

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS

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4 UNITED STATES OF AMERICA,
5 Plaintiff

6 VS.

7 ROY FRANKHAUSER,
8 Defendant

:
:
: CRIMINAL DOCKET

:
: NO. 86-323-K
:
:

9 CRIMINAL JURY TRIAL
10 FIFTH DAY

11 BEFORE THE HONORABLE ROBERT E. KEETON
12 United States District Judge

13 Courtroom 14
14 U.S.P.O. & Courthouse
15 Boston, Massachusetts
16 Wednesday, November 4, 1987

17 A P P E A R A N C E S

18 FOR THE PLAINTIFF

19 John J.E. Markham II, A.U.S.A.
20 Mark Rasch, D.O.J. Attorney

21 FOR THE DEFENDANT

22 Owen Walker, Federal Defender
23
24
25

1 P R O C E E D I N G S

2 (Court convened at 9:32 a.m.)

3 THE COURT: Good morning.

4 MR. MARKHAM: Good morning.

5 THE COURT: Wait a minute. Did Mr. Walker step out?

6 MR. MARKHAM: Yes, I believe he did. I know where he
7 is. May I go get him?

8 THE COURT: All right.

9 (Pause)

10 MR. MARKHAM: Your Honor, there are two very brief
11 matters that we'd like to raise. I have one and I believe
12 Mr. Walker has one. Mine is in trying to determine order of
13 witnesses and questioning, I would like, if I can, to know if
14 the Court is inclined after reviewing Judge Young's order and
15 the memorandum submitted yesterday by Mr. Moffitt to order
16 delivery of the notebooks because --

17 THE COURT: All right. Mr. Moffitt is present. I will
18 tell you both that I expect to have -- I do expect to allow the
19 order. I will have a memorandum available sometime today. If I
20 have an opportunity to --

21 MR. MOFFITT: Your Honor --

22 THE COURT: Yes.

23 MR. MOFFITT: I don't mean to interrupt the Court. I'm
24 sorry. I'll let you finish. But in light of Mr. Tate's
25 testimony yesterday with respect to certain aspects of these

1 notebooks, I would like the opportunity to be heard for about
2 ten minutes.

3 THE COURT: Well, all right. Now, we have some other
4 motions scheduled for 2:30 today. I think they are not -- as I
5 understand it, they are not substantial enough to occupy our
6 entire time. So I would suggest that I hear you at 2:30, and I
7 will withhold the entry of the order until I have heard you. I
8 will probably have it prepared and ready to enter unless you
9 persuade me --

10 MR. MOFFITT: I understand that, your Honor. But I --

11 THE COURT: So I'll see you at 2:30 on that.

12 MR. MOFFITT: Okay. Fine.

13 MR. MARKHAM: That's all that I had, your Honor.

14 MR. WALKER: Yes, your Honor. Mr. Markham kindly
15 enough brought to my attention in connection with our question
16 of the juror who had had the conversation with a friend that in
17 a recent Washington Post -- yesterday's, was it?

18 MR. MARKHAM: Yes.

19 MR. WALKER: -- apparently there was a statement that
20 said something to the effect that -- maybe Mr. Markham could
21 state it, but that Government officials said something to the
22 effect that if Mr. Frankhauser pleaded guilty, he would get a
23 reduced sentence if he told what he knew or something -- I'm
24 sorry. I just can't recall the --

25 THE COURT: All right. Now, let me make a suggestion

1 to you, that if you both wish it, I will say to the jury that it
2 has come to my attention that there has been substantial
3 publicity about this case, including some statements reported as
4 fact that are absolutely incorrect, and that this illustrates
5 why I give an instruction not to receive information about the
6 case from any other source. So that if it happens that anybody
7 has received any information, they will also be alerted to the
8 fact that there is some false information out there in the
9 press.

10 MR. MARKHAM: Well --

11 THE COURT: Now, if both of you are satisfied with my
12 doing that, I will do it and am happy to do it first thing this
13 morning if you wish it before we --

14 MR. MARKHAM: Could we confer about that over a break
15 before you do it? I know you're going to talk to them at the
16 end of the day, and it's safe that between now and the end of
17 the jury day they won't listen to anything else in the press.
18 I'd like to talk to Mr. Walker about a proposal for the wording
19 on it and see if we can agree on it.

20 THE COURT: All right. Do you have any problem with
21 that, Mr. Walker?

22 MR. WALKER: No. Fine, your Honor.

23 THE COURT: All right. Are we ready for the jury,
24 then?

25 MR. MARKHAM: We are.

1 THE COURT: Let's check. One juror was still missing a
2 moment ago.

3 You may return to the stand.

4 (Mr. Tate resumed the stand.)

5 (Pause)

6 THE CLERK: The juror is not here.

7 (Court conferring with the Clerk)

8 MR. WALKER: Your Honor, I have another very minor
9 matter.

10 THE COURT: All right.

11 MR. WALKER: As the Court knows -- maybe the Court does
12 not know -- Mr. Frankhauser is being lodged by Pretrial Services
13 at the Coolidge house, a halfway house for federal prisoners.
14 Frankly I haven't had time to complain about that and indeed,
15 Mr. Frankhauser at the moment just doesn't want to -- want me to
16 complain about that. They put him on a work detail in the
17 afternoon, keeps his mind off the case. There is a matter of
18 his getting lunch. And I have been actually making when I make
19 a sandwich for myself in the morning an extra one for
20 Mr. Frankhauser in the last couple of days.

21 Could somebody give him -- could Pretrial Services
22 provide him with -- he has \$14, he tells me. He needs that to
23 get back and forth on the subway and that kind of thing. Could
24 somebody give him --

25 THE COURT: Certainly. Why don't you confer with the

1 Pretrial Services. If you have any difficulty about it --

2 MR. WALKER: All right, your Honor.

3 THE COURT: -- then bring it to my attention and I will
4 give them any necessary order.

5 MR. WALKER: Thank you, your Honor.

6 (Pause)

7 MR. MARKHAM: May I raise another matter?

8 THE COURT: Yes.

9 MR. MARKHAM: I don't believe this has to be raised out
10 of the presence of this witness, does it, Mr. Walker?

11 MR. WALKER: I think maybe it should -- it doesn't
12 really matter as far as I'm concerned.

13 THE COURT: All right.

14 MR. MARKHAM: All right. The United States proposes
15 after Mr. Tate and after one very brief witness next in order
16 this morning to call three victims of the credit card fraud who
17 will testify that they did not lend monies which were taken by
18 -- one by Gelber, one by Park and one by Sanders. And we will
19 be introducing the fraudulent credit card slips having their
20 initials on them. I alerted Mr. Walker of this and he has
21 stipulated to the authenticity of the credit card slips but he,
22 I believe, has a question about the relevance of those witnesses
23 to this trial. And I thought since we're waiting for a juror we
24 could take care of that matter because if for some reason they
25 are not allowed, they are elderly, I'd like to tell them not to

1 come.

2 THE COURT: Yes. All right. Mr. Walker, do you want
3 to be heard on that?

4 MR. WALKER: Yes, your Honor. Well, a lot of this case
5 -- Mr. Small, as I understand it, Mr. Daniel Small, is going to
6 be here to testify that as a result of complaints received, an
7 investigation started into the fundraising and alleged fraud in
8 the fundraising by The LaRouche Campaign. The Court itself
9 admitted the -- or said the other day that it would admit
10 certain documents showing -- that tended to show the large-scale
11 extent of the matter.

12 THE COURT: Just a moment.

13 (Pause)

14 THE COURT: All right. Go ahead.

15 MR. WALKER: I don't see what is to be gained in this
16 trial other than possible prejudice to Mr. Frankhauser, who is
17 admitted to have nothing to do with this by the Government. I
18 don't see what the gain is of having three elderly people come
19 in to give -- to make the Government's case more sympathetic.
20 Indeed --

21 THE COURT: Well, not just more sympathetic; more
22 compelling on the evidence. The Government, after all, has the
23 burden of proof beyond reasonable doubt. It seems to me it's
24 quite relevant and quite material. So if the objection is on
25 grounds of lack of relevance or lack of materiality, I have to

1 overrule it.

2 MR. WALKER: Well, your Honor, it's also a -- what I'm
3 trying to get at is what I understood the Court's ruling to be
4 in relation to the WBZ-TV program, that the Court said that --
5 which is the same type of thing.

6 THE COURT: Very different problems there. There is
7 inadmissible evidence involved there.

8 MR. WALKER: Well -- your Honor, I think that the -- in
9 the sense that it was hearsay?

10 THE COURT: Mr. Walker, if you're raising a 403
11 problem, I understand that. But I just find that the probative
12 weight of the evidence in relation to the issues in the case
13 very significant in order to strengthen the Government's case,
14 as they're entitled to do, and the risk of any unfair prejudice
15 is quite minimal here. The only risk you have suggested is
16 sympathy for --

17 MR. WALKER: Yes, your Honor.

18 THE COURT: -- the victims.

19 MR. WALKER: Which are not the victims of this crime.

20 THE COURT: I understand.

21 MR. WALKER: Your Honor, the other -- and finally, your
22 Honor, if the Court -- the Court having indicated its position,
23 I don't see -- I can stipulate as to what their testimony would
24 be. It would save us time.

25 THE COURT: Well, I'll consider that. I'll consider

1 that. We'll take it up at the recess. It may be that if you --
2 I'm not sure about a stipulation as to what their testimony is.
3 If you stipulate the issue out of the case to which this is
4 quite relevant and material, that's a different matter. The
5 juror is here now, so we'll proceed and I'll give you an
6 opportunity to offer any stipulation that you wish to stipulate
7 to see whether that deals with the problem.

8 All right. The jury may be brought in.

9 (The jury entered the courtroom at 9:46 a.m.)

10 THE COURT: You may be seated.

11 Good morning, members of the jury.

12 THE JURY: Good morning.

13 THE COURT: You may proceed Mr. Markham.

14 CHARLES TATE, resumed

15 CONTINUED DIRECT EXAMINATION

16 BY MR. MARKHAM:

17 Q. Mr. Tate, do you understand that you're still under oath?

18 A. Yes, I do.

19 Q. Mr. Tate, did you ever observe any of the Security staff to
20 take any actions after Mr. Frankhauser had called in with one of
21 his reports?

22 A. Yes, I did.

23 MR. WALKER: Objection, your Honor.

24 THE COURT: Ground?

25 MR. WALKER: Well, your Honor, "after" is a -- that's a

1 fairly vague question.

2 THE COURT: Read the question back to me.

3 (The record was read as requested.)

4 THE COURT: The objection is overruled. You may answer
5 it "yes" or "no."

6 A. The answer is yes.

7 Q. All right. And how frequently did you have this
8 observation?

9 A. Many times.

10 Q. Can you describe one such occurrence where Mr. Frankhauser
11 called in and, after he called in, somebody on the Security
12 staff did or said something?

13 A. Well, the last such occurrence that I recall was on the last
14 day on which I was a member of the organization.

15 Q. When was that, again?

16 A. That was August 17, 1984. I received a phone call from
17 Jeffrey Steinberg --

18 MR. WALKER: If your Honor please, may we approach the
19 bench?

20 THE COURT: All right.

21 (SIDE BAR CONFERENCE....

22 MR. WALKER: If your Honor please, I don't know what
23 this is, but if it's 404(b) material, I should have been told
24 about it long before today.

25 MR. MARKHAM: It is not 404(b). I plan to as my last

1 area of inquiry establish through this witness that when
2 Mr. Frankhauser would call to tell him certain things, that he
3 would take certain actions based on what he said. And the
4 reason I'm doing this is because it's relevant to show --

5 THE COURT: What is the expected answer?

6 MR. MARKHAM: Well, the expected answer, I believe, has
7 to do with somebody trying to assassinate LaRouche and they had
8 to go and do something because Roy had called in to ask for an
9 assassination. I believe that's the last --

10 MR. WALKER: "To ask for an assassination"?

11 MR. MARKHAM: No. To warn them about an assassination
12 attempt. He was constantly worrying about it.

13 MR. WALKER: Oh, all right.

14 THE COURT: All right.

15 MR. MARKHAM: I believe that that's the one -- there's
16 no 404(b).

17END SIDE BAR CONFERENCE)

18 BY MR. MARKHAM:

19 Q. Do you have my question in mind?

20 A. Yes, I do.

21 Q. All right. What is the answer?

22 THE WITNESS: May I continue with the answer to the
23 previous question?

24 THE COURT: You may.

25 A. Let me start from the beginning, for clarity. On the last

1 day which I was a member of the organization, August 17, 1984, I
2 received a phone call from Jeffrey Steinberg. Jeffrey was in
3 Leesburg, Virginia or thereabouts and I was in the New York City
4 office. And Mr. Steinberg told me that he had received a call
5 from Mr. Frankhauser with the information that the brother --

6 MR. WALKER: I'm going to object, your Honor.

7 THE COURT: Overruled. You may answer.

8 A. Mr. Steinberg told me that he had received a call -- I'm
9 sorry, that he had received information from Mr. Frankhauser to
10 the effect that James Earl Ray's brother was involved in an
11 assassination plot against Mr. LaRouche. James Earl Ray, of
12 course, was the person who assassinated Martin Luther King. And
13 Mr. Steinberg instructed me to make a series of undercover phone
14 calls and whatever inquiries were necessary to establish the
15 whereabouts of the Ray brother to determine whether this was
16 true and so forth. That was only the final in a long series of
17 such -- the organization would call deployments -- such
18 assignments made on the basis of information received from
19 Mr. Frankhauser.

20 Q. How frequently did you observe the Steering Committee give
21 assignments such as the one you have just described based on
22 what they said was information they had received from
23 Mr. Frankhauser?

24 A. Oh, very often. At least several times a week.

25 Q. Now, did anybody on the Security staff ever use with you the

1 term "security screen"?

2 A. Yes, they did.

3 Q. Who used that term in conversations with you?

4 A. Well, most members of the Security staff at one time or
5 another, most specifically persons on the Security Steering
6 Committee, discussed with people such as myself, who were doing
7 shifts, the level of risk alleged to be involved for
8 Mr. LaRouche.

9 Q. I'm sorry. Did anybody on the Steering Committee ever tell
10 you who had told them of this security screen?

11 A. Yes. We were told by members of the Security staff Steering
12 Committee that the security screen, which was, we were
13 explained, a protection offered to Mr. LaRouche and his wife,
14 Helga Zeppe LaRouche, by various intelligence agencies,
15 including the CIA, was variously up or down or was halfway up or
16 was curtailed or was completely shot or whatever it might be.

17 This alleged screen was basically the description given
18 to us by Mr. Frankhauser of the degree of protection that other
19 agencies were providing to Mr. LaRouche sort of behind the
20 scenes while we were, you know, standing around the house with
21 guns and stuff.

22 Q. Now, Mr. Tate, were there times when you were told that the
23 security screen was at a higher level rather than a lower level?

24 A. Oh, yes. It was constantly going up and down like the
25 curtain in the theater.

1 Q. Did you ever get any explanations as to why the security
2 screen was down when it was down?

3 A. Well, the -- typically if it was -- if the screen was down
4 -- that is to say, if Mr. LaRouche was receiving enhanced
5 protection from our nation's intelligence services -- it was
6 because they had, according to Mr. Frankhauser, received reports
7 of impending terrorist or other activity against Mr. LaRouche.

8 If the screen was removed or was permeable at a given
9 point, we were sometimes told that it was because U.S.
10 intelligence was tied up with some other assignment, perhaps
11 protecting the Secretary of State on a European visit or
12 something of that sort. So there was usually some sort of
13 explanation that accompanied the ebb and flow of the so-called
14 security screen.

15 Q. And specifically, did you ever speak to Jeff Steinberg about
16 the security screen?

17 A. Yes.

18 Q. Did he ever tell you personally who had informed him of this
19 screen?

20 A. Well, in the reports --

21 MR. WALKER: Objection, your Honor.

22 THE COURT: Wait.

23 MR. WALKER: I object, your Honor. Hearsay.

24 MR. MARKHAM: It's not offered for the truth.

25 THE COURT: Objection overruled.

1 BY MR. MARKHAM:

2 Q. Did Mr. Steinberg ever tell you who was the origin of this
3 security screen advice?

4 A. Yes.

5 Q. Who?

6 A. Mr. Frankhauser.

7 Q. How frequently did he do so?

8 A. We received such advisements about as often as you listen to
9 the weather report. Every day for an extended period of time we
10 would be told, "The screen is up," "The screen is down," et
11 cetera, et cetera.

12 Q. Now, did you ever observe anybody on the Steering Committee
13 of the Security staff take any action on the basis of having
14 heard that the security screen was either up or down?

15 A. Yes.

16 MR. WALKER: Objection. Asked and answered.

17 THE COURT: Overruled.

18 Q. What actions?

19 A. Well, in some circumstances if we had received word that the
20 CIA, NATO and everybody else was momentarily not paying
21 attention to Lyndon LaRouche, we would sometimes add people to
22 the security shifts. We would do more patrols in the perimeter
23 of Mr. Larouche's residence. We would, you know, carry out a
24 yet redoubled effort to seek out the sinister forces that were
25 out to get Mr. LaRouche if we thought that the CIA was asleep at

1 the switch.

2 Q. Mr. Tate, was there one -- well, what was the most important
3 concern of the Security staff while you were a member?

4 MR. WALKER: Objection, your Honor.

5 THE COURT: Sustained.

6 Q. Did the Security staff -- well, let me start again.

7 Did you ever hear Lyndon LaRouche at any time speak of
8 this security screen?

9 A. Yes.

10 Q. Do you recall the conversation?

11 A. Well, I recall a number of such conversations. They would
12 usually take the form of Mr. LaRouche asking, "What do we have
13 from Roy on the status of the security screen?"

14 Q. And --

15 A. "Is it up? Is it down?"

16 Q. And how often did you hear Mr. LaRouche ask the Security
17 staff what they had heard from Roy on the subject of the
18 security screen?

19 A. I can't quantify it. Half a dozen times perhaps. A number
20 of times, a good number of times. It was a standard question.
21 It was something of which he was to be informed whenever we had
22 a new thermometer reading.

23 Q. Setting aside how many times you heard Mr. LaRouche ask
24 about this subject, were there other times when you heard
25 individuals of the Steering Committee communicate to

1 Mr. LaRouche on this subject?

2 A. Yes.

3 Q. How frequently did that occur?

4 A. Well, I think -- I think we're pretty much talking about the
5 same times. Half a dozen times or so. I think pretty much any
6 time such a briefing took place in my presence. Particularly
7 when Mr. LaRouche was in Europe, this was one of the big
8 issues: "Is the screen up? Is it down?" et cetera, et cetera.

9 MR. MARKHAM: I have nothing further, your Honor.

10 THE COURT: You may cross-examine.

11 MR. WALKER: Yes. Thank you, your Honor.

12 MR. WALKER: May I stand back here so Mr. Tate can talk
13 towards the jury, your Honor?

14 THE COURT: Yes, you may.

15 CROSS-EXAMINATION

16 BY MR. WALKER:

17 Q. Mr. Tate, Lyndon LaRouche was in complete charge of this
18 organization, was he not?

19 A. Absolutely.

20 Q. He was a -- he acted virtually as a dictator, did he not?

21 A. I wouldn't use the word "virtually." Yes, he did act as a
22 dictator.

23 Q. All right. Is it also true that Mr. LaRouche concerned

24 himself on a -- excuse me for moving around like this -- on a

25 day-to-day basis with the intricate details of his organization?

1 A. Yes, every detail.

2 Q. So if any decisions were made in his organization of
3 significance, he was the one that made them, is that not right?

4 A. That's absolutely correct. Moreover, he said that if
5 important decisions were made and he wasn't informed of them,
6 the persons who made those decisions could be expelled, could be
7 removed from their positions and would certainly be subject to
8 his intense criticism and scrutiny.

9 Q. Do you recall him sending out a briefing at one point which
10 had the statement, "I am the boss," in it?

11 A. Yes.

12 Q. And I show you a document marked for identification -- I
13 show you a document and ask you to look at it --

14 MR. WALKER: If I may approach the witness, your Honor.

15 THE COURT: You may.

16 MR. WALKER: And if I may just show Mr. Tate the front
17 cover of it or the front page of it and then turn over a couple
18 of pages and ask him if -- I want to point a part of this out to
19 him.

20 THE COURT: You may.

21 MR. WALKER: And ask him if he has seen this document
22 before.

23 THE WITNESS: Yes, I have.

24 Q. And could you describe --

25 A. Yes, I have.

1 Q. Could you describe what that document is?

2 A. Well, the complete document is a daily briefing. I
3 mentioned this earlier in my testimony. This is an internal
4 organizational communication produced on a daily basis for
5 members. The particular section to which you refer is an
6 internal memorandum. What that really means is this is sort of
7 for the eyes only of the membership. I have seen it. I
8 remember it.

9 MR. WALKER: May I ask that that be admitted into
10 evidence, your Honor?

11 THE COURT: The entire document?

12 MR. WALKER: Yes, your Honor.

13 MR. MARKHAM: No objection.

14 THE COURT: All right. It may be received in
15 evidence. In order to avoid duplication of numbers, I want to
16 start high enough that we're certain that we have reserved
17 enough numbers for the Government. If we make this 201, will we
18 be safe?

19 THE COURT: Yes, your Honor.

20 MR. WALKER: I hope so, your Honor.

21 THE COURT: All right. It will be Defendant's
22 Exhibit 201.

23 (Defendant's Exhibit 201 received in evidence)

24 BY MR. WALKER:

25 Q. Could you read to the members of the jury the particular

1 part that was pointed out -- that I just pointed out to you, the
2 three or so paragraphs with the date and the heading.

3 A. "ICLC INTERNAL/"

4 That is an acronym for International Caucus of Labor
5 Committees.

6 "HIGHEST PRIORITY/ALL POINTS

7 "TO: ALL MEMBERS

8 "FROM: LYNDON H. LAROCHE.

9 "NOVEMBER 3, 1981.

10 "I AM SICK, AS MANY OF YOU NOW ARE, OF THOSE
11 PRESSURES WHICH PREVENTED ME FROM DISCIPLINING KEN
12 WEEKS EARLIER. FROM HENCEFORTH A POLICY IS A POLICY.
13 I DO NOT WISH TO HEAR, EVER AGAIN, THAT I MUST WAIT
14 UNTIL OUR LEGAL COUNSEL HAS ASSESSED THE WISDOM OF ONE
15 OF MY DECISIONS, OR THAT SOME MEMBER'S PERSONAL
16 SENSITIVITIES MUST BE TAKEN INTO ACCOUNT.

17 "IF THE ORGANIZATION HAD BEEN RUN MY WAY, A KEN
18 PROBLEM COULD NEVER HAVE DEVELOPED. I KNOW MORE OF THE
19 UNDERLYING PRINCIPLES OF TRUE LAW THAN ANY LAWYER WHO
20 PRESENTLY EXISTS. FROM NOW ON WE PLAY IT OUR WAY, AND
21 I PROMISE YOU ALL THAT I SHALL FUNCTION, UNRESTRAINED,
22 AS A COMMANDING GENERAL OF A COMBAT ORGANIZATION.
23 ANYONE WHO OPPOSES MY ORDERS WILL, IN THE MORAL SENSE,
24 BE SHOT ON THE SPOT FOR INSUBORDINATION.

25 "I TRUST THAT BOTH MY EXPLICIT AND IMPLICIT

1 MESSAGES ARE ABSOLUTELY CLEAR TO ALL. YOU SHALL NEVER
2 BE SOLD OUT AGAIN AS SOFT AND OTHERWISE
3 EGOISTIC-SUBJECTIVE INTERFERENCE WITH MY JUDGMENT HAS
4 PERMITTED YOU TO BE BETRAYED SO FAR. I AM THE 'BOSS.'
5 IF YOU THINK SOMEONE ELSE IS BETTER QUALIFIED, SAY IT
6 AT THE YEAR-END ICLC CONFERENCE IN NEW YORK, AND THEN I
7 SHALL BEND TO YOUR DECISION."

8 Q. And just out of curiosity, did anyone ever tell Mr. LaRouche
9 they were better qualified than he was, and get away with it?

10 A. Well, no. No, no one did.

11 Q. This memo was written, was it not, in response to somebody
12 that Mr. LaRouche thought had betrayed him?

13 A. That's correct.

14 Q. And this fellow's name was Ken something, was it not?

15 A. Ken Dalto.

16 Q. Appear who was Ken Dalto?

17 A. Ken Dalto was a member of the National Executive Committee
18 of the NCLC. He was the leader of the midwest region of the
19 organization, which region had been held up for many years by
20 Mr. LaRouche as the model of organizational functioning and was
21 the region which all members were to emulate in their daily
22 activities, thoughts and deeds. And Mr. Dalto one fine day
23 decided he didn't want to continue his association with
24 Mr. LaRouche and quit, bringing with him 120 very, very relieved
25 members in the midwest region.

1 Q. And if you will refer to the bottom of the right-hand part
2 of that same page, is there not a paragraph which begins:

3 "LET THE MAFIA RUB OUT KEN. BETTER, LET KEN DIE
4 OF THE ULCER HIS IMMORALITY HELPED TO BRING UPON HIM."

5 A. Yes, that's exactly what it says.

6 Q. And that's also a memo from Mr. LaRouche, is it not?

7 A. That's correct. It's signed by Mr. LaRouche, dated
8 November 2nd.

9 Q. And are there in this memo various references to sexual
10 aberrations or sexual misconduct of Mr. Dalto?

11 A. Yes, there are.

12 Q. And indeed, there are quite a few of them, are there not?

13 A. Very few memos by Mr. LaRouche would be complete without at
14 least one such characterization, but there appear to be a fair
15 number of them here, yes.

16 Q. And just to characterize it, they're rather nasty and
17 unpleasant, are they not?

18 A. Yes.

19 Q. Extremely nasty?

20 A. Extremely nasty and unpleasant. He has a real talent in
21 making such observations and characterizations.

22 Q. Thank you. Now, turning to Mr. Larouche's lifestyle, I
23 think you testified yesterday or the day before that he until
24 about 1983 lived in New York City?

25 A. That's correct.

1 Q. And I think you said he lived in an area called Sutton
2 Place?

3 A. That's the very area, yes, Sutton Place.

4 Q. And could you describe -- did you ever visit?

5 A. Yes, I did. I was on duty there many times.

6 Q. All right. And what is Sutton Place?

7 A. Sutton Place is one of the most exclusive neighborhoods in
8 New York City. It's the kind of neighborhood -- I believe there
9 is a novel called "Sutton Place" exploiting exactly the glamour,
10 wealth and so forth of this location.

11 Q. Does it look over the river or something?

12 A. Some -- Mr. Larouche's particular abode on Sutton Place was
13 referred to as a shack, I might add. It did not happen to look
14 over the river, but that area does look over the east river.

15 Q. And was it -- did he live in splendor or did he have fairly
16 -- did he live in the manner that one might live if one were
17 living in Sutton Place?

18 A. Well, he was living extremely well. I'm not an expert on
19 interior design, so I don't know that I characterize it as a
20 splendid manner, but he -- he was doing very nicely. He
21 wouldn't be ashamed to invite someone into his living room.

22 Q. Now, at some point he moved down to Virginia?

23 A. That's correct.

24 Q. And that was in 1984, did you say?

25 A. 1983 I believe was the year -- was the year of the move. I

1 don't remember the exact date.

2 Q. And where did he move to in Virginia?

3 A. He moved to a residence called Woodburn Farm.

4 Q. And could you describe that for the members of the jury?

5 A. Woodburn is a beautiful Virginia estate, many rooms, many
6 bedrooms, three-story house, 30 acres, I believe, of property, a
7 bunch of smaller houses associated with the property, a little
8 stream, absolutely gorgeous kind of place. It's pretty much
9 what comes to mind when you think of Virginia: land of
10 aristocracy, horses and the rest. Beautiful place.

11 Q. And it's fair to say that if Mr. LaRouche wanted something,
12 he got -- he could ask for it and it was immediately provided to
13 him by his staff?

14 A. That's correct.

15 Q. Did he also have a -- did he move somewhere after -- did he
16 move somewhere from Woodburn Farm or Woodburn estate?

17 A. Yes, he did. I didn't have the privilege of being in the
18 organization when he did, so I have to say that on the basis of
19 news accounts and stuff.

20 Q. I see. Did he have an abode in -- out of the United States?

21 A. There was a home maintained for him, yes, in West Germany.

22 Q. And where was that in West Germany?

23 A. It's in a suburb of Maintz, a little town called
24 Stadechen-Elsheim.

25 Q. And did you have occasion to visit that house?

1 A. Yes.

2 Q. Could you just describe that briefly.

3 A. I should say just for the record, since we seem to be
4 describing this as Mr. Larouche's residence, that another couple
5 lives there apparently full time. However, when I was serving
6 my tour of duty in West Germany and he, Mr. LaRouche, was in
7 West Germany, the house was treated as his house and his wife
8 Helga's house. But there is another couple which lives -- who
9 lives there.

10 I'm sorry. I interrupted your question just to make a
11 clarification. Could you repeat it?

12 Q. No. I think that -- well, could you describe the nature of
13 the house or estate?

14 A. Well, that's quite a nice house. It has an indoor swimming
15 pool. It's got several stories, whole bunch of bedrooms. They
16 both have studies. It isn't quite on the scale of Woodburn, but
17 it's quite comfortable.

18 Q. Now, turning to another topic, Mr. Tate, yesterday you
19 described at some length the moneyraising that went on by
20 Mr. LaRouche's organization, and you said that at least during
21 the campaign of 1984 there were some -- how many people were
22 there in New York raising money?

23 A. In the national office or --

24 Q. Right.

25 A. -- or in the New York --

1 Q. Let's say the national office.

2 A. I don't know the exact number. I think it was about 100,
3 120 persons raising money.

4 Q. And how many did you say there were around the rest of the
5 country in these various local regional offices?

6 A. I think the total membership at that time was about four to
7 five hundred. And after 1984 virtually every other function, as
8 I think I described earlier, stopped cold except for security
9 and administration so that all members could devote their full
10 attention to raising money.

11 Q. And is it true, also, that moneyraising had taken place
12 during previous presidential campaigns that Mr. LaRouche had
13 been involved in?

14 A. Yes, that's true.

15 Q. And was that also on a large scale?

16 A. Not on as large a scale, but significant sums were raised
17 for both of the preceeding presidential campaigns.

18 Q. Now, between in the intervals -- the four-year intervals
19 between the times Mr. LaRouche was running for president, was
20 there also moneyraising done?

21 A. Yes. It was an ongoing activity, yes.

22 Q. Was that also done at least in part by telephone?

23 A. Yes.

24 Q. All right. And that was to gather money for Mr. Larouche's
25 -- people were told it was to gather money for Mr. Larouche's

1 party, is that --

2 A. Well, when you say people were told, just to clarify, are
3 you asking the persons who were asked for money were told they
4 were giving money for the purpose of Mr. Larouche's sundry
5 activities?

6 Q. Yes. Thank you.

7 A. Not necessarily, no. Sometimes they were told they were
8 giving money for other reasons.

9 Q. I see. At any rate, moneyraising was an ongoing activity of
10 this organization?

11 A. Yes.

12 Q. And I think you said yesterday that one of the -- the chief
13 technique and one that was referred to in the bulk of the phone
14 calls, if not almost all, was the threat of the KGB, the Russian
15 secret police, taking over the United States?

16 A. Well, we're talking now over an extended period of time.
17 Mr. LaRouche has seen, I mean, many, many different disasters as
18 threatening the United States over the years. Earlier in his
19 career he thought that the CIA was about to take over the United
20 States. This is before he decided that the CIA liked him. So
21 I'm just -- to give you the correct answer, there were many
22 different calamities which were due to fall all of us any moment
23 and they sort of changed with the seasons, so that I'd have to
24 say no, the KGB was not always the reason to give Mr. LaRouche
25 money. Sometimes it was the CIA or something else.