All right. It's stricken

13 BY MR. WALKER:

14 Q. I think you said that Mr. Spannaus had a function that was
15 different from the Security staff?

16 A. That's correct.

17 Q. And his function was what, again?

18 A. His functions were, first of all, to serve on the National
19 Executive Committee. Secondly, he was the person responsible
20 for the organization's legal activities. Thirdly, I mentioned,
21 I think, that he was a person who had a great deal of
22 responsibility for the move from New York City to Leesburg,
23 Virginia.

24 Q. And I think you said that his notebook fell into a different
25 category from the other notebooks that you were asked about.

1 Could you explain that?

2 A. Well, the notebooks that the Security staff maintained were
3 notebooks of source reports chiefly that came in to the Security
4 staff.

5 Now, Mr. Spannaus at least to my knowledge was not
6 dealing to that extent with sources. His functions were
7 internal organizational, administrative and legal. And
8 therefore, his responsibilities would be to keep abreast of
9 source reports that would have a legal significance, would
10 reflect on ongoing legal cases, would, you know, lend some
11 insight as to where investigations of the organization might be
12 taking place and so forth. So in that sense there was a
13 distinction in their function.

14 I think that certainly one of his major functions was
15 to brief Mr. LaRouche on the areas that I described. And
16 therefore, he would use, as I also described, his notebook as a
17 source of information for such briefings. But he was somewhat
18 less in the position of taking in source reports from informants
19 and consultants.

20 Q. Incidentally, would these notebooks also be used from time
21 to time by the people that kept them occasionally just to write
22 down their thoughts, ideas about various things?

23 A. Well, I can't say that they never did it. I certainly --
24 for example, my notebooks, which had a somewhat different
25 function, also included research materials and so forth which I

1 accumulated. Perhaps some other people, you know, made similar
2 kinds of entries.

3 But for the most part the function of the report was --
4 of the notebook was to keep a report of meetings and minutes of
5 the Security staff and the source reports that were discussed
6 and perhaps evaluated at those meetings. So that was their
7 major purpose. They could have been used for something else now
8 and again.

9 MR. WALKER: May I just speak to Mr. Markham for a
10 second?

11 THE COURT: Yes, you may.

12 (Counsel conferring)

13 BY MR. WALKER:

14 Q. Mr. Spannaus, where was his office?

15 A. Mr. Spannaus -- in the West 58th Street facility in New York
16 City?

17 Q. Right.

18 A. His office was at the other end of the hall from the
19 Security office.

20 Q. I see.

21 A. Without a floor diagram, it's kind of hard maybe to explain
22 exactly where the two were in relation to each other.

23 Q. Now, with respect to your own notebook, I just want to --
24 this was the one that you identified yesterday. I think it's
25 Exhibit 75 for identification. You would record in here on the

1 times when you functioned as a member of the Security staff the
2 same kind of thing that came -- that the other members of the
3 Security staff recorded on a more regular basis?

4 MR. MARKHAM: Excuse me. Is he asking whether Mr. Tate
5 did it on a more regular basis or the others did it on a more
6 regular basis?

7 THE COURT: You may clarify the question.

8 MR. WALKER: Yes.

9 BY MR. WALKER:

10 Q. You occasionally acted as a member of the Security staff in
11 collecting information from these sources, did you not?

12 A. Well, it was not my usual function to deal directly with
13 sources, consultants and contacts. I did from time to time.
14 But important contacts or contacts deemed important such as
15 Mr. Frankhauser would tend to make their reports directly to a
16 member of the Steering Committee rather than to, you know, me.
17 I was just a member of the staff. Now and again I'd be asked to
18 contact a source on behalf of the organization for some specific
19 purpose in which I was working. And an example might be I was
20 working on the NBC case, I'm sure I was asked -- I don't have an
21 instance in mind, but I'm sure I was asked to contact such a
22 source, not Mr. Frankhauser as it happens but such a source to
23 get information, you know, on the NBC case. But I would be the
24 person who would be taking the main intelligence reports from
25 somebody like Mr. Frankhauser on a daily basis.

1 Q. Well, do you remember one time, for example, when
2 Mr. Frankhauser told you that Mr. Larouche's prestige was higher
3 than ever on the subject of the economy?

4 A. Well, I don't remember the specific occasion. You've got
5 what I guess is a xerox of my notebook. I'm sure if I looked at
6 it I could tell you if it was my entry.

7 Q. Would it help you refresh your recollection if you saw this?

8 A. Sure. But even without seeing it, I'm sure he said things
9 like that on many occasions.

10 (Witness examining item)

11 A. Yes. It says, "LaRouche prestige highest ever on economy
12 and terrorism."

13 Q. It has the name Roy in front of it?

14 A. It has the name Roy and, yes, that's my entry and that's
15 clearly what he was reported as having said.

16 Q. Did your notebook occasionally record Mr. Larouche's
17 thoughts about assassinations and things of that sort?

18 A. Yes.

19 Q. All right. Well, just if this helps refresh your
20 recollection (indicating).

21 A. Yes. "LHL ---"

22 Q. I don't think you should read it.

23 A. I'm sorry. I thought that's what you were asking me.

24 Q. And just one other question on your notebook, or maybe two
25 other questions.

1 Who was Mr. Blue?

2 A. I don't think I ever found out who Mr. Blue was. I don't
3 know.

4 Q. All right. Do you remember Mr. Frankhauser at any point
5 ever telling you that organized crime, the Jewish Defense
6 League, the Israeli Mafia and Klarsfeld were apparently honing
7 in on Mr. LaRouche?

8 A. Yes. We received such communications from Mr. Frankhauser
9 very frequently.

10 Q. All right.

11 Q. Who is that?

12 A. He is a very well known Nazi hunter. Serge Klarsfeld.

13 A. He was the person who got Klaus Barbie and so forth.

14 Q. Now, on the subject of whether people would record their
15 thoughts and things other than information gotten from sources
16 in their notebooks, I just show you one of the notebooks, it's
17 Government Exhibit 45 for identification, one of the notebooks
18 you identified yesterday and ask you again just to tell us whose
19 handwriting that is.

20 (Witness examining document)

21 Q. Does it appear to be Michele Steinberg's handwriting?

22 A. It appears to be Michele Steinberg's handwriting.

23 Q. And if you turn for a second to page 119, 120.

24 MR. MARKHAM: Your Honor, may the document be received
25 into evidence before the witness publishes any of its portions?

1 MR. WALKER: I'm not asking that it be admitted into
2 evidence, your Honor. I'm showing it to Mr. Tate to refresh his
3 memory about the kinds of things --

4 THE COURT: Well, put your question and I will find out
5 whether there's objection to it.

6 BY MR. WALKER:

7 Q. Does looking at that remind you or help refresh your memory
8 as to whether the notebooks were used occasionally or on some
9 occasions to record people's ideas and thoughts and --

10 A. Oh, yes. Yes.

11 MR. MARKHAM: Objection, your Honor.

12 THE COURT: Well, wait a minute.

13 MR. MARKHAM: I think the notebook should be admitted
14 in evidence at this time.

15 THE COURT: No. Not at this time. You may not
16 interrupt the cross-examination for that purpose. When you want
17 to offer it, I'll consider the offer, but not now.

18 You may proceed.

19 A. My answer was yes.

20 BY MR. WALKER:

21 Q. All right. And once -- you closed the -- if you want to
22 look at the notebook.

23 Did Ms. Steinberg from time to time write things --
24 well --

25 A. If you're asking me about this as an example if I had it

1 open --

2 THE COURT: Wait a minute.

3 THE WITNESS: Excuse me.

4 THE COURT: State your question.

5 BY MR. WALKER:

6 Q. Did she write stuff about music, mathematics, literature,
7 things of that sort --

8 A. Yes.

9 Q. -- in her notebooks from time to time?

10 A. Sure. Well, I see --

11 THE COURT: Wait. Wait.

12 MR. WALKER: No, no.

13 THE WITNESS: I'm sorry.

14 THE COURT: Next question.

15 BY MR. WALKER:

16 Q. Did the organization have some thoughts about mathematics?

17 A. Yes.

18 Q. And what was that? What kinds of things were talked about,
19 about mathematics in the organization?

20 A. Well, various things at various times. About around the
21 time when I left the organization, it had hit upon the idea of
22 the Golden Section as having some crucial relationship to the
23 structure of the universe. This is a characteristic idea that
24 shows up in Renaissance and other sorts of writers, and the
25 organization sort of hit upon it as its new discovery at that

1 time. So that was one of the organization's minor
2 preoccupations.

3 Q. Did Mr. LaRouche think of himself as some kind of
4 mathematician?

5 A. Well, Mr. LaRouche thought of himself as a universal genius;
6 and since mathematics is a subject about which universal
7 geniuses think, he thought himself a mathematician.

8 Q. Did he have any training in mathematics besides high school
9 algebra?

10 A. Well, he didn't even finish his first term in college, so my
11 guess would have to be no.

12 Q. But it didn't stop him from speaking about this subject at
13 some length?

14 A. Nothing stopped him from speaking about almost any subject,
15 no.

16 Q. And did the organization have ideas and feelings about
17 music? Was that of special concern to them?

18 A. Yes, it did.

19 Q. And could you explain that? What kinds of music and what
20 sorts of ideas?

21 A. Well, the organization valued classical music, or at least
22 represented itself as doing so, and it wanted to associate its
23 ideas and activities in some way with the practices and ideas
24 and ideals of some of the greatest classical musicians.

25 Q. And in what way did it in its behavior follow the ideas of

1 some of the greatest classical musicians?

2 A. Well, I don't agree that the organization did that.

3 Q. Well --

4 A. But -- so -- I'm sorry, I'm not trying to be difficult.

5 Q. In what way did it claim to be doing that?

6 A. Well, it claimed to be -- to understand the inner workings
7 of the mind of Beethoven or Bach and that it and it alone knew
8 the significance of Beethoven and Bach, that it and it alone
9 understood how Beethoven and Bach could be interpreted.
10 Unfortunately, they didn't have any people who really were good
11 enough musicians to do it; but if they did have such people,
12 that they would be the people who would really be doing the
13 right interpretations, that kind of thing.

14 They wanted to seize upon, you know, monuments of human
15 achievement and somehow make them their own, as part of Mr.
16 LaRouche's sense that he was a universal genius. And so they
17 would sort of like say, "Beethoven, that's us; Georg Kantor, a
18 great mathematician, that's us; da Vinci, that's us," et
19 cetera. So they had those kinds of thoughts about these
20 marvelous people.

21 Q. And Mr. LaRouche thought of himself, did he not, as a very
22 cultured figure, a Renaissance man, if that's the proper term?

23 A. Yes.

24 Q. Now, when you were working on the NBC case in which
25 Mr. LaRouche sued NBC for libel, did you have occasion to read

1 any depositions that members -- attend or read any of the
2 depositions that members of the organization made?

3 A. I read a number of the depositions. I don't recall -- I did
4 not attend any of the depositions of members of the
5 organization.

6 Q. Now, a deposition, just -- is a -- is a --

7 MR. MARKHAM: If --

8 MR. WALKER: I'm having trouble articulating the
9 obvious.

10 MR. MARKHAM: I'd be happy, if I may, to offer a
11 stipulation.

12 Q. Well, a deposition --

13 MR. WALKER: Excuse me.

14 THE COURT: Go ahead.

15 Q. A deposition is usually a proceeding in a lawyer's office in
16 so-called civil -- when one person sues another or one company
17 sues another where statements can be taken and recorded by a
18 Court Reporter from possible witnesses in the case, is that not
19 correct?

20 A. That's my understanding.

21 Q. All right. Now, did you read Mr. Jeffrey -- did Mr. Jeffrey
22 Steinberg give a deposition in that case that you read?

23 A. Yes, he did.

24 Q. And were there statements in Mr. Steinberg's deposition
25 which were false?

1 A. There was one that I recall. I have not reviewed his
2 deposition. In fact, I never reviewed his deposition. I read
3 it at that time and I base my -- my understanding of it on that
4 one reading, that one reading of it, yes.

5 Q. And so in your opinion or from what you know there were
6 false -- there was at least one false statement by Jeff
7 Steinberg?

8 A. There was at least one false statement that I recall, yes.

9 Q. Okay. Now --

10 MR. WALKER: Strike the "okay," your Honor. Excuse me.

11 Q. Did you ever talk to members of the organization, including
12 Mr. LaRouche, about a situation which had occurred in which
13 there was a confrontation between a member or members of the
14 organization and Dr. Henry Kissinger and his wife?

15 A. There are a number of such confrontations I recall, yes.

16 Q. Okay. Were you by any chance at a gathering at a high
17 school in New York where Mr. LaRouche spoke to his followers at
18 one point and discussed -- possibly discussed this matter?

19 A. I was present for many conferences and other meetings of the
20 organization in which Mr. LaRouche discussed various things.

21 And when you say "this matter," I presume you mean the
22 confrontation with Henry Kissinger. And I just don't know if I
23 was there in the room when he talked about that at that time.
24 I've heard him say things about it, but I don't know if I was
25 there at that time.

1 Q. All right. What did Mr. LaRouche say about any incident
2 involving members of his organization and Henry Kissinger?

3 A. Well, he applauded -- well, the -- he was very happy to see
4 that members were lashing out at Henry Kissinger, demonstrating
5 hostility to Henry Kissinger and accusing Henry Kissinger in
6 particular of being a child molester.

7 Q. And did he refer to a particular incident which may have
8 happened at an airport somewhere?

9 A. Yes, he did, or I have heard him make that reference.
10 Again, you mentioned this particular speech, and I'm not sure I
11 was in the room at that time.

12 Q. Well, what was the situation at the airport that
13 Mr. LaRouche later spoke about and congratulated somebody for?

14 A. A member of the organization -- a former member of the
15 organization -- approached Mr. Kissinger, who was traveling at
16 that time with his wife, Nancy Kissinger, and asked
17 Mr. Kissinger if he was still sleeping with little boys at the
18 Carlisle Hotel.

19 Q. And what did you hear that Mrs. Kissinger did as a result of
20 that?

21 A. Well, according to news reports as well as what I heard,
22 Mrs. Kissinger turned around and hit her.

23 Q. Hit who?

24 A. Hit the member of the organization who had made this -- who
25 had asked this -- who had made this remark.

1 Q. And what was the name of the member of the organization?

2 A. Her name was Ellie Fisch, F-i-s-c-h.

3 Q. And then did you hear that Ms. Fisch did something as a
4 result of being hit by Mrs. Kissinger?

5 A. Yes.

6 Q. What --

7 A. She did do something.

8 Q. What was that?

9 A. That was that she sued Mrs. Kissinger for assault.

10 Q. Or she attempted to have a -- is it fair to say --

11 A. I'm sorry. That's correct. She attempted to have charges
12 pressed against Mrs. Kissinger for assault. You don't sue for
13 assault, I guess.

14 Q. And you heard Mr. LaRouche saying congratulatory things
15 about Ms. Fisch's behavior?

16 A. Oh, absolutely, yes.

17 Q. You mentioned a fellow called Mordechai Levy, and he was one
18 of these people that fed real or supposed information to the
19 Security staff?

20 A. Mm-hm.

21 Q. Did you ever have discussions with Mr. LaRouche about any --
22 about Mr. Levy's role in the NBC case as a witness or a possible
23 witness?

24 A. Oh, I didn't have -- I don't recall that I had any
25 discussions with Mr. LaRouche on that topic directly.

1 Q. Now, is it fair to say that Mr. LaRouche's organization was
2 fairly constantly involved in lawsuits, suing people?

3 A. Yes.

4 Q. All right. And is it also true that Mr. LaRouche felt that
5 he couldn't trust lawyers or he could handle lawsuits better
6 than lawyers?

7 A. Oh, absolutely.

8 Q. All right. So if there was a legal situation, Mr. LaRouche
9 could take charge and he would do what had to be done and he
10 thought he could do it better than the lawyer?

11 A. Yes, sir.

12 Q. Do you remember or were you present at any time when Jeffrey
13 and Michele Steinberg discussed telephone calls that they claim
14 to have made to a man by the name of Charles Steele?

15 A. Yes.

16 Q. And where did that discussion take place?

17 A. It took place in the offices of the Security staff at the
18 New York City office on West 58th Street.

19 Q. And what were those discussions?

20 A. Well, essentially they had arrived a bit late that morning
21 and members of the staff were awaiting their arrival to begin
22 our daily meeting. I mentioned we had daily meetings, meetings
23 a couple times a day.

24 So when they arrived, they apologized for being late;
25 and they said that the reason that they were late was because

1 Mr. Charles Steele, an attorney or counsel for the Federal
2 Elections Commission, had been receiving late-night phone calls
3 and had received threats on his life very, very late at night;
4 and that even though they were kind of late that day, they were
5 sure that Mr. Steele's day was going to be even worse and that
6 he had slept even worse and had gotten less sleep. And they
7 made it clear by this kind of elliptical fashion that they had
8 made these telephone threats to Mr. Steele and, moreover, that
9 they felt that they should be congratulated and that we should
10 be -- we should excuse them for their lateness.

11 Q. And Mr. Steele was a lawyer for a federal agency who had
12 been having some disagreements -- which agency had been having
13 some disagreements with Mr. LaRouche about campaign problems?

14 A. Yes, that's correct.

15 Q. And did you ever hear Mr. LaRouche congratulate the
16 Steinbergs for their activity in this regard?

17 A. No, I did not.

18 Q. Incidentally, this kind of thing -- when this sort of thing
19 happened other than to other members of the Security staff, the
20 Steinbergs would not go out announcing that they had made
21 threats on people's lives?

22 A. Oh, no.

23 Q. Now, was there a time -- was there a man that used to work
24 for the organization by the name of or at least the nickname of
25 Tony Axios, A-x-i-o-s?

- 1 A. Well, that's not his name.
- 2 Q. What is it?
- 3 A. There's a person who is -- I suppose you're speaking of Gus
4 Axios.
- 5 Q. All right.
- 6 A. Is that the name that you're -- is that the person --
- 7 Q. Maybe I have the -- I'm sorry. Excuse me. Was there a
8 person by the name or alleged name of Axios that worked for the
9 organization?
- 10 A. That was a pseudonym, yes. There was such a person.
- 11 Q. What was his real name, please?
- 12 A. Costas Kalingtis. C-o-s-t-o-s or t-a-s, I guess. And the
13 last name is K-a-l-i-m-g-t-i-s.
- 14 Q. So it was to everyone's advantage to call him Axios, I take
15 it.
- 16 A. Actually, we usually called him Gus and that simplified the
17 matter even more.
- 18 Q. Who was Gus?
- 19 A. He was the second in command in the organization. He was --
20 he was called the organization's chief of staff and he was many,
21 many times acclaimed by Lyn as his chief follower and supporter,
22 as the person whose business it was to run the organization, as
23 his very, very distinct second in command.
- 24 Q. Did he leave the organization at one point?
- 25 A. Yes, he did.

1 Q. And when was that?

2 A. I believe that was in 1980.

3 Q. And was Mr. LaRouche happy about that fact or not happy
4 about that fact?

5 A. Well, Mr. LaRouche -- he left the organization after
6 Mr. LaRouche accused him, baselessly, of stealing a million
7 dollars, among other crimes, from the organization. So
8 Mr. LaRouche was very, very angry with the entire situation
9 and --

10 Q. Did -- I'm sorry.

11 A. I'm sorry. Go ahead.

12 Q. All right. Did Mr. LaRouche ever instruct after -- excuse
13 me. Strike that.

14 After Gus left the organization, did Mr. LaRouche ever
15 instruct members of the staff or organization to contact
16 Mr. Axios?

17 A. Yes.

18 Q. And when did that happen and what did Mr. LaRouche tell them
19 to do?

20 A. I don't recall the exact date. The general time frame was
21 during the period when Mr. LaRouche was very concerned about the
22 NBC show that I mentioned previously, the NBC First Camera show,
23 and one or another of the organization's informants had told the
24 organization that Mr. Axios had participated in helping to make
25 the show and had been taped for use on the show denouncing the

1 organization and so forth. Whether or not this is true, I to
2 this date do not know.

3 When Mr. LaRouche got this information, he -- or around
4 the time he got this information, he came downstairs to the
5 security area in his home at Woodburn and he ordered members of
6 the Security staff to call Gus Axios -- Costas Kalimgtis -- at
7 his home and threaten his life.

8 Q. And what happened as a result of Mr. Larouche's order?

9 A. Well, several members called him up and threatened his life.

10 Q. And who were those members?

11 A. One was William Salisbury, a member of the organization's
12 Security staff.

13 Q. Do you remember any of the others?

14 A. Yes. Another was Rick McGraw.

15 Q. Was Mr. LaRouche present when these calls were made?

16 A. Yes, he was.

17 Q. And did he ask you to make one of these calls?

18 A. Yes, he did.

19 Q. And in what way did he ask you to make the call?

20 A. He ordered me to threaten his life in ancient Greek.

21 Q. Now, just to go back a bit, you're a college graduate?

22 A. No, in point of fact I'm not. I shall be, I suppose, in the
23 fairly near future, I hope.

24 Q. Have you attended college?

25 A. Yes.

1 Q. And what did you study in college?

2 A. My two principal areas of study were philosophy and ancient
3 Greek and Greek civilization.

4 Q. So you've studied Greek for some number of years?

5 A. Yes, I have.

6 Q. And why did Mr. LaRouche ask -- well, could you have written
7 up the words -- from your knowledge of ancient Greek written up
8 words which would have constituted a threat?

9 A. I suppose I could have come up with one or two such words.
10 It isn't really -- death threats are not a staple of ancient
11 Greek literature except in the context of combat between heroes
12 in battle. So I would have been hard pressed to -- I would have
13 been at a loss for words quite literally, but I could have said
14 one or two things.

15 Q. Why did Mr. LaRouche ask you to threaten to kill Mr. Axios
16 in ancient Greek?

17 A. Well, Mr. LaRouche believed that Mr. Axios put a great
18 premium on knowledge of ancient Greek and had difficulty in
19 learning or studying ancient Greek. I don't think he is a Greek
20 -- he is not a Greek national. He was born in the United
21 States, but his parents are Greek, as you might have surmised
22 from the name.

23 In any case, LaRouche expressed the view that Axios
24 would feel shamed and mortified, you know, by being confronted
25 with someone who could speak ancient Greek and threaten his life

1 in ancient Greek when he had had so much difficulty learning the
2 language.

3 Q. So is it fair to say not only was -- Mr. LaRouche was trying
4 to humiliate Mr. Axios because he wasn't, I guess, when it came
5 to learning ancient Greek, he wasn't too bright, is that -- just
6 wasn't that good at it?

7 A. Well, I -- well, I want to point out that very bright people
8 have difficulty in studying ancient Greek.

9 Q. Well, I didn't mean --

10 A. But yes, he wanted to humiliate as well as to frighten and
11 punish Mr. Axios for his outrages of daring to criticize him and
12 take exception to his conduct of the organization.

13 Q. And did you refuse?

14 A. Yes.

15 Q. Why did you refuse?

16 A. It was disgusting. I wasn't going to call Gus Axios and
17 threaten his life. It's a crime. Gus Axios had done nothing to
18 deserve that kind of treatment. I mean, this was long after I
19 -- this was well after I had ascertained that Mr. LaRouche was
20 unstable, that his conception of the universe was almost
21 entirely delusional. And I certainly wasn't going to commit
22 crimes nor was I going to try to injure a person who would --
23 injure someone to gratify Mr. Larouche's, you know, florid
24 manifestations of hostility.

25 Q. Did you get into an argument with Mr. LaRouche?

1 A. No.

2 Q. You just refused to --

3 A. I just said no. He said I was a coward or something of that
4 sort.

5 Q. Did you once get into an argument with Mr. LaRouche about
6 some subject?

7 A. Yes.

8 Q. And what was that about?

9 A. Well, the topics were Mr. Larouche's beliefs about ancient
10 Egyptian history and also about the origins of the Arian race.

11 Q. And did he and you have some difference of opinion about
12 some matter --

13 A. Yes.

14 Q. -- in Egyptian history?

15 A. Yes.

16 Q. And did you get into a violent argument as a result?

17 A. Well, I think a fair characterization is that he got into a
18 violent or heated argument and I tried simply to call to his
19 attention certain facts documented beyond possible contest about
20 Egyptian history in particular. I also asked him if he could
21 give me some source for his repeated assertion that the Arian
22 race came from the North Pole in approximately the year
23 40,000 BC, at which point he looked at me and said I was the
24 most blocked person he had ever spoken to or something of that
25 sort and left the room, psychologically blocked, unable to

1 think, unable to comprehend.

2 Q. Now, Mr. Tate, in your early days in the LaRouche
3 organization were you -- you were involved in handing out
4 leaflets and demonstrating against the Communist party, were you
5 not?

6 A. Well, actually I was not active in the organization in
7 1972. This was the chief period of time during which the
8 organization was active against the Communist party. So as it
9 happens, no.

10 Q. Well, were there situations in which people would come to
11 places where you were, for example, in Philadelphia, engaged in
12 handing out literature, and accuse the organization of being
13 communists?

14 A. Yes.

15 Q. And what was your -- what would you tell them to do?

16 A. Well, the people who were accusing the organization of being
17 communists would be told to get lost. If they didn't get lost,
18 you know, there would be trouble and that sort of stuff.

19 Q. What if they didn't get lost? What if they stayed around?

20 A. Well, on at least some occasions or at least two occasions
21 that I knew of in the Philadelphia area, efforts were made to
22 entice persons into uneven fist fights in which they would be
23 very severely beaten.

24 Q. Were you involved in those efforts to entice those people
25 into those situations?

1 A. As it happens, no, I was not.

2 Q. Well, Mr. Tate, did you testify before the grand jury in
3 this proceeding on September 29, 1986?

4 A. I don't recall the exact date, but that's probably about
5 right, sure.

6 Q. Okay.

7 Q. May I show you a document and ask you if this is a
8 transcript of your testimony.

9 A. Yes, this is a transcript of my testimony.

10 Q. Did you say on page 62 of the transcript:

11 "Now and again with my experience in the field
12 working when I was in Philadelphia years ago if
13 somebody was a persistent nuisance at a distribution
14 site and somebody said, 'These people are communists,'
15 et cetera, we would usually after telling them to get
16 lost and this and that and the other, we would usually
17 arrange to ambush them and beat them rather severely to
18 keep them from doing it."

19 Did you say that or not?

20 A. Yes, I did.

21 MR. WALKER: No further questions, your Honor.

22 THE COURT: All right. Redirect.

23 MR. MARKHAM: Yes, your Honor.

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REDIRECT EXAMINATION

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BY MR. MARKHAM:

Q. By "we," did you mean yourself personally?

MR. WALKER: Objection, your Honor. Leading question.

THE COURT: Overruled.

Q. By "we," did you mean yourself personally?

A. No. I meant the organization. I was told that these things were going to be done. I was aware that they had been done.

The people who were selected for these victimizations -- for these brutalizations didn't do it anymore. And it was on the basis of that direct account to me that I base that statement.

When I say "we" in that statement, I'm talking about the organization. As it happened, I was not involved in those incidents personally.

Q. Mr. Walker asked you --

MR. WALKER: If your Honor please, I object to that.

THE COURT: To what?

MR. WALKER: Well --

THE COURT: You mean to a question beginning "Mr. Walker asked you"?

MR. WALKER: Yes, your Honor. I thought there was something in the Court's order about that, the order regulating trial.

THE COURT: No, no.

MR. WALKER: I'll withdraw it, your Honor.

1 THE COURT: No.

2 BY MR. MARKHAM:

3 Q. Mr. Walker asked you if it was a fair characterization that
4 Mr. LaRouche was totally preoccupied with assassination attempts
5 against him.

6 A. That's correct.

7 Q. Was Mr. LaRouche that preoccupied?

8 A. Yes.

9 Q. And with whom did he have most frequent discussions about
10 that concern?

11 A. With his Security staff.

12 Q. While you were on it?

13 A. Yes.

14 Q. And with whom did the Security staff have their most
15 frequent discussions about that concern?

16 A. Well, there were a variety of people with whom the Security
17 staff discussed this concern, but Mr. Frankhauser was certainly
18 a person with whom that concern was discussed most often outside
19 of the actual organization.

20 Q. Now, you mentioned in answer to Mr. Walker's questions some
21 other sources that the Security staff dealt with, is that
22 correct?

23 A. That's correct.

24 Q. Baron?

25 A. That's one.

1 Q. Morty?

2 A. Yes.

3 Q. Juval?

4 A. Yes.

5 Q. And Murdock?

6 A. Yes.

7 Q. Now, how frequently were any of those sources called in
8 comparison to how frequently Mr. Frankhauser was called?

9 A. Well, no one was called more than Mr. Frankhauser.
10 Mr. Murdock at his highest point might have been called nearly
11 as often and the others only episodically, only when there was a
12 particular topic of interest in their area.

13 Q. Now, Mr. Walker also asked you whether LaRouche had
14 indicated that he sent messages to the CIA.

15 A. Yes.

16 Q. By whom?

17 A. The messages were communicated from the Security staff to be
18 sent to the CIA through Mr. Frankhauser.

19 Q. Mr. Walker asked you if Mr. LaRouche expressed a belief that
20 he had aided the CIA.

21 A. Yes, he did.

22 Q. And how did Mr. LaRouche express that belief to you that he
23 had aided the CIA?

24 A. Well, he expressed the belief that, first of all, in the
25 period in which the CIA had suffered staff diminution,

1 particularly in the covert operations area, that the
2 organization -- the Security staff stood ready to fill the gap
3 by providing intelligence so-called on terrorists, leftists and
4 other persons whom Mr. LaRouche regarded as enemies both of the
5 United States and of himself. And this information was to be
6 communicated to the CIA through a number of channels, not the
7 least of those being -- in fact, the most commonly approached of
8 those being Mr. Frankhauser.

9 Q. Now, were you ever at briefings at which either Jeff
10 Steinberg or Michele Steinberg were giving the daily briefing to
11 LaRouche from their notebooks?

12 A. Yes.

13 Q. Were there ever occasions when during those briefings they
14 did not mention Mr. Frankhauser?

15 A. Yes.

16 Q. Did Mr. Frankhauser ever have a response on those occasions?

17 MR. WALKER: "Mr. LaRouche"?

18 MR. MARKHAM: I'm sorry.

19 Q. Did Mr. LaRouche ever have a response on those occasions
20 when they had not mentioned Mr. Frankhauser in their briefing?

21 A. Yes.

22 Q. What was that response?

23 A. Well, sometimes if he had not gotten the report he would
24 ask, "Get to Roy." He would say, "Find out what Roy has to
25 say. Get to Roy and the boys."

1 Q. And by "the boys," did he ever communicate to you who he was
2 speaking about?

3 A. By "the boys" he meant the -- variously the CIA and the
4 whole bunch of intelligence agencies which that was supposed to
5 be tied into.

6 Q. Now, when you were writing in your notebooks, did you always
7 note the source from whom you were receiving the information?

8 A. As a general practice, yes.

9 Q. Why?

10 A. Well, because, as I mentioned, these notebooks contained
11 source reports. That was the importance of the notebooks as
12 their primary constituent. We wanted to have actual means of
13 having source reports prepared so that they could be
14 communicated to Mr. LaRouche and others and so they could be
15 evaluated as to the credibility of the source, its reliability,
16 its completeness and so on.

17 Q. You indicated that some of the perimeter guards, the actual
18 hired cops around Mr. Larouche's headquarters, made statements
19 suggesting that they didn't take LaRouche's security threat
20 seriously?

21 A. That's correct.

22 Q. Did you ever hear any such statements from Jeff Steinberg?

23 A. No.

24 Q. Michele Steinberg?

25 A. No. Now and again an individual threat would come on --

1 come up. Maybe one out of 20 which would be discounted. But

2 no.

3 Q. How about the other 19 of the 20?

4 A. No.

5 Q. And did they express their belief as to whether these were
6 serious?

7 A. Absolutely. The most serious possible thing in the world.

8 Q. And who did they turn to most frequently for advice on these
9 threats?

10 A. To Mr. Frankhauser.

11 MR. MARKHAM: Nothing further.

12 MR. WALKER: I just have one question, your Honor, just
13 a line of questions on that.

14 THE COURT: All right.

15 RE-CROSS-EXAMINATION .

16 BY MR. WALKER:

17 Q. Of course, Mr. Steinberg if he didn't take something

18 seriously -- if he really thought it was a joke, this threat on
19 LaRouche, he wasn't about to say that, was he?

20 A. Well, as I mentioned, I don't really recall a specific
21 instance, but now and again he would discount information coming
22 from one or two other sources. He seldom or never discounted
23 such information coming from Mr. Frankhauser.

24 Q. He never stated that he didn't believe Mr. Frankhauser, did
25 he?

1 A. He never stated that he --

2 Q. Disbelieved.

3 A. He never stated any disbelief in what Mr. Frankhauser said.

4 Naturally, he sometimes stated that he felt that it wasn't

5 adequate, that Mr. Frankhauser had not gotten enough

6 information, that he had not done enough homework and had not

7 talked to enough of his sources. So that he sometimes felt that

8 it was incomplete, but he never failed to take it seriously.

9 Q. Did Goldstein ever make any statements about Frankhauser in
10 which he stated he didn't take something seriously?

11 A. Well, occasionally one would hear Goldstein literally

12 screaming on the telephone that Frankhauser had not done enough,

13 that he hadn't, you know, made enough of an effort. But I mean,

14 he never looked -- to my knowledge at least, he never expressed

15 to me the belief that Mr. Frankhauser's information with respect

16 to assassination threats was not to be taken seriously.

17 Q. Was there some information that came from Mr. Frankhauser

18 that Mr. Goldstein did say should not be taken seriously?

19 A. Well, not so much information as analysis. Now and again

20 Mr. Frankhauser would be reported as having provided strategic

21 analysis in some sort of situation, and this would often be

22 dismissed as, you know, that Roy was not a competent enough

23 strategic thinker as opposed to field agent to provide this kind

24 of highly sophisticated -- to provide a reading on highly

25 sensitive matters such as strategic policy or something of that

1 sort. So sometimes that kind of analysis would be discounted
2 but not, to my recollection, ever anything pertaining to the --

3 Q. Threats?

4 A. -- to the threats on Mr. Larouche's life.

5 Q. On this analysis did Mr. Goldstein ever call
6 Mr. Frankhauser's reports or information garbage or did he ever
7 ridicule them?

8 A. Oh, well, Mr. LaRouche calls everything -- well,
9 Mr. LaRouche ridicules almost everything at one time or another
10 and almost everyone around him has been the victim of his
11 personal ridicule. And "garbage" is usually the mildest term.
12 And in that sense now and again, I mean, I mentioned I think in
13 earlier testimony one of the characterizations he made of
14 Mr. Frankhauser. And now and again Mr. Frankhauser was
15 characterized in those belittling ways as all the rest of us
16 were.

17 Q. I was talking about Goldstein. You were talking about
18 Mr. LaRouche.

19 A. I'm sorry. I misheard your question.

20 Q. Did Goldstein ever say Mr. Frankhauser -- anything on
21 information or analysis -- did he use the term garbage or other
22 derogatory remarks about Mr. Frankhauser's strategic analysis or
23 whatever it was?

24 A. I don't remember that specific word. But --

25 Q. Words of that --

1 A. It fits with my recollection of some of his
2 characterizations, yes.

3 Q. If Mr. Steinberg, for example, or if Mr. Goldstein thought
4 in their own minds that something that Mr. Frankhauser was
5 supposed -- was feeding him about an assassination attempt was
6 actually a joke, he certainly wouldn't have told anybody he
7 thought it was a joke, would he?

8 A. Well, I don't know. Certainly in one or two other cases
9 with one or two other sources there would be the occasional
10 assassination threat that would not be taken quite so seriously.
11 And, for example, at a certain point Mordechai Levy's
12 assassination threats became just a bit too baroque, just a bit
13 too ornate for anybody to take too seriously; and then we sort
14 of kidded about them. But Mr. Frankhauser -- to the best of my
15 knowledge, Mr. Frankhauser's assassination threats always seemed
16 to the Security staff much more plausible and were always taken
17 very seriously. I'm sorry. I don't mean that he made the
18 threats, but the reports he made of assassination threats.

19 Q. This is despite the fact that no KGB agents ever did come
20 into the place down in Virginia or anywhere else to assassinate
21 Mr. LaRouche?

22 A. Well, it's true that these are highly credulous people; they
23 obviously have no evidence for the conclusions that they draw,
24 yes. But in spite of the total absence of any evidence, the
25 lack of plausibility of these crazy ideas and so forth, in spite

1 of it all, they continued to believe.

2 Q. But, well, except if they didn't believe, if they actually
3 had some -- you yourself had some doubts towards the end about
4 whether Mr. LaRouche was going to be assassinated or whether
5 anyone gave a nickel about Mr. Larouche's -- assassinating
6 Mr. LaRouche, right?

7 A. That's correct. And that's why I left the organization.

8 Q. Right. But you didn't tell anybody when you had these
9 doubts.

10 A. Well, no. That's true. I didn't tell anybody because the
11 organization discourages doubt in the strongest possible way.

12 MR. WALKER: I have no further questions, your Honor.

13 THE COURT: Let me see counsel at the side bar for a
14 moment.

15 MR. MARKHAM: May this witness be excused, your Honor?

16 THE COURT: Yes. You may step down. Thank you.

17 (Witness excused)

18 (SIDE BAR CONFERENCE...)

19 THE COURT: We obviously don't have time for any more
20 testimony. I just wanted to ask whether you had conferred about
21 what I say to the jury about the --

22 MR. MARKHAM: If I could be heard very briefly. I have
23 one witness that I am going to ask not more than 15 questions.
24 He's been up here for several days. I thought we were going
25 until 1:30. Is it possible -- are we going only until 1:15?

1 THE COURT: 1:15 is our standard. And I have all kinds
2 of other things. I can't extend it today. It's out of the
3 question.

4 MR. MARKHAM: All right.

5 THE COURT: Now, do you want me to say something
6 about --

7 MR. WALKER: I would ask for what the Court suggested
8 this morning, your Honor.

9 MR. MARKHAM: Well, the thing about -- I would ask that
10 the Court simply say -- explain that there is a standing order
11 not to read anything or listen to anything about the case and
12 not that one thing was specifically --

13 THE COURT: I'm not going to mention anything
14 specifically. I'm just going to tell them that it has come to
15 my attention that not only is there a lot of publicity about the
16 case but that some of it has included in it reports purportedly
17 factual that are erroneous, and it simply illustrates the point
18 that I make that it would be unfair for the jury to get any
19 information from any other source than right here and I'm
20 emphasizing again that instruction.

21 MR. WALKER: Thank you, your Honor.

22 THE COURT: All right.

23 ...END SIDE BAR CONFERENCE)

24 THE COURT: Members of the jury, in light of the hour
25 we will not start another witness today. But before I release

1 you, I do want to say something more about my instructions to
2 you about protecting your impartiality and to make a couple of
3 additional points just to emphasize the instructions.

4 It has come to my attention that there has been a
5 substantial amount of publicity about this case and that among
6 the reports that have occurred in the press there are reports
7 purportedly of facts that are just plain wrong. I mention it to
8 you only to illustrate the point that, of course, it would be
9 totally unfair for a juror to be influenced in any way by any
10 information about the case other than that which comes to you
11 right here in the courtroom. And I have given you instructions
12 before to do everything in your power to avoid hearing anything
13 either on news reports or in comments by anybody to you about
14 news reports or comments in any other way about the case, and I
15 just want to underscore those instructions again.

16 Do not allow anybody to talk with you about the case in
17 any way. Do not listen to, read or watch any news reports of
18 any kind about the case. If, despite your best efforts, you do
19 hear something about the case, then, of course, I ask you to
20 report it to me. But do not say anything about it to any other
21 members of the jury. Do not say anything about the fact that
22 you have had any such information come to your attention in any
23 way.

24 In other words, all I'm doing is just underscoring
25 again how important it is to a fair trial that you learn about

1 the case only right here in the courtroom as you are listening
2 to evidence received under the instructions of the Court and
3 protect yourselves against learning anything from any other
4 source.

5 All right. We will now be in recess until 9:30
6 tomorrow morning. You may be excused for the day.

7 (The jury left the courtroom at 1:12 p.m.)

8 THE COURT: We'll be in recess.

9 (Recess at 1:12 p.m.)

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I N D E X

Witnesses	Direct	Cross	Redirect	Recross
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<u>CHARLES TATE, resumed</u>				
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(By Mr. Markham)	9		110	
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(By Mr. Walker)		17		115
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E X H I B I T S

Number	For ID	In Evidence
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Deft. 201		19
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Deft. 202		36
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Deft. 203		38
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UNITED STATES OF AMERICA)
DISTRICT OF MASSACHUSETTS) ss.
CITY OF BOSTON)

I, Linda M. MacDonald, Official Reporter, do hereby certify that at the time and place aforesaid I reported stenographically the proceedings had in UNITED STATES OF AMERICA versus ROY FRANKHAUSER, CR 86-323-K, and that the foregoing record is a true and accurate transcript of the proceedings taken therein, to the best of my knowledge, information and ability.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of November, 1987.

Linda M. MacDonald
Registered Professional Reporter
Official Federal Reporter