

COMMITTEE OF THE STATES

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Inside The Radical Right

Cheri Seymour

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To Roland . . . my rock.

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Forward

The scope and complexities of the forty-year-old Identity Movement are so great that no study prior to *Committee of the States* ever attempted to document all aspects of the Movement. Author Cheri Seymour wanted to go where no journalist had gone before. Her quest for truth led her to a ritual called the “Soldiers Ransom” inside the Aryan Nations compound, a midnight Ku Klux Klan cross burning, and a Skinhead rally in Napa Valley, California. She attended a three week Committee of the States trial in Las Vegas, Nevada, and became acquainted with members throughout the nation.

The author accumulated an entire file cabinet of court transcripts and “discovery” material compiled by federal investigators during a two year investigation called Operation Clean-Sweep. The arrests and court trials became a story within a story as the federal government declared war on the radical right. Millions of dollars were spent to halt the evolvement of these groups, but the results and the methods used were dubious. Operation Clean-Sweep culminated in a Fort Smith, Arkansas courtroom where thirteen major leaders from several states were acquitted of sedition—and the Movement went underground.

For three years Seymour sifted and condensed her manuscript until it could be reduced no further without excluding the indoctrination she experienced as she passed through the portals of the radical right. The Movement’s complex theorem incorporated all the standard taboos: race, religion and politics. So why did military officers, farmers, senators, preachers and professors join such a movement? What were they thinking, and what was the revolution all about?

Seymour grasped the bull by the horns and dared to document the inner world of the far-right with all its puzzling secrets. Here was a revolutionary culture existing parallel to and within mainstream America and it was receiving absolutely no in-depth exposure through any public media. Newspapers circulated repetitious background information on right-wing figures from agency to agency, bereft of interviews with the subjects themselves.

In *Committee of the States*, the Movement’s seventy-year-old founder,

Colonel William Potter Gale, candidly tells his story before he dies. A World War II staff officer to General Douglas MacArthur, a former Hughes Aircraft executive and Hollywood stockbroker, he jumped on the 1950s’ anti-communist bandwagon and formed a guerrilla army of his own, later incorporating the newsletter Identity and amalgamating the far-right into one racial, religious, anti-government movement.

Committee of the States is, in effect, a composite or case book of revealing, and at times alarming, dialogue from a wide spectrum of right-wing activists who share an apocalyptic vision of a jihad, or holy war, which they believe is starting now, and which they are expediting through a complex and scattered network of underground activities. It is also a chronological investigation of the national movement itself: its doctrines, underground network, and history are the seeds of dissent today.

Although *Committee of the States* is provocative in its veracity, guaranteed to jolt the reader into a new dimension of awareness, it was written to be informative and educational—to create understanding, not controversy. It is not written with any political slant, but the text is occasionally colored with the author’s personal observations as she experienced the world of the radical right. Her investigative approach became an integral part of the book.

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Prologue

The *Sacramento Bee*, July 28, 1985—headline; “They Want Government Off their Back,” by Dale Maharidge. (Copyright, the *Sacramento Bee*, 1990)
Excerpt:

“The United States government must be overthrown,” says Arthur Stigall to the 15 others gathered in his darkened North Sacramento living room, “and control of the country put back in the hands of the people.” They call themselves the Committee of the States—they’ve indicted and outlawed Congress, the California Legislature, along with the Federal Reserve System and the Courts. They’ve proclaimed themselves the new lawmakers of our country. They take their name and legal precedent from the Articles of Confederation, which calls for a Committee of the States to run the nation.

Every Wednesday at 7 p.m., they meet, talking until the early morning hours about how our elected leaders have become Communist traitors whose “Satanic” actions have turned the country into a “mystery Babylon.” They want nothing to do with society’s regulations. Members have turned in their driver’s licenses and have ripped the license plates off their cars, much to the displeasure of law enforcement officials. It doesn’t matter—the highest law to which they’re accountable is Yahweh, the name of God in the Old Testament.

. . . It’s hard to categorize them. They despise the label “neo-Nazi,” and it probably does not accurately describe them. There is little hate talk at their meetings. They prefer to call themselves patriots. But some members do privately rail against Jews and welfare recipients. And they are associated with white supremacist Colonel William Potter Gale, who preaches hate through his Ministry of Christ Church in Mariposa. It is Gale who says he inspired neo-Nazi leader Richard Butler in Idaho to form the Aryan Nations.

Gale has set up—and is looked to as a leader by—many groups similar to the Committee of the States, says an Idaho law enforcement official who is considered a national expert on right-wing groups. . . . He says some Committee members attended a strategy session at Gale’s

ranch a few weeks ago and watched a film of what machine guns can do to a car. "I personally don't think they pose an immediate threat of violence. But guys like this make you nervous. There's a lot of talk. It could happen. You never know."

PART I

The Arrests

OCTOBER 23, 1986 (Mariposa, California)—The revolution had been signed into effect in July 1984, but it took two years of undercover work before the IRS launched the first arrests. "Operation Clean-Sweep" surfaced in Mariposa County on October 23, 1986, when two carloads of federal agents carrying sawed-off shotguns seized Colonel William Potter Gale on his porch, still in his pajamas, and whisked him off to a detention hearing in Fresno, California.

Standing in the driveway next to his pickup truck was Gale's bodyguard, a Vietnam veteran who had already been ordered by Gale *not* to fire into the carload of agents. In the back of the truck, unknown to the excited agents, were weapons belonging to the bodyguard destined to be buried early that morning at a Jerseydale location. The bodyguard, nicknamed "Clute," later confided to John Boggs, Gale's right-arm man, that he felt he had failed to protect Gale, and he should have "taken out a few of the agents." Eight months later in a private interview, he still asserted that it was his greatest regret.

A few miles away in Bootjack, the arrest of Fortunato "Slim" Parrino was taking place, and simultaneously, five other members of the Committee of the States were arrested in Arizona and Nevada. The three-state sweep stemmed from a Federal Grand Jury investigation in Las Vegas, Nevada, resulting in a ten-count indictment charging Gale and his friends with threatening to kill four IRS agents and one Nevada judge.

At ten o'clock that morning, the Mariposa County Sheriff's Department had not yet prepared a news release, but a phone call by reporters to the Assistant U. S. Attorney in Las Vegas, Nevada, produced a verbal description of the death threats; they were called "Constructive Notices" and had been sent to IRS

agents informing them that there was no such thing as an income tax. The group, calling themselves the Committee of the States, had declared income tax illegal.

The notices said that the Committee of the States was currently in session (filling in for Congress) and they were indicting officials and employees of the government who were attempting to “subvert the Constitution of the United States and violate the laws of its Christian Constitutional Republic.”

At the bottom of the notices was a Caveat which warned that a death penalty would be imposed, upon conviction by the Committee of the States sitting as the Congress of the United States, on any government official who attempted to interfere with the functions and activities of the Committee of the States.

Assistant U.S. Attorney Richard Pocker said the Constructive Notices were signed by Angelo Stefanelli, George R. “Mike” McCray, Patrick McCray, Richard Van Hazel, Susan Kiefer and Gary Dolfen.

William Gale’s signature was not listed on the Constructive Notices, nor was Parrino’s, but included as evidence in the indictment was a note, dated April 29, 1984, allegedly signed by Colonel Gale and addressed to Mike McCray, which said, “Communication is high priority. We are not running for the hills. The present bunch establishment can run for THEIR asses.” A sermon tape, made by Reverend Gale on September 6, 1982, entitled “Committee of the States,” was listed as evidence to connect Gale to the Committee of the States.

Once again, neither Gale’s nor Parrino’s signature was listed on the Compact when the Committee was formed; however, the tape recorded sermon, distributed in cassette form throughout the United States, directly addressed the Committee of the States and the language in the Articles of Confederation.

Assistant U.S. Attorney Richard Pocker in Las Vegas, Nevada, contended that Gale had “set up the Committee of the States and the Unorganized Militia,” both organizations originally formed in Mariposa and allegedly responsible for conducting joint classes on anti-tax ideology and paramilitary training at Manasseh Ranch in Mariposa in order to prepare for confrontations with officers of the IRS and other public officials. The indictment, handed down in Las Vegas under extremely heavy security with armed guards wearing bullet-proof vests, described the paramilitary training as consisting of “daytime and nighttime ambushes, knife fighting, garroting and other offensive maneuvers.”

The ideological indoctrination, according to Pocker, included comments by defendant William P. Gale on the need to “kill Internal Revenue Service agents and other public officials subverting the law as interpreted by the Committee of the States.”

The *Los Angeles Times*, and other media depicted Gale as the ideological leader of the white supremacist Identity Movement and founder of the Committee of the States—considered by the FBI to be an extreme right-wing, white supremacist, paramilitary organization. According to the FBI, the forty-eight or more “domestic terrorist” organizations throughout the United States were responsible for a growing wave of violence against federal installations during the past two years.

The FBI, the IRS Security Division, the Justice Department and the ATF (Alcohol, Tobacco and Firearms Division of the Treasury Department) had joined forces in 1985 under the umbrella of Operation Clean-Sweep, a joint effort led by federal attorneys from California, Alabama, Colorado, Idaho, Oregon and Washington to investigate targeted far-right leaders.

In California, the strategy of the IRS was to halt the evolution of a revolt set in motion on Independence Day, 1984, when a wide spectrum of ultra-right leaders, including Richard Butler of Aryan Nations, assembled at Gale’s Manasseh Ranch and signed a sixteen-page Compact entitled the “Committee of the States in Congress, July 4, 1984,” which indicted and dismissed the U.S. Congress in Washington D.C. An excerpt from that Compact reads as follows:

We, the people (the body politic), under the authority of the Constitutions of our respective states, to wit: “All political power is inherent in the people. Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require;” and further, under authority of the Declaration of Independence adopted in Congress July 4, 1776, to wit: “. . . That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness . . .”—do hereby declare the delegates to this convention to be delegates to the Committee of the States in Congress, assembled July 4, 1984, in accordance with and under the authority of Article V of the Articles of Confederation and Perpetual Union, as agreed upon in Congress assembled on the 15th day of November, in the Year of Our Lord Jesus Christ, One Thousand Seven Hundred and Seventy Seven and in the second Year of the Independence of America.

Be it further resolved that:

(1) The attached INDICTMENT brought against the Constitutional Congress of the United States of America is brought by this Committee

of the States sitting as a Grand Jury of the People (the body politic), and is hereby made a part of this declaration

Recorded in Mariposa on July 13, just six days after the signing at Manasseh Ranch, the Compact contained the signatures of forty-four delegates from twelve states. Six of those delegates made prominent headlines during the following three years: Richard Butler of Aryan Nations, arrested in April 1987 for allegedly conspiring to overthrow the government; Richard Van Hazel, arrested in Arizona for allegedly threatening to kill IRS agents and a judge; Patrick and Mike McCray, and Angelo Stefanelli, also arrested in Nevada on the same charges; and David Moran, killed in a shootout on December 8, 1986 near Myers Flat, California. (The documents found in Moran's apartment after his death were seized as evidence against Colonel Gale and the members of the Committee of the States to be used at the Las Vegas trial.)

* * * * *

OCTOBER 22, 1986 (Mariposa, California) 10:00 p.m.—Reporter Cheri Seymour was awakened by a phone call from the executive editor of the *Mariposa Gazette*. The editor had received a tip from the district attorney's office that Colonel William Potter Gale and Slim Parrino were going to be arrested at their homes early the following morning. Parrino's address was listed in the telephone directory, but Gale's was not.

10:30 p.m.—Commander Rod Sinclair of the Mariposa County Sheriff's Department puffed into the phone, "Only two officers are privy to that information, and I'm one of 'em. How the hell did you get this information?" Sinclair emphasized that the arrests were the consummation of two years of investigations by the IRS and five years of prior investigations by the FBI and he didn't want the operation jeopardized by a reporter.

The reporter said she needed to know the time and location of the arrests so she wouldn't blunder into the arrest area too early and expose the operation. Sinclair told her to stay out of the area altogether and hung up.

OCTOBER 23, 1987 (Mariposa, California) 7:15 a.m.—Unable to obtain Colonel Gale's home address, the reporter arrived at the home of Slim Parrino on Darrah Road at 7:15 a.m. Still unsure of the exact time of the arrests, she parked in the White House Restaurant parking lot across the street from Parrino's house.

Slumped down in the seat of the car with her camera poised, she waited. Commander Sinclair and Sheriff Roger Matlock cruised leisurely by, then turned onto Highway 49 South.

Time passed; nothing happened. Unknown to Seymour, Slim Parrino had been arrested fifteen minutes earlier and was already on his way to Fresno. Simultaneously at that moment, Colonel Gale was being arrested at his home in Lushmeadows.

OCTOBER 24, 1986 (Fresno, California) 9:00 a.m.—Roxanne Gale and members of the Ministry of Christ Church were congregated outside the courtroom at the federal building in Fresno. Cheri Seymour, reporting for the *Mariposa Gazette*, requested an interview with her, but she seemed unimpressed with promises of fair coverage. She studied the reporter for a moment, then smiled; it was a thin smile, amused and cold. "I'll think about it," she said, then walked into the courtroom.

Inside, the courtroom was bristling with FBI agents. Gale and Parrino were escorted into the courtroom under heavy security. Federal agents dressed in gabardine suits lined the courtroom walls; there were fewer spectators than there were agents.

Behind the reporter sat a platoon of Gale's followers, bouncing small children on their knees and reading the indictment. Mrs. Gale motioned to the court clerk to come forward, she wanted to give the colonel his teeth which had been denied to him at the time of the arrest, and his emphysema medicine. The clerk remained seated.

At first, when Gale and Parrino entered the courtroom, it appeared they were still wearing pajamas. The green "hospital orderly" shirts had no collars and the short sleeves exposed Gale's thin neck and arms.

The stark contrast between the suited FBI agents and the frail seventy-year-old colonel in his chains and jailhouse greens was unsettling to those who had never seen Gale before. He didn't *look* dangerous at that moment. The reporter leaned back and asked Mrs. Gale if she had a photograph of the Colonel. She nodded in agreement then turned her gaze to the judge.

U.S. District Judge Robert E. Coyle listened to testimony from Joseph O'Connell, a special investigator of seventeen years with the Security Division of the IRS. O'Connell had taken over the investigation from the FBI in 1984, and had apparently sent undercover agent William Sivils to Mariposa to infiltrate Gale's church.

Based on Sivils' information, O'Connell testified that the Committee of the States had "thrown out the legal government and Congress of the United States

and formed their own Congress, including the outlawing of Title 26 of the Constitution pertaining to taxes.”

“The Committee,” he said, “considered the state legislature to be derelict in their duties, and they [the Committee] as individual citizens could take over those duties.” O’Connell added that the Committee “had complete contempt for federal agents, judges and other officials as evidenced by the death threats made to four IRS agents and State Court Judge Earl White in Las Vegas, Nevada.”

Gale’s background as a former staff member under General Douglas MacArthur and director of guerrilla operations in the Philippines during World War II was introduced as testimony by prosecutor Adam Kurland to establish Gale’s ability to present a threat to the community where he resided.

Kurland attempted to prove that Gale and Parrino were, in fact, the chief of staff and state marshal respectively of the military arm (or Unorganized Militia) of the Committee of the States. As leaders of the “Posse Comitatus,” as referenced by Kurland, they presented a threat to the community and therefore should not be released on bail but remanded immediately to the U.S. District Court in Las Vegas, Nevada.

The colonel, slumped over in his chair and coughing heavily, denied affiliation or leadership in the Committee of the States or the Unorganized Militia, as did Parrino.

Court-appointed attorneys for the defendants argued that the signatures of neither defendants were listed on the Constructive Notices (death threats) or on the Committee of the States Compact filed in Mariposa County on July 13, 1984.

Parrino’s attorney reminded the court of Parrino’s status as a retired officer of the Los Angeles County Sheriff’s Department, and noted that if convictions were obtained, the Las Vegas indictment could yield ninety-seven years in prison and two and one-half million dollars in fines.

Glaring pointedly at Gale and Parrino, Judge Coyle countered, “I have never before in my career seen so much written condemnation of our system—and they even filed it at the county recorder’s office!” Coyle denied bail to Gale and Parrino based on his opinion that the documents presented to him were damaging with reference to an organization “who even has their own army with death as the penalty if people don’t comply with their laws.” Gale and Parrino were remanded under tight security to the U.S. District Court in Las Vegas, Nevada.

* * * * *

OCTOBER 25, 1986 (Lushmeadows, Mariposa County)—After several phone calls from Seymour, Roxanne Gale finally consented to be interviewed. At her home in Lushmeadows, she studied Seymour thoughtfully, then shook her head. “My husband is seventy years old. If they put him in jail he will die. I don’t know why they want to imprison him when they will have to keep him on constant medication and in the hospital all of the time.”

Resting in a corner of the Gale home was a respirator, provided by Fort Ord Army hospital, which the colonel used every four or five hours for his emphysema. Sitting under a large painting of Jesus, Mrs. Gale lamented, “People should know there’s something really wrong in this country when the federal government hauls off, comes right into your home and kidnaps two men; just takes two men in on federal charges that they can’t hold up. Two men with no records, and one man, a judge, can condemn those two lives with no evidence. Since when can one judge take lives like that? He’s acting like God!”

Roxanne glanced at the reporter’s tape recorder. “They’re trying to prove that Bill is the head of the Committee of the States. They can’t, because he is not. That judge didn’t go by what was presented. He just voiced his own opinion.” She paused, then reflected on the colonel’s military record; “With Bill’s record, how can they treat him like this? He placed his country before himself. We send our boys overseas to die. We sacrifice our youth in the name of fighting Communism. Why do they throw you in jail here for fighting Communism? There are Communist-run organizations that come right on TV and threaten the white race, and they threaten the government, and they don’t throw them in jail!”

A pair of beaded riding gloves glittered on the wall in the dining room. They had been a gift to Gale’s father from Theodore Roosevelt when he rode with the Rough Riders. Within the living room the lighting was subdued, ambient. In an office beyond the dining area, a buzzing, humming printer spewed paper into an unseen container. Sporadically, the dot-dash bleeps of Morse code emitted from a computer.

Distracted, Roxanne asked her daughter, Kitty, to turn off the equipment. “I don’t understand why the government is so threatened by just a few people who are really only concerned about their country. They should be as concerned as the Committee of the States are concerned,” she added.

“We refuse to talk to columnists and other media because they obviously don’t want to know where we’re coming from.” Injecting a quote from a Jack Anderson story that ran in the *San Francisco Chronicle*, she repeated, “‘Considered violent and dangerous.’ The newspapers say things like this, and then people read it in the paper and they just put it in a little memory bank as a fact.

They just skip right over the word 'considered.' They say these things over and over again. No matter what you say to them, it always comes out the same."

She was still in her robe; she had been at the Fresno jail until midnight visiting with her husband. She sipped some coffee, pensive. "You know, we have KGB agents in every capital of the United States, including Washington D.C. I was told that by an FBI agent who was asking me some questions. I asked him why they were wasting taxpayer's money here in Mariposa? Why weren't they out after some of those KGB agents in Sacramento and other areas?"

She let a moment pass, staring impassively at the tape-recorder, then she said slowly and very carefully, "I feel very sad that Bill has spent his life fighting for his country, in the service and out of the service, and this is how they turned on him."

* * * * *

OCTOBER 27, 1986 (Mariposa, California)—The *Gazette* offices were hectic on Monday mornings. Deadline was 5:00 p.m. and the news had yet to be typeset. The managing editor studied Seymour's two stories: "Reverend Gale Arrested By IRS" and "Exclusive Interview With Roxanne Gale," then quickly passed them on to the executive editor.

Fifteen minutes later, the executive editor emerged from her office and pronounced the stories "well written, but boring." She dropped them onto the reporter's desk and walked away.

Buried beneath the Gale stories lay an explosive file on the Ministry of Christ Church. At least two inches of assorted newspaper clippings from the *Fresno Bee* and other newspapers, and several years accumulated Ministry of Christ miscellany, portrayed a scorching profile of a man who had allegedly developed a nationwide following of "Christian" revolutionaries and survivalists who were said to be building a paramilitary army at his 100-acre compound eleven miles from town.

The file had been given to Seymour *after* she wrote her stories. She therefore didn't have time to research the material in the file before press-time. She set the file aside and turned to the October 20 edition of *TIME* magazine which traced the Identity Movement to Gerald L.K. Smith, a notorious anti-Semite

during World War II, whose West Coast operative, Wesley Swift, founded the Church of Jesus Christ Christian near Hayden Lake, Idaho.

The *TIME* article identified the Ministry of Christ Church as "a Swift offshoot in Mariposa, California, led by retired Army Colonel William Potter Gale, who produced the newsletter *Identity* and solidified the ideology."

Coincidentally, *Harrowsmith*, a farming magazine, had published an in-depth study of the Identity Movement in their October issue. The ten-page analogy, entitled, "The Blood of Patriots," by Douglas Hand, noted that foreclosures and bank seizures in the Midwest had created a growing number of sympathizers for a wide spectrum of organizations with an affinity for the Christian Identity theology.

Most of the literature, including *Harrowsmith*, depicted the Posse Comitatus as one of many Midwest organizations, or "domestic terrorist groups" as referenced by the FBI, who shared a common belief, amongst other things, in Biblical and Constitutional law, self-representation in courts, the right to bear arms, and armed protest. Posse members also proclaimed that income tax was illegal, that America was a Christian republic, that there was a government conspiracy to defraud farmers of their land and their personal liberty, that a cabal of powerful and wealthy people called the Trilateral Commission financed both sides of war for profit, and that they, white Anglo-Saxons, were the "chosen race."

The news stories that broke on October 30, 1986, in the *Mariposa Gazette* contained a summary of the Committee of the States Compact filed at the county recorder's office, the extradition hearing in Fresno, an interview with the prosecuting attorney (Richard Pocker) in Las Vegas, and an interview with Roxanne Gale.

Shortly before the story hit the newsstands, Jerry Bowen called from CBS News in Los Angeles. He had attempted to interview the defendants in Las Vegas but for unknown reasons they had advised him to call the *Mariposa Gazette*.

Bowen had a particular interest in the community's response to Gale's arrest—and his followers' interaction in the community. "What kind of people live in Mariposa?" he asked. He gave the impression that he was fishing for some sort of community support for Gale and his church. Seymour knew almost nothing about Gale's church or its members. In fact, until a week ago, she had never heard of the Identity Movement. "Gale's people are reclusive," she answered. "Mariposans are afraid to step foot on the church property."

When the story broke, County Supervisor Leroy Radanovich wanted to know why the *Gazette* devoted so much space to the story. Later that same afternoon, John Boggs from the Ministry of Christ Church strode into the

Gazette offices and told Dalmar Campbell, the publisher, that the story was written "equitably."

Someone from the Midwest ordered a hundred copies of the October 30 issue and sent enough extra money for the clerk to go out to coffee.

Other than the above responses, there were none from the community of Mariposa.

In larger, metropolitan areas, the arrests of Gale and his associates created a barrage of publicity. The *Los Angeles Times* carried a story on October 30, entitled, "IRS Seizes Leader of Extremist Group in Death Threats," reported by Robert A. Jones, a *Los Angeles Times* staff writer. Colonel Gale was depicted as "the leader of the politically extremist Posse Comitatus." Since 1970, the zeal of the Posse had led to a number of violent confrontations with police agencies. "In 1983," wrote Jones, "one Posse leader, Gordon Kahl, was killed in a gun battle with police in Arkansas after he defied attempts by authorities to seize his property for back taxes"

On November 19, 1986, the *Las Vegas Review Journal* blasted Gale with a story entitled, "Las Vegas Death Plot Exposed" in which an informant, who spent seven hours in a U.S. Marshall's holding cell in Fresno with Gale and Parrino, was said to have overheard Gale say that the group's grand jury had met over the weekend and found the judges guilty of violation of their rights and freedom, and of false prosecution. The penalty to be inflicted on the judges would be death.

Las Vegas Review Journal reporter Phil LaVelle had been told by authorities that Parrino allegedly stated that "the [expletive] judge would die by having his stupid [expletive] head blown off, and the others would experience much the same by bombings . . ." The Ku Klux Klan had supposedly been contacted over the weekend and the bombings and deaths were to begin upon Gale and Parrino not being released from jail.

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On November 27, 1986, the *Mariposa Gazette and Miner* printed a Letter to the Editor submitted by Roxanne Gale which read as follows:

Dear Editor, this is a little late in coming, but I do want to thank Cheri Seymour, journalist for the *Mariposa Gazette*, for her fair and equitable reporting on her interview with me. She could give the *San Francisco*

Chronicle and the *Fresno Bee* a few lessons on ethical reporting. Of course, if Cheri wanted a real challenge, try the *Las Vegas Review Journal*. Now, there is yellow journalism, well—it is more like dirty orange. Immediately before Slim Parrino's so-called "Bail Hearing," they hit the streets with "Las Vegas Death Plot Exposed." After the hearing, it was "Bail Denied Would-Be Assassin!" Is it possible that any reasonably sane person could believe that?

They also speak of terrorism. You want to hear about terrorism? That's four cars of armed men racing into your yard. Forcibly taking your husband. Putting him in a holding tank and subsequently taking him out of state. And to this date, have not given me one specific thing that he or Parrino did personally to warrant such action. Those are the actions of terrorism.

The *Review* got this fantasy from government officials who got an inmate from the Fresno jail to sign an affidavit stating that Gale and Parrino—on the telephone—held a "grand jury" meeting to sentence these officials to death. Now that's real cute! Can you imagine making conference calls from a jail cell? Or a grand jury deciding a death sentence?

On the inmate that signed the affidavit—he is in jail for numerous crimes and I understand that he keeps trying to steal his brother's identity, who is in a mental institution. And the Judge believes him! Well, he is holding Slim Parrino, a retired Sheriff, and Col. Gale, Ret. without bail!

The whole lengthy article reads like an old Hollywood B movie. Where the guy that owns the town wants the No. 1 guys out of the way, so he accuses them of some crimes. Then he gets No. 2 guy to do the crimes and make it look like the No. 1 guys did it. Then he starts yelling "See, I told you they were going to do it." Wow!! Where is Magnum P.I. when I need him?

I am very proud of Col. Gale and Rev. Slim Parrino. They have the guts to stand tall for what they believe, regardless of political and religious persecution. They have the true spirit of their founding fathers, who also suffered for the same beliefs. Political prisoners are not new in our nation's history, and yet our once great nation and what freedom we have left is hanging by a thread. How many people care . . . at the moment? Mrs. Wm. P. Gale, Col. USA Ret.

David Moran

DECEMBER 8, 1986 (Myers Flat, California)—David John Moran lay dead on Highway 101, illuminated in the headlights of Florence Mae Wolf's blue Ford Pinto. Ten feet away, prostrate in the dirt with her hands spread out, lay Florence. Looking up through the fog, Florence saw steam rising from David's chest. "David," she cried. The trembling officer tensed, "I have a gun pointed straight at your head. If you so much as move, I'll blow you away."

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David Moran, a founding member of the Committee of the States, was killed in a shootout just two months after Gale's arrest. According to newspaper accounts, he was distraught over Gale's incarceration in Las Vegas and embarked on a series of robberies on December 1 near Winters, California.

In April 1987, the *Mariposa Gazette* reporter would interview Moran's companion, Florence Wolf, and learn her version of the shootout, as well as her experience as a member of the Committee of the States.

Meanwhile, in December 1986, the public investigation of Moran unfolded in the media:

On December 18, 1986, the *Davis Enterprise* published a story entitled, "Manhunt Figure Linked to Extremist Group," by Joel Davis. (Excerpt):

David J. Moran was a political extremist who decided to go on a violent crime spree in this area. . . . Moran, 30, was killed in a December 8th shootout with two California Highway Patrol Officers in Humboldt County after he evaded a massive manhunt along Putah Creek near Winters the previous week. A search of Moran's Suisun home revealed an intense, articulate man who served as the "National Education Chairman" for the Committee of the States. . . . Police found an AR-15 semi-automatic rifle that had been converted into a machine gun, more than \$500 in coins, and diaries that revealed Moran's allegiance to the

Committee of the States. (Moran adhered to the Posse Comitatus principle that paper money is worthless) Moran was said to be upset when his mentor, William P. Gale, 69, of Mariposa County and five other Committee of the States leaders were arrested in October for making alleged death threats to the Nevada division of the Internal Revenue Service and a Nevada Judge. . . .

On December 22, 1986, the *Davis Enterprise* published a follow-up story entitled, "Moran Linked to Militant Arizona Sect," by Joel Davis. (Excerpt):

David J. Moran, the fugitive from this area who has been linked to white supremacist sects, had ties with anti-government militants in Arizona who conspired to blow up government facilities and black out Western cities. . . . Moran, an intense, sophisticated man who attended law school and had survivalist training, was a recruiter and legal adviser for the Committee of the States, a sect similar to the Arizona Patriots in its adherence to Posse Comitatus principles. . . . The Arizona Patriots are a group that surfaced in 1982 when its members tried to bog down the legal system with legal briefs challenging Arizona's right to require "driver's licenses and auto registrations." . . . Authorities believe that Moran had planned the flamboyant robberies and ensuing flight for some time—and died the exact way he wanted to die, in a gunfight with police.

On December 30, 1986, the *Daily Democrat* headlined an interview with Florence Wolf entitled, "Wolf: Moran was 'Murdered,'" by Michael Anastasi. Wolf, reportedly a "self-described survivalist," said two California Highway Patrol officers had "murdered" David Moran. She had lost fifteen to twenty pounds since the shooting took place because of stress. "I wouldn't be surprised if my life is in danger," she told the newspaper. "There are a lot of police out there, and they're all trained killers."

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Joel Davis at the *Davis Enterprise* said in his December 18 article that "diaries" were found in Moran's home. In fact, no diaries were found, but an emotional Last Will and Testament was found which strangely mirrored the circumstances of the thirty-year-old man's death. It read as follows:

These are the times that try men's souls. And in keeping with the spirit of these times and its true heroes, I follow the lead of my hero, Robert Mathews, in preparing this document. I cannot forget the courage of that man nor his sacrifice. I too, as Robert Mathews, must stand up like a white man and do battle. I can no longer sit idly by and watch my race die. No longer will talking suffice, complaining satisfy, or resort to legal stratagems bring hope of victory. No, there must be a physical victory over the Jew. It is time for white men to stand up to the Jew and his lackeys: physically, as well as spiritually.

In the past, despising the evil that was around me, yet not wanting to be a martyr, I deceived myself into believing that merely refusing to aid my enemies in their machinations would be sufficient to save my conscience and yet not jeopardize my life. In keeping with that delusion, I tried hard to separate myself from the system so I would not be a party to its crimes. I wanted to be left alone and not forced to participate in my own destruction. Now, of course, I know better. I no longer suffer from any delusions regarding the motives, means and dedication of our enemies.

For though I stopped paying my tithes (income taxes) to the satanic system, revoked my slave number (social security number), stopped working for corporations or other system creations, cancelled my bank accounts and stopped accepting checks, working for cash and for barter only . . . I was not left alone. I was "criminally" investigated by the IRS in 1982-83. Several of my friends and associates were subpoenaed (without due process or grand jury investigation) to give information about my private, personal affairs (source of livelihood, political beliefs, etc.). This stemmed, no doubt, from my public efforts to expose the criminal acts of the Jewish-owned Federal reserve system and its collection agency, the IRS.

In a never ending stream, letters, threats and bills from the IRS and the California Franchise Tax Board, flow into my mailbox. Letters inquiring as to "why" I haven't filed a tax return (seeking more information about my political, religious and legal beliefs to be used against me at some future trial for tax crimes). Threats of imprisonment and fines if I don't comply (intended to induce fear into the victim and force compliance through intimidation). And bills of astronomical proportions for alleged "taxes" I owe. Yet few of these communications bears a signature and none cite any constitutional authority for their legitimacy.

Also, I was not allowed free association. The people I chose to associate with were very active in educating people on the nature, aims, and tactics of our enemy . . . and being harrassed and jailed on spurious charges for their trouble. I could see the system making every effort to eradicate any leadership which arose. VIRTUALLY ALL OF THE

LEADERS I HAVE MET IN THE PAST TEN YEARS ARE NOW IN PRISON OR ON THE RUN.

It has become increasingly clear to me that the system will not allow me to earn a livelihood unless it can steal a portion of the fruits of my labors, nor will it allow me, or anyone else, to educate the public to what is happening to us. I am to be forced to submit and obey my enemies, to participate in my own destruction. This coercion, combined with the daily Jewish progress reports (system news), dramatically demonstrates how the Jews are ever tightening their death grip on my nation. I can see with terrifying clarity the present debased and ignoble World Order, and our increasingly dark future if something is not done now to put a stop to it.

And what can be done? There are many ways to fight evil. God has given each of us varied gifts with which to oppose the evil in the land. Some he has given the gift of eloquence and understanding so that they might preach and thereby instruct and rally our people to battle; others he has given the gift of writing that they may inform us of our race's past greatness, its present dispossession and future destruction; some the wisdom and courage to raise their families in the way and light despite these evil times and the hardships and scorn such actions bring; and still others have been blessed with the intrepidity of warriors so that they might physically attack our enemies and physically defend our race. To this last group, I feel the most kinship and the guiding hand of YAH. May I be worthy.

Thus I, like the members of the White American Bastion, have declared war on ZOG.* My only regret in this regard is that I was not able to join with my brothers in ARM earlier. Had I been able to do so before their partial destruction at the hand of ZOG, it would have been the proudest day of my life. Even knowing it would have resulted in my death could not have prevented my linking up with my fearless and dedicated brothers of the Aryan Resistance Movement.

I know that most of my people will not understand my motives nor my actions . . . yet they remain immutably worthy, necessary, and in the final analysis, inevitable. To watch my people devoured by Judaism and not resist would destroy me just as surely as ZOG's bullets and jails. It is not surprising to me that the majority of my people do not comprehend what has happened to them and are unable to understand the need for painful solutions. What does surprise me, is that the intellectual guardians of our race, the ones who are supposed to know, understand and teach—the watchmen on the walls—the preachers, educators, poets, philosophers, statesmen, and writers, do not seem to possess the backbone to stand up to the Jew and to tell the masses the truth. These are the

*ZOG = Zionist Occupied Government.

ones that I blame; not the masses for their phobic materialism and mindless babbity, but the intellectual "leaders" of our race who have failed their people. Their sins are much greater than those of the masses who never really knew any better. It is at the doorstep of the William F. Buckley, Ronald Reagans and Pat Robertsons of our race that the blame is, to a large extent, to be laid. May God have little mercy on their souls.

I KNOW NOT WHEN I WILL DEPART FROM THIS EARTH, ONLY THAT IT WILL BE SOON. I leave with no regrets. There is nothing here to hold me. I am a stranger in my own land and to my people. Alienated from the dominate trends of a judaized culture, disgusted by its commercialism, its art, its music, its politics, and above all its hypocrisy.

The arrests of William P. Gale and others by the agents of ZOG is the proverbial straw that broke the camel's back. How can one sit idly by knowing that our leadership (and any leadership that arises) will be arrested and thrown into prison? This neutralization of our peaceful leadership and organizations is a sure indication of an eventual defeat if we do not counter it.

What is it like to be put into prison? To be confined in a six-by-eight-foot cell of cold, sandpaper rough walls; to be dressed in ill-fitting, disinfectant-reeking clothes, to be regimented, placed in a single file column of men and marched down to the cafeteria for a meal of pork, boiled milk, canned vegetables and sugar? What is it like to be controlled in your choice of associates and surrounded by hundreds of people, most not of your race? To have jungle rock music as an omnipresent sonic background? What is it like to sleep on a hard cot in a strange, unfriendly place, away from your home and family? No one to talk with, no one who can understand, no one who cares if you live . . . or if you die.

What is it like for a man who loves liberty and has fought all his life to preserve it for his race, to be confined and controlled in virtually every aspect of his physical life? And can anyone answer what it must feel like to be put into this living hell not for one's vices, but for one's virtues? Truly, for what vices are William Gale, Fortunato Parrino, Yori Kahl, Scott Faul, Ed Udey, David Lane, Gary Lee Yarbrough and others imprisoned? For the vice of loving their people and their God? For the vice of having more courage than the average white man and standing up to the evil which has overtaken the land? For the vice of loving liberty more than a life of servitude to ZOG? If these be vices, I'll have no truck with virtue. Give me the vices of these men that I may count myself blessed. For blood, soil, honor and faith—David John Moran.

* * * * *

Robert Mathews, David's hero and the inspiration behind his Last Will and Testament, was killed after a thirty-six-hour siege by over a hundred Washington lawmen on December 8, 1984. Like Gordon Kahl, a tax protester who died in a conflagration with federal authorities in 1983, Mathews refused to surrender and died by fire—in this case, a house fire set by a flare dropped from a helicopter.

California Magazine wrote in April 1985 ("An Exegesis of the Radical Right" by Peter Lake) that Mathews had started a new track; the founding of a terrorist gang. On April 23, 1984, Mathews and his men, armed with automatic weapons and a sign reading, "get out or you die," forced the occupants of a Continental armored car to hand over \$500,000 in a Seattle mall. The article continued:

On April 29, a synagogue burned down in Boise. On June 18, a hit squad assassinated Denver talk show host, Alan Berg, a Jew who had excoriated Aryan Nations on the air. On July 19, on a winding mountain road near Ukiah, California, eight armed men in two pickups intercepted a Brink's truck carrying \$3.6 million, flashed the "get out or you die" sign, shot out the truck's tires and windows, and made off with the money.

It is noteworthy that Mathews died on December 8, 1984 around 9:00 p.m. Exactly two years later David Moran was killed shortly after 9:00 p.m., on December 8, 1986!

The Sermon

JANUARY 11, 1987 (Mariposa, California)—Reverend Gale and his assistant pastor, Fortunato “Slim” Parrino, were in jail in Las Vegas, Nevada, and would not be released until March.

John Boggs, a member of the Unorganized Militia, was chosen to preach at the Ministry of Christ Church until Gale’s return. The church was situated in a mobile home on 100 acres of rolling meadows and out-buildings called Manasseh Ranch. The Ministry of Christ Church, Inc. had been moved, in August of 1976, from Glendale, California to Manasseh Ranch in Mariposa where it became the scene of countless “Identity” seminars, theological and para-military forums for right-wing members from all over the United States.

In April 1987, reporter Cheri Seymour requested permission from Colonel Gale to attend a Sunday service at the Ministry of Christ Church on Usona Road. The request was denied in order to protect the privacy of the members, but a list of several hundred taped sermons was provided to her to pick the ones she wanted to hear.

The sermon title, “What’s to Come,” by John Boggs seemed particularly intriguing since it was taped after Colonel Gale’s arrest, on January 11, 1987, while he was incarcerated. Though Seymour did not attend the January 11 service, she interviewed members who had attended that service, and they provided her with a visual image or re-creation of Boggs’ presentation.

In 1988, Seymour had the opportunity to observe Boggs giving a sermon at another church and those recollections, together with interviews with the above-mentioned members, provided the visual background to the following re-creation of Boggs’ taped sermon, entitled, “What’s to Come” on January 11, 1987:

“Good morning, and welcome to the Ministry of Christ Church on this eleventh day of January, 1987.” Boggs reached to his right and turned the tape recorder on. “Oh heavenly Father, Jesus, we give thee thanks for this gathering of thy children here in thy name . . . we ask you to bless those that are not with us, but have the knowledge of the gospel of thy Kingdom. We pray for the awakening of thy people here in this New Jerusalem, these United States of America, where we, the descendants of Abraham, Isaac and Jacob now called

Christians exist . . .”

A thundercloud passed over the church on its way to Yosemite Park. The muted light from the window faded from Boggs’ face. His small, muscular frame blended momentarily with the giant blue X of the Confederate flag behind him. “. . . for thine is the Kingdom, and the Power and the Glory forever. We pray this in thy name, Yahweh our Yahshua which in English is Jesus the Christ, who is the Father, the Son and the Holy Ghost, all one, Amen.” Boggs turned towards the American Flag in the corner of the room. “Shall we stand and salute the flag of our Christian Republic.” A guard entered quietly from the kitchen area and pulled up a chair in the back of the room. As the salute ended, Boggs turned his eyes toward the guard. The guard nodded.

Boggs took a deep breath, “Wooh, good morning. The title of my sermon for today, is ‘What’s To Come.’ Uh, for those who are in the Identity message and have followed it, and have a pretty good understanding of it, they know that the coming age is the topic of the sermon for today, which is the coming age of God’s Kingdom here on earth. Now the purpose of this sermon is to cause God’s people to prepare for His coming, and the main idea for this morning will be that the Kingdom of Jesus Christ will come with great violence . . . so prepare yourselves.”

Boggs’ voice dropped one octave. “We’re going to be talking this morning about what we have to do to prepare, what we should have done, what we didn’t do, and what we should do.”

Looking out over the congregation, his eyes captured each member individually as the words reverberated down the aisles. “. . . against who we should prepare, and why we should prepare, and why we should have no fear.”

He cleared his throat. “Now, we see in past Bible history and more recently, that as Israel . . . that is you white Anglo-Saxon, Celtic, Scandinavian, Germanic people of the world today known as Christians, the Israelites, as we turn from the laws of God and lose our identity, our blessings are removed from us from God and we experience trouble in our lands. And so it is today, that we see it here in America. But these are the latter days. And with that in mind let us turn to Nahum, chapter 2, and we’ll take the first two verses and see a little bit about what’s going on, and what we should prepare for.

“He that dasheth in pieces is come up before thy face,” said Boggs in a hushed voice. “Keep the munition, watch the way, make thy loins strong, fortify thy power mightily for Yahweh has turned away the excellency of Jacob, as the excellency of Israel: for the emptiers have emptied them out, and marred their vine branches.” His eyes sought the church window to his right. The peaceful scene outside belied the vision he saw. Smiling tightly, he contemplated the mountain from where he knew the FBI watched.

At last he continued, "Well, some of what is meant here, we can see today, that our leaders and the leaders of all the world are telling the entire world to disarm. Throw your weapons down, and let's all have peace. But what does our God tell us in Nahum? He says, 'fortify yourselves, do not disarm.'"

Boggs lowered his eyes and squinted at the congregation. "Now is the time to arm. This nation could have been armed to the teeth, but we have let our military fall into such disrepair that we have no choice now but to prepare as individuals. As a citizen soldiery . . . the body politic . . . commonly referred to in the United States code as 'THE UNORGANIZED MILITIA.'"

The clutch of people in the little church sat silently still. Boggs' voice fairly hissed, "Yes, we have enemies that have come up against us, and as a result, they have emptied this land out as a nation. We see it everyday." He pointed to the passage in Nahum, "And it says here, they marred their vine branches. Well, the vine branches are that which come from the tree. And that tree is our racial tree. And the vine branches are those who are living today. We're not talking about things in the past anymore. The vine branches are the Israelites who are alive and living today. We are being marred and our inheritance is being stolen."

Abruptly, he flipped through the pages in his Bible. "So, as a kind of second witness to that, let's turn to the book of Isaiah." He raised his head, smiling. "Isaiah always has some dynamite things to say. And let's see where and who is causing us so much of this trouble, and what's going to happen here. We read here in the fifth verse, fifth and sixth verses of chapter 32, it says, 'The vile person shall no more be called liberal.'" He paused while the audience found the verse. "Well, that's true because there's coming a day when there won't be any more liberals. These liberals who give away your land, give away your wealth; indeed, give away the inheritance of your sons and daughters to aliens who are flooding this land. That's going to stop!"

He looked down at his Bible, arms braced firmly on the pulpit. ". . . 'Nor the churl which is the impoverished, said to be bountiful.' That's what they tell us today. Everybody who has nothing," he laughed, "is somebody special. So we all oughta have nothing . . . you have a free giveaway."

He shook his head, still amused, "'For the vile person will speak villany, and his heart will work iniquity, to practice hypocrisy.' Yeah, that's the hypocrisy, isn't it? Have nothing, and be wonderful."

Reading from verse six, he continued: "'And to utter error against Yahweh, to make empty the soul or the mind of the hungry, and he will cause the drink of the thirsty to fail.' These are the things that are going on today. Everything that's called good is bad, and everything that's bad is good. We have those who sell out the nation, receiving things like the Nobel Peace Prize. A few years

ago Henry Kissinger got it, a KGB agent. Ah, Linden LaRouche, ah, during the Mondale and Ferraro campaign, came out with physical evidence that Walter Mondale is a KGB agent. He still operates in our government today. The giveaway program, the disarmament program, the 'let's not have anything for America' program, and for Americans."

He took his Bible and set it aside. Chairs creaked as the congregation straightened in their seats. "I'm going to depart from the Bible for a minute, and I'm going to turn to the book of Baruch."

He dispatched the first seven verses with a whispery, spiritual force. Minutes later, it transformed into a saber-rattling call to battle: "We used to be a Christian, God-fearing Republic." He paused for emphasis. "But we allowed the Jews into our land, and upon doing so . . . you can't have it both ways. They cannot survive if we follow the laws of God. So as far as they're concerned, we all have to die so that they can live. Well, I see it a little bit differently. Let's keep the Commandments of our God, follow his laws, prosper as a nation . . . and kick the Jews out. Let them make their own way!"

Looking to Ecclesiasticus in the Old Testament book of Apocrypha, Boggs found verse five: "'Do well unto him that is lowly, but give not to the un-Godly.' Stop giving it away! Keep it! 'And hold back thy bread, and give it not unto him, lest he overmaster thee, thereby.' This is what has happened. We give the Soviet Union our wheat . . . in fact, we actually pay for them to take it from us. Nothing's free in this world. 'For you shall receive twice as much evil for all the good you shall have done onto him.' Do you think they love us for this giveaway? No, they hate us and scorn us for it. And they have every intention of destroying us . . . and they're well on their way."

Reaching for his Bible, he turned to Deuteronomy 23. "Now listen up, Oh Israelites: 'You shall not seek their peace nor their prosperity all thy days forever.' What peace? Soviet style peace? Poland style peace? Don't upset the applecart."

Ponderously, Boggs hammered his point home. "You know what peace is to a Communist? No more opposition. When all their goals are accomplished in the world, and there is no more resistance to it, that is their definition of peace . . . paraphrased. We shall not seek their peace. Their peace is our death.

"The history of this nation has always been such that as long as we have fought, we have prospered." A baby cried, squirming in the background. "It is in our nature to fight!" His voice rose above the cries of the baby. "Especially when there's something to fight. And we always win. It is when we seek peace that we end up losing. So it has been in every war. We've won the war, but lost the peace. We had what they called 'peace with honor' in Vietnam, but it wasn't OUR honor. We won every military campaign that we went after in every war

that we ever fought, in every campaign that we engaged ourselves in, and it was always those leaders in our government who sold us out when the fighting was done." Boggs jerked his head up. "... and it's goin to stop—damn quick!"

Someone coughed nervously. Boggs stood silently for a moment, then bent towards the congregation. "One of the big events that's happened lately is that two fine Christian men, and others, have been thrown into the federal dungeons over in Las Vegas. This is a perfect example of what we in Identity have always called, and what Bill Gale has called, the hook in Satan's jaw. The longer this thing drags out, the more it becomes obvious that he's moved before his time. He's got nothin'. And he's not gonna get nothin'. There's going to be so much exposure come out of this that it's not going to be funny. It already looks as if this fellow, what's his name, this psycho testifies, it's going to come out that he was given confidential IRS information that he could get no other place. And I believe that is referred to as an obstruction of justice, perpetrated by the IRS... and probably the U.S. Attorney's office. He better deny to testify, for the sake of the IRS!"

Abated, Boggs opened his Bible to Nahum, and the "empty years of Israel." Painstakingly, he recited the story of a nation raped, robbed, empty, despoiled, invaded. "How shall it end?" he asked. "Habakkuk the prophet says: 'Before him went the pestilence...'" He eyed the congregation. "Ohhh, we see that now, don't we? We've got leprosy in Orange County; we've got these Asiatic hordes coming in with their tuberculosis and malaria; now we've got the scourge of the late twentieth century, which they call AIDS."

Boggs paused to snicker, "There's a lot of slang terms; you know what AIDS is, don't ya? I can't tell you on the tape, but it's kind of funny." He chuckled openly. "But, ah, a lot of people think it's strickly a homosexual disease, but more than anything else, it is a black disease and it's being brought in by these black invaders from Haiti and the Central American islands out here. 'Before him went the pestilence.' So prior to his coming we'll have the pestilence. Well, we've got it!"

"More than at any other time, the twentieth century has been the downfall of what we call 'the West.' Through the first and second world wars... the British Empire is no longer an empire, it's just a slum. Our national integrity is brought to nothing." Boggs' mouth formed a grim line beneath his thin mustache. "Nobody can trust the United States anymore!"

The sky was high and cloudless now, and the sun was bright on the tin roof of the church. A hawk hovered above a small boulder in the center of the glade, then rose above the line of the farthest pine woods and disappeared.

Within the mobile home church, Boggs studied his flock. He gripped the pulpit with his work-worn hands and addressed the group in a mocking voice.

"I had a funny incident happen to me in a cultural geography class that I took. The guy that teaches it... I like to back him up into the wall every now and again 'cause it's a lot of fun to watch him squirm."

Momentarily, he languished in the memory, then continued: "He said, and I quote, 'In order to become president of the United States, you have to get the Jewish vote.' And I was telling everyone around me, 'Now listen up, 'cause you're finally going to hear the truth in this class.' I kind of finagled him into a corner there, as to how we got into this situation where we got this kind of a—how do they describe it on TV? This 'love affair with Israel.'"

The young preacher eclipsed the murmurings below him. "Yeah, well, it's a dirty little affair, I'll tell ya."

The people below him nodded their heads. "'When I heard, my belly trembled,' Habakkuk says, 'my lips quivered at the voice. Rottenness entered into my bones, and I trembled in myself, that I might rest in the day of trouble.'"

Pausing, Boggs looked around the room. "Ohhh, we got some trouble comin' here! 'When he comes up unto the people, he will invade them with his troops.' Or, cut them in pieces with his troops." He leaned forward, preparing to make his point. "Do you hear that, you soldiers of God, you militia men? YOU are the troops of Jesus Christ... and YOU will cut the invaders."

He turned to Jeremiah, chapter 51. Verses nineteen to twenty-three were his favorite verses. "'The portion of Jacob'... who's Jacob? The House of Jacob, or the Israelites. That's you Christians out there, you Anglo-Saxon, Celtic, etcetera, etcetera, Christians out there... you white folks."

At verse twenty his voice gathered, then boomed across the room. "'You, Israel, are my battle axe and my weapons of war,' God says. 'For with you will I break in pieces the nations, and with thee will I destroy kingdoms.'"

Emphatically, he issued verse twenty-two: "With thee also will I break in pieces man and woman; and with thee will I break in pieces old and young; and with thee will I break in pieces the young man and the maid..."

Boggs raised his eyebrows. "Very little distinction made here. It's gonna encompass one and all! You can either get on the right side and be a battle axe for your Father, or you can be cut down. Make up your minds..."

His demeanor avowed the vision he conjured. "'I also will break in pieces with thee the shepherd and his flock...'" Pay attention, Jerry Falwell, immoral Roberts, all you TV clowns, all you peaceniks and peace-lovers, Jew-lovers."

The faces below him grinned, heads bobbed up and down. "You like that don't you," he said to a rancher with broad cheekbones and deep-set eyes. The man's face lit up. "Yeah, I love it. Praise God."

Boggs' eyes burned like coals. "Jerry Falwell can't bend over far enough to kiss a Jew's behind. I'll tell you what, just before the Jews invaded Lebanon,

where they slaughtered and murdered our cousins the Arabs, what did Menakin Begin do? He got a hold of his old buddy, Jerry Falwell to run blockade for him. Gave him a personal call. Said, 'Hey,' you know, 'make sure that you mention that we've got to have unquestioned support in this from you Christians over there in America.' And he was just so happy to do it. No matter what evil they perpetrate, the TV clowns will back 'em up. BUT," he trumpeted, "And with thee will I break in pieces captains and rulers."

He pointed at the congregation. They watched his eyes widen and dilate. "Pay attention you Unorganized Militiamen, you Body Politic of the United States of America. Jesus Christ has ordered you to arm yourselves and fortify yourselves. The history of this nation tells you that you should be armed. That you should keep your ammunition dry, and be ready to go. Just like your ancestors were at Concord Bridge. A moment's notice . . . and we'll take this nation back. And we won't lose it this time."

Boggs' slender body straightened. He was enjoying himself immensely. "Now this is for you Christians who kinda have the weak knees. The 'trembling in the belly.'" He suppressed a chuckle.

"As I said, this is for you Christians who are a little weak kneed. Especially for those who are afraid of a nuclear holocaust. 'No weapon that is formed against you shall prosper . . .' Your heritage is that you should stand up and do right. And when you do, you win. No weapon of any nation, people or place, whether it be foreign or domestic, whether it be the United States attorneys, the Soviet KGB, the Mossad, the armies of the Soviet Union and all of the Communist block . . . as long as you fight them and stand up against them, you cannot lose. The United States is the Kingdom of God, and you are the lost sheep of the House of Israel, you Christians. And no weapon that is formed against this nation will ever prosper. Unconditional! No matter how flaky or how chicken we want to be, as a people, this is God's nation. So you might as well act like men, and arm yourselves against this evil that has taken possession of your land, that occupies your land, and be victorious."

Boggs nodded towards the kitchen. "Right around the corner, there's a picture of a flag that says 'Don't Tread On Me,' and there's a rattlesnake painted on it. Well, the rattlesnake is indigenous to America. You don't find it anywhere in the Old World at all. The background on this is interesting. Mr. Franklin wanted to find out what it was all about when they made this flag, this 'Don't Tread On Me' with this rattlesnake. Now a snake, in times gone by, was a symbol of wisdom. And among other things, the rattlesnake, which is distinctly and uniquely American, meant if you left it alone . . . it'll leave you alone. Alright? You don't bother him, he don't bother you. You get too close, you give him a hard time, and he'll bite ya. And he'll do battle with you. And part

of what makes that snake successful is that venom. And that's a part of America. It's that ability and that willingness . . . I should say more than willingness, to FIGHT! It is a part of our very national being. Without it we lose a very great chunk of that which makes us distinct and unique amongst all the peoples of the world. It is an integral part of us, and without it we have lost a great deal."

Holding his Bible up to the congregation, Boggs thundered, "This is a Commandment here: 'Be strong and of good courage.'" He paused for breath. "I get off on these tangents always towards the end of my sermons, don't I? It makes me a little long-winded. But the number of Christian preachers who want to use the Bible as an excuse to be cowards! To be meek and mild, to turn the other cheek constantly. No matter what anybody does to you—give to the Jews—firstly, love them." Boggs made loud kissing sounds with his mouth. "Right? Till you're dead. But what does the Bible say? Be strong. Oh, be strong. And of good courage. 'Be not afraid, neither be you dismayed for Yahweh, your God, is with you wither so ever you go.'"

The Bombing

MARCH 2, 1987 (Laguna Niguel, California)—Colonel Gale was the last of the seven defendants to remain in jail at the Las Vegas facility. According to court documents, he was considered a threat to the community, and therefore was denied bail. The other defendants listed on the indictment had already been released at varying times since the October arrests by federal agents.

At midday, in Laguna Niguel in Southern California, someone, or a group of persons, decided to show the federal government that the colonel's incarceration did not prevent him from being a threat to the community, specifically the IRS, since it was not the "community" that the colonel was at war with.

Seven homemade pipe bombs were launched at the sprawling Chet Holfield Federal Building which housed Internal Revenue Service offices and a U.S. Census Bureau information storehouse. Five of the bombs overshot the building, exploded and started a grass fire in a nearby field. Two bombs landed in a parking lot adjacent to the building, but they did not explode. No one was injured, but a construction worker was sprayed by dirt from the vacant field. One bomb measured twelve inches in length—the others ranged from eight to ten inches long.

Michael Growney, the Las Vegas FBI spokesman, later confirmed to reporters that the Las Vegas office was indeed participating in the bombing investigation.

MARCH 3, 1987 (Las Vegas, Nevada)—Coincidentally, or not, Colonel Gale was released on bail and sent home to Mariposa the day after the bombing.

On March 11, 1987, the *Las Vegas Review Journal* carried a story about the Orange County bombing entitled, "Officials Probe Vegas Link to California Attack," by Phil LaVelle. (Excerpt):

A mortar attack on a Federal building in Southern California last week is believed linked to the Ku Klux Klan and radical anti-tax protesters facing trial here, the *Review-Journal* has learned. . . . "One theory is that the Ku Klux Klan did this in retaliation for the jailing of William Gale,

founder of the Committee of the States, and others . . .," said a government source.

Last week's mortar attack also has investigators looking to Arizona because of the striking similarities between it and the alleged methods of the Arizona Patriots Group. Members of that organization were arrested in December in Flagstaff and near Phoenix on Federal charges that they plotted to use homemade mortars, sleeping gas and arrows with exploding tips to attack an armored car carrying casino money between Las Vegas and Laughlin.

Mortars were seized by Federal agents during the Arizona Patriots raids. The Patriots planned to bomb a Phoenix synagogue and the IRS processing center in Ogden, Utah, to practice for the robbery, and hoped to use the money to establish a training camp where other Patriots could prepare for commando assaults on blacks, Jews, government officials and others, according to a Federal indictment unsealed in December.

Gale's Committee of the States and the Arizona Patriots are considered part of a nationwide network of ultra-right underground groups known collectively as the Identity Movement. One reason for the intense Federal concentration on Identity Movement groups is the view that they are growing increasingly more violent.

The following day, on March 12, headlines appeared in the *Los Angeles Times*, entitled, "FBI Seeks Link Between Tax Protester, Pipe Bombs," by Maria La Ganga. La Ganga reported that the FBI was looking into possible links between pipe bombs found March 2 near the Chet Holfield Federal Building in Orange County and William P. Gale, "the leader of an anti-tax splinter group of the Posse Comitatus who was charged with making death threats in Nevada."

"In an unusual show of solidarity," Tom Metzger, former leader of the Knights of the Ku Klux Klan, was reported by the *Las Vegas Review Journal* to have flown in from San Diego County, California, to attend a January 9 hearing on Colonel Gale's case.

Metzger's weekly cable TV show, "Race and Reason," was regularly produced at the California State University, Fullerton campus in Orange County, but authorities denied he was a suspect in the bombing.

* * * * *

Four years later, on November 28, 1990, the *San Diego Union* newspaper printed a story entitled, "Pipe-bomb Probe Focuses on Metzger Crony." The article said that Carl E. Straight, 40, a Metzger bodyguard, had been questioned by FBI agents and subpoenaed to appear before the Federal Grand Jury on December 20. Straight said he planned to take Fifth Amendment protection against self-incrimination when asked if he knew anything about a September 15, 1990 bombing of a San Diego federal courthouse.

As of this writing, no arrests had been made by federal authorities on the bombing incident.

PART II

Prelude

By now the reader knows more about the Identity Movement than reporter Cheri Seymour did on the day (March 11, 1987) she decided to write a case book on the Committee of the States. The foregoing chronology in Part One acquainted the reader with the "public" image of Colonel Gale and some of his associates. Part Two contains an oral history—conversations with Colonel Gale and members and supporters of the Committee of the States, a chronological investigation of the dynamics of the Identity Movement, and documentation derived from the radical right, the media, and all levels of law enforcement.

* * * * *

MARCH 11, 1987 (Mariposa, California)—Laurie Helm, managing editor of the *Mariposa Gazette*, called Seymour to inform her that Bill Wallace from the *San Francisco Chronicle* had stopped by the *Gazette* offices to inquire about Colonel William Potter Gale.

Wallace, a regional investigations reporter, was gathering material for a story due to break after the Las Vegas trials ran their course, reportedly scheduled for sometime in July.

Wallace never contacted Colonel Gale for an interview while he was in Mariposa; in fact no media representatives had obtained an interview with the colonel since his arrest.

Seymour decided to attempt an in-depth interview with accompanying trial coverage for a future magazine article or book.

Gale's telephone number was listed in the directory, but his address was not.

Roxanne Gale answered the phone and listened attentively as Seymour explained her plans about writing a biographical account of Gale's life and the Movement. Mrs. Gale didn't offer to let her speak to the colonel, but she said she would talk to him about it and call back later.

The Gales hesitantly agreed to a series of interviews, but first scheduled a photo session at Manasseh Ranch on March 23.

MARCH 23, 1987 (Mariposa, California)—While the ailing colonel rested at home, Roxanne Gale walked the reporter around the compound. Currently, the ranch was not in use; an emptiness pervaded the grounds. Standing on a knoll, Roxanne swept her arm towards what appeared to be a small settlement of empty trailers and cabins. She spoke wistfully. "I remember walking through the camp on a warm summer night. Everywhere, the lanterns were strung outside the tents and trailers, and it reminded me of the camp of the thirteen tribes of Israel." She cut herself short, reluctant to show her feelings to the reporter.

They strolled through the spring grass while the reporter snapped pictures, Roxanne pointing out anything she thought might be of interest, including "Big Bertha," the ranch's army dump-truck. The dump-truck was used to escort children and adults around the ranch during Easter and Fourth of July seminars. The existence of the truck explained at least one report of "paramilitary maneuvers" observed by surveillance teams.

The footpath lead to a concrete bridge which spanned a wide creek. The bridge had gained notoriety when a January 1985, *Fresno Bee* news article said it was "built to handle a tank."

Reports of "sensing devices and mine fields" located off the main path had permeated rumors about Gale's ranch.* Dusty tracks, described in undercover FBI reports, from alleged field maneuvers and training exercises of the summer before, had now vanished beneath a sea of virgin grass.

* * * * *

Later, Seymour reviewed the photographs of Manasseh Ranch. The empty church room with the Confederate flag, the huge modern kitchen and mess hall, the trailers, and even the barracks seemed less intriguing now that she had been allowed to walk the grounds.

After Gale's arrest, a law enforcement officer, who asked to remain anonymous, had said, "The community of Mariposa is terrified of that place." Indeed, no FBI or IRS agents had ever walked past the steel-walled guard house at the entrance, except in an undercover capacity (posing as a member of the Movement)—and few photographs had ever been taken of the ranch except from aerial surveillance.

* * * * *

MARCH 27, 1987 (Mariposa, California)—Inside the house, relaxing in his easy chair, Colonel Gale had the gruff demeanor of a man who was used to giving orders. At this first interview, he had little patience with questions and chose not to talk about the upcoming Las Vegas trial, but spoke instead about his past and his family tree:

"I was born on November 20, 1916, in St. Paul, Minnesota. My mother's maiden name was Mary Agnes Potter; my grandfather on her side was named William Potter, from England. My grandmother's name was, ah, Sarah Pierson. This is from my research into my family Bible from England here with all those names on it. My great-grandmother on her side was Mary O'Sullivan, Irish Catholic from Ireland." Gale paused, "O'Sullivan, don't forget the 'O.' Basically, my great-grandfather on her side was Thomas Pierson."

He jumped up from his chair and crossed the living room to his office. His frail body seemed unable to contain the intense energy he emitted. The office was a sanctuary of memorabilia; pictures of Gale with military colleagues (one in a Green Beret uniform), plaques, certificates. In the ante-room was wall-to-wall computer equipment, a ham radio; in the corner a respirator.

He returned with a picture of his father who at one point in his career had been a policeman in St. Paul. Charles Gale was born in North Dakota, but at the age of twelve his family had returned to Scotland, leaving young Charles with an uncle. He became a veterinarian under the tutorship of his uncle and while still a teenager, joined Teddy Roosevelt's Rough Riders as a horse breaker.

On the wall hung a pair of beaded leather gloves, a gift from Roosevelt to Charles. William S. Hart and "Wild Bill" Cody had ridden with Charles in the Rough Riders, at that time called the First Wisconsin Volunteers.

"I have my dad's medals around here somewhere, from the Cuban Passification. Teddy Roosevelt's Rough Riders went to Cuba and they fought in the great battle of San Juan Hill. My father's records show that he fought there."

*Three months later, "Clute," a veteran of Manasseh seminars, confirmed that "trip devices" were in fact used in night-time ambush sessions in the far pasture, beyond the bridge.

"This unit known as the Rough Riders was inducted into the U.S. Army as the Fourth U.S. Cavalry, and my dad went with it. Now, as the Fourth U.S. Cavalry, the unit was taken to the Philippines during the Spanish American War—and there my dad served under General Funston who served under General Arthur MacArthur, General Douglas MacArthur's father."

General Funston selected Charles Gale, who was commander of "D" troop of the Fourth U.S. Cavalry, to organize what was called the Maccabeebee Scouts, a Filipino unit specially trained to find and capture General Aquinaldo, a Filipino insurrectionist.

"I have some books sent to me by other people, knowing my background, knowing that my father was in the army," he said. "They just accidentally located my father pictured in the Philippines with the Fourth Cavalry, and his name right under it." Gale smiled for the first time. "So, it was confirmed, that he was there and he captured Aquinaldo with this unit known as the Maccabeebee Scouts. The Scouts were a guerrilla unit too."

He discussed the extraordinary repetition in his and his father's military career. History had repeated itself in the Gale and MacArthur families; forty years after Charles Gale's service in the Philippines under General Arthur MacArthur, William Gale had served in G-4 Planning Section in the same location under General Douglas MacArthur.

Gale referred to himself as an "army brat" when talking about his childhood. "I was raised in quartermaster depots, so I knew the ways of the army." He paused, looking backward in time. "I was six years old in Monterey, living with A-Troop of the Eleventh Cavalry, the first barracks in the line. Just inside the fence from the city of Monterey was this Army post; there was 'B' barracks, A-Troop, B-Troop, C-Troop and D-Troop of the 11th Cavalry. Across the parade grounds was the Seventy-sixth Field Artillery in the same kind of barracks . . . a theatre, a hospital."

He chuckled, softening his countenance. "Monterey's an Italian town; there's new Monterey Wops, and old Monterey Wops. The army kids got it from both ends of town. I mean fistfights every day . . . runnin' home from a gang chasing me. But on the weekends I would catch them individually, singly, and beat the hell out of them. Then, the next week, they would get me again. I would run home to the post, as soon as I got inside the post I was safe!"

"The Italians had chickens, and they would feed them the garbage from the garbage racks at the end of the barracks. They would send their kids up every day for the garbage, and the soldiers on the post would go out and grab up the Italian kids and put them in a ring with me for my work out.

"They called it the battle royal! They'd put boxing gloves on us, and of course the last one in the ring won. Then, they'd throw money out into the

ring—and that's how I made money.

"Then every two weeks, they had what they called the 'Smokers.' In the army, that's the term for the boxing matches they held in the basement of the old post exchange at the Monterey Presidio. So, they would throw in an Italian kid about my age, four, five, six years old, then we would fight what they called the 'curtain raiser,' the first bout of the evening. Four rounds, just little kids." Gale laughed spontaneously. "Oh, the soldiers loved it!"

Still laughing, he added. "We would put on a heck of a battle. You know, two little kids six years old fighting it out; we'd fight like hell, boy, and for that the soldiers would throw money into the ring. I'd be under the ring looking for a quarter, or a dime."

The old colonel collected himself. "I'd shine shoes," he continued, eyes squinting at the effort to remember, "and at Camp Delmonte my old man had some influence, so I was the only kid who could shine shoes on the National Guard camp. I made ten cents a shine, shining shoes and boots. That was the life." He paused reflectively.

"The Thirtieth Infantry was down after San Francisco training detachments, artillery detachments from the Seventy-sixth, these were regular army troops that I lived with. I knew where the blackjack games were being held, so I would get in and gamble with them too. They'd let me, I was just like a soldier. My bunk was in the orderly room of A-Troop, Eleventh Cavalry."

Gale said he joined the army reserves at the age of sixteen, on August 8, 1932, at Fort MacArthur. The army sent him to San Pedro High School to earn his diploma, but at night in the post library, he was tutored for officers prep school by orders of Lt. Colonel R. Duncan Brown. In 1941, under the Thomason Act of 1936, Gale was commissioned Second Lieutenant in the regular army.

He emphasized the parallels between his father's experiences in the Philippines and his own; he too had organized a Philippine unit. Under Colonel Robert Ofley, he had organized a volunteer Filipino unit to go into New Guinea which was the support base for the entire Philippine campaign during World War II.

"Ofley's father was military governor of the Island of Mendora," he noted. "He was an army brat and a West Pointer, same class as Eisenhower—1915.

"MacArthur hand-picked us. The army hand-picked Colonel Ofley because he was raised in the Philippines and he knew Filipino customs. They hand-picked me because my father served in the Philippines, and I guess because I was an army brat too.

"And then they picked Colonel Tirso Fajardo, spelled F-A-J-A-R-D-O, a Filipino West Pointer. He was a captain then. After the war he became lieutenant-general in the Philippine Army and, ah, commandant of the Philip-

pine Military Academy at Bagio. He passed away recently.

"The fourth officer was Atanacio Chavez, another Filipino West Pointer; I called him Nino. We were very close, he was a company commander in the unit. He later went to the Alamo Scouts under commanding general of the Sixth Army which was a highly trained unit operating in the Philippines."

A coughing spasm gripped him momentarily. Clutching at his chest, he explained that he had been in a car accident on his way back from Letterman Hospital the day before the interview; the impact had broken some of his ribs. A cement truck had slammed his car into the railing on the bridge freeway in San Francisco, causing it to overturn. He and Roxanne had chosen to drive the nearly totalled automobile back to Mariposa immediately after the tow-truck had righted it, rather than wait around for help to repair it.

Roxanne bustled around him, setting coffee or water next to his chair as he spoke. A woodpecker tampered with an eave outside the kitchen window. The afternoon sun filtered through the window onto his army crew-cut as his fingers touched unconsciously across the tips of his spiky hair.

Despite his illness, his recall was excellent. He could recount conversations from twenty or thirty years ago, but if interrupted or re-directed, he became agitated and withdrawn.

He reached for the Bible on the table next to him and launched into a soliloquy about genealogy: "I had a very interesting discovery on my father's side of the family from Scotland. My father's sister, Fannie, is a short Scottish nickname for Tammy. Later, after I got into religion, or if you want to call it Ortheology, I got into studying genealogy from the Book of Luke, and the genealogy of Jesus, and genealogy charts of the Israelite people and their historical background.*

"I was especially impressed with some of the books that were written by Professor Charles Totten from Yale University; he was a graduate of West Point, and an officer in the army.† All of his stuff was terrific! Biblical, and in the area of the Israelite people. Where they came from and all . . . in Egypt, and how Jeremiah brought the two daughters of Judah into Ireland and England. The Dardic Kings of Ireland and Scotland are the descendants of those daughters of Judah, and they came from Egypt, of course."

Gale leaned back in his chair and patted the Bible. "That's all tremendous background, but getting into those things got me a little bit into my own family background. Remembering the story in the Bible where Judah had

gone into the land of the heathens and taken a Dolomite wife: I looked that up and that's a mixture of what you'd call Mulatto, and that was against God's law, and he had two sons by her—Er and Onan. He later went back to his land of Abraham, which we would call Israelite or Caucasian," he paused for emphasis, studying the reporter thoughtfully. "As I may use the term as I understand it NOW, but didn't then."

He leaned forward painfully, sighing as if some inner voice from the past had cautioned him. "And he brought Tamar back to the country where his sons lived, and he wanted to give her to one of his heathen sons, Er, who was the first son by the Dolomite woman."

His voice became subdued, enfolded in the significance of the point he was about to make. "The Bible said God would not allow that, and he killed Er before the marriage could be consummated. So then Judah decided, well, I've got this other mongrel son," he looked up cannily, "he didn't say 'mongrel,' but it was, the Bible records show it. He gave her to Onan, and God would not allow that either. But he didn't kill him. So she, for some reason—God's reason I guess—seduced her Uncle, Judah. She played the harlot and seduced him, and she had twins by Judah. Now, she was pure Israelite, and Judah was pure Israelite. You see, this was pure racial stock!" The point was lost on the reporter, who would not know what he was talking about until weeks later.

"In my genealogy studies," he continued, "I found that this Tamar is traced, and the twins are traced into Scotland as the Dardic Kings, and they are Pharez and Zarah. In Luke, you will find that Jesus Christ comes through the Pharez line of those two twins . . . and I had just found that my great-grandmother on my father's side from Scotland was named Tamar!"

He flushed excitedly. "Isn't that interesting? I found that out because I was asking why my father's sister was named Fannie, and my mother said, well, her name is Tamar. And in Scotland, Fannie is the name for Tammie, and Tammie is the nickname for Tamar. And my great-grandmother's name was Tamar, and so was Fannie's name Tamar, so my father's line checked right back into that Pharez line, which is the family of Jesus Christ . . . which made me pretty proud!"

Unexpectedly, he could go no further. He stopped talking, wheezing and gasping for air. He said good-bye, waving his hand, and hurriedly walked into his office to put the respirator in his mouth.

The reporter had interviewed him for five hours. As she pulled her car out of the driveway, she smiled at the faded, hand-printed sign in the window of the mobile home: "WARNING, BOOBY-TRAPPED FOR UNLAWFUL ENTRY."

*Gale called his congregation the Israelites. He also referred to them as Adamites, or descendants from Adam, and the Semites, or descendants of the Hebrews.

†Gale attended Staff Officer's School for Asiatic Studies at Yale University in May, 1946, where he discovered Professor C.A.L. Totten, author of a series of books on Anglo-Israelism, entitled *Our Race*.

The Soldier

APRIL 2, 1987 (Mariposa, California) 1:00 p.m.—The colonel rested in his favorite chair in front of the sliding glass doors which led out to the back yard. Outside, fresh buds glistened wet on fruit trees surrounded by Ponderosa pines; a little garden tractor squatted under the largest of the trees. He'd removed his shoes when he came into the house for the interview; his bare feet were propped up on a footstool. A giant Persian cat rubbed back and forth against his feet until he finally dropped them to the floor and wiggled them under the reclining feline.

The reporter picked up the discarded footstool and sat down on it directly in front of him, placing the microphone of the tape recorder next to him on the chair. Dan Rather of CBS News, Jack Anderson, a syndicated columnist, Phil Donahue and other media representatives had converged on him during the past year, but he had rejected interviews with all of them. He said he chose to give his life story and the story of the Movement to Seymour because he believed she would quote him accurately.

He had retired from the army at the age of thirty-three, on June 30, 1950, and later became an Episcopalian minister. He ultimately formed his own church, but his radio and tape sermons invariably revolved around his military experience. He never divorced the military from the religious, and that correlation was not lost on the federal prosecutors, who consistently pointed out his status as chief of staff of the Unorganized Militia.

He opened the interview with a chronological recreation of the events that lead up to the Philippine Liberation Campaign in World War II, when he fought with his troops under General Douglas MacArthur. Seymour knew little about World War II and told him she appreciated the historical summary.

Talking rapidly, he reached for some notes which had been stacked neatly near his chair:

The Japanese had attacked Pearl Harbor and Manila on December 7, 1941, crippling the United States Pacific Fleet at Pearl Harbor and subsequently attempting to conquer the Philippine Islands, the Dutch East Indies, Borneo, Thailand, Burma, Malaya, the Solomon Islands, the Gilbert Islands and the isolated American outposts of Guam and Wakde Islands.

The main Japanese attack in the Philippines took place on December 22, when 43,000 troops of Lieutenant General Masaharu Homma's Fourteenth Army arrived at Lingayen Gulf, 120 miles north of Manila. His mission was to take Luzon.

General MacArthur's combined U.S. and Philippine Army troops were ultimately forced out of Luzon, back to Bataan, then to Corregidor. On January 2, 1942, the Japanese occupied Manila, the capital of the Philippines. On February 23, President Roosevelt said in a radio address to the Philippines that there was no hope of reinforcements from the United States. All troops and supplies were being directed to the war in Europe.

MacArthur had been prepared to stay in Corregidor, to be taken prisoner or die, but in late February, Roosevelt personally ordered him to Australia to assume command of American forces that were to assemble there for an eventual counter-offensive.

By May 1, 1942, all that remained for the Japanese to conquer was the last vestige of 15,000 half-starved American soldiers isolated on Corregidor, an island off Luzon, the largest of the Philippine islands.

On May 6, they surrendered, which initiated the infamous "death march." The prisoners were given no food for a week, then paraded through the streets of Manila to celebrate the Japanese triumph. Finally, they were shipped by train to an impoverished prison camp at Cabanatuan. By the end of the first two months of captivity, 2,000 Americans had died of hunger and disease.

Back in the United States, on July 13, 1942, barely two months after the death march in the Philippines, the First Filipino Infantry Regiment was activated at Salinas, California. The Second Filipino Regiment was activated at Ford Ord, California, on November 22, 1942.

Filipinos then living in the United States were being trained by American officers at Salinas, Fort Ord, Hunter Liggett, Camp Roberts, Camp San Luis Obispo, Camp Cooke and Camp Beale. One of those American officers was Captain William P. Gale, commanding officer of the Filipino Battalion at Camp San Luis Obispo.

After training the American Filipinos from April 1942 to June 1943, during which time Gale had been promoted from a captain to a major, he completed his courses in G-4 Planning and was re-assigned to the Operations Division of the War Department General Staff (Pentagon), where he worked under Generals Stratemeyer, Wedemeyer, and other German-American war plans officers.

"A lot of people don't know it," said Gale, reaching over his files for a cup of coffee, "but Generals Stratemeyer and Wedemeyer . . . our war plans officers who happened to be all Germans, went over to Germany after World War I, after Versailles, and studied what was known as the German General Staff

Concept.” He chuckled, amused.

“You see, in the Versailles Treaty at the end of World War I, Germany was limited to a 150,000-man army in total. You know what they did? They trained all 150,000 men to be qualified general staff officers! Even though they were privates in the army, they were trained and qualified general staff corp officers! These men were trained in officer leadership, combat and command, and even general staff concept of cadres, to fill in with the troops.”

He withdrew his feet from under the sleeping cat, and pushed his chair back into a reclining position. Clasping his hands behind his head, he mused ruefully; “We learned everything from the Germans and we used it against them in World War II! It [the German General Staff Concept] was taught in our General Staff College, and the Infantry School and various service schools of the military. And, that’s what our United States Army had in our general officers who were planners—war plans officers General Stratemeyer, General Wedemeyer, and all those in Washington, which was the group I was assigned to, called Operations Division of the War Department. My theatre section consisted of General Marshall and General MacArthur.

“You see,” he paused, looking thoughtfully at Seymour, “I knew what I was doing. I had already been to the Command General Staff College, the Infantry School of War, you know all these schools . . . most of them. I’d been in a line outfit, regimental supply officer of an Infantry Regiment, and I had been right up to a second lieutenant in every assignment you can have as an infantry officer, in an infantry unit. I had also been in communication school at Ft. Benning as a qualified signal officer.”

Abruptly, he changed focus. “I couldn’t take my family with me to Washington, D.C., there were no quarters or anything. So, I had to stay in the BOQ at Fort Myer, Virginia. They had two officers in each room and my roommate was Lieutenant Colonel Frank McCarthy who was the head of the secretariat of the Operations Division of the War Department, General Staff. He was later a producer at Twentieth Century Fox . . . produced the pictures *Patton*, and *MacArthur*.

“Frank and I had to ride the bus from Fort Myer to the Pentagon every day, and in those days, there was a group of us from the Operations Division; we traveled together, we wrote our own orders, we wrote the text for the Air College we were starting down in Alabama. We were the staff officers writing the regulations and instruction manuals for these new schools, the Army War College and the Army Industrial College.

“We had a staff car assigned to us. If we went to a bar, we just sent the driver back to the Pentagon and told him when to pick us up.” He chuckled. “We didn’t leave the staff car out in front of the nightclub.

“Things like that. The commanding general treated us like royalty. We had access to everything.” He faltered momentarily, savoring the memory. Seymour noticed that he was relaxed, moving with his story, in harmony with his own personal drummer.

“We had to know everything,” he continued. “I went to Panama for instance, with three other majors from the chief of staff’s office, to cut troop bases from 90,000 to 72,000. Well, we had to see every installation, so they flew us over the Panama Canal in a C-47, which had never been done for anybody! That’s when we learned that an army colonel, an anti-aircraft colonel, was responsible for the fact that the Japs did not attack the Panama Canal.

“A Japanese admiral of the navy was posing as a fisherman, having gone through the canal before the war, and this army colonel from the Sixty-third Coast Artillery went down there and placed 2,000 dummy anti-aircraft guns in the Panama Canal. He removed the four 90 millimeter anti-aircraft guns—that’s all the whole Army unit had on the coast of Panama—and he installed 2,000 dummies. The Japanese admiral thought he saw 2,000 anti-aircraft guns installed in the Canal Zone, and so the Japanese didn’t attack the Panama Canal. That’s a fact! Smart colonel wasn’t he?”

He searched the reporter’s face, eyes lit up like electronic sensors. When she finally laughed, he moved on. “Getting back to the Pentagon, I want to tell you the story about General Patton and General Fellers. It involves how they killed General Patton, too.”

He leaned closer, conspiratorily hunching his shoulders. “A former sergeant of OSS [Office of Strategic Services] who knew me from the Philippines visited my home in Canyon Country,” his voice grew low, constrained, “and he confirmed what I am about to tell you.” The reporter found herself involuntarily leaning forward on the footstool.

“At the time he visited me he was on a CIA mission in the desert involving a combination of CIA work, organizing and teaching A-teams. An A-team is an assassination team, and they work with the army. There was a program between the army and the CIA known by the code name of Phoenix. They later took some young men and trained them as individuals to go back into Vietnam and locate and assassinate high-ranking Viet Cong leaders.”

When Seymour attempted to question him about the Phoenix project, he became wary and returned to the story of General Patton. “That’s beside the point. For what General Patton knew, they were going to kill him too. Hit him with a truck. General Bonner Fellers was the military advisor for the United States Army in the Middle East in 1939, before the war. He was a brigadier general, a coast artillery man. He was assigned to that position because he was a beautiful writer, a German and a good analyst, and he was well-trained to

advise on the military warfare of the Middle East. All of the military attachés of the armed forces were under the control or command of General Fellers in that area.

“Colonel R. Duncan Brown, who was instrumental in getting me commissioned in the army, was a military attache in Belgium through 1939 and that period of time. He was the one who found out that the Germans had an Afrika Korps. He found out by going to a cocktail party in Berlin. The wife of one of the German officers told one of our military attaches that her husband couldn’t be with her that day because he was with the Afrika Korps. Wow! That’s why you learn not to speak at cocktail parties. We found out later that General Rommel was the head of the Afrika Korps.

“So, General Fellers was sent down there. The British were fighting them. The Australians were there too, the Ninth Division of Australians that were real rough on us when they got back to Australia. Mrs. Roosevelt had said the Yanks were doing fine with Australian girls . . . and they were real mad about that. Anyways, General Fellers was sending his reports to the commander of the General Staff College, to General Tom Handy in War Plans, general staff of our army in Washington.

“General Fellers was a good writer, as I said before, an English professor at West Point. He was also an aide to General MacArthur in the thirties when MacArthur was sent to the Philippines. So, to make a long story short, one day I was sitting in Colonel Frank McCarthy’s office at the Pentagon, McCarthy was my roommate at the BOQ in Virginia, and I was waiting to go to lunch with him.

“McCarthy’s office was directly adjacent to General Marshall’s office. I was sitting right by the door and I was looking into General Marshall’s office and there was General Fellers. With him was General Donovan from the Office of Strategic Services. And General Donovan was hitting the desk and they were arguing vehemently about something.

“The argument was waxing hot because General Donovan, I found out later, wanted to send General Fellers into Europe by parachute on an OSS mission and General Marshall said ‘No,’ General Fellers could not go to Europe, he was forbidden. General Marshall wanted Fellers out of Washington immediately—he told him he could go to China or to General MacArthur’s staff in Australia, whichever he chose, but he could not stay in Washington.”

Gale’s face displayed an internal struggle. “I couldn’t figure out why General Fellers had been relieved as a military advisor in the Middle East, because when I was in the Command General Staff School, I’d read his material and we were all getting very good reports on armored warfare and what to teach on it from him. Well, I would find the answer to my question

when I reached Australia.” Frowning slightly, he said he would get to Australia in a minute.

“Meanwhile, I was working in Washington D.C., in the Southwest Pacific theatre in General Marshall’s office. My job was to receive the requirements from G-4 section and procure what they needed, and get it back to them. Well, how was I gonna do that?

“Well, I had to find out how many automobile factories were in the United States; Chrysler, Ford, General Motors, and ask them, ‘How many tanks can we get outta you guys in this next year? How many trucks can we get?’ As a major, a twenty-seven-year-old major, I had to find this stuff out.”

His eyes drifted across the room to Seymour. “In September, 1943, at the age of twenty-seven I was sent to Australia to help General Eastwood plan what the Southwest Pacific Theatre needed to win the war. Colonel Ofley was my commanding officer. I left Washington and went down to start a G-4 Planning Section at General MacArthur’s headquarters in Australia. Colonel Courtney Whitney had this mission to set up initially what was called the Allied Intelligence Bureau. Now, this was not just U.S., this was Allied, including all the allies under General MacArthur as allied commander.

“So, when I got over to Australia, to G-4, Colonel Whitney was there as head of the Allied Intelligence Bureau. He knew me. He had taken most of his men from the Filipino Infantry that I had organized and commanded with Colonel Ofley and the other officers. He took the best ones, and I had been instrumental in getting them to him.

“We set up a camp about forty-five miles out of Brisbane, Australia. Very top secret; everything was at that time. Basically, what we were doing was selecting men, Filipino troops, trained for ‘special forces’ that we could send in by submarine. We had two submarines assigned to Allied Intelligence (AIB).

“Our mission was to move these teams up into the Philippines and get them ready for intelligence purposes, but mainly to set up, organize and train a Philippine unit.

“I was concerned with providing the necessary support, logistics for that mission. They depended on me and the G-4 section. And when G-4 said, ‘Do it,’ you didn’t wait for written orders, you did it! If you were a General Staff Corps officer, you did your job.

“Two months later, General Fellers arrived. He was assigned as chief of the G-3 Planning Division, and I was G-4 planning. So we worked together, night and day. I roomed with Colonel Earl Macherey who was in G-3 operations. Our hotel didn’t have dining facilities after a certain hour and we—eating was a very big problem for us. Well, we worked twenty-four hours a day, into the night. We couldn’t get to a restaurant before they closed, because they had the

austerity program, but not so at the Lennon Hotel in Brisbane. That hotel had provision for General MacArthur and our general staff of people who lived there to eat, and they'd bring them food at 11 o'clock at night if necessary.

"So, I took advantage of that by working with Colonel Kreuter and General Fellers, and going over there and doing a lot of work at night for them, for the G-3 Plans . . . the logistics planning. So, every chance I got I worked and ate at the Lennon Hotel, and I talked to General Fellers.

"One evening I asked him, 'Do you remember being in General Marshall's office in the Pentagon with General Donovan?' He said, 'Yes.' And I said, 'Well, I was sitting right in Frank McCarthy's office listening to the whole argument, but I didn't know what was going on.' General Fellers said, 'Yes, that was a very interesting situation' I said, 'Well, tell me, what was it all about?' And here's his story:"

Gale leaned back, eyes narrowing. "When General Fellers was in the Middle East, he submitted a plan to the War Department and to the White House that would have ended World War II in 1942 with Germany. His plan was to provide B-24s, which had just come into mass production in the United States, to air bases in Turkey and the Middle East which were already secured with 400,000 displaced Allied troops. The German Army had its full ground strength situated 2,000 miles into the Ukraine, with only one supply line, against the communists, the Red Army. And the Germans had no plans—all our military intelligence confirmed this—the Germans had no intention of invading Britain!

"Germany had not one troop in the northern coast of Europe as far as ground strength was concerned. And, all that we had to do was bomb out that one supply line with B-24s. . . . The Germans were fully committed against the communists in the Ukraine with a supply line 2,000 miles long! Germany would have had to surrender, and the war would have ended in 1942."

His eyes became coldly brilliant. "And, that was General Fellers' plan. And when that plan hit the War Department, the fur flew. General Fellers was relieved the next day as military advisor to the Middle East. And that's why he was sent to the Southwest Pacific.

"Well, I said, 'What's wrong with winning the war like that, against Germany?' Fellers said, 'Oh, they had broken my code and Winston Churchill had said before the House of Commons that he would not allow General Fellers to come to the European theatre even with the OSS.' He did not want him to have anything to do with it. He had broken General Fellers' code and intercepted that message and put the heat on the White House.

"I couldn't figure all this out. And then General Fellers said, 'Well, what they don't know is that I broke their code, too. And I know what they did. I have the evidence that Churchill and Roosevelt made a deal with the commu-

nists, the Soviet Union, to give Germany to the communists in exchange for leaving the Middle East as a sphere of British influence after the war ends.'" He fell silent, gazing sightlessly out the window.

When he spoke again, his voice sounded distant and passionless. "This is true, General Fellers can testify. He wrote it up later. What I'm talking about, nobody knew. This is a personal conversation I had with the man who did it. These are the things he told me, I don't forget 'em."

Seymour asked, "Why wouldn't they want to end the war with Germany?"

"Well," he said, "they made this deal to turn Germany over to the communists, and they couldn't end the war in 1942 because the Soviets didn't have the capability of defeating Germany at that time. We were sending stuff into Iran so fast they couldn't even move it." His voice broke for an instant, giving a solemn emphasis to his words. "You know who confirmed that later on? Major George R. Jordan, the head of our Lend-Lease in Alaska.* Went before the Congress seven times. Exposed the shipment of Lend-Lease equipment to the Soviet Union including our money plates! And how it was done out of Washington!

"Well, that's beside the point," Gale said decisively. "That's all after the fact. Getting back to the story of General Fellers, he had broken their code. He knew of their agreement with the Soviets. Then he understood why they didn't want to end the war with Germany in 1942." He paused, studying the reporter intently. "Then I understood it too."

His eyes tunneled inward. "That information was also passed to the wife of General Patton, because General Patton was a good friend of General Fellers. And Patton had it in his diary. That was the information that Patton threatened to expose when he was twelve miles out of Berlin and Eisenhower ordered him to withdraw—because the Red Armies were outside of Berlin on the eastern front.†

"And he objected and he said he wouldn't do it, and they threatened to court

*During World War II, Major George Racy Jordan, U.S.A.F. (Ret.) served as U.N. representative and Lend Lease expediter in charge of air freight from Great Falls, Montana to Moscow, as well as in and out movement of high ranking Russian personnel.

Major Jordan's subsequent book, *From Major Jordan's Diaries*, published by Harcourt-Brace, gave the details of how he discovered atomic secrets being expedited from Great Falls through the Alaska and Siberia pipeline to Moscow.

†According to an account in the book, *A General's Life*, copyrighted in 1983 by the Estate of General of the Army Omar N. Bradley and Clay Blair (Published by Simon & Schuster in New York): On April 12, 1945, General Omar Bradley and General Dwight Eisenhower flew to Patton's headquarters to convince him that Berlin had no "tactical or strategic value." They talked late into the night to convince him to withdraw his troops from outside Berlin. At about midnight, General Patton learned that President Roosevelt had died. Under persuasion from Eisenhower, General George Marshall in Washington, D.C. recommended promotion of Patton to a four-star general. Roosevelt's successor, Harry S. Truman, approved Marshall's recommendation and Patton was promoted immediately. On April 16, the Russians commenced the assault on Berlin, and Patton, "resplendent in four-star insignia," reluctantly withdrew his troops to the Danube River.

martial him if he didn't pull back sixty miles. And he said, 'Why?' They said, 'There's a shortage of petrol.' Then he said, 'You mean it takes more petrol for me to go twelve miles to take Berlin, than it does to go sixty miles back?' And again, he refused. And, they said, 'We'll relieve you.' He said, 'Go ahead. I have a little black diary.'

"And the information that I just mentioned about those code messages being interrupted, that they made a deal, years before the Yalta agreement, to give Berlin to the communists, that was the material that Patton had." Gale's face had doom scrawled all over it. "He got hit by a truck in Germany.* They did away with him."

Gale returned to his chronology of the Philippine Liberation Campaign. By mid-1943 General MacArthur was battling his way back to the Philippines. In February, 1944, the U.S. First and Seventh Cavalry Divisions took the Admiralty Islands and formed a naval base at Manus. MacArthur then followed the New Guinea coast to Hollandia, Wakde and Sarmi.

American casualties during the Hollandia operation amounted to 124 men killed, 1,057 wounded, and 28 missing. There were 611 Japanese captured and over 3,300 killed. Hollandia, which was located in the heart of territory previously held by the Japanese, proved to be an excellent air, naval, and logistic base from which to invade the Japanese homelands and the Philippines.

By September 1944, both the central forces of Admiral King and the southern forces under General MacArthur were poised for the big assault. On October 20, 1944, the waters around Leyte Gulf contained a vast fleet of amphibious vessels and warships.

The battle of Leyte Gulf ensued. The divisions of General Krueger's Sixth Army were all ashore on Leyte by the end of October, once the sea and air battle had been won. However, only one airfield remained operational—at Tacloban—and without air cover the American divisions were unwilling to move.

In November 1944, Major William P. Gale was Director of Supply to the U.S. Army Forces Far East (USAFFE) at Hollandia, off the coast of New Guinea. General Headquarters of the Southwest Pacific Area had been moved from Australia to Hollandia, in fact, several major headquarters had converged at Hollandia including United States Army Forces in the Far East, Allied Air Forces, Allied Land Forces, the U.S. Seventh Fleet, the Fifth Air Force, the

ALAMO Force (Sixth Army), and the U.S. Eighth Army.

Gale recalled the move: "When MacArthur took Hollandia, I knew everything that was going to happen. Every unit that was going to come over, I knew where it was going to go, who was going to use it, what it was, it's tonnages—the whole plan.

"Colonel Robert Kreuter was in the G-3 planning section with General Fellers who was general of G-3 Plans. I had known Colonel Kreuter when he was a first lieutenant and I was a private at Fort MacArthur. Hadn't seen him all these years and then I bumped into him in Australia when I was doing all the logistics for G-3 planners.

"Well, Colonel Kreuter and Colonel George Mueller were my closest friends during the Philippine Campaign—"

Seymour asked Gale if they were involved in the Identity Movement. "No, they have their own beliefs," he said. "I still keep in touch with them, though.

"Anyways," he continued, "we didn't stay long in Hollandia. We invaded Leyte after we went into the town of Tacloban. In fact, I was in the first jeep into Tacloban, sitting on the hood, with Jap snipers shooting at me."

On December 25, 1944, the Japanese Thirty-fifth Army began to evacuate Leyte; Leyte cost the U.S. forces—air, land and sea—nearly 5,000 dead and 14,000 wounded. With Leyte in American hands, General MacArthur set out to liberate Luzon, Manila, the Bay and Corregidor.

"I planned every operation in the Philippines," recalled Gale. "So I knew about this tape that was going to be made in Mindoro to play on the radio, to make the Japs think we were going to land in Luzon to set up an attack.

"The invasion, the big strike was actually coming in to the Lingayen Gulf from the north; we had even sent a battalion of infantry from Mindoro to make it look as though we were invading Luzon from the south. We figured that would move them down.

"Now, over on the other side of Luzon, we had an alternate operation planned, to land in Dingalan Bay with the Arizona; 530 combat teams of Indians from Arizona. Ohhh, heck of a combat unit! If the Japs tried to hold onto the river, we were going to come in from Dingalan, right behind them with airborne."

The colonel's face became withdrawn. "We didn't get one of 'em, we didn't get a division. But, we took 'em anyway. We were lucky. We beat the Japs with nothin'. Seven divisions we were supposed to get. We didn't get them. Equipment from the Philippine Army to equip my guerrilla combat units—it all went to France!"

His eyes clouded over, weighted with cynicism. "Oh, you don't know what happened! General MacArthur answered General Marshall in a letter that was

*General Omar Bradley said of General Patton's death on December 21, 1945, that it seemed the height of irony that after surviving three wars, Patton would die as the result of an automobile accident.

Bradley said he believed it was better for George Patton and his professional reputation that he died when he did—there were no more wars left for him to fight. "He would have gone into retirement hungering for the old limelight," noted Bradley, "beyond doubt indiscreetly sounding off on any subject any time, any place."

circulated to the staff only. It was amazing. He said—I don't even want to talk about that at this moment, it was so disgusting.

"But, we did it with General MacArthur's brains! I'll tell you, that's what won the war. He knew the enemy. Thousands of troops came back from that war in the Pacific because of that man." His head dropped in the faintest salute, then he reached for a file marked "Luzon."

"General MacArthur picked four of us, four infantry officers to activate the Philippine Army Section of GHQ, SWPA: Colonel Joseph McMeching who was in the G-2 section of GHQ, he was Filipino-American mixture, came from one of the wealthiest families in the Philippines; Major General Charles P. Stivers, a G-1 of GHQ on Baton; Colonel Murray Cheston from G-3 Planning Section, and I was picked from G-4 Planning Section. So, all of us were infantry combat experience trained officers, but we were also general staff corps officers who knew all the plans of the whole war, for the future.

"That's why we had to know where every island was—I had to know how many guerrilla troops were there, because we took over from Allied Intelligence Bureau, which had been headed by Colonel Courtney Whitney in Australia.

"This National Guard unit, this Fortieth Division, was up in Luzon and they weren't doin' the job. They were relieved by the Sixth Army Rangers. And I had assigned an Alamo Scout unit to the Philippine Army unit in this firefight. We were walking through the jungle and my scouts said there were five hundred Japs concentrated on our right flank, watching.

Gale's face became animate. "We used to smell for them." He laughed at the surprise on the reporter's face. "We would go front for U.S. troops, you see. I had guerrilla forces in front and on the flanks of all U.S. troops that moved in the area, but they didn't know it. We were out there gettin' shot up, too. My boys knew how to handle those things, they'd smell those Japs."

Confounded, the reporter said she had never heard that before. "Gale answered, 'Oh sure, you can smell 'em miles away if you know how.'" He said it smiling, but only half-jesting.

"Oh yeah, they eat fishheads and rice. In the Price House at Tacloban, first night we got there, we opened the closet and a whole bunch of cans came out and we said, 'Oh, we got some food!'" He laughed heartily. "They were all fishheads! Oh God," he said, still laughing, "to eat fishheads, you know, you got to be damn hungry! Canned fishheads, Ohhh—uck!" His laughter trailed off as he wiped his eyes.

Roxanne handed the colonel a frayed black and white photograph which she had found buried beneath a pile of army documents. He regarded the photo intently, then relaxed into quiet chuckling as he remembered the story behind

the picture:

"General Valdez, chief of staff of the Philippine Army, and I were looking for a place to put some troops, and it was out in open country, more or less. And, everytime we had to go to the bathroom, we urinated on this religious Buddha, or whatever it was. And I said, 'Just a minute, I'm goin' down by that tree there.'

"I don't remember what I went down to the tree for, but all of a sudden, a couple of shots rang out, and I turned around and there was a sniper up the tree shootin' at me. So I got him, and General Valdez had a camera and took a picture of me. And the Jap was hanging upside down from the tree. So he had missed me, yet he had fired twice. I only fired once, but I got him.

"They tied themselves in the trees, you know, so he didn't fall out or anything. But, he was lyin' out in the wide open. He was stupid. He should have just stayed there. Anyways, we got our picture." He handed the picture back to Roxanne, taciturnly neglecting to show it to the reporter.

As if struggling to refuel his strength, he glanced out the window, silently sifting through his memory. Leaning towards the sunlight, he shifted from one position to another, trying to ease the pain in his bones.

Suddenly he remembered something and snapped back, ready to embark on another story. "Colonel George Mueller and I personally planned and directed all the prison war rescues, 'cause the Army used guerrilla forces to do it.

"Ed Ramsey, first lieutenant Twenty-sixth Cavalry Philippine Scouts, was our guerrilla commander in central Luzon. And he had a Wai Regiment commanded by a Chinese woman. And I'm tellin' you, this gal was a guerrilla commander. Ohhh, if you disobeyed one order, you were dead! She would shoot ya! And she was good! She had a crack outfit, I mean discipline! She had information on those Japs that nobody had. She'd get in there and get it.

"So we used Ramsey then, we called him in, the Wai Regiment. See, we were right in the midst of 800,000 Japs and we had to rescue these prisoners from Los Banos. We had to do the job quickly and get the hell out before they even reacted, or else we were dead!

"We had to cross this lagoon, a bay, some of it you could walk across, but some you couldn't. We had to use these palm leaves that go under your arm, 'cause you can't get your gun wet, and so we had to set this up to rescue them.

"So we wanted one parachute company from the Eleventh Airbone to land at 7:15 in the morning when the three hundred Jap guards took calisthenics, and the prisoners were left with only a few guards at that time. They had about five towers at the main gate. So we set up the rescue, but we had to figure out how to get the prisoners across this little body of water. So the Eleventh Airborne got Amtraks—personnel carriers for land and water both.

“We had to infiltrate at night . . . with a squad at each tower, at the main gate. The first parachute was supposed to open right at 7:25, which gave ten minutes for the Japs to get into their calisthenics; that was our signal to attack. We had to knock the tower guards out, break through the main gate and get inside the prison. We had to time this so that the Amtraks had enough time to get across the water before the parachutes opened.

“We had no other way to move the prisoners, because the Wai Regiment reported they were almost dead, all of ’em.” The colonel fell silent for a moment. “They were skin and bones,” he said bleakly, “they hadn’t been fed for at least three to six months. No food, just a little rice. And there was almost a thousand of them.” His fingers closed around the pictures in his lap; a grey remembrance swam in the air around him.

“Colonel Kreuter came in,” he continued. “He was chief of the Philippine Army Section, and overall commander of our activities. George Mueller and I got the prisoners to an airstrip north of Manila, where Colonel Kreuter was waiting to put them immediately on C-47’s and get them evacuated to the States or wherever he sent them. But we got ’em out.

“Now, our next mission was up north of Luzon at Cabanatuan. I worked with Ed Ramsey on that. Ed and I were very close. Ramsey was close to Bob Kreuter too. It was Ramsey’s house we lived in north of Manila when we were trapped by the Japs. George Mueller and I stayed in the middle of the gas compound with three thousand Japs overnight with priest’s clothes on and Swiss papers, and we got down there and cut Ramsey loose from the rope. A Jap officer was going to hang him. So we saved his life then.

“I was building a camp for Ramsey’s troops, when I got shot by the Japs . . . in the shoulder.” Gale chuckled. “We did a lot together.

“Ramsey was a first lieutenant of cavalry when he escaped from Bataan, when the Japanese invaded the Philippines. In fact, he was north of Bataan with his cavalry unit at the time of the death march. Ramsey led the last cavalry charge recorded in the history of combat for the U.S. Army. They ended up eating their horses. They had to; they had no food.

“So then they went afoot into the mountains and set up headquarters north of Manila, and had it so well covered that the Japs absolutely gave up trying to find them.

“They used what we called guerrilla type—well, I don’t know what you would call them today. They’d accuse me of teaching people how to kill somebody. But, they used them in Vietnam. We started it. What we did, we took split bamboo and we put it in the grass off the trail, where we were going to set the ambush up. When you take a machete and split the bamboo, it’s razor sharp. —

“Then when a Jap patrol unit came down the trail, we would use firecrackers,

anything we could find, to make the Japs think that we were there. We wanted to make ’em hit the ground, hit the dirt. When they hit the ground, they would impale themselves on the split bamboo.

“We also used knives. Knife throwers. Now, they call them butterflies—now they make ’em in the form of a star. We just had little blades, our men did. They’d stay in hiding and when a Jap patrol came down the path, they’d get the last guy, and then they’d get the next one—right in the neck.

“All the Filipinos knew how to do that. So, the Japs gave up trying to capture them up there in the mountains. Ramsey had his appendix taken out by a guerrilla doctor who had to come up without any equipment because the Japs were watchin’. Took them out with a pocket knife!”

Gale’s rendition of guerrilla warfare in the mountains of Luzon exemplified the nostalgia he felt for the military and its heroes. At seventy years old, he was probably one of few officers left who could recount actual experiences during World War II, however, his narrative revealed the fundamental values he brought with him into the 1980s, when he formed the Unorganized Militia.

“When General MacArthur returned to the Philippines, Ramsey was a real busy man; he had 43,000 guerrilla units covering the flanks of every American Division that moved in the Philippines. They didn’t know it though. Hell, everyone in the Philippines knew Ramsey. Just mentioning his name was like mentioning the name of God to most guerrilla patrol teams.

“I was originally supposed to use Major Bob Latham’s troops to rescue the POW’s at Cabanatuan. Latham was under Ed Ramsey. He had heard that I was going to use his unit. He had about four hundred men ready to go. I got up there and I asked, ‘Where’s Major Latham?’ They said, ‘He’s in the bedroom!’

“Little Filipino, you know, in the bedroom. ‘What’s the matter,’ I asked him. He says he’s got a broken leg. I asked him, ‘How did you do that?’ He says, ‘I was celebrating your coming and I got drunk and fell off the porch!’” Gale laughed. “So, Latham got drunk and broke his leg, and we couldn’t use him on the mission.”

His mood shifted like the wind. “Cabanatuan was a prisoner of war camp located twenty-seven miles behind Jap lines, north of Manila,” he said abruptly. “I was to work with Colonel Bootsey with the Sixth Rangers. On this rescue, we took Caribou’s with carts. We just went in, the hell with timing, we moved on in. I didn’t even know how many Japs there were—didn’t care!

“We had about two thousand prisoners to rescue. And, all I knew was I had to go south with six hundred Japs coming up. And we got ’em out. And I was runnin’—we had to run to get out of there. I ran twenty-six miles heaving bile. I was sick with yellow fever, and my shoulder wound was infected, but I didn’t know it then. I didn’t find that out until we reached Manila.”

By the first week of February 1945, Manila was under siege from both north and south; it took until February 25 to overtake the last bastion of Japanese holed up in a sixteenth century intramural fort.

"You could smell Manila four hundred miles away," said Gale brusquely. "Death, burnt bodies, death all over the place, flies. You couldn't even eat. It was indescribable. Col. George Mueller and I moved into Manila with a Philippine guerrilla army unit. And we went to Malakinai Palace, 'cause General Basilio Valdez's house was right across the street. A little triangle there, and a bunch of higher ranking generals were living in his house, and Valdez's in-laws were living right next to them! So we said, 'Let's go get those suckers!'

"We were laying along the fence and we got fourteen of them the next morning when they came out. There were Japs all over the place. So we went inside the gate, and inside the palace the Japs were settin' all the furniture on fire! We killed them and threw the furniture off the balcony and we took the palace. And George and I and the whole unit stayed there. In fact, we saved the palace from being burned down.

"Then we moved into General Valdez's house; no furniture except a big table where the Japs gathered around. Japs running all over the place! Mines and yards blowin' up. And, downtown was a Manila brewery. We went down there and drank beer out of our helmets!

"Anyway, we had to get across town. I remember that. And on the way across town, I heard this general* . . . an old man that needed food. Very, very famous man. Well, we got a bag of rice and we took it inside his house. And I talked to him and he remembered my dad; he didn't remember him personally, but he remembered the incident. My dad had captured him during the Spanish American War! He says, 'Was that your father?' I says, 'It sure was!' So, we got him some food, and we went on.

"These guys were coming down with an armored team to rescue some prisoners at Santo Tomas University. We got there just as the first tank hit the gate. The commanding officer, a Puerto Rican, was there. We all went to a big wooden door and some POW's opened it and a Jap officer came out. Then a POW came out and killed him right then and there. Used a .45. That was one of the mean ones, they said.

"The Japs had taken a bunch of people hostage in the room upstairs. And they were trying to make a deal. There were three hundred and some odd Japs. If we would escort them maybe three or four blocks to the Jap line . . .

"The Japs had a twenty millimeter cannon. Bullets flyin' all over the place!

They were droppin' mortars in on us. Right in downtown Manila; a big five-point intersection in the downtown business area. The university was right across the way, all shot up.

"The Thirty-seventh Division was coming down to Manila from the north. We were point for them. We had one-fifty-five Howitzer cannons, artillery—and we were takin' out the Japs in downtown Manila.

"There was a Jap operator on the roof. We could hear 'im on the radio, reporting. A bunch of Japs were on the balcony. Next round, BOOM! It was better than bombing. Artillery was much better than bombing. Bombing gets everybody, but boy, you could take that artillery and pinpoint a body right on the balcony. Those artillery guys were sharp! So then, we went over and we rescued those people.

"And we moved the hospital unit in there right away because those people were . . . start giving them food and they got sick! We didn't send them back to the States right away. They were too shocked."

The reporter interrupted. She was uncertain about the time frames when he rescued the POWs on the island of Luzon. "What was the time span during which the POW rescues at Los Banos, Cabanatuan and Manila were carried out—was it weeks, or months?"

"Well," he chafed, "it was within three months, or six months, I don't know. I don't remember. When you're in combat, you don't think of time! Day and night goes by; you're fightin' out there, runnin', tryin' to stay alive. Anyway, I knew it then, but I don't know it now. Forty-three years ago! You're giving me credit for having too much memory. You don't forget those incidents, but when it happened, you don't remember.

"Like now, I remember being in jail in Las Vegas, but you ask me when, I couldn't remember. Days and nights went by. Now, I know what a prisoner means when he says, 'I'm puttin' in time.' That word time. What's time? Eat dinner, tomorrow morning you eat breakfast. What day? What month?" He lapsed into a strained silence.

When he was satisfied that he would not be interrupted again, he continued. "I want to get back to the deal we made with the Japs in Manila. It's an interesting story. Santo Tomas University had been a prisoner of war camp. After we rescued the prisoners, we converted two rooms to a hospital unit to provide hospital services to these two or three thousand men. See, I want to use the right words, because then it gives the right picture.

"So, the Japs took some hostages upstairs. They wanted the American Unit Commander to escort them to the Jap lines in return for releasing the hostages. So, I says, 'Go ahead!' So, I took my Filipino unit around to the back. There was a dirt road on the other side and a big boardroom back there. We knew

*General Emilio Aguinaldo. 1869-1964.

that, 'cause we sabotaged them before. A big fence with high grass surrounded the area.

"We went down there and we laid out a line of fire at the point where they were releasing the Japs. So, when they released the Japs, we killed 'em! We killed all 300 Japs!" Gale beamed radiantly. His eyes took on a look the reporter would remember later. "No problem—we really had a ball! We wiped 'em out quick! So, we made a deal and we kept our word, we escorted them to the lines, that's all. That was a very interesting job. We were laughing about that pretty good!"

His face was filled with a primitive satisfaction. The reporter nodded affirmatively, uneasily, feeling an ancient menace in the brilliance of his eyes.

Regarding her dubiously, he continued with his story. "The staff officers moved into General Valdez's house. Just beds, that's all, they had taken all the furniture out. And, ohhh, I was sick. And Bob Kreuter said, 'What's the matter with you?' and I said, 'Well, I don't know,' I said, 'Maybe I better see a doctor.'

"Well, they had a little station hospital over where we had rescued the prisoners . . . over at Santo Tomas University, and they had a medical section there for them because they were all sick. Bob said there was a Captain over there who knew his family. You see, I didn't want to get turned in—I had jaundice real bad, and I wasn't supposed to be overseas in that condition. They told me, if the docs got hold of me, they would send me home. And I couldn't afford that, there was too much to do!

"So I said to Colonel Kreuter, 'I don't want to get into a hospital or anything, you know, where they've got control over me.' Bob says, 'Oh no, he'll take care of you.' So he took me over to him. This Captain was a doctor and he says, 'Oh hell.' He called a nurse in and the nurse says, 'Well, no wonder you're sick.'

"She said the nurse who stitched my shoulder up forgot to take out the sutures. I said, 'What sutures?' She said, 'Well your shoulder's all sewn up. It's infected. Those sutures should have come out weeks ago.' She says, 'When did you get shot?' I said, 'I don't even know that. A long time ago.'"

On February 28, 1945, General Douglas MacArthur re-established the Philippine Commonwealth Government on Manila. Then came the combined U.S. Naval and USAAF bombardment of Corregidor. By March 2, no living Japanese were still on Corregidor. On April 26, Major Gale was promoted to a lieutenant colonel.

"I was up in Luzon with Colonel Russell Volkman," said Gale. "We were chasing General Yamashita. The Thirty-third Division of Artillery gave our guerrilla forces some captured artillery pieces, and we were throwing Jap artillery back at the Japs to ruin their morale. So they knew we were throwing

their own stuff back at them.

"That was weeks of fighting up in there. We were given orders to capture Yamashita. He was up there, running around in the mountains somewhere. We didn't know where. Then on August 16, we got word by radio that the Japs had surrendered. So, I said, 'It's over boys. See you later.'

"You see, I had made a promise to General Rice who was chief surgeon and Doctor Egerberg who was MacArthur's aide and surgeon. They knew I shouldn't be there. They had already sent me back to the States for an examination by a liver specialist at Hoffs General Hospital at Letterman, who had said I was not to be overseas. He had said I would die in a short time if I got where I wasn't on good food.

"Well, where are you going to get good food behind Jap lines?"

"Well, I argued the case to the medical board back in the States. The army was anxious for me to get back to the Philippines. They didn't even want me outside the hospital to a bar where I could take a drink because of what I knew.

"The first night I got there, they put me in a ward. I was a major then. This ward was full of casualties. And I said to the guy next to me, 'God, I got to see a doctor and get on with this, 'cause I got to get out of here and get back. And they all laughed at me. They said, 'We've been here for months and you're not going to see a doctor unless you're dying.'

"The casualties were coming in heavy from the Southwest Pacific. I said, 'Oh bull, I'm not waiting here a month to see a doctor.'

"Ohhh, they laughed at me. I said, 'I'm going to see somebody.' The next morning here comes the commanding officer of the hospital, a full colonel, surrounded by doctors—walked down the line and stopped at my bed. All these other guys were sitting there with their mouths open, and their eyes wide open. And the doctors asked me questions, then they said, 'We'll get right on your case.'

"So they did. When I got out, they gave me a file. In it were five radio-grams requesting release diagnosis on Major William P. Gale, and expected date of release from the hospital. They were signed by General Marshall, Chief of Staff, Washington, D.C.

"Well, I got my orders to go to Long Beach Army Air Base and get my overseas shots. Eleven in one arm, and nine in the other. I couldn't even move. I went to Hamilton Field to report in—and they flew me back to the hospital that same day. I spent about twenty more days in the hospital.

"Finally, I said, 'Look,' to the major who had to make the decision, I said, 'There are thousands of guys over there in the Philippines who are risking their good health fighting this war—what objection do you have to me going over there and risking my bad health?' I said, 'I don't agree with you. I gotta go . . .

please let me go.'

"So the Major said, 'I'll let you go if you promise that if this hits you again, you'll turn in—'cause if you don't, you'll die.'

"And I had made that promise, and they had relayed that promise to General Rice who was our GHQ chief surgeon—and he knew it. So, months later, when I was up in Luzon chasing General Yamashita, and we got word by radio that the Japs had surrendered, I remembered my promise, and I turned in.

"I had two bags of Japanese Samurai swords—some good ones that I had taken in fights. So, they put me in a jeep and headed me towards Manila. And all my stuff was to follow. It never got to me. They put me in a bed in a school building with all the other casualties. I was in on a medical control.

"On the second day of September 1945, which was official V-J Day, the Japanese Foreign Minister signed the documents of surrender in front of General MacArthur aboard the battleship Missouri. I left Pier No. 1 in Manila Harbor on a transport, the SS Brazil. My coffin was with me. I was on a special diet. I got to eat at a table in the mess hall and the doctors who ate there said, 'You aint going to make it boy.'"

Gale chuckled. "I went from 177 pounds to 128 pounds. I weighed 92 pounds when I got home, back to the States."

The reporter asked, "You mean they actually sent your coffin on the ship with you?" He shook his head, pressing his hands against his thin legs. "Yeah," he said slowly, "A friend told me, 'They sent the box with you, buddy!'"

"In October, we got into San Francisco. They temporarily put me in Letterman Hospital, and then they put me in a hospital closest to my home which was in San Fernando Valley. For months I had to go in every morning and have my blood drawn before I could eat. You could spot me a mile away, I was yellow. There wasn't a white part on my body.

"Colonel McCarthy had arranged for me to have an assignment in the chief of staff's office—at General Marshall's office—to organize what they called a Statistical Section.

"I went to Japan instead. I wasn't supposed to be over there, 'cause I was on physically limited duty, but I spent three and a half years with the occupation forces at GHQ in Tokyo, Japan. Now, that was a key spot. Nobody got a building in Japan without my personal approval. The Japanese government didn't spend one, use one piece of gold or precious metal without my approval. I handled that in G-4. 'G' is a general staff function, and '4' means supply and logistics. G-3 is operations, G-2 is intelligence, and G-1 is personnel and movements of troops.

"Anyways, after three and a half years in Japan, I finally retired on June 30, 1950, at the age of thirty-three. I was listed under the 1949 pay law as 'combat

physical retirement' and promoted to a full colonel.

"Back in the States, I was on the death bed, red light, twenty-four hour a day nurse. I was reading the Bible 'cause I thought I was dyin.' And, I had an argument with a bunch of generals.

"You see, Korea was starting. And these generals told me that MacArthur wanted to start World War III because he was asking Truman to lift restrictions of bombing in north Korea. I told them he didn't say that! I said, 'He just said *lift* the restrictions, he didn't say he was gonna do it. He said just tell Truman don't let the enemy know I can't! Don't you people understand that a military man says what he means and means what he says?'

"And I was mad, and I tore back to my hospital room and I picked up the Bible and I said, 'God help me.'"

Abruptly, he came to a halt. His body sagged with fatigue, but he seemed intent on finding a letter in one of the files on his lap. Finally, he read a letter dated June 10, 1980, which he had sent to Congressman Leon E. Panetta recounting his personal observations and experience relative to the service of the Philippine Scouts during the Philippine Liberation Campaign. Part of that letter read as follows:

... These forces included U.S. military personnel not captured by the Japanese and known to us as guerilla commanders. Included in these USAFFE (U.S. Army Forces Far East) were the surviving members of the Philippine Scouts. Since the Philippine Army, per se, had been inducted into the Army of the United States by proclamation of President Roosevelt in July 1942, all of these together were known as USAFFE troops.

Believe it or not, neither the Philippine Government nor the U.S. Government had made provision for a pay scale for the Philippine Army that was inducted into the Army of the United States in 1942. This is understandable since the conditions at that time were somewhat chaotic. The President of the Philippines was in exile in the United States without much to work with. This problem was presented to the Philippine Army Section of GHQ in Leyte. By then, President Sergio Osmena was present with us. The back pay was one problem, but the current pay was another. None of the USAFFE personnel had been paid during the 47 months of the Japanese occupation of the Philippines. They were now in combat as Philippine Army Guerrilla units.

Under our direction, they operated on the flanks and at the points of every U.S. Combat Division or unit that moved in the Philippines. In some instances, they made contact with the U.S. unit commanders and

operated under their command. In other instances, they operated without the knowledge of the U.S. units, protecting their flanks and points, suffering heavy casualties in many instances.

This phase of combat was where our guerrilla commanders learned the value of the well-trained and disciplined Philippine Scouts. Their leadership and combat efficiency resulted in the saving of life for many U.S. combat troops who were not even aware of the guerrilla activities many miles from their locations.

Prior to this combat mission and our invasion, the same characteristics of the Philippine Scouts were invaluable in our guerrilla commanders in their "Intelligence" missions, and direction of guerrilla units in enemy occupied territory. There were no "Makapilis" (Jap-paid Filipino spies) amongst the Philippine Scouts! Their loyalty and dedication under such severe conditions contributed greatly to the guerrilla movement, and saved many lives.

One example might be the radio messages received in GHQ in Leyte. These well-trained Philippine Scouts gave detailed information on the departure of every Japanese ship from Manila Bay and Luzon which was bringing Japanese troop reinforcements to oppose our forces in Leyte. They gave detailed data on the manifest of each ship and its route to Leyte. This enabled our Air Corps to sink practically every Japanese ship that departed from Luzon to oppose our forces in Leyte.

Prior to our Lingayen Gulf landings in Luzon, these same radio messages located every major Japanese installation in Luzon with map co-ordinates for the bombing of specific houses in Manila which were occupied by high ranking Japanese military officers. Our Scouts were so efficient in their details that in some instances, they even listed the house as one we would refer to as a "red light." Our Air Corps had all it needed for air bombardment and did the job well, but you can't understand the risk that these guerrilla radio operators took unless you have operated a radio transmitter from the basement of an enemy-occupied facility like our Philippine Scouts did.

Now, back to the pay problem. The USAFFE forces were in combat operations and had not been paid since the Japanese invasion of the Philippines. Some U.S. unit commanders used Philippine Army guerrilla units in combat missions, and when the fight was over and the Japs all dead, they would take in the guns they had issued to the Filipino troops and tell them they could now "go home."

The U.S. commanders simply didn't understand that these men were United States Army Troops! As for pay, these Filipino troops didn't ever

ask for any pay! They gave and gave and gave, and never asked for anything! This is typical of the Filipino people as a whole. I'm having one hell of a time getting to the "pay" problem. I always get off the track.

Ok, so now back to the pay problem. When it came up in Leyte, we had no answer. President Osmena then decided to solve the problem by issuing or letting it be known by a directive, that the Philippine Army USAFFE troops would be paid at the same scale as U.S. Army Personnel. Now we had a real problem! This involved "back pay"—"retroactive" is the dirty word. Our Philippine Army Section was the one who supposedly knew who the real guerrilla commanders and troops were. Our instructions to the Commanding General Sixth and Eighth Armies was that they should use only those guerrilla units that were "recognized" by GHQ. When they used guerrilla units, they were to advise us as to the unit designation and commander.

This was hectic in a combat zone and difficult to coordinate. The problem was that after President Osmena issued his directive, suddenly we had guerrilla units and guerrilla commanders whom we had never heard of—and they were now making it known that they had all of this "retroactive" pay coming to them.

For example, one came in from a small island off Leyte, and introduced himself as "General" so-and-so who was a guerrilla commander. He wanted "recognition" from our Section in order that he might be paid according to his rank for all of these past years.

When we asked him how many guerrilla troops he had, he replied, "30." Now, a General simply isn't in command of merely 30 troops. So, you know what our answer was? Go home! However, the problem of "pay" still existed for the genuine units and personnel. As I said, neither of these troops, nor their commanders, were asking for any pay! They were too busy killing the enemy.

We were trying to solve the problem. While we were trying to do what we could in the field, GHQ was finally in contact with the War Department advising of the situation. The answer came back—"no pay scale has ever been adopted for the Philippine Army, neither by the U.S. or the Philippine government. Philippine Army pay scale will be the same as for the Philippine Scouts!" That was 18 pesos or \$9 per month!

All of us, including President Osmena, were very disconsolate over this reply. I was personally unhappy because I had attempted to get pay to guerrilla units from the Visayas to Luzon. I found a Major who was Finance Officer of the Sixth Army. I wanted to get some pay—any amount—to our units in Cebu, Negros, Iloilo, Panay and Luzon. When

I mentioned where we would have to travel to make these “paydays,” the reply was “not me, I’m not going back into those Jap-infested areas to pay anyone!”

In conclusion, after reading this long discourse on the contribution of the Philippine Scouts, let’s get down to the brass tacks. The dirty word in the solution to this problem is not “discrimination,” but it is “retroactive!” When this word is used, it seems that the Congress of the United States as a whole simply says no!

What I am trying to say is, why not present a Bill in Congress to pay every living Philippine Scout a bonus in the amount of \$25,000? There is nothing “retroactive” about this. And if we cannot do this for this small group of the greatest soldiers the United States Army ever had, we should stop all foreign aid to any country on the earth.

May God bless you for your efforts on behalf of the greatest people on the face of the earth—the Filipino people. Our Nation owes them more than the people will ever know. Sincerely, William P. Gale, U.S. Army Retired.

Congress never acted on Gale’s suggestion, but his impassioned letter to Congressman Panetta did not go unnoticed by his Filipino friends in the First and Second Infantry Regiments.

Gale handed Seymour a newsletter dated August 15, 1984. The *Bolo News*, a monthly newsletter published for Filipino veterans of World War II, discussed a monument which had been installed at Salinas, California, memorializing the First and Second Filipino Infantry Regiments whose exploits during World War II were considered outstanding.

The monument, one of very few markers built and dedicated to an army unit, had been erected on the spot where the First Filipino Regiment was organized and activated on July 13, 1942. In April, 1942, Colonel Gale had been the first commanding officer of the Filipino Battalion at Camp San Luis Obispo, so he was present at the unveiling of the monument in Salinas.

The *Bolo News* reported that during the forty-second anniversary celebration and eighteenth annual reunion, Gale was appointed advisor to the *Bolo News*. In 1987, after his arrest, Gale’s Filipino friends remained loyal to him, but when Seymour asked for copies of their pictures on his office wall, he protectively declined. “They’re the best people I ever knew,” he said. “I don’t want them bothered by the press.”

Links

MARCH 30, 1987 (Mariposa, California)—Cheri Seymour placed a call to Bill Wallace at the *San Francisco Chronicle* and introduced herself as the reporter who had covered the Bill Gale arrest. That phone conversation and the subsequent material which Wallace sent to her set the direction of her research for months to come.

Wallace’s investigative approach to the Identity Movement encompassed the entire Gordon Kahl case in North Dakota, the Aryan Nations/Richard Butler connection to Gale, and Tom Metzger’s computer network in San Diego, California.

During their phone conversation, Wallace broke into a discourse on David John Moran, a protege of William Gale and a member of the Committee of the States:

“Here’s a guy that was one of these self-styled freedom fighters who went around and got himself killed through some stupid stuff that no normal person would have ever gotten involved in.” He indicated that he would explain Moran’s connection to Gale in a minute. “One night David and a friend were out robbing these liquor stores, and they got stopped by the police and they got into a shootout and rammed it with the cops and this friend of Dave’s was flabbergasted. Because, I mean, they weren’t doing anything, not the kind of thing that you get into a life and death struggle about.

“It was just ridiculous, small-time joy-ride type armed robberies . . . and they got into this shootout. Nobody was seriously injured, but Moran went underground. He escaped and the other guy was arrested.”

Seymour asked, “Was this [story] published in any newspapers?” Wallace acknowledged, “Oh yes, the *Davis Enterprise* was all over this, but nobody else picked it up.” Pausing, he rifled through some papers as if searching for something.

“Well, Moran went underground,” he continued. “He stayed with some woman that he knew down near Davis who was apparently a member of the right-wing network . . . after about a week, he got another set of wheels and he started heading north. I don’t know whether he was planning to break for Canada or

what, but he managed to get on Highway 101. He got all the way to Garberville and he was pulled over because he was driving with a headlight out.

"The CHP pulled him over, to them it's a routine stop, just give him a fixit ticket. But as soon as they get close to him, he pulls out this nine-millimeter pistol and he shoots the first CHP officer in the chest. Fortunately for him, he was wearing a flack jacket, so it didn't kill him. But, the CHP immediately returned fire and killed Moran."

The reporter started to ask, "What's the connection . . ." Wallace anticipated the question and interjected, "Apparently there were things that he had on his person when he was killed that tied him to Gale."

"Moran left some sort of a Last Will and Testament that laid out his role as minister of education or director of education for the Committee of the States, and a follower of Reverend Gale."

Wallace knew he had Seymour's attention. Hurriedly, he pressed on with his story. "He had been very distraught about Gale's arrest. So, I don't know how much of that material they put in the record, and I was told by U.S. Attorney Pocker in Vegas that he filed a bunch of affidavits and they included this Last Will and Testament," he paused for emphasis, "to show that Gale was a flight risk and that he had dangerous friends that were out there in the boon-docks."

"The thing that makes this story fascinating is that Moran was in fact a signatory on the Committee of the States Compact. I did a pretty extensive *New York Times* index check with the Gordon Kahl case and the Posse things that happened in the Midwest, and there were a bunch of names on the surface. There was a strange murder case in Wisconsin, and of course, all the things that shook out of the North Dakota case with Gordon Kahl."

Wallace said he couldn't find any record of the Committee of the States members. "I ran them through my ADL checks and they didn't show up there either. The only place that these guys really appear is on this Committee of the States Compact. Richard Butler, he's a relative heavyweight in all this stuff."

Wallace offered to send the reporter any UPI clippings he had on the Identity Movement. He also advised her to call Richard Hirschhaut, the Director of the San Francisco Anti-Defamation League, for information about Gale.

Seymour asked Wallace if Gale had alliances with Aryan Nations or the Ku Klux Klan? "The connection between Gale and Richard Butler of Aryan Nations is fascinating, but too gentle. I talked to Larry Broadbent, who is an undersheriff in Kootenai County, and he keeps track of these guys. He says that Gale and Butler went way back, but they were rivals at one time in the Identity Movement. They've become more cooperative in the last few years, but not exceptionally so. I mean, Gale goes up to the seminars in Hayden Lake

and things like that, but he's not a regular person there. He's not like a Robert Miles for example. Or, someone like Louis Beam who's really tight with these people. You know, Louis Beam, the Klan leader?"

In fact, Seymour did not know who Louis Beam was, yet. She asked him if he knew anything about the meetings at Manasseh Ranch in Mariposa where the Compact was signed. Surprisingly, he didn't know anything except what he had read in the *Mariposa Gazette* and the *Fresno Bee*.

"I have no independent confirmation of the meetings, in fact, you are probably closer to the sheriff's department up there for that kind of information," he noted. "However, in 1965 we did a story on the attorney general's report, and I thought it was astonishing that Gale was not mentioned in the story, given the amount of space he took up in the report. In fact, that whole report would be of interest to you."

* * * * *

One month later Seymour received a packet from Wallace. Inside, attached to the 1965 Attorney General's Report, was a computer sheet of a *San Francisco Chronicle* story on David Moran, dated December 3, 1986; a copy of a *New York Times* article describing paramilitary training seminars; a number of articles published in the *Davis Enterprise* about David Moran; and an extensive ADL (Anti-Defamation League) computer printout about the Arizona Patriots.

According to press accounts, Gale's movement was activism in its most potent state. And, it was beginning to look to Seymour as though all the Identity groups were inter-connected. James P. Wickstrom, Colonel Gale's closest friend, was identified as the national organizer of Posse Comitatus, a group which believes no governmental agency above the county level has any legal authority. (The Latin words *posse comitatus* mean power of the county.)

The *New York Times* article, dated June 11, 1983, entitled, "U.S. Extremist Groups Have Scary Links," by Wayne King (Copyright © 1983 by The New York Times Company) described joint training sessions or "counterinsurgency seminars," conducted in Weskan, Kansas, by Gale and Wickstrom. (Excerpt):

. . . In a typical three-day session in Weskan, Kan., monitored and described by the office of the Kansas attorney general, 53 participants were trained as "killer teams in hand-to-hand combat techniques, the administration of poisons, night combat patrol and ambush."

. . . Gale and Wickstrom have made joint appearances before dissi-

dent farm groups. They came to public attention recently with a series of taped "sermons" broadcast by a radio station in Dodge City, Kan. A petition before the Federal Communications Commission seeks to lift the station's license for broadcasting the violently anti-black and anti-Semitic messages, which referred to blacks as "evil beasts" and suggested guerrilla warfare tactics be used against Jews.

The ADL background report on the Arizona Patriots described them as a loosely organized band of armed vigilantes located in Phoenix, Flagstaff, Prescott, and various remote parts of Arizona. According to the report, "the group was part of the pseudo-theological 'Identity' movement." One of the early leaders of the Patriots was former screen actor Ty Hardin, who once played the role of Bronco Lane in the popular 1950s television series "Cheyenne."

Richard Van Hazel was mentioned as a "leader of the Arizona Patriots" who was arrested in October with other members of the Committee of the States. The Committee was reportedly led by "national Identity figure William Potter Gale."

The tie-ins between the right-wing organizations resembled a national fish net, they all seemed to be linked. The ADL report, entitled "Background: The Arizona Patriots," offered a condensed overview of the extensive linkages within the Movement as well as the dynamics of the group called the Arizona Patriots:

On December 15, 1986, eight members of an extremist paramilitary organization, the Arizona Patriots, were arrested on various charges, including plotting to rob a Wells Fargo armored car in Nevada, the proceeds of which would be used to set up a survivalist training camp in the West for white supremacists and anti-Semites. A member of the group is said to have made four trips to Ogden, Utah, hoping to lay the groundwork for the bombing of the IRS facility. Members of the organization also reportedly planned to bomb a Phoenix synagogue. One of those arrested had made serious threats in 1985 to blow up the Arizona regional office of the Anti-Defamation League. Other charges against the arrested "Patriots" included possession and manufacture of illegal firearms and a mortar-like weapon, and assaulting a Federal officer.

Three days later, blueprints for the electrical systems of two major U.S. dams and the piping system of a third were found at a compound belonging to Jack Maxwell Oliphant, one of those arrested. According to Federal authorities, Oliphant's property near Kingman, Arizona was the intended destination for illegal weapons sought by the group.

The Anti-Defamation League's regional office in Phoenix was tar-

geted for bombing in 1985 by one of the Arizona Patriots arrested last month. FBI agents alerted the ADL to the plot after they spotted Daniel Taylor Arthur at the building in which the League's office is located.

Close parallels to the doctrines and alleged conduct of the Arizona Patriots can be found in the story of The Order, an underground terrorist organization which declared war on the U.S. government and engaged in a series of violently criminal activities in 1983 and 1984. Most of its members are now serving lengthy prison sentences.

The above-mentioned Jack M. Oliphant, 63, of Parks, Arizona, is a close associate of Jack Mohr, a leading spokesman for an Illinois-based paramilitary Identity group known as the Christian Patriots Defense League. In Mohr's *Christian Patriot Crusader* bulletin of December, 1985, he announced that Oliphant and his wife—described as "staunch Identity Patriots"—were building their 320-acre "wilderness retreat" near Kingman. Mohr described this setting as "rugged and easy to defend" and labeled it "ideal" for an Identity camp for youth in the summer and family meetings in the Spring. According to Mohr, "people moving into this area will be carefully screened. . . ."

According to court records in the pending Federal case, Oliphant sponsored a June 20th gathering at his compound at which dynamite was exploded and a half dozen people expressed hatred of Jews. When Federal agents raided the property on December 15th, they confiscated numerous items, including a homemade blowgun, night-vision goggles, pamphlets depicting a nuclear war; seven gas masks, and publications of the Aryan Nations, an Idaho-based hate group which preaches Identity doctrines. Spent shell casings and numerous rocket ammunition crates were later discovered on the property.

In June of 1984, members of the Arizona Patriots, under the title "Committee of the State of Arizona, Assembled," issued a collective "indictment" against all elected officials of Arizona and "all officers of the Executive and Judicial Branches of government," and threatened to conduct "a grand jury inquest" unless the officials resigned within thirty days of the document's effective (July 4th) date. The document charged these unnamed officials with violating their oath of office and the U.S. and Arizona Constitutions. The document was strikingly similar to one drawn up by the California-based group called the Committee of the States, several of whose members are currently awaiting trial in Nevada on federal charges of issuing threats against IRS agents.

According to published reports, at the same meeting at which the Arizona Patriots document was hammered out, members of the group, heavily armed and wearing combat fatigues, discussed plans to murder then Arizona Governor Bruce Babbitt, U.S. District Court Judge Paul Rosenblatt, and members of the State's Department of Public Safety. . . .

The California Committee of the States Compact contained Richard Van Hazel's signature, but it also contained the signatures of two other Patriots, one of whom was Norman Kuhman. Page three of the ADL report mentioned the activities of Richard Van Hazel, Ty Hardin and Norman Kuhman.

In 1984, Van Hazel and Gale were featured speakers at the Aryan Nations World Congress where courses were offered on urban guerrilla warfare.

Ty Hardin, allegedly the Patriot's leader before he moved to California, was quoted as saying that he left his stage career in Hollywood because he realized that what he was doing in the film industry was Anti-American. "It is all controlled now by Zionists mostly," he said.*

Hardin preached to a small congregation in Prescott, Arizona and ran a tax protest school called the Common Law Institute. According to the ADL, his subscribers paid \$530 for a packet of materials including a "patriot handbook" containing "all tested cases and methods to maintain personal freedom."

He also edited a monthly journal called the *Arizona Patriot* which contained reprints from such publications as the *Spotlight* and the *Executive Intelligence Review*.

The *Arizona Patriot* was published by Norman Kuhman, a one-time owner of the *Prescott News*. Kuhman left Arizona in September, 1984 and moved to Kansas, where he conducted "legal workshops" for farmers in distress.

* * * * *

The articles and documents sent by Bill Wallace from the *San Francisco Chronicle* connected Gale to James Wickstrom in the Midwest and Richard Van Hazel in Arizona, but the most significant disclosure originated from the

*Far-right literature consistently implies that newspapers, magazines, publishing companies, the film industry and TV networks are controlled by Zionists.

One widely circulated pamphlet, entitled *Who Rules America*, suggested that mass media was owned by just a few dozen men. (Excerpt):

... The mass media form for us our image of the world and then tells what to think about that image. Essentially, everything we know—or think we know—about events outside our own neighborhood or circle of acquaintances comes to us via our daily newspaper, weekly news magazine, radio, or television.

Executives and owners of major TV networks, motion-picture studios, radio broadcasting companies and newspapers were named and identified as Jewish.

documents room at the University of California at Berkeley. The report ranged back in time to the beginning of the Identity Movement. On April 12, 1965, a highly comprehensive dissertation on "Para-Military Organizations in California" was sent to State Senator J. Eugene McAteer from Thomas C. Lynch, who was the California Attorney General at that time. Lynch sent the report to Senator McAteer to achieve passage of SB 184, legislation to outlaw "vigilante groups." Copies of the report were also sent to the Senate Judiciary Committee, Senator Hugh Burns, Assemblyman Jesse Unruh, Assembly Speaker, and Assemblyman James Mills, co-author of the Bill.

The report was written up in the *San Francisco Chronicle* at that time, and as Bill Wallace had observed in his phone conversation with Seymour, the vast report implicated Gale in an agenda which Attorney General Lynch described as "a threat to the peace and security of the state."

The close relationships between Colonel Gale and Wesley Swift, a 1945 Ku Klux Klan organizer, Admiral John Crommelin, and Bertrand Comparet, a San Diego lawyer, were explored thoroughly, including Gale's leadership in an intelligence and combat force called the California Rangers.

The 1965 report, entitled *California Rangers*, read as follows:

In many respects this is a continuation of the preceding chapter . . . an exploration of the relationships between the individuals in the NSRP [National States Rights Party] movement with like-minded individuals in California engaged in similar programs of activity.

In exploring those relationships, attention first is directed to the activities of the Reverend Wesley Albert Swift, a resident of Lancaster, California. In 1945, he was identified as a Ku Klux Klan organizer. Following a cross-burning incident in the Big Bear area in that year, he refused to testify at a State Attorney General's hearing into the matter. From that time, reports have been received of Klan organizational activity in the Antelope Valley, and inevitably Swift's name has been mentioned in connection therewith. In a recent article appearing in a national magazine, he was described as a "former Ku Klux Klan rifle-team instructor." Swift is a prolific organizer and has been instrumental in launching a complex of groups: the California League Against Communism, The Anglo-Saxon Christian Congregation, The Christian Defense League, and the California Rangers. He was early associated with Gerald L.K. Smith, and in 1949 he shared the platform with Smith on a tour of the West Coast. In 1953, he became the legal representative of Smith's Christian Nationalist Crusade.

In 1946, Swift founded a fundamentalist-type church called Church of Jesus Christ-Christian, which in the past two decades has been developed into a chain of such units from Southern California through

the Central Valley to the San Francisco-Oakland Bay area. According to Swift, the church extends to other states and overseas. Swift uses his pulpit to disseminate his political ideology.

Named as president of the church's "Eastern Conference" is the Reverend Oren Potito who ministers to one of the sect's churches in St. Petersburg, Florida. He was quoted recently as stating that the church had organized what he called "guerrilla-warfare units."

He said, "These survival groups are designed to defend the country in case of a take-over. We have regular rifle practice, and our members go on maneuvers in jeeps and boats in different places in different states."

The Reverend Potito also is a member of the NSRP, and in the fall of 1962, he joined with other NSRP members in journeying to Oxford, Mississippi to protest against James Meredith's enrollment there. He was detained and some firearms were confiscated from his car.

A long-time associate of Swift's is the Reverend Conrad "Connie" Lynch, who served as minister at various of the Churches of Jesus Christ-Christian throughout California for a period of ten years. After Lynch was appointed State Organizer for the NSRP, he used Swift's churches for organizational meetings, and Swift actively joined in the program as a speaker.

When Lynch returned to California from Florida in 1964, he again associated with Swift in preaching in the Church of Jesus Christ-Christian, and in actively promoting the program of another of Swift's organizations, the Christian Defense League.

Another long-time associate of Swift's is Colonel William P. Gale, U.S. Army (ret.), who in World War II served under General MacArthur in organizing guerrilla forces in the Philippines. His political sights have been aimed at the Governorship of California. He was the state chairman of the Constitution Party in 1957, and its candidate for governor. In 1962, he announced his candidacy for the governorship on a platform calling for the abolishment of both Federal and state income taxes. Reportedly, he now aims at another try in the 1966 election by attempting to effect a coalition among the so-called extreme right groups in California and thereby qualify a new political party.

In the Spring of 1964, the Colonel took an active part in rejuvenating one of Swift's organizations, the Christian Defense League, when a new financial backer—James Oviatt of Los Angeles—provided substantial assistance. While it was enjoying the stimulus provided by the "angel," CDL started a publication called *Christian Defense News*, the first issue of which listed the CDL Eastern Regional Director as being Admiral John C. Crommelin. As one of its first steps the CDL sent out letters to "rightist" groups in which an invitation was extended to all such groups to join with CDL in a "united front," and through cooperative effort to

gain additional strength in the accomplishment of common goals, stressing that CDL's purpose was to coordinate and render assistance, and not to absorb or take over any of the other groups. An inducement was added in the form of an offer to provide legal counsel in the prosecution of libel and slander actions for all groups and members joining with CDL.

Reportedly, talks were held with leaders of other groups, but the results of those talks have not been made manifest. Some time thereafter, Mr. Oviatt discontinued his support, and the CDL activities were reduced accordingly. All reports indicate that Gale is continuing his efforts toward achieving some type of coordinating influence among the different groups.

The Christian Defense League is described in its own publications as an organization designed to unite "white Christians" in opposition to such Negro and Jewish organizations as the NAACP, CORE, the Urban League, the American Jewish Congress, Anti-Defamation League, and B'Nai B'Rith. The major project of the organization has been the compilation and distribution of a "Christian Buyers Guide" which would serve as a directory of "white Christian" business firms recommended for patronage by "white Christians." The hate credo propounded by this organization has attracted to its ranks some individuals of extreme viewpoints, as is illustrated by the following incident:

A Christian Defense League member named William H. Garland was arrested on October 30, 1964, at his home in Cucamonga, where officers found him to be in possession of eight machine guns, of which six were operational, and nearly 100 other weapons, including rifles, shotguns, and pistols. A barn on the premises was found to be used as an ammunition dump for 105-mm rockets, incendiary bombs, smoke bombs, flares, blasting caps, and thousands of rounds of ammunition. Garland's explanation was that he had amassed the arsenal as a "patriot" for the purpose of repelling "invaders."

His defense in this matter was handled by Attorney Bertrand Comporet of San Diego, a Director of the Christian Defense League. It might be noted that when Conrad Lynch and other NSRP organizers were arrested in San Bernardino on February 22, 1963, as a result of an altercation with high school students, attorney Comporet joined with the NSRP and KKK attorney, J.B. Stoner of Birmingham, Alabama, in handling their defense.

In examining the extent of the influence exercised by such leaders as Col. William Gale, Rev. Wesley Swift, Rev. Conrad Lynch, and others associated with them in this movement, it is helpful to concentrate attention on the leadership rather than on the several organizations which those leaders utilize for their purposes. The teachings and pronouncements of those leaders are largely unchanged whether delivered from the

pulpit or the speaker's platform, whether in print or on taped messages, and their converts come under their influence without regard for organizational labels.

"Fundamentally, the ideology propounded by those men is identical in all major aspects with that of the NSRP, i.e., violently anti-Semitic and anti-Negro, with emphasis placed upon the need for immediate action. As stated before, Conrad Lynch of the NSRP has been a minister in Swift's Church of Jesus Christ-Christian for over ten years, and both have been named as being active in the Ku Klux Klan. Col. Gale has also preached in Swift's churches, and a few months ago an announcement was made concerning organizational plans to establish such a church in San Fernando Valley with the Colonel named as minister.

The slight differences in objectives, purposes, and programs of the various organizations which make up the combine through which those leaders operate is of less significance than the fact that through those organizations the leaders propound the one basic ideology. Membership in any of the organizations brings an individual into a network of considerable size. It has been reported that the politically-oriented Christian Defense League and the religious Church of Jesus Christ-Christian serve secondary functions of providing a screening process for militant-minded members of both to be graduated to the Rangers. Assertedly, the whole complex of organizations can be looked upon as consisting of an outer circle, an inner circle, and a center hard core. The entire network must be considered in studying the activities and the influence wielded by those leaders.

The purpose of the Rangers is to build an underground network for the conduct of guerrilla warfare. No reliable figures are currently available, but all information indicates a small membership figure. The training program is said to encompass all the different activities which a guerrilla force would be called upon to undertake, ranging from intelligence to actual combat. The members assertedly are instructed to acquire firearms, and to practice in their use. In connection with the acquisition of firearms, it is of interest to take note of the following incident:

In August 1963, Ranger member, George Joseph King, Jr., son of a retired Admiral, was arrested in the act of selling a 50-caliber machine gun and 9-mm British Sten gun to undercover agents whom he had been led to believe were interested in joining the Rangers. That proposed transaction was to be the first of other deals in which King had claimed he could produce almost unlimited quantities of illegal arms.

Under Col. Gale's leadership, some of the recruitment effort has been directed toward former military servicemen to serve as an organizational nucleus. In furtherance of that program, the Colonel in 1963 transferred

his American Legion membership to the Signal Hill post where he and his follower, George Joseph King, Jr., joined in converting the post into a front for the Rangers. The Long Beach Press-Telegram featured an expose of the situation. It revealed that the regular post meetings were adjourned to listen to speeches by Gale, and that many of the Legionnaires had joined Gale's Rangers, which the newspaper described as "a secret guerrilla group composed of persons devoted to extremist racial and religious beliefs." Acting upon those reports, the California American Legion governing board conducted a hearing, found the reports to be valid, and thereafter in June 1964, revoked the charter of the Signal Hill post.

Returning again to Rev. Swift, it should be noted he has purchased over a hundred concealable firearms in the past few years. Moreover, he maintains a firing range on his Kern County ranch, as well as a reported secret arsenal.

COMMENTARY: This organization is designed as a secret underground guerrilla force, yet it is linked with other non-military organizations by a common ideology and leadership.

The California leaders of the group have intimate connections with the Ku Klux Klan, the National States Rights Party, the Christian Defense League, and the Church of Jesus Christ-Christian. They are associated with these groups both in California and in the southern United States.

It is in this perspective that the activities of the Rangers and its leaders must be viewed.

Reportedly, as adherents become more involved in the racist ideology of any of the "front" organizations, they proceed from the more politically or religiously oriented organizations to the more military.

Col. Gale has aspired to the governorship of California. Assertedly he is continuing to cherish this dream. Some of his followers have joined such groups as the White Citizens Council reportedly to help effect an eventual amalgamation of extremist organizations which will result in the ballot qualification of a new political party in this State. Thus, one can conjecture on the establishment of a new political group here having as its inner nucleus a secret guerrilla force . . . the Rangers.

* * * * *

The 1965 Attorney General's Report revealed the sheer volume of intelligence data being gathered on Colonel Gale during the 1960s. Lynch's report on the California Rangers, and the inter-relationships between Gale and other right-wing leaders had revealed the existence of a labyrinthine organization intensely dedicated to establishing a new political and military base in California and other states.

Seymour now had enough history on the inauguration of the Identity Movement to question Gale pointedly about the "beginnings." She was also intent on obtaining his version of the formation of the California Rangers.

Ironically, the October 1986 indictment of Gale and five members of the Committee of the States had read like a capsulized reiteration of the '65 Attorney General's Report: Twenty-one years later, the names of the organizations had changed from the Christian Defense League and the California Rangers to the Committee of the States and the Unorganized Militia, but the leaders remained the same.

Hollywood—the 1950s

JUNE 7, 1987 (Mariposa, California)—"I want to hear about the beginning of the Movement in the 1950s, the McCarthy era," said Seymour as she stepped into the Colonel's thirty-two-foot motor home. The motor home, valued at about \$70,000, contained its own generator. Inside was a computer with a ham radio attached to it.

Gale turned on the radio and tuned it in. Then he typed the code letters W6-ONK, explaining that he was calling someone in Oregon. He indicated on the screen that he was calling from WA6-VIG, which were his own call letters. Whoever answered to W6-ONK did not respond, so he shut the computer off and they left the motorhome to walk the grounds surrounding his home.

Gale's home was situated several miles away from Manasseh Ranch, in Lushmeadows. At first glance, the property looked like any other ranch property in Mariposa: dogs barking, storage sheds, trucks, vans, trailers parked all over the place.

A closer look revealed a strategically arranged compound; an intercom system perched innocuously on a gate-post, covered by a birdhouse. Facing the mobile home were three Volkswagon vans and a Silverstreak trailer, behind them were what appeared to be vacant guest houses.

Everything was mobile; the colonel refused to own anything he couldn't move from the land. A four-wheel drive Scout with a new engine rested next to a Dodge pick-up truck and the motor home. All the vehicles had two way radios which Gale said could reach four states.

"Well, I guess you could say it all started when I retired from the Army . . . on June 30, 1950." He climbed into a Ghia he had been working on when the reporter arrived. A new two-way radio had just been installed. "I was living in Torrance, California in a little house that my wife had bought while I was overseas. I was sick, had to have bedrest and all that. One day I got a call from Bob Kreuter at Hughes Aircraft. Bob had moved to Santa Monica, bought a home."

Gale motioned for Seymour to sit next to him in the Ghia. "Colonel Kreuter had been Chief of the Coast Artillery Board and Chief of our Research and

Development for the Army. It was a high level job. Well, after he retired, Kreuter went to Hughes Aircraft in what they called the Customer Relations Department. And Kreuter and General Harold George wanted me to come to work at Hughes.

“General George said, ‘We have a terrific problem in contracts and government procurement, and I understand that you helped write the Armed Services Procurement Regulations when you were in Washington, and you’re a G-4, I knew of you.’”

He paused, running his hands absently around the steering wheel of the Ghia. “And, he said, ‘I need somebody like you to straighten out some contract problems in this company.’ He said the Airforce Inspector General and general accounting office were getting ready to close the doors of the Hughes Aircraft Company because of these conditions.

“‘We’re going to have a meeting with Howard Hughes personally,’ he said. And General Gordon Seville, the chief of research and development of the airforce, was coming out for a meeting with Howard Hughes.”

Gale spoke with a certain poignancy. “I knew General Seville well. After he retired from Hughes, he kept in touch with me. He was up in Colorado in a consultant business for aircraft industries. Anyways, so General George, who was vice president and general manager of Hughes Aircraft, said to me, ‘I want you to be at this meeting in my office. Will you consider coming to work for this company to help straighten this problem out?’ I said, ‘Okay.’ So I went to this meeting with Howard Hughes.”

Seymour asked, “You met Howard Hughes personally?”

Gale looked at her squarely. He seemed vexed at the interruption. “Well, he was there in my presence, just like you are! In General George’s office.”

He continued distractedly. “The subject of the meeting was Howard Hughes keeping his nose out of the business of Hughes Aircraft Company. You see, some of the problems were caused by friends of his [Hughes] just sayin,’ ‘The hell with everything, ‘cause Hughes doesn’t give a damn whether we do things this way or not! And he doesn’t care about money!’ And he didn’t!”

He climbed out of the car and walked toward the house, waving his arms. “And there was absolutely millions and millions of dollars that was due the company on what they called the ten percent final fee on government contracts.”

He held the door open for Seymour then entered the house. The screen door slammed behind him. The dogs nuzzled him as he settled down in a chair near the window. Curiously, the dogs were friendly to strangers.

A giant Persian cat jumped onto his lap. “You see,” he proceeded, “you have fixed price contracts. CPFF contracts; ‘cost plus fixed fees.’ You have to negotiate what your costs are in order to come to the amount you’re gonna

charge for that radar system, or whatever you’re gonna produce for the government. The Air Force isn’t just gonna pay you any amount you want if you’re a contractor. You say, ‘I want a million dollars for this item,’ they’re going to say, ‘How much did it cost?’

“You see, during the war and even right after the war, the war department—procurement for military—had problems with civilian facilities and factories. In order to fulfill the government’s needs, the civilian contractors had to expand their facilities, bring in millions of dollars worth of machine tools and construct buildings, and they couldn’t do it. They didn’t have the financial resources. So, the government provided them with a ‘facilities contract’ and allowed them to buy machine tools and construct buildings under that contract . . . to meet the production for that item that the government needed. Then that was government property, but you, the contractor did the work.

“So the CPFF contracts were supplies contracts, allowing the contractor to acquire all the raw materials he needed to produce that end item, at cost plus a six percent fee over the cost. So the officers who administered the contracts would keep a record of what was bought by contract number.” Gale poured himself a cup of coffee and slumped in his seat. “Oh, Hughes Aircraft didn’t do any of that for ten years!”

“Well, a contract can be closed but not completed. Or completed but not closed. That’s the way it is.” His voice was low, metallic, inclined to sound monotonous: “To close a government contract, after it’s completed, one must obtain what’s called a final property audit. Every purchase order had to be numbered to that contract number. Where did the materials go? You had to account for them.

“None of that was done for ten years at Hughes. Millions and millions of dollars of government contracts on radar and missiles were going into the missiles business then. R & D [research and development] items of engineering units of scopes and things like that, costing thirty thousand dollars apiece, were stored in some garage of some engineer at home somewhere. No record of nothin’ except that which was bought under a contract. Government property! Where was it?”

Gale looked up with a mocking smile on his face. “I’m giving you the background why General Seville told Howard Hughes right out, ‘You stay out of the business or we’re closing the company and putting a padlock on your front doors.’”

He shrugged and settled back in his chair. “Well, I went to work for Hughes Aircraft as manager of government property control. I worked under Bill McGee who was controller not only for Hughes Aircraft but for Hughes Tool Company also. He and I got along wonderfully, heck of a nice guy. He later

had a problem with Roy Ash and his Harvard Business School bunch. Left-wing liberals. I always used to say, 'If you want to get to Moscow, go to Harvard and turn left!'

He laughed silently to himself. "Well, then Roy Ash moved in as controller, moved Bill McGee out . . . moved him up. Politics. Well, there was no question that I wasn't gonna get along with that type of operation, and General George knew it. I let him know it, and I let Ash know it too. I told Ash the same thing I'm tellin' you—"

Risking his wrath, the reporter interrupted. "How did being a liberal have anything to do with it?"

"I knew about them," he said wryly. "Remember when I told you that I was supposed to start a statistical section in General Marshall's office, after the war? Marshall was chief of staff of the army, and Frank McCarthy arranged for me to come to Washington D.C. and start a statistical section . . . instead I went to MacArthur's headquarters in Japan. Well, there was a reserve colonel on duty who moved into that field. His name was Tex Thornton. And working as a clerk for Tex Thornton was a man named Louis Johnson, who was later made Secretary of Defense of the United States. They made him president of Ford Motor Company first. From a clerk at the Pentagon to president of Ford Motor Company. He was a mess! He was the head of the Edsel deal for Ford; he brought the Edsel fiasco out when they made him president of Ford. Didn't take him long to destroy Ford.

"So Tex Thornton got him out of there and made him Secretary of Defense. He replaced Jim Forrestal who killed himself—that's another story. And Johnson really fouled up our Defense Department—no one can argue with me on that."

He made a quick, inclusive gesture with his hand. On his face was anger that looked old, as if it had been part of him for a long time. "I had to tribute to him the complete destruction of our defense installations of the United States.*

"So, Tex Thornton was hired by General George to be Assistant General Manager of Hughes Aircraft, and Thornton brought in Roy Ash and his Harvard Business School bunch. Management by persuasion. In other words, persuade somebody to do the right thing . . . by what? Conference? Ahhh—that's not the army way."

The tension in his voice indicated it was hard for him to speak of that time. "So, maybe I was wrong, using the army way, but it was the only way I knew."

A silence followed. He sat still, measuring his words, then said: "I told Roy Ash, 'I don't agree with you people. I can't do it your way; this job can't be done that way.' And Ash said, 'Why not?' And I said, 'Because I have to crash some heads together. I'm only gonna last a few years or so, then I'm gonna leave!'

A half-smile crossed his face. "Well, I got called over to General George's house in Beverly Hills one Saturday. He said, 'We got a problem.' I said, 'What's the problem?' He said, 'Thirteen hundred million dollars; the government's not gonna pay us. For years, the Radar Department has made engineering changes on these radar sets. But they didn't get them approved by the Air Force at Wright Field. Then they took the whole unit and put it in surplus . . . repurchased, with only one little item in the unit that needed to be replaced. They brought in hundreds of millions of dollars, now the government's not gonna pay us.' He said, 'Can you clear it up?' I said, 'Sure, but they're gonna scream bloody murder.' General George said, 'What do you mean?' I said, 'Well, I'm gonna close Department 29, the whole radar production might have to stop for at least a week.' So George said, 'Oh, well go ahead.'"

He cocked an eyebrow at the reporter. "I stopped all procurement in the Radar Department. You should've heard them scream! The Radar Department was huge, it took up most of the plant. Every meeting that was held . . . 'That S.O.B. Gale and his property control department!'"

He laughed loudly. "What I instantly did was send one of my top men over to the 106th Street warehouse where they kept all surplus properties. Every purchase order from Department 29 (Radar) had to go to the warehouse. They couldn't buy anything until the purchase order was screened against the materials and obsolete properties that were in the warehouse. It took two or three weeks to get that procedure into effect, to satisfy the Air Force, and they finally paid off!

"Then they wanted to open up the Tucson plant. I sent one of my men in there to handle property records; but he reported directly to me, not to the general manager in Tucson. I had complete open sesame. I could hire anybody I wanted at any price I wanted.

"Ed Ramsey, this guerrilla commander of mine in the Philippines, I put him on at Hughes. There were some retired military people that General George wanted me to hire, which I did. One of them was a very close friend of General Eisenhower's. In fact, General Eisenhower came to my home in Hollywood with this colonel 'cause I was his boss [the colonel's]. He was in bad health, he died before I even left Hughes."

*In the book *A General's Life* copyrighted in 1983 by the Estate of General of the Army Omar N. Bradley and Clay Blair (Published by Simon & Schuster in New York), General Omar N. Bradley said on page 502 that he doubted seriously if Louis Johnson knew much about military strategy or weapons systems. According to Bradley, Johnson "was probably the worst appointment Truman made during his presidency." Within a year Johnson was gone, noted Bradley, "a victim of his own ambition and excesses."

HUGHES AIRCRAFT COMPANY

CULVER CITY, CALIFORNIA

April 2, 1953

HAROLD L. GEORGE
VICE PRESIDENT & GENERAL MANAGERMr. William P. Gale
Hughes Aircraft Company
Culver City, California

Dear Bill:

As you know, I have been following with a great deal of interest the work that has gone on under your supervision during the last year in improving company operations with respect to Government Property Control. It goes without saying that the Hughes Aircraft Company must carry out its responsibilities with respect to Government-owned property of all classes in a manner consistent with our position as trustees of those assets.

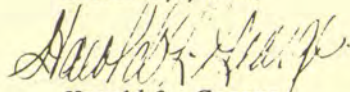
It should be a source of considerable satisfaction to you, as it is to me, that last year has shown an enormous improvement in the company's handling of these responsibilities, and it is, I know, largely through your personal efforts that these improvements have come about.

It is with real regret that I learn of your decision to leave this company, but I understand and appreciate the strong personal reasons that have prompted that decision.

Please accept this expression of gratitude for your outstanding contribution in the solution of one of our most difficult problems.

With my personal best wishes for the future,

Sincerely yours,


Harold L. George
Lt. Gen. USAF (Ret.)

A letter from Lt. General Harold L. George, U.S.A.F. (Ret.) addressed to (Colonel) William P. Gale. This letter was written to commend Gale for the task he performed for Hughes Aircraft Company prior to his departure in 1953.

Gale smiled with satisfaction. "I had a job to do and I did it in a year and a half. When I left, Hughes Aircraft Company had millions and millions paid into it from the government for all those final fees on completed contracts, and a complete clearance on construction of the Tucson plant to build the missiles—and absolutely no more problems with the Air Force."

Seymour asked, "So you lived in Hollywood at that time?"

He nodded. "Yes, I bought my home at 1842 Outpost Drive in 1952, while I still worked at Hughes."

He called that time his "Dr. Jekyll and Mr. Hyde" era. He was dynamically involved in several activities at once. One of them was the professional boxing business—training fighters such as Butch Rogers and others:

"The professional boxing business is what you would call a fraternity. If you're in the fraternity, and I was, boy, they'll stand behind you. You know what I mean? Irish mafia, or whatever you want to call 'em. I'm respected by them as one of the oldest professional boxing coaches, to teach boxing properly and correctly."

Gale's three children attended Hollywood High School. His oldest daughter, Geraldine, was a gifted soprano who had a contract with Walt Disney:

"All the talented kids came to my home to rehearse. The Four Preps started right in my home at my piano. The Mousketeers, Bobby and Barbara, were at my home all the time; either out at the pool or singing. Stephanie Powers, her real name was Taffy Paul; Suzanne Pleshette; Mary Martin's son—you know, he plays J.R. Ewing on Dallas—and John Wayne's son, Pat, used to come over to my house every day. Pat Wayne was awful bashful, wanted to date Geraldine. My son's girlfriend was Gordon McRae's daughter. Bob Hope's wife used to come over all the time. Audie Murphy was one of my closest friends."

He stared at the reporter, remembering. Then he drew himself up and lamented about his life in Hollywood. "I had a Hollywood life. Between you and me, I didn't want my kids around it. I didn't like Hollywood. Another friend of mine, Bill Fabares, had the same problem. His wife pushed her daughter, Shelly Fabares. Bill and I used to sit and drink at the bar 'cause we both had the same problem—Hollywood mothers! Every Friday the families would go to the Mexican restaurant for dinner."

He stopped talking and sipped his coffee thoughtfully. He appeared to have reached a troubled juncture in his life story. "This was the Dr. Jekyll and Mr. Hyde time of my life," he repeated.

"See, I was doing several things at the same time. In that same time span, I was active in the Republican Party, vice president of the Fifty-seventh Republican Assembly District. We were working for the state senator, a right-winger, at that time to get him elected."

Seymour asked, "Were these Constitutional Party meetings?"

“Not at that time. They later became Constitutional Party meetings. All these people were the reason for the Constitutional Party coming into existence.”

“Who were they?”

“Marge Buffum, Buffum’s department stores in Los Angeles—her folks lived across the street from me; Millie Taft Tinkham; Pat Barham—her father was partners with William Randolph Hearst who owned the *Los Angeles Examiner*; Frank Taft; Charlotta ‘Lotty’ Keech . . .”

Suddenly, he was very cool, very alert. His hard old eyes measured the reporter. “So, in April 1953, I resigned from Hughes Aircraft. At this time this anti-communist activity was going on in Hollywood where I lived. And we were having these political meetings at my home, at a lot of homes in Hollywood, and this Baptist by the name of San Jacinto Capt came to my home one afternoon. He left at four in the morning. He gave me stuff that I hadn’t reached yet. I got more knowledge of the Bible just listenin’ to him than I’d ever had before. He was an Ivy educated independent, very sharp!”

“So, then I got together with this young fellow from North American Aviation.”

“How old were you at this time?”

“Well, I was thirty-three when I retired, so I must have been thirty-five by then. In that age bracket. And this fellow from North American Aviation, his name was . . . Bob Hughes, I think it was, he was a Catholic and he had been in a fight with the Anti-Defamation League of B’nai B’rith, which I didn’t know anything about yet.

“He was going to blow them up. In fact, he had a group of Catholic guys down there who were going to go down to the ADL headquarters and they were going to blow it up. They got into a little trouble about that. It was because of their priest, Father Eustace, who had a Catholic school out in Alhambra. This Roman Catholic priest was also well aware of his Identity and he knew that the Jews were not the Israelites, he knew that Jesus was not a Jew, and he was associated with a group of twenty-eight priests in Massachusettes who taught this very same thing.

“I did give you a copy of their book, *The Point*, didn’t I?”

The reporter said she had read it, however, she found herself checking the tape recorder repeatedly to make sure it was working properly.

He chuckled. “They all got excommunicated in later years. Because of this teaching. And Father Eustace said, ‘If you want to study with me, I have a class.’ I said ‘fine.’ So Father Eustace and San Capt arranged for me to go through a study program.”

He leaned forward, looking intently over his folded hands. A smile broadened across his face. “And then, I decided to go into the ministry. So, I went down to the Episcopal Cathedral on Figueroa and I signed up for a course there. Altogether,

I spent almost four years studying for the ministry. And then in 1956, they had the laying-in ceremony at St. Paul’s Episcopal Cathedral on Figueroa and Adams.”

“What was the laying-in ceremony?” asked the reporter.

“Well, it was the laying on of hands by three clergymen to consecrate Christ,” he said abruptly. “I was ordained as a member of the clergy.”

“So, I went down to Fifty-second and Hoover to the great Episcopal church and I spent about four months there; they told me that I could only preach about twenty-minutes every Sunday, nothing more.

“Well,” he scowled, “I had all this Bible stuff, and I said, ‘You mean, I can’t talk more than twenty-minutes?’ I asked ‘Why?’ They said, ‘You’ll run out of material within a short time . . . to preach on.’ So I said, ‘Good-bye, I quit!’”

Seymour said, “And so you formed your own church.”

He said thoughtfully, “The Ministry of Christ Church was an association at first. I conducted weekly meetings at night, separate from my business. I was also holding political meetings; I was studying, I was teaching.”

He hunched forward, his face attentive. “I had a church group, Bible study, in Whittier. It was organized by a retired navy commander who was on the same ship with my brother in the navy. His name was Ed Hall; a Kentucky southern boy, and Roman Catholic.

“You see, there was an Australian named Schwartz who was organizing the Christian Anti-Communist Crusade. Everything was anti-communist in Hollywood at that time. And they were having meetings and raising a lot of money, and Hall was tellin’ this group to stop wastin’ their money and their time with Dr. Schwartz. He said, ‘I’ll bring you a man who’ll tell you who the communists really are!’ And he was referring to me. Well, they did!”

“Who were the communists?” Seymour asked.

He blinked, unprepared for the question. “Well, Schwartz brought them right up to the wall, just like the Birch Society did. Then he stopped. He didn’t go any further. You didn’t really find out who the communists were, or what communism was. So, I knew what it was. Biblical. Theological. Anti-Christ,” Gale let his voice trail off.

“So Ed Hall started a meeting for me at the Whittier Hotel every Tuesday evening. Bible study. A bunch of Catholics came to my church, and this retired navy bunch,” Gale paused. “My brother didn’t want anything to do with it.” He chuckled, softening his tone a little. “He told me, ‘Don’t bother Mom with this stuff,’ so I didn’t.

“There was this anti-communist activity going on with the state legislature, and the state coordinator for the Assembly Bill being proposed was Richard Butler from Whittier. Well, one afternoon in Hollywood, I got a knock at my

door and it was Mr. Butler. He was with a fellow from Chicago who was working with him on this legislative act to attack communism.

“And the fellow was a blond Jew! Right away, that triggered me, because I was alert, Butler wasn’t. We found out later that this guy from Chicago was an ADL agent, infiltrated with Butler. I said, ‘Hey, Mr. Butler, you got something to learn! Sit down!’ And I gave him Identity—the Bible message. He was a master Mason. Betty, his wife, was a wonderful gal, Scotch. They didn’t leave until four in the morning.

“I baptized his kids, all the family. He became a member of my church; I was his minister. He’d have me to his house for dinner. He was an engineer; a wealthy man. Big home in Whittier. Raised Arabian horses there; his daughters were champion riders. He was a very prominent man, in fact.”

A wily look came over his face. “Until he got on the communist issue. He used some of my material in a letter to his Masonic lodge and then he started gettin’ smeared . . . by Joe Shell’s father from San Diego. Anti-Semitic, and all that. And he hadn’t even said a word about Jews!”

“The masonic lodge dismissed Butler because of the letter. Moreover, after learning the Identity truth, he resigned from his political activity as state coordinator for the Assembly Bill and became active in my movement.

“Eventually, I discontinued the meetings in Whittier. I was conducting different meetings every night. I went to San Diego once a month; that’s where Tom Metzger used to come to my meetings. Tom Metzger will tell you that I was the guy that introduced him to this race question.”

Roxanne interjected. “Tom has his own brand of what he’s doing. For a while he was leaning toward the Ku Klux Klan, then he was leaning toward the Nazis. . . . He didn’t get along with any of them, so now he’s just Tom Metzger Associates.”

Gale and Roxanne both laughed at that. “I like him,” Gale mused. “Tom was a very good Christian; he was Roman Catholic, his wife too . . . and a good family man. He’s fixed a lot of radio equipment for me at times.”

He looked quickly around as if something had caught his attention. A car moved slowly down the gravel road adjacent to his property. He excused himself and stood listening to the sound of the motor until it died away, then turned back to the living room. His face was strained and pale. The years of FBI surveillance of his home and church had obviously taken their toll on him.*

*A *Fresno Bee* newspaper article, published in January, 1985, had said members of the Los Angeles Police Department, the FBI, the Internal Revenue Service and the Federal Alcohol, Tobacco and Firearms agencies had “regularly camped on nearby property” to keep watch on Gale’s annual conferences.

Mariposa County District Attorney Bruce Eckerson had told the *Fresno Bee* reporter that he didn’t worry about Gale or his followers doing anything violent in Mariposa County. In the early 1970s, when Gale had successfully fought in court for tax exempt status for his church and surrounding property, Eckerson had looked out in the courtroom and observed that “half his followers were undercover FBI agents.”

Seymour had noticed that when Gale wanted to discuss topics which could affect his case in Las Vegas, he often wrote notes at the kitchen table or took drives with the reporter on country roads, rather than risk being heard on hidden surveillance equipment

When Gale spoke again, his voice was quiet and low. “Getting back to Hollywood . . .

“I met Don Smith in the Constitution Party. He was a division manager for a firm called Waddell and Reed which was a big distributor of mutual funds, of United Funds. Biggest in the country. And Don Smith was retired navy; he was on the *Arizona* when it got sunk in Pearl Harbor. So, he was in the securities business selling mutual fund shares and when he explained it to me, I got interested. He and Emmett Roach, the vice president, taught me the business. Banking, finance, I studied it till it was coming out my ears. Everybody that I handled, I made them wealthy. Really! I mean, I preserved their wealth for them. I was number one in sales for five straight years! So, within one year I was made Hollywood division manager.

“Colonel Bob Kreuter was let go at Hughes Aircraft just before he retired, just before he turned sixty-five. Tricky business. So, I hired Bob Kreuter and put him in the securities business as a sales rep. He passed the National Association of Security Dealers exam. I was using all my old military people. I’d teach em’ the sales presentations and what the business was all about.

“I hired Forrest Dowland who had been in G-3 section of GHQ in Tokyo; George King, Jr., his father was an admiral in the navy; Major General—oh, what’s his name—he was military attaché to the Soviet Union for the United States, and he worked for me! He knew Bob Kreuter too. All these people, we knew each other from the old army.

“So, as things progressed, I was made chairman of the Constitution Party and I was the party’s write-in candidate for governor. It was the only legal way by which the party could qualify for its candidates to be on the ballot.”*

“How did you meet Wesley Swift?,” Seymour asked. She was intent on learning Gale’s relationship with Wesley Swift, the original founder of Aryan Nations in Hayden Lake, Idaho. The 1965 Attorney General’s Report had divulged Swift’s connection to Gale, but only Gale could tell the rest of the story.

He nodded, anxious to continue with his narrative. “San Jacinto Capt came to me and said, ‘There’s a man, a preacher, I want you to meet. I’ve known him for years, in fact, I got him started.’ He was talking about Reverend Wesley A. Swift. He had been a preacher at Amy Semple McPherson’s Foursquare Church in Los Angeles and Capt had provided him with his first congregation—a

*In 1958 and again in 1962 Gale ran for governor; first on the Constitutional Party ticket and later as a Republican.

Pyramid Study Group of two hundred people in Temple City, California. This was during the early 1940s when I was overseas fighting in the war.

“So, Capt said, ‘He knows the same thing that I’ve taught you, and I’d like you to meet him.’ So he took me to Lancaster to meet him and we became good friends. He was preaching at the Friday Morning Club on Figueroa and I would go down and hear him occasionally.

“One day I got a call from Admiral John Crommelin, who had retired and was coming out to California to speak on Gerald L.K. Smith’s platform that week. It was to help raise funds for Wesley Swift. Crommelin said, ‘Will you join me? I’m sure Mr. Smith would love an Army officer and a Navy officer on his stage.’ So, I said, ‘Sure! As long as you’re coming out, why don’t you just stay with me in Hollywood?’ So he did.

“And I met Gerald L.K. Smith then. I got on the platform and I talked and I gave a thousand dollars. Gerald Smith raised enough money to buy Swift a new car and put him in business. Really! He needed it!

“Gerald Smith was political and very, very intelligent. And as a speaker, you couldn’t touch him. He got a brand new Lincoln Continental every year from Ford Motor Company. One of the limousines; Charles Robertson drove it and I often rode in it. I don’t think I’d want one, they take too much gas.” He laughed briskly and the laughter seemed to soften the edges of his narrative.

“Anyways, Henry Ford Sr. and Gerald Smith were close friends. Beautiful home in Hollywood. His wife was the daughter of one of the Oklahoma oil millionaires. They didn’t need money. He helped start our church.

He straightened, the amusement gone from his face. “The ADL and that bunch were sayin’ that Gerald Smith was connected with the Klan. I later found out Swift had been. Well, San Capt had been too. The Klan ran California at that time. Goodwin Knight was a member of the Ku Klux Klan, did you know that?” Gale’s eyes studied the reporter intently. She nodded negatively, absently wondering if he was a Klan member.

“Yes, he was!” He spoke quietly. “When he ran for governor, he gave the Klan signal on the radio: ‘Nobody but Americans on guard tonight!’ Did you know that was the Klan identification signal? It sure was. I learned that from Swift and those guys.”*

Gale’s voice was restless. “But, I learned they had discontinued the Klan in California. They had gone to the attorney general’s office and absolutely done

away with it. San Capt and them said they did it because when those Jews were trying to attack them, they could swear that they were not in the Klan, ‘cause you can’t be a member of something that was officially done away with!”

He shrugged. “I was overseas when all this was going on. I only know it because they told me so. San Capt knew Gerald Smith, of course. They all knew each other for years, while I was overseas. Gerald Smith had been openly fighting against the existence, the creation of the United Nations there in San Francisco. And he exposed Alger Hiss [in the state department] as a member of the communist party. He exposed the communist background of the United Nations. So, he knew Admiral Crommelin because of that connection.

“Crommelin was assistant to Jim Forrestal who was Secretary of the Navy. I met him before I retired, when I was G-4 in the army. Colonel Bill Roscoe and I were assigned by General MacArthur to represent GHQ in the implementation of the National Defense Act of 1947. Admiral Crommelin represented the navy in the implementation of this act which was supposed to unite all the armed forces. It was actually a complete civilian takeover of the Defense Department.” He cut himself off. “But that’s another story.”

“What was Smith’s and Crommelin’s and Swift’s connection during the Fifties?” the reporter asked.

“Well,” he began and stopped, bewildered. “They all knew each other as patriots. Right-wingers if you want to call them that. Call ‘em anything you want.” He couldn’t keep the edge of anger out of his voice. “They were against the U.N. and they were against communism because there was a lot of communist activity in those days. In the movie business and,” his eyes flashed, “Hollywood didn’t even know what communism was; they still don’t!”

Gale collected himself and slumped forward, his elbows on his knees. “Anyways, I had just been introduced to that element, you might say, living in Hollywood and meeting with people I didn’t even know were connected with them. Like one of the wealthiest men in Hollywood . . .

“My offices were in his building when I was with Waddell and Reed. He owned the Outpost Estates development; I bought my home through his real estate agency. He owned the Masonic Temple on Hollywood Boulevard—he built it. He owned the First Federal Savings and Loan building on Hollywood Island.”

“What was his name?” Seymour asked.

“It was a long German name. I sent him up some material, from my office to his executive suite, and he said, ‘Oh, are you a friend of Gerald Smith?’ I said, ‘Yeah.’ And he said, ‘So am I, but I don’t let anybody know it.’ He liked me and he liked General MacArthur. Gerald Smith had all those millionaire people supporting him.”

Gale handed the reporter a stark black and white booklet entitled, *The*

*Gale later gave the reporter a book entitled, *Knights of the Ku Klux Klan* by Colonel Winfield Jones, published in 1941 by The Tocsin Publishers in New York, N.Y., which described the beginnings of the Klan on May 6, 1866, and its subsequent revival in October 1915, by Colonel William Simmons.

John Boggs and his wife confirmed at the 1988 Aryan Nations Congress that Gale was indeed an honorary member of the Ohio KKK. He reportedly lectured on the history of the Klan at a Ministry of Christ church meeting dressed in full KKK hood and satin robe.

International Jew. The cover said the booklet was originally published by Henry Ford I; at the bottom it read, "Introduction by Gerald L.K. Smith." Inside, Smith identified himself as the director of the Christian Nationalist Crusade, Los Angeles, California. It was evident the book was derived from *The Protocols of the Learned Elders of Zion*.

He smiled, a faint smile of derision. "Getting back to Hollywood, I was still at Waddell and Reed, but I was also working with San Capt, teaching the Constitution and the Bible, while Capt taught Pyramidology and Egyptology. I'd been teaching what is now called Identity for two years before I met Wesley Swift. I subsequently introduced Richard Butler to Wesley Swift and Butler attended Swift's church regularly.

"However the name 'Identity' was selected and registered in 1965 as the name of the official publication of the Ministry of Christ Church, Inc. of Glendale, California. It was I who selected the name 'Identity.'

"We published a little Identity publication at that time; it was a bunch of military officers who asked me to put it out . . . Colonel Ben (Von) Stahl and Admiral Crommelin and General P.A. Del Valle of the Marine Corps. We had a meeting and they said, 'You know, the people should know a little about this law, Posse Comitatus.' The military police school in the army had been teaching it for years."

He picked his words carefully. "The Identity Movement was initiated and has been carried on for twenty-six years with dedicated work and tape groups of the Ministry of Christ Church. Our services were held for over thirteen years at the Masonic Temple in Glendale, California. That was the York Rights Lodge; the headmaster there attended our church every Sunday. I buried him."

"What was your relationship with Wesley Swift?" Seymour pressed, still intent on uncovering the story behind the 1965 Attorney General's Report.

He moved uncomfortably. "Swift was sharp, but after a while, we didn't get along. It's a long story." He hesitated. His voice betrayed that he would have preferred not to answer the question.

"He was just different than me," he snapped irritably. "He'd never been military—he didn't know banking, money, finance, which I did. His father was a Methodist preacher in a little tiny church after thirty years in Collinswood, New Jersey. Swift was raised in the back of the church. He had patches on his pants and didn't have a nickel.

"He lived in Lancaster, California when I first met him. He and a lawyer, Bertrand Comparet, a Stanford University Law School graduate, incorporated the Church of Jesus Christ Christian during World War II. Swift was the pastor. . . .

"The lawyer, Bert Comparet, just passed away a few years ago at eighty-five years of age. He was a city attorney in San Diego at one time, and a swell

person, but meek, not a fighter. He wouldn't fight!"

The reporter laughed. He saw her glance and added, "Chickens, I call 'em."

He looked at her silently, allowing no hint of humor on his face. "So, I was in the securities brokers business and I was making big money. Admiral John Crommelin was coming out here, so he stayed at my home in Hollywood. The governor of Utah, Bryan Lee, stayed with me, 'cause I had a big home and swimming pools and everything."

"You were in your heyday then."

He responded, "I was making big money. I arranged the lease on the Hollywood Women's Club for Swift, and moved him out from downtown and got people going to him. I gave him over \$500 a month. So did Jim Gibson; he was an electronic's firm executive. We wanted to get the [Identity] message out.

"It was decided that the time was appropriate for reactivation of the Christian Defense League [CDL] which had been in limbo those past years. The idea of the CDL was originally that of San Jacinto Capt. He proposed it to me and I prepared a letter. I remember the caption: 'The NAACP represents the negro; the ADL represents the Jews; who represents YOU—the white Christian?'

"Ultimately, Reverend Comparet, Hugh Greer and Wesley Swift called a meeting with Capt and I and asked that we cease the CDL activities. Swift claimed that the financial support for the CDL was hurting the amounts he was receiving in his church offerings. Reverend Capt and I acquiesced.

"So, the CDL was reactivated and incorporated with Richard G. Butler as president and others including Dr. Swift and Reverend Comparet and myself on the board of directors."

Under the trim army sweater his shoulders made a sagging movement. "The demise of the CDL came about when Swift and I had a parting of the ways. I'll get to that later.

"Meanwhile, at the Hollywood Women's Club, Swift was holding political meetings on Friday nights and church services on Sundays. There were five to six hundred people at those meetings. But, he would lose them as fast as we could get them in. No kidding. It was too much, too fast. We tried to tell him to slow down.

"Occasionally I would go up to his meetings, two blocks away, 'cause my meetings were all during the week. Well, one Friday night, there was a meeting on Figueroa Street of the so-called National State's Rights Party from Alabama. Now, at that time, I didn't agree with those people! They were racists to me. I taught that Blacks should be adopted into the Christian faith; I didn't hate Blacks."

He stopped, saw the reporter looking at him curiously, but for reasons of his own, chose not to elaborate. “Swift was more or less the other way. And so the NSRP asked him to come down there and give a speech, but he declined. He couldn’t, he had his own meeting on Friday night! Nobody went down there from Swift’s meeting.”

“The next day in the *L.A. Times*, it was reported that their main speaker was Dr. Wesley Swift! And what he had said about the Jews; anti-Semitic, anti-negro and all of that. ‘Kill the Jews.’” His eyes dissolved in darkness, as if something he hated had followed him from the past.

“Then the *Communist Daily Worker* published the same article, same words exactly! So the *L.A. Times* was using the *Communist Daily Worker* reporter, I suppose. But, Swift wasn’t even there! I know, because I was in Hollywood with him that night!” A quick violence erupted from him involuntarily.

“And that article was sent to the senate judiciary committee in Sacramento, and it was included in an ADL report. So you see, they used the media to set Swift and me up!

“Gerald Smith, they did it to him the same way. Their reporters and their newspapers did it. They’re still doin’ it. They get all their information from the ADL.”

Seymour wondered if the 1965 attorney general had obtained his information from the ADL. She had, in fact, recently contacted Richard Hirschhaut, the ADL director on Steuart Street in San Francisco for information on the Movement. Hirschhaut had sent a comprehensive handbook entitled, *Extremism on the Right* and a New York ADL *Audit of Anti-Semitic Incidents* dated 1986.

Seymour countered, “I never even heard of the ADL until I met you!”

Gale’s face spread in wry pleasure. “Well, my sister was the same way. Have you read the *Protocols of the Learned Elders of Zion*?” She started to answer—almost at once, he interrupted her. “She couldn’t sleep after that!”

He stood up abruptly and launched into a passionate diatribe about the ADL. “They ARE dangerous. They ARE mean! They are worse than Hitler’s Gestapo! They are the KGB in this country and I can prove it!” The words flew like sparks from his mouth.

“Read Colonel Beaty’s book, *Iron Curtain Over America*. The Jews that supposedly got killed in Europe, they’re over here. They’re rich, they’re wealthy . . . right on Sunset Boulevard. The Sunset Towers was owned by a Jew who had only been in this country seven years, and he bought a thirteen million dollar building on Hollywood and Vine. How?

“Ask Gracie Jordan, wife of Major George R. Jordan. They had the plates of our money in the Soviet Union, and they were comin’ in through the United Nations with billions and billions. Right now, they’re usin’ the banks through the state of Israel in Switzerland. Millions and millions of dollars of ours going

down to the state of Israel. Financing what? Communism!”

His gaunt figure paced the length of the living room. Then he stopped and fixed the reporter with cold, dark eyes.

She looked back at him squarely. “Give me an example of communism in America,” she said swiftly.

His razor-sharp mind was challenged, but not daunted. “Well,” he studied his shoelaces, then looked up with a self-righteous look on his face, “I used to visit the state senator from Louisiana. He was head of the segregation movement when the schools were being integrated. He was a wonderful man. He lived right near Ross Barnett, the governor of Mississippi, who called me into Mississippi when they had this problem. I was supposed to meet with General Walker, who was a Bircher [John Birch Society]. He took the Birchers’ advice and got himself arrested and put in jail in Springfield.

“In the *Communist Daily Worker*, 1963, they published an article about him. They said any anti-communist military personnel of the United States . . . any army officers, navy officers, should be declared to be suffering from combat fatigue and mentally insane and put in mental institutions. And that’s right in the *Communist Daily Worker* of 1963!”

He stood in front of the window, straight, controlled, like an officer at attention. “Just as in 1917 when the FBI raided the communist party headquarters on Lake Michigan and found documents that proved the ADL orchestrated a smear campaign against anyone who opposed communism in the United States! That’s what the ADL does today.”

Seymour interjected, “Getting back to when you worked for Waddell and Reed in Hollywood—” He turned and shuffled away indifferently.

When he re-entered the room he was ready to resume the interview. Seymour learned that when he left the room, he often used the respirator in the back of the office.

“Well, Bill Williams had become vice-president of sales for Waddell and Reed. He had been a guest in my home for dinner and weekends; several times we used to go down to the Hollywood Roosevelt Hotel and sit and drink. I’d sit at the piano with George Liberace. He was the brother of the famous Liberace who recently died of AIDS. So, when I had nothing to do, I’d go down to the hotel bar and relax and sit down with George at the piano. We were close friends. Bill Williams just loved Liberace, so when he came over, I’d take him down there. Oh, he would brag about that.

“Well, one day, I got a call from Bill at Waddell and Reed. ‘The Anti-Defamation League of B’nai B’rith wants you fired,’ he said. I said, ‘What for?’ Then they brought out an article published by the *Long Beach Press Telegram* that said I was head of the California Rangers!

WADDELL & REED, INC.

Principal Underwriters, United Funds, Inc.
NEW YORK - KANSAS CITY

Telephone CRestview 1-7261
Teletype BV 6651

November 14, 1958

Written from:
8943 Wilshire Boulevard
BEVERLY HILLS, CALIFORNIA

Mr. William P. Gale
1842 Outpost Drive
Los Angeles 28, California

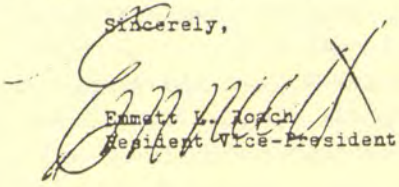
Dear Bill:

The picture the photographer took of the nine of us turned out rather well, at least we here at 8943 think so.

A copy of that photograph is enclosed -- with the earnest hope that you will be pleased to have it.

Please consider this gesture a further expression of my appreciation for a job very nicely done.

Sincerely,


Emmett L. Roach
Resident Vice-President

ELR:AE
Enc.

A photo (see photo section) accompanied this letter of appreciation to Gale from Emmett Roach, vice president of Waddell & Reed, Inc. in Beverly Hills.

"See, George King Jr. [son of Admiral King] was working for me. He went to Annapolis; resigned as a navy flier and joined the Birch Society in Long Beach. He was another of those patriots who had nothing to do . . . you know what I mean? So I brought him into the securities business. Then one day he got trapped in an illegal weapons deal with the FBI; they marked the money and trapped him.

"Well, I gave five hundred bucks to this lawyer of mine, a navy captain, and told him to 'take care of it.' And he did. The federal magistrate was a fishing partner of his. But then it came out that King worked for me at Waddell and Reed, the ADL told Bill Williams to fire me, and he did. He couldn't stand the pressure. I was number one in sales in the nation, you know, banquet awards and all. But then I found out that John P. Waddell was a left-wing liberal, part of the Committee of One Million in New York. Oh, he used to brag me up at meetings as one of General MacArthur's staff, but when he found that out, 'Fire him!'

"About that same time my wife divorced me. I gave her everything. I mean everything. The home in Hollywood, the kid's Porsches, the Cadillacs; I walked out with nothing. My lawyer, Bert Comparet, told me to do it. 'Just get rid of it all,' he said.

"So anyways, that's what split the family up. The kids just went their way and I . . . no problem. I bought a place in Lancaster for my mother and moved in to take care of her. I was living on my army retirement pay. So I joined the Antelope Valley Country Club. Jim Gibson was the vice president of finance for a big electronics firm. He had a home in Palos Verdes, and he got divorced, so we used to drink together 'cause we were both recently divorced.

"So that's what I did for about seven months. Played golf everyday—in Las Vegas, Mexico, all over. And then, all of a sudden, I don't know who talked to me, but I decided I had to do something.

"So, I got my license as a securities broker for the State of California. I had to have a Blue Sky Bond to be a securities broker in California, so I got it through the German in Hollywood who owned First Federal Savings and Loan. I know his name as well as I know my own, and I can't remember it.

"I was already a member of the National Association of Security Dealers, so I opened my own firm. I specialized in what I liked and knew; mutual funds. I had my offices right on Central Avenue in Glendale—201 Central Avenue.

"Then I hired Bob Kreuter away from Waddell and Reed. All the sales reps I had, they came from Waddell and Reed. I had met a fellow while playing golf at the country club with Jim Gibson. He was a top man in the sales for American Mutual Funds in L.A. One of the biggest. So, I got connected to it; licensed to sell their funds.

“You know what I did? I took seventeen-million dollars out of United Funds and put it in American Funds within one month. And kept it up for the next year! You’re damn right. Oh, they were having fits back at Waddell and Reed. They were screamin’ bloody murder!

“Admiral John Crommelin, he had put a bundle in United Funds. He wrote Waddell and Reed a letter that said, ‘You SOB’s, take my money out of there. I’m puttin’ it in with Colonel Gale in another fund!’ Oh, they got it from all over the country. My people were loyal. . . .

“But I was helping my people. So American Fund starts to say, ‘Hey, what’s this?’ So they gave me receipt business. They said, ‘We have a broker in California, divert some commission to him.’ So, I got a check for twenty grand in one week. Made nothin’ but money! I couldn’t spend it fast enough!

“So, what happened between you and Swift?” the reporter asked.

“I parted from Swift. Butler didn’t. I’ll tell you openly, I don’t like to talk about someone who’s dead—he can’t answer, but Swift had a lot of characteristics I did not approve of personally. I couldn’t stand him eating, he was a pig. He had diabetes. He also had diarrhea of the mouth. Which I have too. In the securities brokers business, I did a lot of things right for a lot of widows, but Swift didn’t. He took some money from some widows.

“Not that I’m a good boy, and holier than thou or anything like that, but he did some things that I disapproved of. That’s the official version. Nothing to do with theology. Nothing to do with the church. I supported him; I was not a member of his church, but I attended his services. He could preach, that’s all. In the end he failed. He ended up with about twelve little old ladies. And Butler and all those guys stayed with him. That’s when we split.”

“What happened?”

“Two elderly ladies, clients in my securities business, came to me one day and said they had paid Dr. Swift practically all of their life’s savings—one over \$25,000 and the other over \$7,000—for an interest in the AV Electronics store operated in Lancaster by Swift’s son, Richard. The contract was for an interest in the business along with interest in alleged government contracts.

“Well, the store had no government contracts, just an open purchase order with the Air Force base nearby. They said the contract was signed by Richard Swift, but they had given the money directly to Dr. Wesley Swift at his home where he assured them that they would receive a good monthly income from the investment.

“A church member named Bill Fowler dug up the evidence that the AV Electronics store that Dr. Swift had sold an interest in, was in receivership at the time that Dr. Swift took the ladies’ money.

“The two ladies were unaware that Swift and I had disassociated from each

other, and wanted me to use my influence to have Dr. Swift return their money. Otherwise, they were going to go directly to the District Attorney and file criminal charges against Swift.

“I suggested that they see an attorney before they go to the D.A. They did. It was the same attorney that helped me in the George King incident. He then wrote a letter to Swift demanding return of the money. Swift called upon Bertrand Comparet to help him out. Comparet found out Swift was wrong and couldn’t help. So, in a fit of anger, Swift dismissed Comparet from his church and would not permit him to attend the weekly San Diego meetings—which, incidentally, had been organized by Comparet for Swift all those many years.

“So, San Capt and Comparet and I just left him. We didn’t say a word about what I’m tellin’ you now. We decided to let him go his way. Leave him alone. Which we did. And then we found that at his meetings he was telling people that Comparet and Gale had gone over to the enemy, whatever that meant. And he was smearing Comparet and I to these people.”

“Who were they?” Seymour asked.

“Well, George Udvary and his wife Mary, came to my meetings in San Diego, but he also went to Swift’s.”

“So, George has been with this Movement a long time then?”

“Oh, we were the ones that were instrumental in getting them up here. There was only one T.V. man in Mariposa county then. But, we just couldn’t get along with George. He just doesn’t understand. Those European people figure when they get to America, they’re free. They don’t have that freedom. They suddenly find that out when they get a bloody nose.”

Seymour asked, “You mentioned the California Rangers when you discussed the George King incident that was written up in the *Long Beach Press Telegram*. How did the Rangers get started?”

“Well, I lived in Hollywood. One night I got a call from Colonel John Davis, retired, who commanded E Battery of the Sixty-third Coast Artillery when I was a private. I was on the boxing team and he knew me from the boxing team. He was very enthusiastic about boxing, he also taught professional fighters. In fact, the fighter I fought, and beat, in the army later won the welterweight title from the army, then turned pro and won the California welterweight title at Hollywood Legion Stadium. Frankie Valerino. So, Colonel Davis knew me from the time I was a kid.

“He’d retired and lived in Hyland Park. Called me up. Said, ‘Hey, remember me?’ I said, ‘Sure, come on over!’ Reunion! He says, ‘I’ve been head of the Civil Defense of the State of California for several years. Now the legislature has just taken all the money away from me. There’s no more appropriation for Civil Defense in this state.’ He says, ‘I was gonna resign, but I don’t think I

will, if you'll help me.' I said, 'What can I do?' He said, 'Let's form a volunteer civil defense organization for this state.' I said, 'Okay, I'll help.'

"I told him to talk to Bob Kreuter, ask him to help. He was in Santa Monica. Well, Bob Kreuter analyzed it and he said, 'I can assure you that if Santa Monica was invaded, I couldn't get two people to go down to the beach to oppose it.' No, he didn't have time for it.

"So, I set it up with these I.D. cards. An organizational structure; that's my job as a staff officer, I know how to do it!

"Nothing happened. It never got off the ground. Some cards had been issued, that's all. George King, Jr. had one. The FBI trapped him selling some illegal weapons; he had been part of the Rangers. He was workin' for me in the securities business. And that's all, nothing else."

"Did you know the 1965 attorney general sent a report on the California Rangers to the state senator and the senate judiciary committee?" asked Seymour.

"Yeah, the ADL sent these reports up to the legislature. My lawyer said, 'Look now, when anybody asks you about that, just refer them to the records of the Superior Court of Los Angeles County.'

"It was a volunteer civil defense organization and it was registered with the secretary of state as such."

Seymour noted, "Thomas Lynch called it a 'secret guerrilla force.' A 'threat to the peace and security of the state.' He even went so far as to say that the right-wing had lost faith in the government and they continually plotted armed activity while skirting outright sedition."

Gale scoffed, "How could you register a secret guerrilla force with the secretary of state?"

He didn't wait for an answer. "We put out a valid tape from intelligence sources titled, 'Identity Alert No. 1.' It had to do with verified intelligence sources on the potential of the Soviets first strike nuclear capabilities against this country. And what people should, or would, do in that event.

"In that tape, we told people to learn civil defense; learn how to defend their properties, how to use tiger traps, bungi sticks . . . like in Vietnam. It had nothing to do with the IRS. We announced these training sessions before our seminars. We said in the application, that's what the training would be for. And we suggested that everyone hear that tape before they came to the seminar. This was the whole essence of the defense of our country! Or your home. In the event there was a communist takeover! If they talked about bombing bridges, they were talking about their program in the event of a nuclear attack by the Soviets!"

Seymour asked, "In that tape, does it actually say 'in case of an invasion?'"

"Oh definitely," he answered quickly. "That's what it was all about! A

communist takeover. There are those who will say, 'I'd rather be red than dead.' Those are the people you are going to have to take care of. And the communists who take over your government; you're going to have to kill them with A-teams. We'll teach you how; you're going to have to learn guerrilla warfare here in this country. If you don't know how, you've got to learn!"

"They want to destroy your defense installations. They want to wipe out Merced Air Force base. They want to wipe out the port installations in San Francisco, all the Navy installations. They want to destroy your capability of national defense . . . but they want to keep the factories and the people as slaves!"

The Search

APRIL 3, 1987 (Mariposa, California)—Joel Davis from the *Davis Enterprise* articulated softly into the telephone, “You’d be interested in the article entitled, ‘Moran Linked to Militant Arizona Sect’; this one we gave to AP, I don’t know where it ended up. In fact, AP still owes me money for it.”

Davis sounded young over the telephone; palpably enthralled by David Moran’s connection to the Arizona Patriots. As he read the article over the phone, Seymour made a mental note to ask Gale about the Patriots. However, at the moment, she was focused on one detail: she wanted to locate Florence Wolf, who was David Moran’s closest friend and a witness to the shootout in which David had died.

“Moran worked a lot of jobs under the table, and changed his name a lot because he didn’t pay taxes,” noted Davis. “And, he had all these silver coins in his house because he didn’t believe in Federal Reserve money. I think he died just the way he wanted to die, to be honest with you.”

“Did you get that feeling?,” she asked, surprised. “That’s what Bill Wallace at the *Chronicle* said. He thought that Moran’s death was unnecessary.”

Davis agreed, “Oh yeah, it was a real sloppy robbery scheme by a real bright guy. He got chased by the cops and he jumped out and shot at them with his machine gun, then he ran for a week in the creek-bed here in Davis, and hid out for a while.”

Davis paused as if reading his notes. “Then he had this woman,” he continued reflectively, “this mother of five, drive him to Humboldt County, and they got pulled over and he jumped out swingin’. He had a gun and he jumped out and — there’s been some talk about the CHP in Humboldt County, whether or not they needed to kill him, they fired like ten shots at him.” His voice had a nebulous quality, a remote uneasiness.

Changing the subject, the reporter asked Joel about the woman who was in the car with David at the time of his death. He said her full name was Florence Mae Wolf; she lived in Winters, California. “She’s pretty upset,” he added, “she’s been charged with harboring a fugitive, and she’s defending herself in court without an attorney!”

Davis laughed. “And that’s slowing things up. I don’t know whether she’s doing that by design or what. She’s got a hearing coming up later this month.” He found Florence’s phone number in his file and read it over the phone. He promised to send copies of the articles he had written about Moran and Wolf, then just before he hung up, he murmured, “Have you heard of anything called the Phoenix Movement, kind of an Aryan Nations group?”

The question seemed innocuous enough, but the tone of his voice suggested it wasn’t. She said she didn’t recall anything about it, but the word “Phoenix” struck a cord in her memory. It was not until he hung up the phone that she remembered Colonel Gale’s description on April 2 of an army assassination team with the code name of “Phoenix.” She shrugged it off as a coincidence.

Immediately, she phoned Florence Wolf to set up an appointment for an interview. Florence’s voice at the other end sounded withdrawn, tired. She was reluctant to be interviewed. “You understand that I’m being criminally prosecuted, so there’s probably not much I can really say right now. I don’t know what the statute of limitations is on this, but—”

Seymour interjected, “I understand that you’re representing yourself in court, is that true?” Florence answered, “Yes.”

“Are you having any help with that, or are you trying to do it on your own?”

Florence said she was doing it on her own, adding; “All the lawyers I have talked to say, ‘You either turn the whole case over to me, or I won’t do it.’” She laughed briefly. “I said I can’t do that, so I’m on my own.” She paused for an instant, then decided to talk about it. “I believe that the Constitution says ‘assistance of counsel,’ therefore I don’t believe that I should have to turn my case over to a lawyer, but they won’t give me ‘assistance’ of counsel.”

“I would like to keep in touch with you and follow the progress of your trial,” Seymour said spontaneously. “I know this is happening all over the United States right now; but you’re in Winters, and you’re close . . . rather than going back to Arizona or Texas or wherever these trials are taking place . . . it’s happening right here in California, so I would like to follow the progress of what transpires.”

Seymour was awkwardly conscious of the SWAT team that had raided Florence’s home shortly after Moran’s death—and the publicity surrounding the incident.

Florence did not respond at the other end of the line, so she continued, “And also, I would like to get your story of what you observed, of what happened. I realize that there are aspects pertaining to the case that you can’t discuss, and that’s fine, but you’re the only person who witnessed the shootout.”

She paused, catching her breath. “I’m going to write this story from the inside looking out, rather than from the outside looking in.”

Florence responded swiftly, "Right, that's a good idea, it needs to be told." Seymour left her telephone number and asked Florence to call back collect if she agreed to an interview. As an afterthought, she mentioned that she had written a newspaper article about Colonel Gale's arrest.

Florence Wolf never called back. A few days later, Seymour called her again and they discussed the SWAT team raid on her home. Florence felt that her home was under surveillance, nevertheless she reluctantly agreed to an interview on April 10. Before she hung up, Florence noted that she had called Roxanne Gale about the newspaper article in the *Mariposa Gazette*. Mrs. Gale had said the article "dealt with Colonel Gale fairly."

Research on the Arizona Patriots was equally successful. An Arizona telephone operator supplied the names of two major newspapers in Arizona; the *Arizona Republic* and the *Phoenix Gazette*.

The news desk at the *Arizona Republic* produced the names and telephone numbers of reporters Fred Smith and Andy Hall, both of whom had covered the arrests of the Arizona Patriots on December 15, 1986.

At home, Fred Smith perfunctorily tried to refer the reporter to Andy Hall, but he finally broke down and volunteered what he knew about the Patriots.

William Sivils, a paid FBI informant from Cocomino County, had infiltrated the Arizona Patriots in 1984, and over an eighteen-month period of time had managed to tape record many of their secret conversations from an electronic device taped to his leg, inside his boot.

The FBI investigation had begun in June 1984, when members of the Arizona Patriots, under the title "Committee of the States of Arizona, Assembled," had issued indictments against all elected officials of Arizona, threatening to conduct a grand jury inquest unless the officials resigned within thirty days of the document's effective date, which was July 4, 1984.

Noting the similarities between the California-based Committee of the States and the Arizona chapter, Seymour pointed out that a similar Compact had been signed on July 4, 1984, at Manasseh Ranch in Mariposa and recorded at the county recorder's office.

The three Arizona signatories on the California Compact were Richard Van Hazel, listed in court documents as a 'mafioso enforcer' for the Unorganized Militia and a close friend to Arizona Patriot Jack Maxwell Oliphant; Norman F. Kuhman, a former publisher of the *Prescott News* and subsequent consultant to the *Arizona Patriot*, a bulletin put out by the Arizona Patriots; and Terry B. McDaniel, a member of the Arizona Patriots in northern Arizona.

In addition to penetrating the Arizona Patriots, William Sivils, the FBI informant, had found time to travel to California to attend paramilitary training seminars at Manasseh Ranch in Mariposa; and even recorded conversations

with Bill Gale and Richard Van Hazel which would be used in the upcoming Las Vegas trials. (Gale had learned this from "discovery," a court procedure whereby a defendant is allowed to review the evidence which will be used against him in court.)

Fred Smith offered a lead on Ty Hardin: "My neighbor is Ty Hardin, leader of the Arizona Patriots. You know, the movie actor?" Seymour acknowledged that she knew who he was. "Well, he operates a gold mine in Prescott, Arizona. But, I think he's moved to Northern California."

Seymour asked if he knew anyone who could connect Hardin or the Patriots to someone in Mariposa? "Well," he said thoughtfully, "try Gary Goldsmith at the Department of Public Safety, then you might want to follow-up with a call to Joel Breshin at the ADL in Phoenix."

In blunt, unaffected language, Goldsmith at the Department of Public Safety painstakingly detailed a wide spectrum of Patriot activities ranging from a plot to bomb Hoover Dam as a diversion for a Wells Fargo armored car robbery to clandestine motel meetings in which plans were made to blow up the IRS complex in Ogden, Utah.

"Bill Sivils reported that Thomas Hoover, a Patriot, had invited him to travel to Ogden, Utah, in June 1985 to obtain blueprints of the IRS complex," he said evenly. "And, he told Sivils that he might pack a stolen U.S. mail truck with explosives and leave it at the IRS loading dock." Smith spoke patiently, as if he had told the story many times.

"Ever heard of anyone from Mariposa, California?" the reporter asked casually. He said he hadn't, then he drew a deep breath. "The Patriots have a file on me," he volunteered. "A couple of military vets, survivalists; Greg Boudette and Karen Nardella." He described the contents of the file they had compiled on him; school records, family members, etc.

Goldsmith advised Seymour to call Mike Waldner, the FBI press officer. Five minutes later, Waldner was reading the official press release on the December 15 arrest of seven Arizona Patriot members. Before he hung up he referred her to Assistant U.S. Attorney Roger Dokken in Phoenix.

Dokken read the indictment on the Patriots over the phone, then offered to send a copy in the mail. Jack Oliphant, 63; Patrick Schlecht, 30; Daniel Arthur, 25; and Monte Ross, 22, were scheduled to appear in court in early May to face charges of conspiracy to rob a Wells Fargo armored car, possession of destructive devices and solicitation to commit a crime of violence.

Foster Thomas Hoover, 46, who was charged with possessing a mortar, would be tried before a U.S. Magistrate in Flagstaff; David Gumaer, 47, and Steven Christiansen, 42, were charged with selling eight Uzi machine guns to an undercover ATF (Bureau of Alcohol, Tobacco and Firearms) agent in

Colorado, and their cases would be heard in Denver, Colorado.

Andy Hall finally arrived at the news desk of the *Arizona Republic*; after picking up a handful of messages he phoned Seymour in California. He had all the information she needed. From December 15, 1986 to March 18, 1987 he had written thirteen in-depth stories about the Arizona Patriots.

"The Patriots were arrested at Jack Oliphant's 320-acre ranch near Kingman," he said amiably. "They lived under rather primitive conditions; no plumbing, phones, or electricity." His voice held the suggestion of a chuckle. "They would crank up portable generators and watch videocassettes of the movie *Red Dawn* all night long." The movie *Red Dawn* portrayed U.S. citizens fighting a Soviet invasion.

Hall asked Seymour if she knew a reporter from the *Sacramento Bee* named Chris Bowman? She said she didn't recognize the name, so he pressed on with his story. "Well, Chris from the *Bee* and Steve Daniels from the *Arizona Republic* drove out to Oliphant's compound on December 18, three days after the Patriots were arrested there. There was no one at the compound when they got there, so they wandered around taking pictures and looking around.

"Inside a cardboard moving drum, they accidentally found blueprints of a plant and switch yard at Glen Canyon Dam; the piping system at Davis Dam near Bullhead City; and the power and lighting system at Fort Thompson substation on the Missouri River. All three sets of these design documents were printed by the U.S. Department of the Interior."

He paused for emphasis, then added, "The power from Fort Thompson is transported to Watertown, South Dakota, where it hooks up to the whole power network for the upper central Midwest!"

The blueprints represented evidence of a broader conspiracy than anyone had previously guessed. Seymour made a note to ask Gale if he had ever visited the Patriots in Arizona, then she asked, "Have you ever heard of William Potter Gale?"

"Oh yeah, Gale is the lynchpin of the alliance of all the right-wing groups," he said quickly. He added that Richard Butler from Aryan Nations had attended Gale's seminar in 1984 and signed on the Committee of the States charter.

Hall generously volunteered to send everything he had on the Arizona Patriots and Seymour expressed her gratitude.

* * * * *

An impromptu visit to Colonel Gale's house produced an interview not only about the Arizona Patriots, but about Gale's association with the Committee of the States.

On tape, Gale recalled a visit by Ty Hardin to Manasseh Ranch in July 1984. Off tape, he admitted to visiting Hardin at his home in Arizona shortly before he moved to Northern California. Hardin had been in the process of moving and the visit had been unproductive.

However, near the end of the interview, a perplexing turn-around surfaced. Gale asserted that he did not form the Committee of the States organization.

The conversation went as follows:

SEYMOUR: These will be pointed questions, they get more and more pointed.

GALE: That's okay, that's what I like!

SEYMOUR: Who were the prominent people who attended your seminar in 1984?

GALE: I don't know. I don't know any prominent people that attended the seminar.

SEYMOUR: There's . . .

GALE: That depends upon what leak you have. I used to play in golf tournaments, and one of the pros I played with . . . this fellow played the foreign tour, and he hit that golf ball like a gorilla. He had 350-yard drives. And I said, "That's a terrific drive!" And he said, "Well, Bill, it depends upon what league you're in." (Laughter).

SEYMOUR: But, there were a lot of signatures on the Committee of the States Compact; I've gotten to know who they are now and . . .

GALE: You've got better information than I have, because I don't know them.

SEYMOUR: You had quite a large assemblage of Identity leaders at your ranch that year.

GALE: I didn't know that.

ROXANNE GALE: They were from all over the United States.

SEYMOUR: That was probably one of the largest . . .

GALE: No, that was the smallest.

SEYMOUR: But, more leaders from groups were there than at any other particular seminar.

GALE: "I don't know. I don't think so. I think our earlier seminars with four and five hundred people were larger. We put out our announcements months ahead of time. I really don't know. I don't know these people.

SEYMOUR: I have some people you might know. Maybe these people didn't all attend at the same time, they may have come at different times, like Jim Wickstrom.

GALE: Jim was not at that seminar.

SEYMOUR: (Guessing) Ty Hardin was.

GALE: No he wasn't. Well, yes, he was too. But wait a minute. He came to the ranch with what he called "his people." He came unannounced, without an application, approval or anything—with his wife and daughter. I think it was his daughter. We went to great trouble to save him from having to go into town and stay at a motel by moving people around within the internal buildings—to give a small trailer to his daughter. 'Cause she couldn't sleep. You see, in those rooms, we have four men at a time, or four women. Anyways, Hardin left. They got into an argument. I wasn't there.

ROXANNE: He was kicked off the ranch.

GALE: He said he was, but he wasn't.

ROXANNE: He was asked to leave.

GALE: Was he?

ROXANNE: Yes.

SEYMOUR: Why?

GALE: Well, he was—they were creating arguments."

ROXANNE: Well, number one, he was wearing his guns openly on his person.

GALE: Oh yeah, we don't want him to do that!

ROXANNE: This has always been forbidden, to walk around in the open with guns showing. He was sporting those around and carrying them around which is a real no-no.

GALE: No, we don't allow it there!

ROXANNE: And, he was . . . I wasn't there either, but this is the report I got. That he was a little belligerent when he was asked to put the guns up, keep them in his unit, keep them out of sight. If you want them, you don't have to show everybody what you've got. So, he was a little incensed by that. And then he and John Boggs got into it. And somebody told him to take his Jew friends and leave.

GALE: 'Cause one of them was a Jew that he brought in.

SEYMOUR: (Changing the subject). I'm trying to put together a picture of Manasseh Ranch. Whatever took place at your ranch is going to be used against you in court by Joseph O'Connell. It's going to come out in court anyway.

GALE: Sure, I hope so!

SEYMOUR: I'm trying to get the feeling of what was happening over there.

GALE: It's a good facility. We've got a lot of money invested in it, time and work.

SEYMOUR: As far as the members were concerned . . . the Compact was filed on July 13, 1984, here in Mariposa.

GALE: Is that when it was?

SEYMOUR: (Frustrated). I understand that you don't want to talk about that, and that's fine, because it has to do with your case.

GALE: No, that hasn't to do with the case. The seminar doesn't.

SEYMOUR: Not the seminar, the Compact! There's no way to say the Compact was actually signed at Manasseh, right? I mean, nobody is going to know that. Whether it was or wasn't.

GALE: I don't know. I don't know where it was signed. I wasn't there! I was in and out. Roger Elvick and David Moran . . . all those people involved in what they called "At-Law versus Equity," were teaching at this seminar. And many people came because those subjects were being taught by those instructors. You see, we had a schedule each day, and these people were given three or four hours to speak; Elvick and Moran and Richard Van Hazel. I'd start them and introduce them, and then I'd leave. And then they brought up the matter of this tape of mine on the Committee of the States. They said that has been out for a long time, but people haven't been properly instructed on it.

Gale's demeanor became tightly focused. His recollection of Ty Hardin had been ambiguous, detached. The Committee of the States had been formed without his involvement, he said.

"We thought the people should know about the Committee of the States because it's in the Constitution and the Articles of Confederation," he said carefully. "And so they wanted to get this out, along with this legal, at-law proceedings, which is also in the documents of our government."

His tone became less wary. "The first article of complaint by the colonists was that the king of England and the Parliament had imposed Admiralty Law upon the colonists. Well, that's at-law versus equity, you see. There's your whole thing, that's where it came from. And people don't know about at-law proceedings. Lawyers don't want them to know about it, the judges don't want them to know about it, none of the people in power want them to know about it 'cause that puts the power of this government back in the hands of the states, and they don't want that.

"I always said, if the communists are going to take over this country, they've got to concentrate all power in Washington, D.C. before they do it! And it looks like they've done it. So, getting this Republic back to the states where it belongs, or even back to the county level, has been my philosophy and my efforts, and I'll say it openly. That's a patriotic effort in my opinion. It's the American way to prevent the communist takeover of this country."

He fell silent. When he spoke again, he sounded withdrawn, weary. "So, anyways, I would come and go at the seminar. A lot of things went on that I didn't know about because I wasn't there. I would have to go up to Merced to

get additional food, get eggs, hot-dogs; I'd rush up to the house and make copies of tapes and rush back to the ranch with them."

He seemed intent on convincing the reporter that he was not present when the Compact was signed. "I'd get the speakers started," he pressed, "and then I'd leave. They'd be on for two to four hours, you see. So, I'd come and go during their lectures. I really didn't know what went on in detail.

"I did know generally that this document [Compact] came out of that, but I really, honestly can't say who put it together."

Seymour asked again, "I was just trying to get an idea of who some of the people were who attended the seminars."

He seemed both bemused and annoyed by her persistence. "I had quite a bit of time to read that document that was put out by the Committee of the States, when I was in jail. My lawyer got it for me and I saw the names of those people.

"You see, I had asked the Committee of the States for the names of the members after I got involved [indicted] in Las Vegas, because I wanted to know who the heck was who. And they wouldn't tell me. And they said I didn't have anything to do with it. The first time I saw the document was in jail in Fresno. See, I didn't have that before. I wouldn't have asked, if I had the list of the delegates, would I?"

Seymour changed the direction of the interview. "I've been talking to a lot of Identity people, and I've come to the conclusion that there is a revolution. I've heard a lot of people in Identity come right out and . . . they truly believe there is a war coming. They call it a Holy War, a revolution, whatever."

He laughed. "Do they call it Armageddon?"

"No, they don't," she said crisply. "But the people that I've talked to believe that this is coming. I think the government believes it too. Otherwise, why did the government go out and arrest everyone now? They could have arrested them ten years ago."

Gale looked towards Roxanne, and said in a tone of satisfaction, "My lawyer, in one of the detention hearings, got angry and said to the judge, 'Why didn't they do this two years ago?'" Roxanne stood over him in silence, her gaze probing the reporter's face.

"Because it's growing fast," Seymour countered, "and they see this happening and they're trying to stop it. Maybe they didn't feel threatened before."

Gale's eyes gleamed. "You mean the state justice departments?" he asked.

Seymour explained, "There is so much attention focused on the right-wing movement right now; either I'm missing something, or they know a whole lot more than I do. They are out there arresting people all over the place. Why?"

His face remained expressionless. "Glen Miller, he's declared war on them."

"Where's he from?" she asked hopefully.

"He's from North Carolina. He's the one that had that plan out there, he was involved in," he stopped abruptly. "I don't know, I was in jail."

Immediately, when Gale said Miller was from North Carolina, Seymour recalled seeing a picture of Gale with Glen Miller, Jim Wickstrom and other military veterans dressed in combat fatigues.

She also remembered a newspaper article published in the *Idaho Statesman* (April 1987) which reported that Miller had been under investigation by agents of Operation Clean-Sweep. When subpoenaed to appear before the grand jury in Fort Smith, Arkansas on the reported sedition investigation, he refused under the Fifth Amendment then promptly signed a self-proclaimed declaration of war against the government and said he would shoot officers who attempted to arrest him.

Miller had been convicted one year earlier in North Carolina for operating a paramilitary training camp, but was free on bail pending an appeal of a six-month prison sentence.

Seymour knew Miller was the head of the North Carolina Ku Klux Klan from reports she had read in underground publications. The *Spotlight* profiled him as a former Green Beret combat veteran, leader of the White Patriot Party in North Carolina who once ran as a Republican for the U.S. Senate.

Since the Colonel was not inclined to talk about Glen Miller, Seymour asked him what he thought about the countless arrests taking place nationwide as a result of Operation Clean-Sweep.

He studied Seymour thoughtfully. "I think that they are after the Identity message," he said finally. "They want to stop it. I don't think they are afraid of a revolution at all."

Roxanne interjected. "They want to stop it because it's growing on its own, and they are the ones who are making it grow."

Gale chimed in, "They are, they're helping it."

Roxanne added, "Because it has always been, even from the beginning when we first started making trips over twenty years ago, it was difficult to win people over. But, more and more, people are beginning to realize . . . the more pressure the government puts on people, the more people turn to Identity. The more pressure they put on them, the more they turn. The government is doing it themselves!"

Gale stood up and walked to the window that overlooked the orchard. Outside, a workman chopped wood; the profile looked like that of John Boggs. There was no hint of a smile on Gale's face when he spoke. "Thousands of people got their Identity message because they arrested me. That's a fact! It just boomed all over. We heard from people we never heard from before. And they are mad, they're upset."

Roxanne intoned from the kitchen, "There's this one fellow that I never heard from before; in fact, at the moment I don't remember his name. But we were kind of touched. He called and said that he had read what happened to Reverend Gale and he said, 'My life isn't worth much, but you can have it. If it takes that, I'll do it.'"

Turning silently away from the window, Gale eyed the photographs on the west wall of his office. "There were people who volunteered to kill because the government has done this to me." As the reporter stood to look at the photographs, he added quickly, "We don't even know who they are, they just call. Maybe they're government agents themselves, I don't know."

Roxanne said she received hundreds of calls after the Colonel's arrest in October. The "young ones" had wanted to "start the revolution" ahead of schedule. "There is a lot of shooting going on out there, and I know the government can't stop it because they are causing it. The only way they can stop it, is for them to stop, because they are the ones that are making the wheels move."

"In fact," added Gale, "Van Hazel made some of the feds mad over in Las Vegas when he congratulated them on the fine job they were doing of turning people to the right!"

* * * * *

At a private interview in Merced, Seymour learned from a former Mariposa assistant district attorney that the Mariposa Sheriff's Department possessed a voluminous file, called the "blue folder," on Colonel Gale and the Ministry of Christ Church.

Commander Rod Sinclair of the Mariposa Sheriff's Department had worked with Joseph O'Connell of the IRS Security Division on the Committee of the States investigation. Sinclair would therefore be an important witness against Gale in his upcoming trial. However, it had become apparent to Seymour that the emotional climate within the federal and local law enforcement agencies was profoundly apprehensive since the onset of Operation Clean-Sweep. Unknown to reporters in April 1987, mass arrests of targeted right-wing leaders accused of sediton were scheduled within the month.

At the sheriff's department, Rod Sinclair was uncomfortable about talking about the Committee of the States, and had refused phone calls from outside

newspapers. However, he allowed Seymour into his office for a brief interview.

"What do you know about Colonel Gale?" she asked. "He says you've been to his house a number of times with agents from the Treasury Department."

Forestalling any show of surprise that the reporter had made contact with Gale, Sinclair answered spontaneously, "The Colonel is a nice old guy. I kinda like him, don't you?"

His melancholy eyes considered the reporter for a moment, then briskly he withdrew a flyer from the upper right-hand drawer of his desk. It was a campaign poster which Slim Parrino, Gale's assistant pastor, had used when he ran for sheriff of Mariposa County. Parrino, who had a law enforcement background, had lost the election, but for reasons of his own, Sinclair had saved the poster.

Seymour requested a copy of the poster, but Sinclair returned it to the drawer. It was too early in the reporter's research to know that, later, there would be unlimited opportunities to photograph all of the Committee of the States members.

Sinclair confided that he knew of paramilitary activities at Manasseh Ranch; "bug units" (belly-up in the grass) assassination techniques and "slay the dragon" exercises, most of which were mentioned in FBI reports. He asked her if she had heard about the Committee of the States meetings being held at the feed store on Triangle Road.

She was stunned. She hadn't known there were such meetings being held in Mariposa after the arrests. Delegates from twelve states had signed the Compact at Manasseh Ranch in 1984. Seven members had been arrested in California, Arizona and Nevada in 1986. The newspapers carried stories about Committee meetings in Sacramento, but nothing had been mentioned about current activities in Mariposa.

She asked him when the meetings were held? His eyes became evasive. "They're held on Tuesday nights at 7:00 p.m."

A patrol car pulled up in the parking lot outside the window. Two deputies exited the car, their faces set in an expression of tight purpose. Sinclair swung around in his chair, assuming the tone and manner of a public address. "Well, I've got people waiting outside to see me. I wish I could give you something for your book, but you know how it is. I've been keeping an eye on Gale's church for ten years, but last year he and Parrino marched in here and demanded all the department files on the church, and Sheriff Matthes told me to destroy them."

Seymour asked if he was referring to the "blue folder," a four inch thick expose compiled by the former sheriff on Gale and his associates. Sinclair was astonished that the reporter had knowledge of the "blue folder," but chose not

to elaborate.

As he held the door open for her, he cautioned her to avoid two radicals by the names of Jessica Armaugh and Walker Thompson. "They're Committee of the States members; I saw them in court recently, and they're real scary," he warned.

Seymour thanked him for the warning and immediately set out to find Jessica and Walker.

* * * * *

APRIL 5, 1987 (Mariposa, California)—The reporter parked her car in front of the feed store and looked around. Across the street, a tall, lanky man watched her absently as he stood in a phone booth. Behind the phone booth was a rustic general store with a "Closed" sign in the window. A couple of mobile homes squatted in the background.

Surrounded by Ponderosa pines and apple orchards, the general store and the feed store were the only structures in sight. A dirt road adjacent to the feed store led to the Sierra National Forest boundary line.

The reporter stepped onto the porch and photographed the bulletin board. A couple of cards with the name "Arizona Patriot, P.O. Box 2281, Prescott, Arizona, 86302," printed at the bottom were tacked in the upper right hand corner. She removed one and put it in her pocket.

A shadowy laughter erupted from the periphery of the store. She walked to the window and peered through the crack in the curtain. On the far side of the wall were bookshelves full of what appeared to be law-books. Behind a divider was a computer and printer, and propped up in front of the book-shelves were radio antennas.

With no warning, the door suddenly opened. A thin, red-headed woman emerged from the building. "Is there anything I can do for you?," she asked. Her voice had a husky tone which contrasted strikingly with the pale, delicate features of her face.

The reporter said she was writing a book about the Identity Movement. She had noticed the flyer on the bulletin board advertising a "Bill of Rights" meeting on Tuesday night. "It . . . it sounded interesting," she said lamely.

The woman seemed amused. Behind her, the tall, lanky man from the telephone booth appeared silently. He walked into the feed store and invited

the reporter inside.

The wooden floors creaked as they seated themselves at a large folding table next to a pot-bellied stove. The couple introduced themselves as Jessica Armaugh and Walker Thompson.

The stary, hunted look in their eyes warned Seymour to be direct. "So, you're the notorious Jessica and Walker, huh?" She said it complacently, anesthetically, then explained that she had heard about them from a deputy in town. Their lack of response indicated a familiarity with the sheriff's department.

A volatile good humor emanated from Jessica; she liked directness. Walker stared at both of them hazily, swallowed up in a quagmire of suspicion about the reporter and concern for what Jessica might say.

At first, as they talked, they displayed a grudging acceptance of the book project, but after mention of Colonel Gale's name, they opened up agreeably.

They called themselves Christian Revolutionaries and used the term "patriot" when referring to their friends. "We're in the front lines," said Jessica. "When the holy war starts, we'll have to go underground. That's why we can't allow ourselves to be photographed, or even have our teeth X-rayed." She said it with a dismissive formality. "They call me a 'disaffected super-patriot,' but I'm really a political dissident," she added.

"Who calls you that?" asked Seymour. "The California Highway Predators call me that," she said diffidently. "They want to regulate me, but I give no consent to be regulated."

Walker intervened. "Translated, that means we refuse to be regulated by the Department of Motor Vehicles. We don't carry driver's licenses or put license plates on our cars. As a result, we spend a lot of time in court."

They were coming right to the point, galloping past the usual right-wing innuendos about government conspiracies and a "New World Order."

"The revolution will probably start in November," said Walker gravely. "We're prepared to die for the cause," said Jessica.

Seymour started to ask why, with such weighty issues at hand as "revolution," did they choose to defy the Department of Motor Vehicles? But, she decided to wait until she understood more about the complexities of the movement. Here was a deliberate, physical manifestation of right-wing defiance; it was occurring in Mariposa just as it had occurred in Arizona. Jessica and Walker were scheduled to appear in court on April 13 and April 20 respectively to defend their "sovereignty as Freemen who chose not to carry drivers licenses or car registrations."*

*Armaugh and Thompson were found guilty of driving an unregistered vehicle and driving without a license and fined accordingly. They appealed their case to the Court of Appeals in Fresno where they were denied a hearing.

Jessica produced a Committee of the States membership card and a gleaming one ounce pure silver Committee of the States coin. She placed it on her Bible and allowed it to be photographed. On one side of the coin was etched, "Committee of the States, 1984—Articles of Confederation, 1778." On the other side it said, "Rebellion to Tyrants is Obedience to God, 1984." The coin was remarkably ornate; Walker said thousands of them were privately minted in Sacramento to raise funds for the Committee of the States.

They were also used as currency within the Movement, and with anyone else who would accept them. Mariposa County Tax Assessor Steve Dunbar owned the feed store from which the Committee members operated. Though he was not a member of the group, according to Walker, he accepted thirty silver coins each month for rental payment.

Walker agreed to sell one of the coins to the reporter for a ten dollar bill, but pointed out that, ordinarily, he didn't accept "Federal Reserve Notes" as payment for anything.

"Come to the Bill of Rights meeting on Tuesday, April 6 at 7:00 p.m.," said Jessica casually. "We'll be having a round table discussion about 'Money!'" Seymour said she would attend. They shook hands all around and Seymour departed for home.

The Meeting

APRIL 7, 1987 (Mariposa, California)—The Bill of Rights meeting had a good turnout; the parking lot adjacent to the feed store was filled with cars. On Triangle Road, a white sheriff's patrol car cruised slowly by.

Inside the store, people milled about, talking quietly, drinking coffee. The anterior room resembled a library; law books and stacks of literature and newsletters crowded every shelf, spilling over onto display counters and tables.

Seymour noted that many of the books were religious, but others had titles such as: *Seeds of Treason*, *The True Story of The Hiss-Chambers Case*, *Born Again Republic* by Red Beckman, *The Iron Curtain Over America* by Col. John Beatty, *Fourth Reich of the Rich* by Des Griffin, *Proofs of a Conspiracy* by John Robison—1798, *Teutonic Unity* by Richard Butler, *Protocols of the Learned Elders of Zion* by Victor Marsden, and hundreds more on subjects ranging from George Washington's vision to common law tactics in court to how to create a new identity.

On the counter was spread an entire network of underground newspapers: the *Spotlight*, published in Washington D.C.; the *National Vanguard*, published by William Pierce who wrote the book, *The Turner Diaries*, which reportedly became the format for The Order; the *Thunderbolt*, published in Georgia; *Midnight Messenger*, published in Clackamas, Oregon; the *Patriot Review*, published by the Christian Patriot Association/American Freeman Association; and *WAR '87* (White Aryan Resistance), published by Tom Metzger in Fallbrook, California.

At the other side of the room was a little box set up for donations; Seymour placed a five dollar bill in the box. Walker arrived at the front door and welcomed her to the meeting. Noting the newspapers grasped in her hand, he pointed out that newspapers and literature were free to take home, books could be borrowed and returned later.

The meeting was called to order by a seventyish-looking man who introduced himself as a Freeman. "In case you're wondering why I'm introducing myself tonight, we have a newcomer in the audience who says she's a reporter." Eight rows of heads turned in the direction of the reporter.

In the background, a chair scraped against wooden floorboards and footsteps exited the building. "Perhaps Mrs. Seymour will come up to the podium and explain her presence at our meeting," he announced.

Seymour flushed. "I'm not prepared to speak before an audience tonight," she said, remaining seated. The soft-spoken old man paused for a moment, seemingly undecided what to do, then again insisted that she come up and explain her presence.

Seymour stood up and announced to no-one in particular, "I'm not much of a public speaker, and I came here to learn, not to talk. But, if you insist." She walked to the podium and exchanged places with the speaker.

"There's no conflict here," she said slowly. "I seek only the truth." Despite the atmosphere, she knew exactly what she would say. "The media sees something surfacing in America today, reminiscent of the 1950s, but they're afraid to get too close to it. It would be impossible to cover the scope of this Movement in a newspaper article or a magazine article anyway. They've only scanned the tip of the iceberg. It's time the real story was told, and I want to be the writer to tell it."

George Udvary, a pastor at the New Harmony Christian Crusade church in Mariposa, stood up in the back row. With the spotlight on her face, Seymour couldn't see his face, but his military style clothing and Hungarian accent were recognizable. "How are you qualified to write a book about the Identity Movement?" he asked.

Involuntarily, the reporter's eyes looked in the direction of the door. Leaning against the closed door was Jessica Armaugh, arms folded across her chest. A light-bulb hung from the ceiling directly behind her head, silhouetting her auburn hair and her slender frame; in the shadows at the back of the room, her face held a sanguine, amused expression.

Udvary continued, "If you write your book with a slant towards the government's point of view, we will hate you, and our blood will be on your hands. If you write the book from our point of view, our enemies will kill you. You can't win, so why do you want to write this book?" He had inched his way to the front of the room.

Stepping out from behind the spotlight, Seymour moved closer to him. His escape from communist occupied Budapest in 1956 was a well-known story in Mariposa, nevertheless, he reiterated the story briefly, struggling to explain his fear. "I don't want that to happen in America," he concluded.

"Nobody's going to be hurt by this book," she countered carefully. "And nobody's going to die either." Instinctively, she touched his hand. He moved, still grumbling, back to his chair. He apparently was not representative of the rest of the group. The audience crowded around her, asking questions about

the project, amiably volunteering literature. At the podium, the elderly Freeman called the meeting back to order.

In the shadows, at the back of the store, Seymour recognized a man who had been camera shy at Manasseh Ranch on March 23. Roxanne Gale had described him as a Vietnam veteran who belonged to the Unorganized Militia. Seymour made a mental note to talk to him at the next meeting.

A video lecture was underway at the front of the room. The speaker was Bruce McCarthy, a Christian economist, whose dissertations on money and credit were widely acknowledged within the movement:

"I'm not here to teach you just facts and figures, but hopefully to lay some building blocks and a foundation of these particular subjects: economics, banking and taxation, all of which are inter-related. Therefore, understanding the subject of money and its modern-day correlative, credit, is imperative. You are going to understand the whole by comprehending the sum of its individual parts. . . ."

"Number one, it is imperative that you understand the religious background of a particular community and its political system because it is the religion of a community or society which will establish the political system. The political system in turn, will then establish the economic system. You see, politics is nothing more than the administration, if you will, of the spiritual tenets of a given society. If a society happens to be Christian in its views and its outlook, then its political system will administer Godly law. . . ."

McCarthy was seated at a desk, dressed in a full suit. He looked young, college-educated, self-possessed. ". . . The religious, political and economic world or community out there is divided into two basic spheres," he said cozily, "a Christian, Biblical sphere and an un-Christian or anti-Christian, un-Biblical sphere. The religious community of the world is divided into two basic groups: Theocratic verses Democratic. These words came from the Greek. Theocratic for example means, *Theos*, God, plus *krateein*, to make rule. In a Theocracy, for example, God makes the rules. In a democracy, man makes the rules. Demos, Man; *krateein*, to make rule. . . ."

"The [political] sphere is also divided into two blocks, east and west. The Theocratic used to be the west, where God made all the rules and our law. In fact, when the founding fathers came to this land, they brought with them the Book. They believed that they had the law contained between the covers of this book. . . ." He held up a Bible.

"The economic sphere or world outside is also divided into two particular blocks. You could have either a monetary system or a credit system. A monetary system uses something as money, a tangible form of wealth in hand to hand circulation; an equal exchange, an asset for an asset. The Latin phrase would be 'quid pro quo.' Alternately, you can use the credit system, which doesn't

use anything as a medium of exchange. It uses nothing as money. And that's what we have in America. That's what they have in the Soviet Union. In fact, the entire globe operates in 1986, and for many years has operated on a credit system, not a monetary system. So, if you're worried about monetary failure, fret not, that came a long time ago. The next concern is a credit collapse. . . ."

McCarthy's unhurried, curiously inert gaze fell on a pamphlet entitled, *The Price System*, reportedly published by the Federal Reserve Bank in Philadelphia. The pamphlet acknowledged that "free enterprise was different than it was a few decades ago . . . not quite so free as it used to be."

The lecture focused on foreclosures, bankruptcies, inflation, price escalations—the growing dependence upon government, in particular the federal government.

" . . . In order to resolve these problems, if you perceive them as problems, as I do, it will require an understanding of the responsibilities that are imposed upon us by law. And that law, of course, is the law of the Scripture. . . . You see, the law imparts responsibility, grace imparts none. . . ."

" . . . Concerning education, most parents seem to abrogate the responsibility to teach their children as we're told in Deuteronomy, chapter 6, and Deuteronomy, chapter 11, and instead of the parents teaching their own children, they delegate that responsibility to someone else. That someone else has turned out to be the public school system, which according to the Communist Manifesto, is the tenth plank . . . free education for all children in public schools. . . ."

McCarthy's lecture was obviously well known to some who attended the Bill of Rights meeting. Across the room, Walker snoozed peacefully in a naugahyde chair. Jessica sat curled-up, arms wrapped around grass-hopper legs, on the porch steps. A blond man with angular, raw-boned features leaned over her, whispering animatedly about something. Against the south wall, a coffee pot perked quietly, while two white-haired ranchers ate cookies and stared silently at a flyer that had just been handed to them.

" . . . When it came to our working conditions," McCarthy taunted, " . . . we decided it would be a lot easier if we hired someone else to represent us, to represent our grievances. So we joined a trade union . . . in areas of health and home protection, we delegated our responsibility to the insurance companies . . . the responsibility to know the law was delegated to attorneys, and if you have ever talked to an attorney, you'll find that most of them don't know law. They may know courtroom procedure, but courtroom procedure is not law. Sir William Blackstone, the eminent English jurist, had said something to the effect that an enactment which does not first conform to the laws of God, is not a law. . . ."

"We had another area of responsibility, that was the responsibility to take

care of our own households, in terms of maybe our books and records, especially when you get into a credit system such as we live in today. Lo and behold, we don't even want that responsibility, so we hire a certified public accountant.

"Then we delegated our responsibility to take care of our own monetary resources to the bank. And for those of you who are aware and astute in this particular area, you remember that the banks walked off with the money and left us with the receipts for the money. Well, so much for hiring someone else to take care of our own business. If you want something done right, do it yourself. . . ."

"If you join a trade union, or get insurance, if you hire an attorney or a C.P.A., or you have funds with the bank, then you're subject to different bodies of law, because a contract [creates] a bond of law. . . ."

"You may call it equity, admiralty, maritime, international law, law merchant, commercial law, all of those are basically law of contract. What's rather insidious, is that we do it by application. . . . When you get involved in making an application for, let's say a bank loan, mortgage, government food stamps, a license of some sort . . . perhaps a license to get married or a license to pursue an occupation, or a license to go from point A to point B like a driver's license, you're entering a privileged status.

" . . . A license is a grant of privilege. It's a grant of permission to do something which otherwise would be against the law. . . . Now, if you want permission to do that from the state, then you become subject to a different set of rules other than the Bible rules; then you're applying for privileged status and the word privilege, according to Webster's 1828 dictionary, comes from two root words which translate from *privius lex* to private law (*privius* = private; *lex* = law). When you apply for a privilege, you're applying to get into private law, and you're seeking to exempt yourself from that law which is common to us all . . . it's common law, and you don't need to get out your ball point pen and fill out an application form after you've read the Ten Commandments in Exodus, chapter 20. . . ."

"We give away our signature like it was a drink of water. Your signature is your common law property, and cannot be taken from you without your consent. Anyway, the application is indicative that we've done this to ourselves. . . . In the words of Pogo, the cartoon comic strip, 'We have met the enemy and it is us.'"

McCarthy paused, looking through some papers on his desk. " . . . We get into debt by application. For example, I have an application form here; it's for VISA and Mastercard." An application form appeared on the screen. McCarthy's finger pointed to the small print at the bottom of the document. "'I/We authorize you to gather whatever credit information you consider necessary and appropriate' By your signature you're now granting them

carte blanche permission to go after any other information about you that they can find . . . they are the sovereign in the contract. 'I/We authorize you to give such information to others who have a legitimate reason for the information.'" McCarthy laughed, then flashed back ruefully, "I wonder who that could be?" He paused, giving the audience time to reflect.

"And, don't think that it stops with Internal Revenue," he added, "it continues on to almost every branch of government; state, county, local, federal . . . and foreign. That's all available because of tax treaties that the government agencies have with one another. . . ."

"Credit, which is the right to defer payment, creates a correlative called debt. If you apply for credit, which is the right to defer payment, then you have just gone into debt. Credit equals debt, equals bondage, because the contract that we involve ourselves with, in this particular case it was the bank, puts us under servitude to the bank . . . so we make application to become a slave." McCarthy chuckled. "We have all done it."

" . . . This is why it's so difficult to lay the blame on the IRS, or the Council on Foreign Relations, or the Masonic Lodge, or the Jews. . . . We can lay all the curses we want to on other peoples and organizations—make them our scapegoats, but the truth of the matter is, even if they help induce us into the bondage, we are the ones who actually took the bait. . . ."

"In order to control the population, and that's what our credit system is used to do . . . you need to control the meaning of words. If you can control the words a person uses, you can control their thinking. If you can control their thinking, you can control their actions. And, if you can control their actions, you control them. . . ."

Seymour turned her attention from the lecture and focused on the "money" literature resting in her lap. The literature indicated that Patriots believed only in the gold and silver standard. They quoted Article 1, Section 8 of the U.S. Constitution as proof that the Federal Reserve was unconstitutional; "Congress shall have the power to coin money and regulate the value thereof," then declared that "this power cannot be delegated to the Federal Reserve, a private corporation."

An unnamed author in the *Patriot Review* wrote:

Our standard of value is fixed in the Constitution. That standard is a dollar, made of silver. That dollar must contain at least 371.25 grains (a weight measurement) of .999 fine silver (a measure of purity). A "dollar" is not a piece of paper with the words "one dollar" written on it. That is absurd! For to increase the value of that dollar, all one would need to do is to change the word "one" to the word "ten," or "one hundred" or "one thousand." Such a proposition is intellectual garbage, and can only result in the destruction of all values. . . .

The article, which encompassed two newsprint pages, advised Patriots to join the Christian Patriot Association Warehouse Exchange where paper dollars, or Federal Reserve Notes, were exchanged for dollars of silver. "The banks and our government plan a major currency exchange and devaluation soon," warned the writer, "and plans are already well underway to establish a completely cashless society. With no cash, you are at the mercy of the money changers. Your wealth will exist in the computer of the very people who wish to make you an economic slave. If you are not a good slave, your entire purchasing power can be wiped out at their will. You will be forced to work for them in order to survive. You will not be able to buy or sell without your national ID Transaction Card, a Debit Card with your Social Security number in Bar code. . . ."

The solution to this sinister scenario read as follows:

The Exchange can protect your wealth by holding it in the form of gold or silver. The Exchange protects your privacy by providing a bill-paying service through which you can pay your creditors without generating a paper trail in the Federal Reserve System which is traceable back to you. The Exchange provides you the means to completely divorce yourself from the Federal Reserve System and still maintain a safe, comfortable family or business financial position. . . . The Exchange can accept virtually any negotiable instrument for deposit. . . . The ideal way to drop out of sight economically is to have the checks and money orders made payable to NCE instead of yourself or your business. This eliminates completely the paper trail which normally follows you around via the Federal Reserve Banking System. . . .

An underground newsletter dated January 1986, announced that "evidences of debt are not money and are not legal tender since money is defined by law as coins or currency." The author identified such evidences of debt as "checks, credit cards, lines of credit, demand deposits, letters of credit and checkbook money."

The predominant theme of the article conveyed the idea that "banks were robbing people through one of the cleverest schemes ever contrived in the history of civilization."

"Officially," he wrote, "it is known as 'fractional reserve banking,' but in reality it is nothing more than a check kiting scheme: the writing and circulating of bad checks as 'money.' The bank is in a unique position to circulate its bad checks as money merely by stamping it paid and crediting the depositor's checking or savings account with some book entries. The banks are getting away with this fraudulent activity because most of us don't cash our checks,

as we use checks and credit cards as a substitute for cash (money). As a result, many banks are making loans up to 33 times the amount of actual money (cash) they have to loan. This technique is known as 'fractional reserve banking.'"

A newspaper entitled *Duck Club News Digest* published in Stockton, California, counseled Patriots to close out their bank accounts, building or savings and loan accounts, liquidate their U.S. stocks and bonds and switch their money to Switzerland.

"Make yourself far more secure by exchanging your U.S. dollars into a foreign trust organization before sending it to Switzerland," wrote the editor of *DCND*. "Foreign organizations are not taxed by the IRS or State Income tax collection agencies," he wrote. "So you can double your protection by avoiding taxes you'll pay here and bypass loss by a 10 or 1 to 100 for 1 currency exchange, or a worse situation if the dollar itself is wiped out. We recommend not waiting any longer. Take action now."

Advertisements in the *Digest* called for Patriots to join the Sovereign Citizens Club, established in September 1983 for the purpose of disseminating information on how to "live free and clear of being pushed around by the IRS and state taxing authorities."

Patriots were urged to wake up the American people to what was happening: "We are being defrauded constantly by the One Worlders who intend to bankrupt us all so they can legally take over and own our properties. For reference, look at what is happening to our farmers. This will happen to you too when your turn comes. You'll lose your home after you have lost your savings. . . ."

A flyer disclosed a scheme introduced to Midwest farmers to save their farms from foreclosure: \$15 million in sight drafts, issued by Common Title Bond and Trust, had been circulated in several central states, as well as California, Arizona, and Canada.

Farmers deeded their farms over to Common Title in exchange for a sight draft, thus making Common Title the trustee and providing the trust with a new asset. The farmer then approached his banker with the sight draft to pay off the mortgage. After accepting the sight draft, the banker submitted it to Common Title for redemption.

Instead of receiving a bank drawn check, the banker received a bill of exchange from Common Title with instructions to send it to the nearest Federal Reserve bank for redemption. The Federal Reserve banks refused to honor the bills of exchange from Common Title. The banks that had released deeds on properties paid off by sight drafts were forced to go to court to regain their first lien rights.

In a highly publicized court case, Wendy Nora, a Minneapolis lawyer

representing Merlyn Yago, a North Dakota farmer, said Common Title claimed about \$50 million in assets, made up almost entirely of the mortgage value of the properties deeded by farmers in exchange for sight drafts.

Roger Elvick, a leading member of the California Common Title based in Sacramento, reportedly designed the sight draft that Yago used to pay off his debt. In defense of Common Title, Elvick told a Kansas trustee that one-quarter of the trust's assets were held in gold. FBI agents promptly raided a Phoenix Common Title office and a storage vault rumored to contain \$2 million in gold and \$33 million in mortgages. The results of the raid were never made public.

The flyer noted that Roger Elvick was a charter member and speaker of the Committee of the States formed in Mariposa, California.

At 10:00 p.m. the two-hour video lecture was shut off. A round table discussion followed, but Seymour, feeling tired, chose not to attend. As she slipped out the door, she was handed a bumper sticker which broadcasted in red, white and blue colors, "Happiness Is America Obeying God's Law." The fine print at the bottom read, "Lord's Covenant Church/America's Promise . . . Phoenix, Arizona."

* * * * *

At her home the following day, Seymour reviewed the pile of newsletters, books and miscellanea she had obtained within the Movement. Members of the far-right were avid writers; an incredible amount of material was circulated nationwide. Perhaps one of the most extreme examples of "written" rebellion was illustrated in a document entitled, *Project Babylon*. In bold computerized letters, the front page read: "The following pages have been sent to an Arab nation along with a special audio tape which only a few Patriots have seen and heard. . . ."

Page two of *Project Babylon* was headed, "Top Priority—For The Eyes of Arab Nations Only." Typically, the document was lengthy and suffused with ideological rhetoric, however, one segment was definitively clear: "We have prepared a written proposal for your consideration. It unveils a specific plan of action to use America's patriots in a way that results in mutual benefits for America and for the Arab nations . . . there are about 30 to 40 million Americans who contest the legitimacy of the American government as it presently functions . . . this vast army can be put to work for you immediately, and our proposal spells it out in some detail. . . ."

According to the document, if the U.S. committed armed forces to the

Mideast, then America's Canadian and Mexican borders would be open to easy invasion by foreign military forces "already in place and just waiting for the opportune moment to strike."

The "details" of the proposal listed Patriot techniques for conducting a war against government conspirators as follows: Millions of flyers would be printed up and massive picketing would take place in front of major media monopolies; citizens arrests would be carried out on "court people and law enforcement," and freedom rallies with live entertainment would be held at the site of the arrests.

Anyone who did not agree with this program would be labeled a traitor; the "moneychangers" would be held in protective custody, and tried for mass murder. Politicians would be used to bring order out of chaos, then dumped at the first opportunity. All Americans would be expected to get back on a cash basis, all credit cards would be burned, and banks avoided until they could prove themselves safe receptacles for valuables.

Arab financing was requested to purchase "one military jet fighter" for the Patriot cause. "Gather your generals and your patriots so we can present to them how an offensive in support of the Freedom Movement is the best military strategy. . . . And all at no risk and no losses to you," it beckoned.

* * * * *

Most of the literature which Seymour obtained discussed law or current events. One flyer advertised an initiative to amend the California Constitution and requested financial and volunteer support to force the state legislature to pass a bill abolishing the California Bar Association. A portion read as follows:

According to information received by form letter from March Fong Eu, Secretary of State, dated October 18, 1984, in response to our request about the California Bar Ass'n, it states that there is no record of the California State Bar or foreign Bar corporation ever being incorporated or registered in California. Therefore the State Bar has illegally assumed powers that perpetrate a fraud against the people of California.

Pastor Sheldon Emry in his publication, *America's Promise Newsletter*, disclosed that a raid had taken place on the National Commodity and Barter Association in Denver by "armed IRS agents who hauled off several million dollars worth of silver and all office records." Emry warned of "sting operations" being conducted by government agents within the Patriot Movement.

The Patriots

APRIL 8, 1987 (Mariposa, California)—Andy Hall's data on the Arizona Patriots was a case study in superb investigative reporting. Folded inside the manila envelope from the *Arizona Republic* newspaper was a twenty-seven foot long computer sheet detailing the exploits of the Arizona Patriots. Acknowledgements were given to reporters Alan Ariav, Mark Shaffer, Steve Daniels, Fred Smith and Andy Hall of the *Arizona Republic*, and Victor Dricks of the *Phoenix Gazette*.

Testimony at hearings in the U.S. District Court in Phoenix, Arizona, disclosed a plot, among other things, by the Patriots to bomb a Jewish synagogue in Phoenix. According to Joel Breshin, Director of the Anti-Defamation League of B'nai B'rith, the plot was "classic right-wing revolutionary tactics."

Breshin's organization was considered an authority on radical groups by law-enforcement agencies. "They're not isolated incidents," he said of the plots by the Patriots. "These people are acting on this fantasy, this fantasy of a right-wing revolution. . . ."

Reporter Andy Hall of the *Arizona Republic* newspaper wrote in a December 21, 1986 story, entitled, "Secret War: Patriots Have Loose Ties to Rightists Nationwide," that radicals, drawing their inspiration from religion, had turned the Identity Movement into a "Jihad or holy war." Colonel Gale was identified as the founder of the Identity Movement who was the "lynchpin of the alliance of right-wing groups."

Gale reportedly said in a 1983 sermon on a Kansas radio station, "God said you're gonna do it that way, and it's about time somebody is telling you to get violent, whitey."

The following account of the Arizona Patriots was derived from the *Arizona Republic* computer sheets, court documents, phone calls to law enforcement authorities and U.S. Attorneys in the state of Arizona.

Arizona state law-enforcement officials did not begin paying close attention to the Arizona Patriots until the summer of 1984 when an informant told them of ten heavily-armed Patriots, dressed in camouflage fatigues, who had met in

a remote section of the Bradshaw Mountains east of Crown King to plot the execution of Governor Bruce Babbitt, U.S. District Judge Paul Rosenblatt and officers of the State Department of Public Safety.

At about that same time, the "preamble" of the Arizona Committee of the States Compact was sent to members of the state legislature. The "articles of reform" demanded that Arizona no longer accept anything other than gold and silver coin for payment of debts, and called for the abolishment of welfare programs and the Department of Public Safety.

Enter William Sivils, a former Coconino County sheriff's deputy turned paid FBI informant, who infiltrated the Patriots and ultimately laid the groundwork for eight arrests on December 15, 1986 at the 320-acre ranch of Jack Maxwell Oliphant in Kingman, Arizona.

Located in a remote, mountainous area about twenty miles east of Kingman, Oliphant's compound was often used for public war games. Road signs marked "war games" pointed towards the compound. FBI reports depicted the living conditions as "primitive," without plumbing or electricity.

Spent shell casings were strewn everywhere among hundreds of rocket-ammunition crates. A six hundred square foot military tent, supported by ammunition crates, housed mattresses, survival equipment, compasses, axes, canteens, and hundreds of rounds of 30-caliber ammunition and reloading equipment.

Scattered throughout were survival books, books on edible desert plants, and right-wing ideological material ranging from the origins of the American revolution to unconventional warfare devices and techniques.

The indictment accused Jack Oliphant, Patrick Schlecht, Daniel Arthur and Monte Ross with conspiring to commit a violent act: to rob a Wells Fargo armored car leaving Nevada on U.S. 93 with a weekend's haul from the Riverside and Pioneer casinos in Laughlin.

Oliphant and Arthur reportedly videotaped the prospective locations of the robbery attempt and escape routes, while Ross tested the use of exploding arrows and a homemade mortar that fired pipe-bombs.

In succeeding court documents, Sivils reported that Foster Thomas Hoover, 46, who owned a ranch about twenty miles northeast of Flagstaff, invited him to travel to Ogden, Utah in June 1985 to obtain blueprints of the IRS complex and information on escape routes after an explosion. "I want to throw a wrench into their machinery, and if I can garbage one of those [expletive] computer centers, I want to do it," said Hoover in a taped conversation with Sivils.

At a subsequent detention hearing, Hoover, a twenty-year navy veteran, told authorities that Soviet tanks were massed on the U.S.-Mexican border, poised

to attack the United States.*

In transcripts made from secret tapes, Hoover vowed to bomb the Internal Revenue Service facilities in order to "wake up Joe Six-Pack." Thirty such bombings at government facilities would force changes in public policy that were leading the nation towards communism, he said.

In court, Assistant U.S. Attorney Roger Dokken said Hoover also talked about bombing the FBI office in Los Angeles, the Anti-Defamation League in Phoenix, and the Simon Wiesenthal Center in Los Angeles, California.

However, "the bombmaker of the whole conspiracy," according to Dokken, was Monte Dayton Ross, 22, who lived in a tent about thirty-five miles east of Kingman, Arizona.

In court, a missing thumb and two fingers on his right hand were mute testimony to Ross's attempts at bombmaking; on July 9, a pipe bomb he was assembling had exploded, forcing him to seek medical attention at a Kingman hospital.

But this did not discourage Ross, according to Michael McComas, an FBI agent who had infiltrated the Patriots along with Bill Sivils.

Ross reportedly designed a mortar that lobbed dirt-filled aluminum cans 300 yards into the air and 350 yards downrange. He also designed a set of aluminum arrows whose shafts were packed with black powder and armed with shotgun shells. "They exploded with half the force of a hand grenade," said McComas to the FBI. Moreover, reported McComas, Ross often fired rifle shots wildly into the hills whenever he heard strange noises at night. "He figured that would stop anyone from poking around."

On May 10, 1985, William Sivils secretly taped a meeting at a Phoenix motel in which eight people met to discuss the bombing of the IRS building in Ogden, Utah, and how to defend against an invasion by communists.

In FBI transcripts filed on February 10, 1987 in U.S. District Court, Ty Hardin, the leader of the Arizona Patriots, said, "I've got some very good Patriot people in Prescott, Arizona. All they need to do is have some kind of system to operate in. . . . What area do they have to protect? What is our perimeter of defense? What is our fallback?"

An unidentified person was quoted as saying, "All that has to be totally separate from your underground." Hardin replied, "That's exactly right. I'm doing this as a smoke screen. Ok, that's all it is, is a smoke screen. I'm playing with it. I enjoy it. And I'm going to set it up formally so that it could apply to

*At the Bill of Rights meeting in Mariposa, a 1985 newsletter, disseminated by retired Colonel Jack Mohr, had alerted Patriots to a forthcoming pamphlet with documentation of "30,000 North Korean troops conducting landing operations in conjunction with the Mexican Army on Baja, California . . . and, 70,000 Mongolian troops in the Yucatan Peninsula of Mexico"

any city. What do you do with your gun club? What do you do with your ski club? . . . Where do you put your rangers?"

Among those present at the May 10 motel meeting was David Emerson GuMaer, 47, a rare-coin broker who was later charged with illegally helping to sell eight Uzi machine guns for \$4,500 to undercover agents in October 1985.

None of the Patriots' purported plots were ever carried out. They complained at the meetings taped by Bill Sivils that poverty kept them from acquiring the sophisticated weapons needed to awaken the "sheeple" of the United States out of their love of beer and football. A "national stir" such as aerial and ground bombings of Internal Revenue Service offices nationwide was needed, they said.

In a court hearing after the arrests, Bob Hanks, testifying as a witness for Thomas Hoover, a Patriot, described the government's infiltration of the Patriots as an act of "provocateurs" who provoked crimes when there were no crimes. According to Hanks, William Sivils attempted to stage a weekend gathering to test the Patriot's readiness for an invasion by foreign troops: "Everyone was to be assassinated with automatic weapons at their sides."

Hanks had called off the gathering, suspicious that it might have been an FBI plan to "ambush group members and massacre them as they tried to defend themselves."

Thomas Hoover, charged with not registering a homemade mortar (which had a barrel of more than three inches in diameter), testified in court that the unregistered rocket was made at the behest of FBI informant William Sivils. Hoover claimed Sivils suggested they be used in firearms-training classes that he had asked Hoover to present.

Hoover's wife, Rita, and a friend, Gregory Boudette*, helped him to represent himself in court; Hoover had refused the services of an attorney claiming that "all members of the bar association were condemned by the Bible."

Gregory Boudette told *Arizona Republic* reporter Mark Shaffer that William Sivils posed as a gun dealer. "The first time I saw Sivils," said Greg, "he pulled out this machine gun and said, 'How would you like to blow someone away with this?'"

A friend, Ronald Sisk of Flagstaff, said there were only two prerequisites to taking the training course: "Number one, that you believe in God and number two, that you love your country." According to Sisk, Sivils consistently referred to "killing all the IRS agents," and emphasized that members needed to arm

themselves with big weapons because "there are Russian and Cuban troops and tanks in Mexico, and we need something to defend ourselves with."

Conversations between Hoover and Sivils took the form of "academic exercises," according to Hoover, who pointed out that Sivils described illegal acts and Hoover responded in kind.

Reporters Mark Shaffer and Andy Hall reported Hoover as saying, "The government has decided what to do with me. The only thing left to do is go through with this charade of a trial."

Judge Charles Hardy rejected Hoover's claims that FBI affidavits were fabricated: "The FBI can't be expected to be able to tell what's an academic exercise and what's a plot to blow up a building. . . . In this day of terrorism, they have to tip toward protecting the people and the government of the United States. You certainly have a First Amendment right to advocate the overthrow of government. You probably have the right to advocate it by violent means . . . but when you take the steps to start doing it, you're in trouble."

In closing arguments, Assistant U.S. Attorney Roger Dokken repudiated Bob Hanks' testimony by insisting that the weapons-training classes were planned by Hanks and Patriot's leader Ty Hardin, not Sivils. "And," noted Dokken, "Hoover intended to use the weapons against people, not for recreation."

Hoover was acquitted in court on the pipe-bomb charge. He said the mortar was a "toy," and since it was an antique firearm it was exempt from registration requirements. Federal firearms experts testified that it was not exempt, but jury foreman Lynn Lofgran said, "We couldn't be sure what he intended to do with it!"

At various times, attorneys for the eight Patriots arrested on December 15, 1986, stressed in court that the FBI and the Bureau of Alcohol, Tobacco and Firearms were cracking down on people guilty of "just a lot of talk."

None of the Patriots' purported plots were ever carried out; however, survivalist seminars such as the one held in April 1985 by Ty Hardin in Prescott suggested a certain preparedness.

Hardin, addressing a small force of neo-survivalists at the April meeting, said American borders were being covered by subversives. "The government has allowed a constant flow of aliens into our nation," he protested. "We're becoming so mongrelized that the effectiveness of our Constitution is being diminished. The Gestapo movement started with the IRS. The government is training SWAT teams to put down Patriots."

*On April 3, Gary Goldsmith at the Department of Public Safety had mentioned Boudette as follows: "The Patriots have a file on me . . . a couple of military vets, survivalist; Greg Boudette and Karen Nardella . . ."

Most of the Arizona Patriots who were arrested in December, 1986, received light sentences in court. Foster Thomas Hoover, who was charged with possession of an unregistered (homemade) mortar, was acquitted in U.S. District Court in Phoenix, Arizona in March, 1987.

The remaining Arizona Patriots were sentenced as follows: Monte Dayton Ross (the "Bombmaker"); Jack Maxwell Oliphant, who operated the 320-acre survival ranch near Kingman, Arizona, where large quantities of bombs, illegal weapons and explosives were found; and Daniel Taylor Arthur, a co-conspirator in the plot to rob the Wells Fargo armored car on U.S. 93 after it left Laughlin, Nevada and who lived in a tent at Jack Oliphant's compound, were all convicted of "conspiracy to solicit a crime of violence." On June 15, 1987 all three were sentenced to four years in prison with eligibility for parole pursuant to Title 18, U.S. Code, Section 4205 (b) (2), and fined \$50 respectively.

Patrick Henry Schlecht, who was also involved in the robbery plot, was sentenced to five years probation and two hundred hours of community service. Rita Schlecht was arrested but not prosecuted for pointing a .357-caliber revolver at FBI special agent Mike Roof who was arresting her husband on December 15, 1986. Steven Christiansen of Fort Collins, Colorado, and David Emerson GuMaer of Phoenix were charged in Denver, Colorado with illegally selling Uzi machine guns to federal agents (in Colorado). Christiansen plead guilty to the charges. However, in March 1987, GuMaer, who had been free on his own recognizance, disappeared from his job in Phoenix and failed to appear at a pre-trial hearing in Denver. U.S. District Judge Zita Weinshienk subsequently issued a warrant for his arrest.

Florence Wolf

APRIL 10, 1987 (Winters, California)—Road 29 in Winters wound through miles of waving grasses interspersed with an occasional farmhouse. At the end of Road 29 was a triangular yellow sign that read "END." Across the meadow, beyond the grazing sheep, was the Wolf farmhouse and barn.

Before opening the gate, Seymour photographed the peaceful afternoon scene. On December 12, a twenty-five man SWAT team, "with faces painted and dressed in camouflaged uniforms . . . with twigs in their helmets" had hidden in the surrounding terrain when they laid seige to the Wolf home. Florence's vivid phone description of the raid left little to the imagination, except for one aspect; there wasn't much brush to hide behind.

A pet goat and a yardful of children scrutinized the reporter as she approached the farmhouse. A screen-door banged and Florence Wolf emerged wearing an old-fashioned country dress.

Laughing at the reporter's surprise, she greeted her warmly and invited her into the huge open-beamed farmhouse to meet Grandma and the children.

At the end of a protracted hall was a small schoolroom and office. Florence motioned the reporter to a chair and sat at her desk in the corner of the room.

On the desk was a miscellanea of law books and legal documents. Encompassing the room was a profusion of colorful posters of animals, butterflies, plants, world and U.S. maps, and an American flag. Against the east wall were little rows of students desks.

It was plain to see where her children received their education. Without objection, Florence posed serenely at her desk and allowed the reporter to photograph her "schoolroom."

One by one, her children filtered into the room. As she spoke, her eldest daughter, who appeared to be about seventeen or eighteen years old, ran her hands through her mother's long hair. Another smaller child climbed up on her lap.

Florence immediately plunged into the subject of her arrest on December 12 when a twenty-five-man SWAT team descended on her home and seized thirty files relative to the Committee of the States and other Identity organizations.

“It was only four days after David’s death that I received a call from the Davis police; they wanted to ask me a few questions,” she said. “‘Would I meet them at the gate?,’ they asked. ‘They didn’t want to scare the kids.’”

By then, all five of Florence’s children had entered the room. “My husband had been stopped,” she continued, “searched at gunpoint, and taken into protective custody two hours earlier a mile or so down the road.

“So, anyways, in response to the call, I went down to meet them at the gate, and they arrested me—cuffed me and stuffed me into the police car. I looked over and here’s these camouflaged people crawling around in the fields.

“Meanwhile, the rest of the SWAT team, and approximately nine other uniformed policemen and women, gained entrance to my home by sneaking around the fields and closing in on the house, then calling out to the imaginary person standing by the door . . . which was the ironing board, which did not respond.

“Upon asking for, but not receiving permission to fire upon the unresponsive ‘ironing board,’ they entered the unlocked doors with weapons at ready.”

Florence mentioned a woman named Penny Farrington, who she said saw to it that Florence’s children were tucked in safely beside her in the police car. She assumed Ms. Farrington was a policewoman.

“On the strength of a search warrant granted to detective Harvey Coleman, the SWAT team took all my religious, all my political documents—the whole file drawer—whether or not it had anything to do with the specifics of the search warrant. They were specifically after Committee of the States stuff, which had nothing to do with the crimes that I was charged with.”

Florence handed Seymour a list of items seized during the raid. Of interest to Seymour were two tapes from Pastor Pete Peters in Colorado, a file labeled “Individuals in Identity,” and twelve tapes from Reverend William P. Gale.

An “Order For Temporary Release Of Property” had been sent from Las Vegas to the district attorney of Yolo County requesting all of the property seized at Florence Wolf’s home, including those tapes and files found at David Moran’s apartment after his death. Assistant District Attorney Richard Pocker in Las Vegas, working in conjunction with Gerald Fiske at the Internal Security Division of the IRS in Nevada, had wanted the material for prosecution of William Gale.

Of particular interest to Pocker were two copies of Committee of the States “indictments” against Nevada IRS agents Walter Swall and Dave Richardson which had been found in both Moran’s and Wolf’s homes.

Also requested by Fiske were audio tapes by John Boggs from Mariposa, tapes by Colonel Jack Mohr of St. Louis, Missouri; and a “criminal complaint” signed by Mike McCray in Las Vegas, Nevada.

Florence was obviously deeply involved in the Identity Movement. Seymour asked her if she could obtain copies of the documents that had been seized by the SWAT team. Wolf laughed and pointed to a cardboard box at her feet. Within the box, she said, were photocopies of all the documents which had been seized at her home and at David Moran’s home. Because the Federal government had all the originals in its possession, she saw no reason why the reporter couldn’t have copies of anything she wanted.

Seymour set up a tape recorder on Florence’s desk. Florence made no objection, but she eyed it uncomfortably.

She began her story by defining her link to Gordon Kahl. “I had a whole file on Gordon Kahl; I was working on the Gordon Kahl case.” She said she believed that her investigation of the Gordon Kahl shooting had relevance to the raid on her property. “I’m the chairman of the sub-committee for prison systems for the Committee of the States, and I was being extremely vocal about how I felt about prisoners of war . . . how our political prisoners in the United States are being treated.

“You see, I wrote to the president; I’ve written the treasury, I’ve written everyone—and they came and they took everything that I had, and that brought them up to date on what the radical right is doing. . . .”

Florence said she was charged with being an accessory to a felony, an accessory to attempted murder of a police officer and accessory to the robberies that David Moran committed. “I wasn’t anywhere around when the crimes were committed!” she exclaimed. “David came to my house days afterward.”

Seymour asked, “Are you trying to defend yourself in court now? Are you receiving any help?”

Florence asked, “Counsel, you mean?”

“Whatever.” Seymour wanted to know if Florence was receiving legal advice from Richard Van Hazel or Roger Elvick, both “common law” speakers at the Manasseh seminars.

“Well,” she said slowly, “I have talked to lawyers, but I can’t seem to find a lawyer that will take my case on the basis of counseling me. They want me to turn the whole case over to them. I told the judge that I was not waiving my right to counsel, that I did very much want to have counsel, but I was not willing to turn the case over. . . . I wanted ‘assistance’ of counsel, which I believe is my Constitutional right.” A slight pause gave emphasis to her disappointment. “The court refused on that basis to hire counsel for me. . . .”

“Are you taking your case under common law?”

“I’ve made common law objections; I’ve objected on the grounds that the crime I’m charged with, which is Penal Code 32, is a crime ‘created’ by statute. You see, a common law crime has to have a ‘victim.’ In my case, there was no

victim . . . it is a crime created by statute, or a crime against the state. But the judge said there are no common law crimes in California.

“My position is that the common law crimes, like murder or robbery, are punishable by force of common law.” She studied the documents on her desk. “I talked to Roger Elvick down at Galt. I’ve talked to him several times and, you know, he’s pretty knowledgeable in common law, but he thinks it’ll work for everything.

“Where I differ with Roger is, Roger believes when you go into a court, you’re in a sanctuary. He says those guys; the judge, the prosecutor and you too, are in a sanctuary, and everybody has to be truthful because they’ll have judgement from God if they’re not.

“Well, I differ on that viewpoint, in that I think it’s a synagogue. Because it was prophesied in the Bible that we would be dragged to their synagogues and thrown into prison.” She leaned forward and whispered, “Roger has so much faith!”

Seymour focused on David Moran. Davis police had chased David and Michael Kurzeika at speeds of over one-hundred miles per hour after the midnight robbery and shootout on December 1. The get-away vehicle, a red CRX Honda, had been stopped just south of Winters; Kurzeika had surrendered, but Moran had grabbed a weapon and fled into some thick brush near Putah Creek.

The *Daily Democrat* had reported that Moran had survivalist training, various magazine articles on what would be called survivalist tactics, such as storage of food and how to take care of one’s self in the woods, were found in his home.

“Putah Creek,” Seymour reflected aloud. “David managed to evade the law for over a week. Do you know where he got his survivalist training?”

Florence shook her head, unable to answer at first. Then she remembered something. “David was city-born, in Pennsylvania I think, but he used to play war games at Napa where they—as far as I know this was all on the up and up— but they had war pistols filled with paint pellets or something like that. And they played little war games.”

Seymour noted that Jack Oliphant’s ranch in Arizona had provided “war games” for the Arizona Patriots.

“Why did David go on a crime spree?” she asked.

Florence considered the question for a moment. When she spoke, her face had lost its animation. “You have to understand that this government would not allow David to exist as he wanted to exist. David didn’t believe in paying taxes, and he didn’t. Well, the government makes it hard on a person, and that kind of pressure is probably what got to him.”

Seymour waited silently. David didn’t rob three liquor stores, a Seven-Eleven store, and an Arco mini-mart, then shoot at chasing police officers with a mini-14 because he didn’t want to pay income taxes.

Prodded by the silence, Florence articulated softly, “I can tell you this, he didn’t rob the stores for the money. He had over \$450 in cash in his apartment, plus about \$1,500 worth of silver that the police confiscated.”

Seymour asked her if the silver she referred to was Committee of the States coins.

“Yes,” she said, seeming surprised. “He had some of those, and a bunch of others. He didn’t believe in bank accounts; that’s the way he saved money.” She handed over a stack of newspaper clippings. “I’d like you to look through these and see what you want.”

The reporter thumbed through the clippings and said she wanted all of them. “Are you a member of the Committee of the States?” She said it casually, still looking through the clippings.

“Yes,” Florence said directly.

“How did you join the Committee of the States?”

Florence said she and her husband, Terry, first met David Moran at a seminar at Manasseh Ranch. He later took them to a meeting in Galt, California, where they formally joined the Committee of the States.

Florence next offered a glimpse into the psyche of the Identity Movement: “I don’t think David wanted to die a martyr. I feel pretty certain that he didn’t holler back to the policemen and say, ‘You’ll never take me alive.’ I believe that’s the same way they set up Gordon Kahl. The news media came through, and they said he’d never be taken alive. And, I believe that’s how they set up and prepare people for the murder that’s about to take place. Then the public can accept it.”

Florence’s sister, Donna, was engaged to Gordon Kahl’s son, Yorie Von Kahl. As a result of the shootout and death of Gordon Kahl in Smithville, Arkansas in 1983, the Committee of the States had formed a “Fallen Research Committee” which investigated shoot-out fatalities, or violent right-wing deaths. Florence and her sister were active members of the committee.

Florence produced a report on Gordon Kahl’s death, authored by the American Citizen and Lawmen Association (ACLA) in Phoenix, Arizona.

Moran never had a chance, according to Wolf. Describing the night of the shootout, seven days after David’s escape at Putah Creek, Florence almost whispered, “They said the headlight was out. I don’t believe the headlight was out, because David had worked on the lights on the car that day, and they were all working then. I won’t rule out ambush; I can’t rule out ambush until I know all the facts involved.”

She sat still for a moment as if remembering. "The night we were pulled over, David had been sleeping in the car. It was dark, a very dark night. Very foggy. A car started following me with high beam lights. I slowed down to let it pass, but it wouldn't pass. I had just started to tell David about it when the red light came on, and I pulled over. David was in the process of waking up.

"The Highway Patrolman approached not on my side, but on David's side of the car, and they had a spotlight on David's side of the car." Florence's eyes narrowed, "and he said the reason he stopped us was because I had a headlight out, and it went through my mind that that was strange, because I didn't think that the headlight was out.

"The Highway Patrolman asked David, he said, 'Sir, do you have a gun?' And, David said, 'Yes.' And then the cop jumped back yelling, 'He's got a gun,' and then things started happening real fast."

Dryly, Florence added, "We know that the cop was pulling his gun at that time. In a move to put me in a safer position, David jumped out of the car. The cop later said David jumped out firing, which may or may not be true. I don't know who fired first; I would like to say the cop fired first, but I can't say that conclusively, because those shots were right together. They were so close. Anyway, the cop said that David fired first. The cop dropped his gun and ran for the bushes."

Noting the disbelief on the reporter's face, Florence reached inside the "discovery" box which she had obtained from the district attorney, and handed her a "Supplementary Offense Report" of the shootout.

The report was, in effect, a transcription of a taped interview with Highway Patrolman John Arthur Shoffner just hours after Moran's death.

Thumbing through the pages, Seymour located a section in the transcript which coincided with Florence's account of the shootout. Picking up where Florence left off, the following is a portion of Shoffner's version of the encounter:

... at that time I drew down, I pulled my weapon out and pointed it at the door of the car. I stepped back about three, maybe four steps. I kind of tilted my head back 'cause the spotlights were bright, and I said, 'Gun, he's got a gun!' And I turned back, and the guy was out of the car, coming out of the car, almost standing up.

He had his arm straight at me, and I heard a shot and a flash. At that time, I started pulling the trigger on my gun. I was pointing it right at him, pulling the trigger on my gun. I heard him fire twice. At that time I went back—I started to turn towards my left—I was still firing and I went to the ground and I felt like a hot poker was going right through my side, and ah, ... I could see the guy swerving to his right, hand in

the air, and he was going down to the ground.

And she was screaming, and he was yelling, and I'd known he'd been hit; I knew I hit him maybe once, maybe twice. . . .

It was just instinct shooting, uh, I'm on the ground; I turned to look at him, and he's starting to get up, and he's turning around at me, pointing the gun at me to shoot again. I go to fire again, and nothing happens! So, I was going to reload, and he turns—the gun's pointing right at me, and I thought, 'I'm dead, he's going to shoot me.' And I tried running up to the trees. . . .

I was on the ground. I was just crawling. . . . I was trying to crawl, but I wasn't getting anywhere, and I knew I was dead. I knew he was going to shoot me. I knew this was it, and I'm out of bullets. I can't get out of his way . . . I'm dead. . . .

Florence broke the silence, but her eyes contemplated the oak trees outside the window. "I loved David very much. He was my best friend."

Seymour asked her if it was too painful to speak of the shootout? She said the memory was still vivid, but she chose to continue: "In the report, the cop [Shoffner] said he thought he had shot three times, but in fact, his gun was empty; he had fired six shots. After the initial firing started, my first reaction was to cover my head. When I looked up, David was on the ground, outside the open door, right beside me."

Seymour interrupted, "On the passenger side?"

Florence nodded, "Uh-huh. And he was on his back, but he could roll from side to side. He would occasionally turn to fire his weapon, but something was wrong. Then it clicked; suddenly I realized he's got an empty gun! He's firing, but nothing is coming out, there's no muzzle flash. David's gun was empty, and it had been empty for I don't know how long."

"What was happening to David?," Seymour asked.

"Well," said Florence, "he was going through the motions of firing, but nothing was coming out of the gun. Every time David would turn or move, it would trigger another great burst of gunfire. I mean, you know, it just seemed to go on and on." She seemed on the edge of tears.

"Then, David was lying still," she said impassively. "He was getting weaker; he had been hit, wounded, probably mortally, but, you know, he wasn't dead yet. And he'd get weaker and he'd just lie back on the ground. But if he moved, another volley of gunfire would be fired at him."

Seymour asked, "Where were the officers?"

"They were hiding in the bushes. It was a very dark night, no moon, no stars. There's no way David could see them. He was just shooting at voices in the dark. The next time David fired, I started to get out. I was saying, 'David, drop

your gun.' And he wouldn't drop it. So, I said, 'Get in the car.' And he wouldn't, or couldn't, so I started to reach out and grab him, but the guy in the bushes said, 'Driver, get back in the car or we'll shoot you.'"

Florence's glance stiffened. "So, I moved back into the car, and David turned to fire at the man who said he was going to shoot me. But he was firing an empty gun. So then, he knocked the door shut with his hand. At first, I thought he'd kicked the door shut, but he didn't kick it shut. I know that now, because when we got the car back, there were three bloody fingerprints in the middle of the door.

"He pushed the door shut, then said to me, 'I can't see.' This indicated to me that he was either going blind, or he was woozy and very weak; he had sustained many gunshot wounds. It was shortly thereafter, that they said, 'If you don't throw down your gun, we're going to shoot you in the head.' And they did then shoot him in the head. And if you'll look carefully at the autopsy report, you will see from the angle that he was shot in the head; it went in approximately five centimeters to the right of the center and went down through his brain and lodged down at the brain stem, that his head had to be lying flat on the pavement when he was shot . . . when they finished him off."

The inevitable question remained to be asked. "Do you know if he dropped the gun when they asked him to drop it?"

Florence wrestled with the answer. "I doubt if he could have dropped it, even if he had wanted to. He was on his back. They shot a man dead who didn't need to be killed. He was not a threat to them anymore; the gun was empty."

Florence's experience seemed relevant to the story. "What did they do when they came up to you?"

"They said, 'Driver, get out of the car with your hands up.' So, I opened the car door and I got out with my hands up in the air. They thought, apparently, that I was a threat to them, because they kept threatening over and over again, 'One false move and we're going to blow your head off.'"

Seymour interjected, "Did they actually say that?" Florence answered, "Yeah." She asked again, "They said that to you?" Florence repeated again, "Yeah!"

Florence laughed briskly. "Well, I was terrified! And what I was afraid of . . . walking out there into the headlights, I expected any moment for a shot to finish me off. But, they didn't shoot me; they made me lie face down in the mud, with my arms and hands down in the dirt in front of the car.

"I remember looking through the fog at David; steam was rising from his chest. I said as quietly as I could, 'David,' but he didn't answer. A cop, trembling from head to toe, said, 'I have a gun pointed straight at your head. If you so much as move, I'll blow you away.' I lay there for fifteen, maybe twenty minutes, I don't know how long. Until the back-up units arrived."

The shooting ended around 9:30 p.m. on December 8. According to Florence, an ambulance was called to the scene, but David's body was not removed until 10:00 a.m. on December 9. "They left him there all night long and into the next day!" she cried.

At the Garberville substation, Florence was strip-searched then interrogated until 4:30 a.m. Around 5:00 a.m., she was released to her sister, Gail, who lived in Garberville. Terry, Florence's husband, arrived to take her home, but she wouldn't leave Garberville without her purse which contained \$400 and was still in custody at the substation.

"The next day I called and asked if I could have my purse back, and they said, 'No, you haven't been very cooperative.' Actually, I learned later that they kept the purse because it contained a Committee of the States coin."

Florence anticipated the reporter's next question. "I wouldn't tell them who I was. I told them I didn't want to tell them anything, and then they read me my rights, and then they questioned me again, and I stood on my rights . . . to remain silent. And so they turned off the tape recorder and they STILL questioned me."

Changing the subject, Seymour asked where she and David were headed on the night of the shootout? "Well, . . ." she paused, looking out the window. Florence became evasive for the first time since the interview began. "We were . . ." another pause.

"You see, I don't really believe one can escape from the law these days. I think they have you numbered. I think that it's futile to try to run from them. I said, 'David, if you run, they're going to kill you, just like they did Gordon Kahl.' And I wanted him to turn himself in for those crimes that he was charged with. He was a smart person, he probably could have gotten off.

"So, I didn't care if he went to jail. I wanted him to live, you know? We were deciding, we were forming plans. I think he was sort of leaning towards wanting life as opposed to dying."

"Was he fearful for his life then?" Seymour asked. "David never experienced a moment of fear," she responded quickly.

"Did he feel that his life was threatened?"

Florence nodded briskly. "Oh yeah. I think he believed, as I believed, that they would try to kill him. I told him what the newspapers said, that 'he wouldn't be taken alive,' and I figured they were setting him up. It's a good question as to what we would have wound up doing. But, it's academic, because we never had a chance anyhow."

The reporter still wanted to know where David was headed on December 8. Again she asked, "So there wasn't any place that would have been a safe place for him?"

Again, Florence was evasive. She glanced at the tape recorder, so Seymour shut it off temporarily.

"Well, David had a lot of friends," she said slowly. "He probably could have gotten safely out of state somewhere. In fact, he wanted to go straight through to Oregon, where he did have some friends. But, I sort of used my influence on David to tell him that . . . well, in effect that would be suicide, and we loved him, and when you're loved, you can't make that kind of a decision."

"What was David like as a person?" Before Florence could answer, Seymour added, "From what I've read about him, he was very articulate . . ."

Florence interjected, ". . . intelligent, polite; he had a wonderful dry sense of humor. Sometimes it would go right over your head." A poignant tone entered her voice. "I think more people understood David than David gave credit for. But, you see, he understood what we've lost; the freedoms we've lost. We don't have our Constitutional rights anymore, they've been taken away. To see that we're not free anymore—" She hesitated, trying to make herself clearer. "Many people can see that, but they are not willing to take a stand and act on it."

"I'm curious," Seymour asked, "was David trying to recruit?"

Florence looked up at the ceiling of the room, sighing deeply. "I don't really know where they pulled that out of. My position is that the Patriot movement doesn't have to recruit, the government does that for them . . . by its oppression. David didn't cast his pearls before swine, if someone didn't believe or appreciate what he was saying, he wouldn't say it to them, that's all."

A tall, burly man entered the room. He seemed surprised at the reporter's presence, and pulled up a stool, studying her closely. Florence introduced him as Terry, her husband.

"He's a trapper, a U.S. Government trapper," said Florence carefully. "He traps coyotes that are killing people's feed." She chuckled softly. "In the circles I run with, you tell someone your husband works for the federal government, they step back a step or two."

Terry broke in. Referring to the SWAT team raid, he said, "It was quite an experience. I've never had a hostile person pointing a gun at me before. It's an unnerving experience." He shook his head, staring down at his boots. "I was brought into the yard in the back of a squad car. Every one of those SWAT team people turned around and just stared at me as I went by. One guy said, 'Those people should have their humor surgically removed.'"

Florence handed the reporter a stack of photographs which depicted squad cars parked in front of a building. "Those were taken at the Grange Hall in Galt. George Udvary from Mariposa was speaking that night, and the Legacy singing group was there. The cops took down every license plate of every car

that was parked anywhere close and they surveillanced the place from early in the morning until after eleven o'clock at night."

Seymour asked for a photograph of David, but Florence said everything was "hidden out." She would send one later. The last photographs ever taken of David were sent in to be developed, but they never came back, she said. According to the photo shop, they were lost. Florence said they had always used the same place before. She added that she was beginning not to believe in coincidences anymore.

She placed an intelligence report in Seymour's hand. "They apparently did an intelligence investigation on my mother and father too," she sniffed. "And all my sisters, although they missed two of them. Even Terry's mom and dad were investigated."

"How did you get this?" Seymour asked, handing the report back to her. "It was in 'Discovery,'" she said, "they accidentally let me see it."

Regarding David's violent death, Florence said she knew he was coming to a point where something was going to happen. "We didn't know what form it would take, and I don't think he knew either, but one thing that we were always impressed with was that he didn't want any bystanders to be hurt by anything that he did." Seymour's mouth opened, then shut. The obvious response to that was best left unspoken.

Terry left the room to check on grandma. Seymour looked at her watch and noted she had a three hour drive to get back home.

"Okay, Florence," she said, standing up and looking out the window. The trees were casting long shadows across the yard. "I'm going to ask you some pointed questions." She turned from the window and looked directly at her. "What was David preparing for? What did he anticipate was coming up?"

Florence knew instantly what she was referring to. "He used to discuss it," she said quietly. "Would it be an economic collapse or a natural disaster or an invasion, you know? Who knows? I can't remember what he felt it would be, precisely."

Seymour persisted. "I'm writing the entire story of Identity. That includes the military aspects. It goes beyond theology, constitutional law, common law—"

Florence interjected, "Do you mean the Identity Movement's militia?"

Seymour said, "Right!"

"I'm not sure you could say it goes beyond constitutional law," corrected Florence. "I think all of the writings of Thomas Jefferson seem to indicate that the guns had to remain with the people, as a last resort . . . to repress a tyrannical government."

She paused. "Have you read the book, *The Protocols of the Learned Elders*

of Zion? It's really an eye-opener, when you realize how many of those objectives have been realized."

Seymour nodded. She had read the booklet, but her first question had not been answered. "I've been tracking the bombings in Orange County, in Manteca and they're all very similar. Pipe bombs. And essentially, they were set up so that no one was injured or killed. So, obviously the bombings were meant to make a point. I've asked various law enforcement agencies if they have experienced any bombings in their area, and most said they have not. So, I'm just wondering if there's an overall view of what's trying to be accomplished? Or if these are really just young people out of control?"

Florence looked puzzled, so Seymour continued. "I've heard members in the Identity group, leaders say, that young people like David Moran were not 'using their training.'" (It had been Gale's response to Moran's death. Off tape, Gale had referenced Moran's training, then remarked cryptically that Moran's "spirit would return someday.")

Florence studied Seymour, then thumbed through a stack of files on her desk while she talked. "Well, I have heard a lot of people say, 'Why did David waste his life that way?' 'Why didn't he do something to make it count? . . . If he was going to go commit suicide, there are a lot of other things he could have done.'" She laughed bitterly.

"Regarding the bombings," Seymour said reflectively, "I think David was headed in that direction."

Florence agreed. "Mmmm—mmm. I would have to agree with you there. At some point—"

Seymour interrupted, "Was this an act of defiance, or is there some overall purpose behind all this?"

Florence's answer was disappointing. "That's a very good question. You see, if we had a central leadership, I suppose you could go there and find out, but we don't. It's just groups all over the country who are sort of acting on their own, and for that reason we can't be blamed for what someone else does. I would say, perhaps people become as frustrated as David did and—" She stopped abruptly, still thumbing through her files.

Seymour asked, "Do you know if David was a member of the Unorganized Militia?"

Florence nodded yes, but then said aloud, "I don't think I want to comment on that right now." Seymour turned the tape recorder off again. Florence explained, nodding at the tape recorder, that she didn't know what they were going to use against her in court. And, two IRS agents from Nevada had come to her home, one of whom was Joseph O'Connell. She had been served with a subpoena to appear as a government witness at Colonel Gale's trial.

"They wanted to explain to me what was going to happen when I went up to Nevada, and I said, 'I'll tell you what's going to happen when I go up there, I'm going to take the fifth!'"

She added, "'Oh, well, wait a minute,' they said. 'You're not the defendant, you know, you can't really . . . you're an important part of the case.' And I said, 'I can, because if you are going to persecute those people for their religion, you can persecute me for mine.'"

Florence's voice expressed the weariness of long-fighting and lost battles. "I'm filing a Motion to Suppress. And a Motion For Return of Property and Controverting Grounds of Search Warrant." She handed Seymour a copy of the document. "Normally, what happens then, is the legality of the search and seizure is determined, and if it's determined that it's not a legal search and seizure, then the property is returned. I'll probably have to go to court to deal with that, and make them get the evidence back from Nevada. I believe the spirit of the law is if the search and seizure is unlawful, then they shouldn't be able to use the evidence anywhere."

Florence sighed heavily. "They've made me jump through all the hoops. I filed a Motion to Suppress, and the district attorney said, 'Oh, well, you haven't any points of authorities here.' So, the judge said, 'You have to file points of authorities.' You know, I have to do everything that a lawyer has to do, so I have spent hours in the law library trying to figure things out so that I . . ."

It occurred to the reporter that Florence had filed the motions on behalf of Colonel Gale, not herself. "So, the material seized at your home on December 12 was not for your case, but for Gale's case in Nevada? None of it will be used against you in your case?"

Florence smiled ruefully. "It probably can't be used against me, but it can be used against them, the Committee of the States. Oh yeah, when David made the mistake he made, I'll bet those people up there in Nevada were just tickled pink because that gave them the excuse to take everything out of his house, and mine.

"You see, for a week after David pulled the robberies, we expected to see them storm the house. You know, we know what they did to Gordon Kahl, John Singer, Arthur Kirk, Robert Mathews. We expected an airwolf to come over," fear glittered in the whites of her eyes, "because we're afraid of them, just like they're afraid of us. But, they have the guns and the power, so I think our fear is more justified."

"Do you still have a fear of them coming back here?"

"For my kids I have a fear," she admitted. "After what they did to David, I was really afraid. I was scared to death, but then I got over being scared, and then I got mad and decided they're not going to do that to me." She inclined

her head towards the documents on her desk. "I'm going to defend myself, and I'm going to get every single thing from them that I can get. If I have to sue them later, I'm going to, because I think they should know that they can't do that to anybody."

"What about your children, what do they think about this?"

"Well, you know," a poignancy came over her face, and a kind of belligerence, "it's all been pretty hard for them. To see me arrested, and any time I might go to prison, there's still that very real threat. I could go to prison for three years, or maybe four. Kids are very resilient, and they bounce back. Most of them are doing pretty well, but Olga is still hurting. She was very close to David and losing him without being able to say good-bye was very painful. It has really been hard on her."

"Do they understand what you're involved in?"

Florence answered unhesitatingly, "Yes."

"They understand that?"

She nodded. "Uh-huh."

"What would happen if you were put in jail? What would happen to the children?"

"Well," she seemed discomfited, "probably we'd either send the kids up to my sister to be taught; she does home schooling, or maybe my sister Donna would move down." She grabbed her long blond hair and tossed it over her shoulder. It was a simple gesture of defiance. "We'll deal with it."

Seymour read the list of items confiscated at David Moran's house on December 5, 1986. One of the items confiscated, listed as Item No. 29, was a note from S.M. Wolf, age nine years old, to David Moran; it was entitled, "The Nurdy Negroes and Jues."

In an Order for Temporary Release of Property, Beth Deffner from the Davis Police Department had been requested by Inspector Joseph O'Connell from the Las Vegas IRS to ship the following items for handwriting analysis:

One original handwritten letter from Bill Gale to Dave Moran dated June 13, 1985; a copy of literature on the Committee of the States with an original note to Dave Moran from Mike McCray in Las Vegas; another original handwritten letter to Moran from Mike McCray referencing the Mariposa meeting in July; and, one original letter to Moran from John Boggs in Mariposa regarding the "Militia."

Another Order for Temporary Release of Property was issued by Assistant U.S. Attorney Richard Pocker in Las Vegas. This time it requested eight communications which were in the possession of Yolo County District Attorney Joseph Maguire. Four of the items were listed in the Beth Deffner declaration; the remaining evidence was as follows:

One letter from Mike McCray to David Moran pertaining to forwarding the Committee of the States indictments of IRS agents Richardson and Swall (in Las Vegas); an original letter from Mike McCray to David Moran pertaining to training at Mariposa in July 1985; an original letter dated July 31, 1985, from McCray to Moran pertaining to "Supreme Court Action" which mentioned "Angels" and said "We are just going to have to jump on that dude's case;" a document entitled "Criminal Complaint" dated March 26, 1986 and signed by Mike McCray. An excerpt from one of McCray's letters read as follows:

Dear Dave,

The delegates to the Committee of the States, Nevada, would like to express their gratitude to you for your time and effort spent in constructing the essay on the origins, legitimacy and relevancy of the Committee of the States. . . .

. . . We are currently in battle with U.S. Supreme Court clerks who have proclaimed rules to be above the Supreme Law. As the lawful Congress, we have adopted a rule for all court clerks which orders the law of gravity to be suspended while said clerks jump off the Washington Monument. Maybe they'll get the idea? We will see you in Mariposa in July. Keep up the good work, and Yahweh be with you . . .

Florence handed Seymour two documents written by David Moran. One was a heavily researched essay on the origins, legitimacy and relevancy of the Committee of the States. Obviously, it was the document referred to by Mike McCray in his handwritten letter to David. A quote by General Douglas MacArthur referring to the "insidious forces working within" decorated the cover of the document. The last page, page ten, expressed appreciation to J.W. Dunworth for his critical review and informative discussions on the subject of the Committee of the States.

J.W. Dunworth lived in Mariposa, but was currently serving time in prison for income tax problems. Jessica Armaugh and Walker Thompson lived on his property. And, it was his library of books that were so generously loaned out at the Bill of Rights meeting on Triangle Road.

The second document by David Moran, captioned, "The COSA [Committee of the States Assembled], What Is Its Program?," contained a quote: "If, by the instrument of governmental authority, a people is being driven to its destruction, then rebellion is not only the right but the duty of every member of that people."

The first line of the text read, "First, I think all of us need to realize that we are advocates of a revolutionary program . . . or should be."

According to Moran, a fundamental aspect of the "racial and spiritual" battle was a demographical one. Detailed statistics for "German" births and deaths

beginning in 1841, and ending in 1974, were prominently charted on the cover page of the report. "Under Hitler, the Germans regained their strength and self-confidence, but in 1946, under Western and Soviet occupation, German babies perished in infancy and the population starved," he wrote.

Another population chart described the growth of Africans, then discussion followed in numerous pages about racial Identity and a "white" Republic. On page ten, Moran speculated on solutions to the right-wing problem:

. . . i.e., suppose our program/goal included the *immediate* removal of all Blacks back to Africa, with only the property they could physically carry, upon our assumption of political power. Now suppose the Black Muslims were to offer us a deal. We would grant them one year to disinvest themselves of all their property and take all of the proceeds to any country willing to take them in, in exchange for their help in bringing us to power and say, tracking down Marranos [Jews], for example . . .

Florence handed Seymour a photocopy of the cover of *GUNG-HO* magazine. The cover contained a large close-up of David Moran in camouflaged clothing, wearing a head-band and holding a machine-gun in his hands.

The heading under "Gung-Ho" said it was a magazine for the "International Military Man." Articles on the "Worlds Most Dangerous Warrior," the "L.A. Cop Show," and the "Fighting Guerrillas" were advertised around David's face.

Florence resumed the interview by reading a newsletter from Bob Miles, a former Ku Klux Klan leader. "Bob Miles wrote this in his newsletter, *From the Mountain*: 'David Moran is not the first, but he is not the last. Each of us chooses the manner and place in the road where the stand must be taken. Each chooses that in their own time, since we do not die, where we have kept the faith and believe, death is but a transformation of one life stage to the next. He lives again and will be amongst us again. That is the real promise of the faith of our folk.'"

Florence next read a letter from Colonel Jack Mohr in Mississippi: "It looks as though the establishment war against Christian hatreds is now out in the open. I'm sure that the Moran killing is part of what happened with Gordon Kahl a few months ago. I don't know whether you know it or not, but a Federal grand jury is now meeting in Fort Smith, Arkansas for the purpose of pinpointing all Christian Patriot groups. The federal prosecutor has been quoted as boasting that he will wipe out this Movement in the West and in the Midwest."

Kahl had died in 1983. Before Seymour could ask how David Moran was connected to recent occurrences in the Kahl case, Florence's husband joined them in the school room. They seemed intent on explaining their relationship with Bob Miles: "This is Robert E. Miles from Cohoctah, Michigan." She

handed Seymour a newsletter. "He's former KKK [Ku Klux Klan]," she said. "Those people used to be too radical for my blood, but I feel a close kinship to them now, because I realize that we're all in it together."

Terry concurred, "There were a lot of groups that were just too radical for us. But, all of a sudden you realize, whoa, radical or not, the powers that be are lumping us all together!"

"Here's something else that you might want on your tape," added Florence. She read from a letter she held in her hands:

We are at the beginning of the neo-inquisition. Federal agents in Fort Smith boast that they will have one hundred white leaders and spokesmen behind bars by the end of the year. They probably will. But it will be a hollow victory for them. It took them, with all their lies, all their falsehoods, and all their Jewish doctrines, it took the Federals all this time to shut us up. It will not be because of what any of us actually did, but because of what we believed. And what we wrote. And what we talked. So we go into the prisons of the Bolshevik D.C. dogs. They know that they cannot really convince Americans that we were any threat to their massive power from a conspiratorial sense, we were and we are a threat to their falseness because we expose them for what they were and are. . . .

The metamorphosis in Florence was striking. As she read the letter, her demeanor changed. ". . . Traitors to our race," she rasped, "And betrayers of the American traditions. Until the last breath I have, until the very last ounce of my strength, I will charge them with being the worst, the absolutely worst foe that the white race has on the face of this earth."

In her emotion, Florence forgot the look of hate on her face. "The peril does not exist in Moscow," she recited. "It lives and rules in Washington, D.C. We don't need any Star Wars defense, or any of that high-profit, self-serving, high-tech garbage. We need a real house cleaning of the minds of Americans and a totally new government top to bottom at every level of society in America!"

She looked at the reporter with a deep and fiery cold. Seymour stood up and walked over to the window. Terry exited the room. Florence continued reading, holding herself stiffly erect:

"In fact, no government at all would do far better than the bandaged up, let's pretend, soap opera that we see at both federal and state levels today. Watch for the resumption of the Colonel Gale trials in March. Watch for fifteen or more federal indictments coming out of Fort Smith, Arkansas. Watch these events, for it is your spokesmen who are now being led to the state. . . ."

She dropped the letter she had been reading and pulled a file from the reams

of court documents on her desk. "There are six lines, a poem, which really seemed to describe just how David felt." Her voice wavered as she read the poem: "Therefore, since the world has still much good, but much less good than ill, and while the sun and moon endure, lacks the chance that trouble's sure; I'd face it as a wise man would, and train for ill and not for good."

She handed Seymour the file, then sat inert. "Go ahead and read it, the file is for you."

As Florence dabbed at her eyes with a tissue, the reporter read David Moran's Last Will and Testament. Page three of the will noted that "the arrests of William Potter Gale and others by the agents of Z.O.G. was the proverbial straw that broke the camel's back." On the same page, Moran wrote: "I know not when I will depart from this earth, only that it will be soon. I leave with no regrets. There is nothing to hold me here. . . ."

* * * * *

Florence Wolf's Motion For Return of Property was scheduled to be heard in the Woodland Municipal Court on April 22, 1987, at 9:00 a.m. Eleven pages of narrative described her ordeal on December 12. (Excerpt):

. . . Affiant said Wolf 'made statements to Detective Vulich that she is a member of the Posse Comitatus.' Again, Declarant will refer the court to law enforcement's other version of the matter. In a transcribed, secretly taped phone conversation, Frank Vulich asked declarant [Florence Wolf] if David was a part of Posse Comitatus. Declarant told Vulich that he [Vulich] was a part of that. She further told Vulich that Posse Comitatus was meant to be a part of this government, and that it is a body of citizens, every male from 18 to 45, and that the sheriff used to come and ask them [the Posse] for help. . . .

. . . Declarant states that she knows of no California based group who call themselves the Posse Comitatus. Declarant does not deny having heard of a small group in Michigan who, at one point in 1975, started a group with such a name. I understand, however, on information and belief, that government reactions were so paranoid, primitive, and psychotic, even to the point of murdering the group's founder, Joseph Forster by name, and leaving him in a field, calling it suicide when the murder weapon was some 20 feet away, that I know of no group who has the temerity to call themselves that. It would be suicide. (In the same manner as Forster's.)

Affiant Coleman also states that David Moran is a 'principle member'

of Posse Comitatus. Declarant states that nothing she found in the process of discovery, whereby she was allowed to look through David's possessions which are in the hands of the police, indicates this to be true.

In response to these lies, declarant states that she believes police use such by-words and phrases such as "Posse Comitatus," and "survivalist" and many others to frighten each other; and that the Federal government deliberately foments and promotes such fears by the use of documents and brochures of propaganda. Declarant intends to submit such a document for the inspection of the court to show why these names and phrases strike terror in the hearts of police officers who react with violence because of their fright and training.

These Boogie-man by-words are then picked up by the establishment press, and the problem compounds itself. Declarant states that she believes the police and government are "running when none pursueth," as prophesied in the Bible. . . .

Page eight of Florence's Motion referred briefly to Operation Clean-Sweep, indicating that she communicated with someone in Idaho or Michigan. (Excerpt):

. . . So take my literature, both religious and political, and take my books, my letters, my correspondence, my diary. Take my thoughts and feelings. Show me that I am nothing but a bug to be squashed. Now the general search and seizure degenerates into a political search and seizure. I submit that government did not want or need anything at all relevant to the 32 PC, or a 211, for that matter [charges against Florence]. They had my hands and my feet, my automobile, the tools of my supposed crime according to the arrest report. They had David's corpse in the morgue. What more could they want? They even had my statement.

I submit they wanted my papers for other purposes, and that those purposes were to help government meet its goal for which Grand Juries are now meeting in Seattle, Spokane, Boise, Denver, Las Vegas, Tucson, Cincinnati, Fort Smith, Springfield (Ill.), North Carolina, and Boston. All are aimed at the leaders, spokesmen, and public figures of the radical religious right. . . .

Seymour pondered Florence's use of the term "radical religious right" and made a mental note to ask other members of the Committee of the States what "radical" meant to them. The following synonyms were offered:

(1) Radical—"Arising from or going to a root or source; fundamental . . . Late Latin: *radicalis*, having roots" (From the *American Heritage Dictionary of the English Language*, New College Edition, 1976, published by Houghton Mifflin Company, Boston, Massachusetts.)

(2) Radical—"Fundamental, rudimentary, constitutional . . ." (From *The Synonym Finder* by J. I. Rodale, 1978.)

(3) Radicals—"Bolingbroke (Disc. Parties, Let. 18) employs the term in its present accepted sense: 'Such a remedy might have wrought a radical cure of the evil that threatens our constitution,' etc. Wharton." (From *Black's Law Dictionary*, Fourth Edition, 1951, by Henry Campbell Black, M.A.)

(4) Radical—" . . . A person holding radical views, especially one favoring fundamental social or economic change." (From *Webster's New World Dictionary*, Third College Edition, 1988, published by Simon & Schuster, Inc.)

Florence was ultimately served with a subpoena to appear in the United States District Court in Las Vegas, Nevada. "Further proof of this conspiracy," she wrote in her documents, "appeared in the form of the ex parte release of my personal belongings into the hands of the I.R.S. on February 13, 1987." In conclusion, she added: "The Constitution has been relegated to the dead letter box."

* * * * *

In May 1987, Florence discovered she was pregnant with her sixth child. On November, 12, 1987, she sent a letter to Seymour. (Excerpt):

. . . Today at pre-trial conference, things were finally resolved. The first thing that happened at court was that my attorney, without consulting me, said that he would plead his client to a misdemeanor, but not to a felony. Then the judge said, 'Well, Mr. Maguire?' [the D.A.] The D.A. said, 'It was not within his authority.' So the judge said, 'Well, get your superior down here then.' That was short but sweet. They put things on hold for an hour and I was able to speak with my attorney to see what was going on. He told me this judge didn't want me to have to come to trial. The [D.A.'s] superior was found, but the D.A.'s office still refused to budge. Everyone went to chambers, except the defendant.

Not having been there, I will relate the essentials that were related to me by the attorney. The judge is said to have said, "Well, if you guys won't put the felony down to a misdemeanor, I will, and I have found a section whereby I can do it. This is ridiculous. Let's let this woman go home and have her baby."

Now came the scary part for me. In order for the judge to do this, I had to plead guilty to the felony. The judge would immediately commute

the sentence to a misdemeanor conviction, would suspend the one year in county jail, and do away with probation. There would be no fine, perhaps I would have to work for the county a few days. All I had to do was trust him. Trust a judge???

As you might expect, I was leery, and that is putting it mildly. My lawyer said it was unusual, but the judge was really stretching his neck out for me, and that he trusted him implicitly. At last, I put my name on the dotted line. In open court I said I was guilty, and in truth I am not ashamed of helping David who was a fine man. I am not guilty of the "intent" they accuse me of, however. I wanted him to *live!* . . .

The judge did all he said he would do, and as soon as I serve 14 days working for the county, I guess I am shut of the whole thing.

I am not rejoicing. I have been injured, and cannot be made whole again, but I am grateful. Perhaps the day will come when I will regret making a bargain with them, and I know I am a disappointment to some of my friends, but they don't have kids to raise. . . .

On January 2, 1988, Florence gave birth to a nine pound, eight ounce boy named David Scott Wolf.

* * * * *

Florence's "friends" included Roger Elvick, the speaker of the Committee of the States. Colonel Gale, under (grand jury) investigation in Las Vegas, Nevada, had asked Elvick for a list of all of the members of the Committee of the States. In Florence's "discovery" box, Seymour had found a letter dated August 14, 1986 written to Richard V. Kinney, the Clerk of the Committee of the States. The letter advised Kinney that it was not a good idea to provide Bill Gale with a copy of the Committee (COS) membership list.

Elvick's reasoning was as follows—(Excerpt):

His [Gale's] reference to the list being public is in error because the public that is referred to is the Police Power or Public Policy which is a commercial administrative jurisdiction, created by Congress in the District of Columbia, and does not fit the standard of a Republican form of government. Because his claims for access to the list is claimed in error of this fundamental concept, I can see no good reason to provide the list. . . .

Elvick wanted Gale to declare himself an injured party, and file a declaration or petition in U.S. Court for redress of a personal injury. In order to accomplish that, according to Elvick, Gale needed to obtain a subpoena from an action that sues out of a Writ of Inquest. "The Committee of the States," wrote Elvick, "cannot acquire jurisdiction without the injured party stating a personal injury. . . ."

Also in Florence's "discovery" box was a letter dated August 5, 1986, written to Richard Kinney, Chief Clerk, from J.W. Dunworth, chairman of the "Security Committee" of the Committee of the States, which denied Gale access to the COS membership list. (Excerpt):

Dear Mr. Kinney: As a duly elected delegate for California, I am opposed to sending W.P. Gale a complete list of delegates for the following reasons, acknowledging all such lists are public knowledge. (1) The work load on your office would be unnecessarily increased. (2) W.P. Gale is in lack of standing with the Committee of the States, either as an elected delegate or alternate. (3) W.P. Gale has not exhibited good faith in regards to the Committee of the States. (4) W.P. Gale has presented no good cause for requesting such a list. (5) Information has come to the Security Committee, whether confirmed or not, suggesting W.P. Gale would use such a list to initiate starting points in harrasing investigations of those that stand with us in our endeavors to restore Our Republic. (6) W.P. Gale's involvement with the Nevada Grand Jury, of which full knowledge is wanting, leads us to believe that W.P. Gale may want such a list to decoy the Grand Jury away from himself. (7) W.P. Gale is only Chief of Staff of the Unorganized Militia, and the Unorganized Militia is not and has not been attached, formed, controlled and/or become a part of the Committee of the States. So in this regard, W.P. Gale is in want of standing to have his request honored. In summary, as Chairman of the Security Committee and as a Delegate, I respectfully request the Chief Clerk's Office to deny the request of Mr. William Potter Gale.

The above letter was signed, "J.W. Dunworth." Oddly, despite the Committee's rhetorical denials of Bill Gale's request for a list of members, their entire Compact, complete with signatures of forty-four delegates from twelve states, had been filed at the Mariposa County Records Office two years earlier.

Whoever filed the document at the recorder's office apparently did not notify the Committee of the States leadership that he had done so.

Gordon Kahl

Gordon Kahl's death had a profound influence on Florence Wolf's life, but she was not the only individual to speak of Kahl in interviews with Seymour.

Colonel Gale also spoke of Kahl in his tape, "Law Enforcement" which was later used as evidence against him in court in Las Vegas, Nevada. Though he claimed to have no personal association with Gordon Kahl, Gale used Kahl's death to make a point to government officials who might hear the tape. "To be born free is an accident," he exhorted, "to remain free is a responsibility, to die free is a necessity. And Gordon Kahl was willing to die so that his children and grandchildren could remain free.

"But worms like you have made him into a monstrous murderer. And by all rights, he's an American hero. It is ironic that the agents of Satan who murdered Gordon Kahl are free to run the streets of America, while decent men and women like Leonard and Norma Ginter and others in that area in Arkansas are in jail on a trumped up murder charge.

"But this will be remembered too. Physically, the anti-Christ have silenced Gordon Kahl, but America is awakened. . . ."

Indeed, the travails of the unwanted publicity and 1983 shootout caused IRS officials to fear repercussions from the radical right. In 1986, using the Gordon Kahl incident as an impetus, they compiled an elaborate intelligence manual entitled, *Illegal Tax Protester Information Book*, which they said was disseminated for the safety of IRS Service Personnel. The manual was later aptly described in a Jack Anderson newspaper column as a "Who's Who of Tax Protesters."

Essentially, Gordon Kahl set the stage for "martyred" tax protesters in the Identity Movement. He was a sixty-three-year-old oil field worker from Midland, Texas, who was killed in a shootout and conflagration with federal and state authorities on June 3, 1983, and subsequently immortalized within the Movement. His death was still under investigation in 1987.

Gordon Kahl's son, Yorie Von Kahl, was injured in a February 13, 1983 shootout in which his father was ambushed by law enforcement officers. Yorie was sent to prison where he remains today.

A fifteen-page handwritten affidavit, composed by Gordon Kahl four months before his death, was sent to reporter Cheri Seymour in June of 1988 by Florence Wolf. The affidavit and accompanying data chronicled Kahl's ordeal as he protested the graduated income tax system in 1976, was sentenced to prison for failure to file tax returns in 1977, and ultimately died in a 1983 shootout in Smithville, Arkansas, while on the run from federal officials.

The Kahl story began in April of 1969 when he notified the IRS by mail that "the progressive graduated income tax was the implementation of the 2nd plank of the Communist Manifesto," and Kahl would no longer be giving "aid and comfort to the enemies of Jesus Christ." He indicated that he refused to accept the jurisdiction of the court. The offenses he was charged with were not valid, he said, because there was no statute passed in Congress creating the IRS. Title 26 was a "non-law," he concluded, since it was never enacted into law by Congress.

At the U.S. District Court in Midland, Texas, "Information" documents filed on November 16, 1976, by the U.S. attorney indicated that Gordon Kahl had violated Title 26 of the U.S. Code, Section 7203—"Failure to file tax returns."

A bench warrant and order for the arrest of Kahl was issued by the U.S. magistrate and the deputy clerk, respectively, on November 16, 1976. The warrant was received by the U.S. marshal in Fargo, North Dakota, on December 2. The return of the warrant indicated that Kahl had been arrested and released on bail. That return was signed by Deputy U.S. Marshall Kenneth B. Muir, who would die in a shootout with Kahl six years later.

Kahl appeared in court in Midland, Texas, on December 17, 1976, and again throughout January and February of 1977 for pre-trial conferences and submission of motions, most of which were denied. Kahl challenged the jurisdiction of the court and its proceedings, and filed a Motion to Dismiss on grounds of selective prosecution by the IRS.

On April 14, a jury found Kahl guilty of the charges brought against him. He was convicted on two counts; violation of Section 7203 and Section 6012 of Title 26 of the United States Code, which essentially refers to filing of tax returns.

On June 22, 1977, Kahl was sentenced to one year imprisonment and fined \$2,000. Execution of the sentence of imprisonment and payment of the fine on count two was suspended, however, he was put on probation for five years with supervision. The probation terms and conditions were standard except for the special condition that he file an income tax return each year thereafter. He was also ordered to "divorce himself from organizations advocating willful disobedience of local, state or federal laws, and to refrain from public displays of any nature connected with those organizations during his probationary period."

Kahl immediately gave notice of an appeal and filed a motion to proceed in *forma pauperis* (the court to pay the costs). In September 1977, the Fifth Circuit Court of Appeals denied Kahl's application for leave to proceed *forma pauperis* as well as his motion for appointment of counsel to represent him on appeal. Kahl never filed another appeal.

On June 27, 1980, the Texas District Court issued a show cause order and summons to Kahl to show cause why his probation should not be revoked. It was filed on July 2, 1980. On August 6, 1980, U.S. Marshall Muir served the summons on Kahl; Muir allegedly reported that Kahl said he would *not* appear in answer to the summons/show cause.

In Midland, Texas, on March 30, 1981, a warrant of arrest was reportedly issued against Kahl to "show cause why his probation should not be revoked." At that time, Kahl was not in hiding, so it is a mystery why it was not acted upon.

Two years later, on the day of the shootout, February 13, 1983, the Texas arrest warrant surfaced in Medina, North Dakota. A story entitled, "Dakota Dragnet" appeared in the February 28, 1983, issue of *TIME* magazine describing the ensuing gun battle in which six SWAT team members attempted to arrest Gordon Kahl, his son, Yori Kahl, and Scotty Faul, resulting in the death of U.S. Marshall Kenneth M. Muir, Deputy U.S. Marshall Robert Cheshire, and the wounding of Yori Kahl, Deputy U.S. Marshall James Hopson and Deputy Sheriff Bradly Kapp.

The extraordinary carnage and destruction that followed the attempted arrest of Kahl in Medina, North Dakota, and later in Smithville, Arkansas, was published in newspapers and books across the nation. Not only was Kahl ultimately killed and his son wounded, but three law enforcement officers died in two of the gun battles, and two deputies were wounded. However, none were more profoundly affected by the saga of Gordon Kahl than Federal Judge Paul Benson who sentenced Yorie Kahl to life imprisonment.* Two bomb attempts were subsequently made against his life, and as of March 1990, he was still being guarded around the clock by armed security guards.

*A newspaper article published in the *Forum* in Fargo, North Dakota, on June 1, 1983, entitled, "Threat Against Benson Being Taken Seriously," said legal counsel for the Posse Comitatus, James C. O'Brien of the Constitutional Christian Law Center in Cheyenne, Wyoming, had demanded that federal Judge Paul Benson reopen the trial of three persons convicted in connection with the slayings of two U.S. marshals.

The article, written by Jim Corcoran, who later wrote a book about Gordon Kahl, stated that O'Brien also demanded that Yorie Von Kahl, 23, Scott Faul, 29, and David Broer, 43, be released from jail immediately. (Yorie Von Kahl and Scott Faul were convicted of second-degree murder in the February 1983, shootout deaths of U.S. Marshalls, Kenneth Muir, 53, and Robert Cheshire, 32.)

O'Brien ordered "Cass County Sheriff Donald Rudnick to arrest [Judge] Benson and other federal authorities and have them stand trial for attempted murder."

The article noted that "Federal marshals were continuing their investigation into a death threat issued Monday evening against the 65-year-old Benson, who presided over the three-week trial in Fargo."

A letter written by James O'Brien said the Yorie Kahl trial should be reopened so "the jury could hear evidence of [Judge] Benson's Jewish-Masonic conspiracy to murder us; first by force, and now by means of his conspiracy of utterly mad Jew-Masonic Zodiac gods and laws of his Fed-Masonic Court of Jupiter-Satan."

On August 18, 1986, while another hearing on the Kahl case was taking place in another location, a pipe bomb, which investigators said was addressed to Judge Benson, exploded in a mail bin in the Fargo post office slightly injuring four postal workers.

Two days later, on August 20, 1986, a second pipe bomb was found in a package addressed to Benson. The bomb was dismantled before it reached the judge.

As of this writing, Benson remains under the protection of armed U.S. marshals, and a \$50,000 reward for information leading to the solving of the case is still in effect. Approximately 56,000 people in Fargo, Moorhead and West Fargo received flyers in August of 1989, reminding them that the \$50,000 reward was still available. Anyone with information was asked to call the U.S. Postal Inspection Service in Minneapolis at (612) 293-3200.

On March 11, 1990, the Fargo *Forum* headlined a news story about two Mariposa men who were subpoenaed before a Federal Grand Jury in Bismarck, North Dakota, regarding the 1986 Judge Benson bombing. Excerpts of that story, written by Betsy Gerboth, read as follows:

Two California men have been subpoenaed to testify Tuesday before a federal grand jury in Bismarck, N.D., about their possible involvement in the 1986 mailing of two pipe bombs to a federal judge. Commander Rod Sinclair of the Mariposa Sheriff's Department in Mariposa, Calif., confirmed Friday that he helped an FBI agent serve the subpoenas on John Boggs and Rodney Smith. Sinclair would not comment further on the case.

The *Forum* article noted that Roger Elvick, a North Dakota resident, had been linked to Rodney Smith and John Boggs through the Committee of the States.*

Elvick was, in fact, being looked at by the FBI in connection with the Judge Benson bombing, according to J. Perry Smith, an FBI special agent in Minneapolis, Minnesota. However, Elvick's focus was directed elsewhere. In January 1990, a U.S. magistrate in Fargo ordered Elvick, 53, to return to Austin, Texas

to face federal charges of passing more than \$1 million in sight drafts. Authorities claimed that the documents, which resembled checks but were not recognized as valid by federal banks, were not checks and there was no money or other assets to back them up.

Assistant U.S. Attorney Lynn Crooks described Elvick as "a known associate of other individuals who are currently fugitives and a known [tax] protester with different associations." Two of those associations were obviously the Committee of the States and the Gordon Kahl tax protest movement in 1983.

After the February 13, 1983, shootout in Medina, a Posse Comitatus organization called a series of news conferences at Tigerton Dells and reported that four North Dakota farmers supported the argument that Gordon Kahl was "ambushed while trying to expose a land fraud scheme."

Kahl, who had vanished after the shootout, was not present when James P. Wickstrom, a leader in the Posse Comitatus, (and a close friend of Colonel Gale) introduced the four men as witnesses to what Wickstrom called a "government plot to silence Kahl."

Wickstrom said Kahl was ambushed because he was showing farmers how they were being illegally liquidated. One of the four guest speakers, Marvin Arlien of Pekin, North Dakota, told the Fargo *Forum* and other news media that an attorney persuaded him to put acreage in a trust which later was used for a bank takeover.

Roger Elvick, at that time living in Michigan, North Dakota, said he similarly lost his land and filed a lawsuit, but no action had been taken as a result of the suit. Also attending the conference were Gerald Hegvick and Melford Haugen of North Dakota. All four men said they had never met Gordon Kahl, but offered to give testimony to federal investigators on Kahl's behalf. Kahl was reportedly a Posse member, however, the four farmers accompanying Wickstrom said they were not members.

An account of the Medina shootout on February 13, 1983, written by Gordon Kahl just hours after it occurred, was published in a book, entitled *Death of a Patriot*, written by Andrew Melechinsky. According to Melechinsky, the document was authenticated by Joan Kahl, the wife of Gordon Kahl. The booklet was provided to Cheri Seymour in 1987 by Florence Wolf in a packet of documents pertaining to Gordon Kahl. Excerpts from Kahl's story read as follows:

I, Gordon Kahl, a Christian patriot, and in consideration of the events which have taken place within the last few hours, and knowing to what lengths the enemies of Christ, (who I consider my enemies) will go to separate my spirit from it's body, wish to put down on paper a record of

*Both Smith and Boggs were majors in the Unorganized Militia. Elvick was a founding member of the Committee of the States and the spokesman for the organization.

the events which have just taken place, so that the world will know what happened.

I feel that the awesome power which will be unleashed to silence forever my testimony, will, if not checked by the power of my God, who is the God of Abraham, and Isaac and Jacob, will cut short my time to leave to the world these happenings, therefore, I'm going to make this record and leave it in the hands of those who I know will bring it to light, even though I may in the meantime be extinguished.

While urgency, or human weakness, tells me to run, my spirit says write, so this I am going to do and if my God continues to protect me, I shall write first, and flee from the hands of my enemies later.

We had just finished our meeting in Medina, concerning how we could best implement the proceedings of the third Continental Congress, which was to restore the power and prestige of the U.S. Constitution up to and including the 10 articles of the Bill of Rights, and put our nation back under Christian Common Law, which is another way of saying God's Law, as laid down by the inspiration of God through his prophets and preserved for us in the Scriptures, when word was received from someone, who's identity I am not able to give, that we were to be ambushed on our return to our homes.

I realize now that we did not take this warning as seriously as we should have. The reason for this was because it has happened so many times before, when nothing happened. I see now that the many false alarms were to cause us to lower our guard.

As we pondered what to do, someone suggested that we take two cars instead of one. Consequently, I went with Dave Brower, and my son Yorie, Scotty Faul, my wife Joan, and Vernon Wegner went in our station wagon. At this time, none of us really expected any trouble, but just to be on the safe side, my son Yori, myself, and Scotty prepared to defend ourselves in the event that an attack upon us should take place.

As we came over one of the hills just north of Medina, I saw on the top of the next hill what looked like two cars parked on it. About this time, they turned on their red lights, and I knew that the attack was underway.

We were just coming to an approach and I told Dave to pull in on it and stop. Our other car pulled in just beyond us and stopped, also.

I looked back in time to see another vehicle coming from behind with its red light on.

I picked up my mini-14, and got out and got myself and my weapon ready as the vehicle coming from behind skidded to a stop about 20 feet away. The doors flew open on it and the two men who were in the front seat aimed their guns at us. My son Yorie had jumped out of the other car and had run over to a high-line pole. The two cars which we had seen

ahead of us pulled up and stopped behind us.

A man got out of the vehicle which had come from behind us and ran out into the ditch on the east side of the road.

During this time, there was a lot of screaming and hollering going on but nothing else so it appeared to be an impasse.

About this time a shot rang out and the driver of the car who, I believe at this time must have been supposedly in command, turned around and stood up so he was looking at his man in the east ditch and toward the cars which had come from the north, and yelled "Who fired, who fired?" The other man who was with him, echoed his question.

Twelve days after the shootout, on February 25, 1983, Gordon Kahl composed an affidavit in his own handwriting which recapitulated his first account of the February 13 shooting. A copy of that affidavit was sent to reporter Cheri Seymour from Florence Wolf in June of 1988. Picking up at the point where the shootout erupted, Kahl's handwritten account is excerpted below:

The people who ambushed us intended to do us bodily harm, or they would not have had an ambulance and a fire truck following them from out of town.

We did not fire on them, but two of them fired on my son Yorie. One shot was from a shotgun loaded with buck-shot, and the other was from a rifle or pistol (high-powered), the bullet striking the grip on his .45 Auto which he had in a shoulder holster. Had he not had the .45 where it was at, he would have been killed instantly.

When the first shot was fired, Yorie cried out, "I'm hit." The man who I assume was the Chief Marshall, yelled, "Who fired, who fired?" He stood up and looked over toward the Medina Police Chief, and where another marshall had [*sic*] ran over into the east ditch, trying to get behind us. I believe that another car had pulled up behind the police chief, but I don't know who it was.

Both marshalls who were in their vehicles were fully exposed and yelling, "Who fired?," when the 2nd shot rang out, and I heard Yorie yell again, and when I looked around, I saw he had been knocked down and was on the ground.

At this time, the marshall who was on the passenger side of his vehicle, aimed at me, and I snapped a quick shot at him with my mini-14, as I knew then we were all going to be killed. At this moment, I saw the other marshall who was the driver, [*sic*] aimed his gun at something about 1/2 way between me and Yorie, and I snapped a quick shot at him, causing him to duck down out of sight behind the dash as his partner had done when I fired in his direction.

About this time, I glanced quickly around and saw Scotty Faul

running over to where Yorie lay, and I realized he was the one the marshall had aimed at before I fired, causing him to duck out of sight. About this time, the marshall who had aimed at me, tried again, and another shot from my mini-14 made him duck again. The driver again tried to aim at Scotty once more, and I fired again.

This went on several times, as fast as I'd fire, they'd duck, and then pop up to aim again. Finally, one of my bullets hit the marshall on the passenger side, and he went down. I fired quite a few times then at the driver, without any visible effect, and I soon realized my clip would be empty, and then Scotty would be dead and so would I.

I ran around [*sic*] beside their vehicle, firing as I went, to keep him down until I got around far enough for him to be exposed to my fire, when I put him out of commission.

Since Scotty hadn't been firing, and unless Yorie had fired when he got hit, I knew that the marshall who had run around into the ditch, and whoever had shot Yorie, were still there somewhere. So I ran around between Dave Brower's station wagon and the marshall's vehicle just in time to see the marshall who had been in the east ditch stand up and aim at Scotty's back—where he was standing by Yorie he might have intended to shoot at me, as I was nearly in his line of fire when I saw him.

I snapped a quick shot at him and knew he was hit bad from the way he fell. I went another step or two, and at this time the Medina police chief stood up and began to aim at Scott, but when he saw me, he ducked down behind his car before I could shoot. I saw his feet or legs under his car and fired a shot at him, and heard him yell, and knew I'd hit him.

I didn't see anyone else, and ran over into the east ditch to see what happened to the marshall I'd fired at. He saw me coming, and lifted his head up off the ground and said, "Don't shoot me again, I'm all done."

I took his shotgun out of his hand and his pistol out of his holster and threw them both up onto the edge of the road, where he couldn't reach them and shoot me in the back.

I then went up and looked amongst the cars to see if there were any more of them hiding there. I didn't see the Medina police chief, so I assume he must have run and hid in some trees nearby.

It seems to me that there was another car pulled up behind the Medina police chief's car, but I can't remember for sure, and don't remember seeing anyone else.

Scotty and I got Yorie into the police chief's car and took him into the clinic. Scotty drove him, and I brought our station wagon, which my wife had been sitting in.

I saw a man in the clinic who had blood on his face, and who I recognized as a Medina city employee who was driving a city pick-up, and who must have been the one who set us up. I believe he drove up

behind the marshall's vehicle while they were yelling, 'Who fired?'

This man started begging for mercy when he saw me, and I recognized him as having been at our meetings.

I didn't shoot at him, and I believe he must have been hit by ricochets or pieces of bullets when I was firing at the two marshalls trying to keep their heads down, as he was almost directly behind the driver, from where I was standing.

As far as I know, neither Yorie nor Scotty fired—unless Yorie fired when he was hit. Vernon Wagner wasn't armed, and although Dave Brower had his shotgun in the car he never touched it.

My wife had nothing to do with any of it, other than the fact that she went along to visit with some other ladies.

The ambulance was behind the city pick-up and took the city employee to the clinic before I knew he had been on the scene.

The fire truck turned around and went back to town.

I sent the ambulance back out as soon as we got to the clinic, as I thought the marshall who asked me not to shoot him again, might still be alive.

I should probably add here, that almost 2 years ago I had informed the U.S. Marshall from Fargo, Mr. Bud Warren, [*sic*] in, at Heaton, that I had done nothing wrong, I was guilty of no crime, and that I would stand for no more harrassment or persecution. That if they came for me again, that I considered myself justified in defending myself.

Apparently, he agreed, because I heard that he was demoted and transferred, because he refused to be another link in an unlawful chain of events.

In the first portion of the affidavit, Kahl noted that he had originally been charged with a "misdemeanor" violation of Section 7203, Title 26, of the U.S. Code. From that charge, all of the subsequent tragic events occurred.

Jack McLamb, a retired law enforcement officer from Phoenix, Arizona, who investigated, amongst other things, the arrest procedures used by the FBI, the U.S. Marshalls Service, the state police and the sheriff's office, reported that even the most rudimentary safety procedures (Standard Operating Procedures) taught in early training at the Academy, were ignored in the case of Gordon Kahl.

Kahl believed the establishment had declared war against him. In the February 25, 1983, affidavit he wrote: "There is a war being waged against my fellow Christians and myself, by Satan and his followers. Many of our servants whom we have hired by contract [oath of office] have joined with our enemies, and, as John Locke stated, have placed themselves in a state of war with us, their masters.

“Because I tried to bring these facts to the attention of my servants and fellow Christians, I was selected for a target, not only to be personally silenced, but to be used as an example, to frighten and terrorize any others who might think to do the same.”

In fact, Kahl had been highly visible and was becoming a legend amongst farmers. He had been interviewed on television in the early stages of his tax protest, and later, when he was on the run from state and federal authorities, the news media became swamped with ballads from supporters. One ballad went as follows: “You’ll be worthy of a statue, by the time they ever catch you, keep on running for our freedom, Gordon Kahl. . . .”

Much of the controversy surrounding the Gordon Kahl case emanated from the shooting death of Lawrence County Sheriff Gene Matthews, in Smithville, Arkansas. Kahl had fled to the home of Leonard and Norma Ginter, residents of Smithville, who, on June 3, 1983, stood outside their home and witnessed the final showdown.

A massive manhunt had been executed to locate and arrest Kahl; surveillance teams and paid informants had reported that Kahl was inside the Ginter’s concrete home. On the evening of June 3, at around 5:58 p.m., approximately twenty heavily-armed officers, including an FBI SWAT team, surrounded the home and the conflagration that ensued made history in three states.

An investigative report, entitled, *The Matthews—Kahl Case, Final Report, 1987*, published by the American Citizens and Lawmen’s Association (ACLA) in Phoenix, Arizona, documented the findings of a group of law enforcement officers from Arizona, Arkansas, Colorado, New Mexico, and North Dakota who investigated the Gordon Kahl—Gene Matthews deaths. The ACLA was headed by Jack McLamb, a retired law enforcement officer from Phoenix, Arizona. McLamb was a member of the ACLA investigative team in Arkansas in 1987.

The introduction to the report noted that during the confrontation that ensued on June 3, “Lawrence County Sheriff Gene Matthews and one other person were killed, and the Ginter’s home was destroyed by a fire intentionally set by lawmen.”

The purpose of the ACLA investigation was to determine if there was sufficient factual basis for the convening of a grand jury to re-open and investigate the Matthews/Kahl case. The investigative team had been summoned to Arkansas in August of 1987, over four years after the incident, by a committee of interested citizens.

About twenty officials who had been involved in the assault on the Ginter home were invited to be interviewed, however, most of them declined. The report said that all of the federal officials who planned and supervised the raid

had resigned since the shootings, and none of the FBI investigative reports were ever released to the public. The Arkansas Chief Medical Examiner, who had performed the autopsies on both Sheriff Matthews and Gordon Kahl, cooperated with the investigation, as did Leonard Ginter and various local citizens. The remainder of the data was obtained through trial transcripts, photographs, autopsy reports, and a physical study of the shootout scene.

The findings in the ACLA report suggested that because the Ginter home was set on fire by a law officer (a city marshall) who poured diesel fuel down a ventpipe on the rooftop, most of the evidence was destroyed, including the fingerprints of Gordon Kahl.

The Ginter home was constructed entirely of concrete, floor, walls and ceiling. There was no carpeting on the floors, but the fire inside the house had raged for hours. The body believed to be that of Kahl had been burned beyond recognition, and the hands and feet were either missing or destroyed. However, despite the report of the arson investigator, the autopsy report indicated that there were no traces of accelerantes (flammable liquids) on the burned body. Gordon Kahl’s widow was said to have reported that the head had been severed from the remains that were sent to her for burial by the State of Arkansas.*

The ACLA report focused on a number of inconsistencies in the evidence and court testimony: On June 3, Sheriff Gene Matthews, wearing a bullet proof vest, had entered the Ginter home with a state trooper and a U.S. marshall. A face-to-face shootout ensued between Matthews and Kahl in the kitchen area of the home. Sworn testimony stated that Matthews and the suspect shot each other almost simultaneously.

The autopsy report stated that Kahl was shot from behind and to the right at a downward angle, and that Matthews was shot in a direction “from the left back,” with a high powered bullet and in the right shoulder by a shotgun. (Members of an Arkansas citizen’s committee determined that the bullet entered at the sheriff’s left armpit, opened the left pulmonary artery and fractured the dorsal vertebra, probably immobilizing him instantly.)

According to ACLA, the bullet that killed Gordon Kahl (allegedly from a .41 Magnum revolver) traversed his entire brain, killing him instantly. Authorities turned over a Ruger Mini-14, a semi-automatic .223 caliber rifle, said to have been Kahl’s weapon, however, there was no mention of the contents of the thirty-round clip which was in the weapon when it was brought to the laboratory, according to ACLA.

After Sheriff Matthews was wounded, he had been assisted to a spot in the garage by a U.S. Marshall where he reportedly lay for fifteen or twenty minutes

*A source other than ACLA indicated that the head was severed in the laboratory for X-ray purposes—dental, etc.

while a barrage of cover fire was directed at the house. He then arose, walked outside and collapsed.

James Corcoran, in his 1990 book, *Bitter Harvest* (Published by Viking Penguin, 40 West 23rd Street, N.Y., N.Y., 10010), gave another version of the shootout inside the Ginter home. Corcoran had been a journalist for the *Fargo Forum* and was once nominated for a Pulitzer Prize as a result of his reporting on the Gordon Kahl case. In Corcoran's account, Sheriff Gene Matthews entered the kitchen of the Ginter home with his .41-caliber handgun drawn. When he came within three feet of the refrigerator, Gordon Kahl stepped out from behind the appliance and the two men fired simultaneously. Kahl had been holding a mini-14 when he faced Matthews. The bullet from his rifle entered Matthews' chest at the armpit. Matthews spun around and a shotgun blast, fired through a front window by another officer, peppered the back of his bulletproof vest as he fell into the arms of Deputy U.S. Marshall Jim Hall.

As Hall dragged Matthews into the garage, Matthews told Hall he thought he had killed Gordon Kahl, then he collapsed onto the garage floor. Hall used his belt as a tourniquet around Matthews' arm, but was unable to drag the heavier man outside. He ran to the garage door and screamed for help.

Corcoran noted that as Matthews was carried away in a squad car, "the situation at the scene turned chaotic. . . ."

The ACLA report cited a number of questions which remained unanswered, one of which centered around the law enforcement procedures used on June 3: "Why did officers enter the house against their training, when that action virtually assured disaster?"

According to ACLA, there were no other people in danger, and time was on the side of the officers. Entry into the home with an armed suspect inside before trying to negotiate violated cardinal rules of safety and endangered officer's lives.

Also, procedures used by law enforcement officers in the incident failed to preserve valuable evidence. Wrote ACLA, "Indications are that the excessive force used by officers at the scene, and the destruction of evidence and private property may have been intentional."

The ACLA estimated that the barrage of gunfire directed at the house was unnecessary since Sheriff Matthews had reported that Kahl was dead. No hostile gunfire was directed from the house at any time and the autopsy report established that the person inside was dead before the fire started. The intentional setting of the house on fire served no law enforcement purpose that ACLA could determine.

James Corcoran reported in *Bitter Harvest* that lawmen and SWAT teams barraged the Ginter home with gunfire and tear gas cannisters for two hours

after they learned of Sheriff Matthews' fatal injury. One lawman climbed to the roof and placed a can of diesel fuel over an air vent and another lawman shot holes into the can causing the fuel to leak into the house.

After the shootout, authorities won convictions against several Arkansas residents for harboring a fugitive (Kahl). According to ACLA, "Local citizens immediately began to claim wrong-doing by the law enforcement officers. Law suits and petitions for redress were brought forth, charging those officials with intentional destruction of property, murder of Kahl, and even the murder of Matthews, along with mutilation and dismemberment of Gordon Kahl."

The investigative team, consisting of nine past and present law enforcement officers, urged Arkansas officials to convene an independent grand jury with full subpoena power to investigate the Matthews/Kahl deaths.*

* * * * *

On August 29, 1986, the *Arkansas Gazette* printed a story entitled, "Photos of 3 Bodies, Doctor Says at Trial." Ed Udey, convicted in 1983 of harboring Gordon Kahl in Baxter County before Kahl moved to Smithville, was petitioning the court to release him from prison. He had been sentenced to five years in prison. In federal court in Texarkana, Udey called Dr. Lee Beamer, a former assistant state medical examiner, to testify before the federal magistrate that there were photographs of "three" different charred bodies in State Medical Examiner Fahmy Malak's file on the death of Gordon Kahl.

Dr. Malak countered that the testimony was ridiculous. "I will tell you that this is absolutely false," he told reporters. "We had two bodies—one for Gordon Kahl and one for Sheriff Matthews. The file is available for anybody to come and look. This is not only absolutely false, this is ridiculous."

In the *Harrison Daily Times*, on August 29, 1986, a news story entitled, "Autopsy From Kahl Examined at Trial," reported that four persons charged with harboring Gordon Kahl had disputed the identity of the body purported to be that of Gordon Kahl. Ed Udey attempted to raise the issue of the identification of Kahl's body, as he had tried at his 1983 trial, but U.S. Magistrate Ned Stewart said he would not hear issues which had been ruled on three years ago.

*The nine members of the investigative team were: Jack McLamb, Ralph Garrabrants, Frank Turano, Earl F. Jones, Jim Patrick, H.C. Bud Warren, George E. Hurrill, and Lloyd R. Haynes.

Judge Stewart agreed to read the transcript of Udey's trial before he made a recommendation to U.S. District Judge Franklin Waters on Udey's motion to be released from prison.

Meanwhile, Udey was being fed through nose and throat tubes. An associate of Udey's told reporters during a recess that Udey refused to eat anything but Biblically approved foods.

In March of 1990, a newsletter published by the Patriot's Defense Foundation, Inc. (PDF), reported that "Aid and Abet," a private organization of law enforcement officers, was currently raising funds to finance the next step in the Gordon Kahl investigation. "PDF Executive Director Kirk D. Lyons traveled to Arkansas in November to examine evidence, conduct a fact-finding tour, and consult with attorneys familiar with the Kahl case," it said.

Also, in the summer of 1990, an Aryan Nations publication re-printed a twenty-page letter addressed to North Dakota Senator Quentin N. Burdick from Yorie Von Kahl in a prison at Lewisburg, Pennsylvania. Kahl had heard that the senator had shown interest in his case. In the first page of the letter Kahl defiantly wrote, (addressing the senator) "Your record—from the standpoint of an American patriot—is not very impressive. In fact, I wouldn't hesitate to say that in another age, you, along with the majority of our so-called statesmen, would no doubt have been lynched long ago for your part(s) in infringing upon our destiny, which should and could have been unsurpassed in greatness. . . ."

Florence Wolf aptly defined the right-wing's obsession with the Gordon Kahl case when she wrote, "On June 3, 1983, one of the finest men the white race ever produced was tortured and gunned down by his own government. His murder and subsequent fame has polarized the sleeping, apathetic populace into a dynamic, implacable force to be reckoned with."

The IRS

The Gordon Kahl incident created a domino effect within the Internal Revenue Service. A document prepared by the Criminal Investigation Division of the IRS Office in Washington, D.C. acknowledged that the "Gordon Kahl incident" was the impetus for creating *The Illegal Tax Protester Information Book*. The 1986 manual opened as follows:

Information gathered subsequent to the GORDON KAHL incident for the purpose of dissemination to the U.S. Attorney in North Dakota was the initial data used to compile this document. From a review of that data, as well as receiving current intelligence from certain ongoing investigations, it became clear that some of the tax protest movement had progressed to a right-wing, anarchist, white supremacy movement. The main goal of these groups is to overthrow the government and their tax protest activities are only one way to achieve these goals. Therefore, we believe it is helpful for all Service personnel who may be dealing with individuals who may be part of an organization described herein to be aware of this information.

The manual was actually a listing of far-right group profiles. Mentioned in the document were such names as Colonel William Potter Gale, Randall Reineking, Roger Elvick, James Wickstrom, Dr. Wesley Swift, Richard Butler, Robert Miles, Tom Metzger, Robert Matthews, Gordon Kahl, and other right-wing leaders.

Forty-eight organizations were listed, a few of those named were: Aryan Nations in Idaho; the Freeman in Oregon; Identity churches in Wisconsin, Texas and Oregon; the Ku Klux Klan in Colorado and Georgia; The Order in California; the Committee of the States in California; the Posse Comitatus in sixteen states; and the Farmers Liberation Army in Kansas.

Columnist Jack Anderson wrote about the manual in the *San Francisco Chronicle* on October 2, 1986, calling it a "Who's Who of Tax Protesters." Colonel Gale was mentioned: "One Posse big shot fingered by the IRS manual is retired Col. William P. Gale, a former aide to the late Gen. Douglas

MacArthur and a director of guerrilla operations in the Philippines in World War II.”

The IRS manual said Gale and his group used his California ranch as a base of operations and attempts had been made to form alliances with Oklahoma and Arkansas motorcycle gangs, “trading drugs for illegal guns and explosives.”

Colonel Gale had declined to talk to Jack Anderson, but his wife, Roxanne, had said her husband never hoarded arms. “In my humble opinion,” she said, “the IRS is nothing more than a Soviet Gestapo with bullying and scare tactics. They have already overthrown the government.”

Copies of the *Illegal Tax Protester Information Book* were subsequently distributed by Liberty Lobby Library at 300 Independence Avenue S.E., Washington, D.C. 20003. A full page of the IRS manual, dated January, 1986, was devoted to Colonel Gale. One segment referred to him as the head of the U.S. Christian Posse Association, a West Coast branch of Posse Comitatus:

William Potter Gale is a retired Army Colonel, who served on Gen. MacArthur’s staff. He organized and directed guerrilla operations in the Philippines during World War II.

At present, Col. William Potter Gale is using his Mariposa, California, ranch as a base of operations for “The Committee of the States”. This is an organization he founded to unify the right wing groups such as the S.P.C. (Sheriffs’ Posse Comitatus) into a cohesive movement dedicated to replacing the United States Congress and various state legislatures by informal indictment or militant terrorist acts, if necessary.

The S.P.C. and the Committee of the States delegates profess an anti-drug policy, however, it has been reported that attempts have been made in Oklahoma and Arkansas to form an alliance between these groups and criminal motorcycle gangs. This alliance would involve criminal acts such as trading drugs for illegal guns and explosives. Similar unification efforts have been noted in the Detroit area between the S.P.C., Committee of the States and motorcycle gangs.

Gale is a minister of his own “Identity” Church, Ministry of Christ Church in Mariposa, California, which publishes a quarterly—*Identity*—regularly attacking “anti-Christ Jews.” He authored a pamphlet in 1981, titled, *Racial and National Identity*, outlining the racist ideology of the “Identity” movement.

He has previously broadcast anti-Semitic sermons in the Midwest. In 1983, radio station KTTL-FM in Dodge City, Kansas, broadcast some “vile racism” messages which were condemned by the New York Times and ADL [Anti-Defamation League]. ADL filed a formal complaint with FCC regarding KTTL’s programming practices.

In 1960, Gale organized the paramilitary California Rangers which were closely linked in views, activities, and personnel to the now deceased Dr. Wesley Swift and his “Identity” church, the Church of Jesus Christ Christian. This California Ranger group was termed “a threat to the peace and security of the state.” He is involved with a racist church, the Christian Conservative Churches of America (CCCA) and model of the Klan-like Christian Patriots Defense League.

Gale was involved in organizing Posse chapters in the Pacific Northwest and is reportedly head of the U.S. Christian Posse Association, a West Coast branch of the Posse Comitatus.

On July 2-4, 1984, Gale hosted a convention of the “Committee of the States in Congress” at his ranch in Mariposa, California, which was attended by Richard G. Butler, Randall R. Reineking of Wisconsin and many other right-wing activists including Roger E. Elvick. A formal indictment of the present Congress of the United States, for malfeasance and misfeasance, was returned by Gale and his “delegates.” Plans were made to publish this indictment in September of 1984. If no credence was given to this indictment, plans included the destruction of media transmission towers and replacement of [the] present government. Gale’s movement is alleged to include hundreds of members.

Gale attended the Aryan Nations Congress at Hayden Lake, Idaho, with Roger Elvick on July 16-19, 1984.

The “Index of Individuals” listed eighty-three names, some of whom had already died in gunfights, such as Gordon Kahl and Robert Mathews, and some who would make headlines in the near future.

Operation Clean-Sweep, one of the largest joint efforts in law enforcement history to arrest and convict targeted right-wing leaders, had been put into effect in April, 1985, when a CSA (The Covenant, The Sword, and The Arm of the Lord) camp had been raided by federal authorities in the Ozark Mountains of Arkansas. In the wake of the raid, four Order members were discovered hiding in the camp and they surrendered.

Yet to come, were the arrests on October 23, 1986, of Colonel Gale and six members of the Committee of the States. On December 15, 1986, four members of the Arizona Patriots would be arrested.

Four months later, on April 24, 1987, the existence of Operation Clean-Sweep would burst upon the public scene when newspapers reported, “White Supremacists Indicted!” Fifteen white-supremacists would be indicted in Arkansas and Colorado for allegedly conspiring to overthrow the government, and the murder of Denver talk show host, Alan Berg.

The IRS manual, dated 1-86, prophetically featured most of the men subsequently scooped up by Operation Clean-Sweep.

A profile of Richard Butler, head of Aryan Nations in Idaho, disclosed a December 3, 1983, cross-burning in San Fernando Valley, California, at which Butler and Tom Metzger, a California Klan leader, had burned three 15-foot crosses at Lake View Terrace.

Louis Beam, Jr. was characterized as a former Grand Dragon of the Texas KKK, and ambassador-at-large for Aryan Nations, who spent his time promoting a nationwide computer linkup between right wing extremists. "Access to this computer network is by code name only (usually an alias)," noted the manual, "and by various security level code names assigned by Beam." The computer linkup was accomplished via modem and long distance telephone lines to a specified telephone number. As of July 21, 1984, there were reportedly 284 subscribers.

Robert E. Miles, formerly a Grand Dragon of the Michigan KKK, reportedly served time in federal prison in the 1970s for involvement in the bombing of school buses in Pontiac, Michigan. After his incarceration, he became active in publishing a bi-monthly newsletter, *From the Mountain*, and promoted other anti-Semitic literature including Willis Carto's *Liberty Lobby* and George P. Dietz's Liberty Bell Publications, the largest publisher and distributor of pro-Nazi literature in the United States.

The manual indicated that Miles had been a featured speaker at gatherings of The Covenant, The Sword, and The Arm of the Lord, the Christian Patriots Defense League, Aryan Nations, and Klan unity meetings in the South.

A major portion of the IRS manual examined the philosophy and activities of the Posse Comitatus. The Sheriffs' Posse Comitatus (SPC), also known as the Citizens Law Enforcement Research Committee (CLERC), was considered to be a right-wing, anti-semitic, extremist group which had been in existence since the late '60s or early '70s. The Latin term, *posse comitatus*, meant power of the county. According to Posse members, a duly elected sheriff was the only legal law enforcement authority.

IRS intelligence data described the Posse Comitatus as "unauthorized, self-appointed groups seeking the return of vigilante justice." The IRS data included an excerpt from the first official Posse Comitatus manual, written by founder Mike Beach which read as follows:

In some instances of record, the law provides for the following prosecution of officials of government who commit criminal acts or who violate their oath of office. . . . He shall be removed by the posse to the most populated intersection of streets in the township and, at high noon, be hung by the neck, the body remaining until sundown as an example to those who would subvert the law.

The IRS documents provided additional information about the Posse Comitatus:

Members associated with some of the posse groups wear tiny gold hangman's nooses on their lapels.

The "Posse" originated as tax protester groups acting as clearing-houses for information relating to the procedures and methods of protecting property and/or evading state and federal taxation, also, to return power to the county citing all other forms of government, including Internal Revenue, null and void. They have become more militant as the years have gone by, although initially their assaults were focused on state and federal revenue agents. Recently their violent acts have been extended to all state and federal law enforcement since the only law enforcement official they recognize is the local sheriff.

Many posse groups regularly hold meetings (some on a weekly basis) and convocations (very likely held annually). They teach basic survival instruction including military training. They advocate the stockpiling of weapons, ammunition, gas masks, medical supplies, food, water, gasoline, etc.

The philosophy of the Posse Comitatus included the belief that the U.S. Treasury did not have the authority to issue currency because it was not backed by gold and silver, and the Justice of the Peace court was the highest court in the land because it was closest to the people. The graduated income tax system was considered illegal, foreign aid should be discontinued, statutory authority related to federal, state, and local authority should be resisted, blacks and Jews should be returned to their original areas, and juries should be impaneled by citizens; i.e., the Posse, instead of the courts.

Survivalist techniques were examined. A segment of Posse philosophy went as follows: "A good side arm may save your life. Remember . . . your life and the lives of your loved ones are at stake!! If you can't eat it, wear it, or shoot it . . . you don't need it!! Be your own 'Emergency Planner.' Work with small groups. Establish small groups. Establish code names and alternate communications. Prepare alternate escape routes via back roads, etc. Store sufficient gasoline to get to an alternate destination. 'GET OUT OF CITIES!! PREPARE TO DEFEND IN RURAL AREAS!!'"

Another quote was reportedly obtained from the Wisconsin Posse Comitatus in Tigerton, Wisconsin:

Where are the \$\$\$ for all this last minute preparation??? Cut off mortgage payments and property taxes, etc. Your family comes first in this battle foisted upon us by "The Powers of Darkness" that rule America!!! Better to be prepared a month early . . . than a day late.

The Posse "Objectives and Activities" called for the establishment of schools to teach pupils how to evade federal and state taxes, the formation of small churches to be used as tax shelters, the filing of lawsuits and liens against law enforcement officers and public officials, and the conducting of paramilitary and survivalist training to prepare Posse members for the conflict ahead.

Under "Trends of Posse Comitatus," the IRS observed that Posse members had been filing "a voluminous number of lien cases against the personal property of judges, Court Commissioners, District Attorneys General, Clerks of Courts, and newspaper publishers in an effort to clog the court system and to embarrass, impede, and obstruct the trial courts in the administration of justice." Over a hundred such cases had been filed during a one week period in 1980 in the state of Wisconsin, amounting to millions of dollars.

The danger to law enforcement officials and IRS agents was emphasized:

We note a growing trend of the Posse Comitatus toward open hostile interference with all law enforcement officials. In New Orleans, Louisiana, Posse members have managed to take pictures of IRS agents for Posse "threat" use. The Posse has stated their intent to lure federal agents to isolated places and then assassinate them.

The Posse Comitatus is becoming more militant, stockpiling large quantities of various types of weapons and regularly instructing its members in their use. They are constantly practicing their maneuvers and forming new "compounds" where these various activities can be carried out, especially in the Midwest.

According to the IRS, the Posse was actively protesting farm foreclosure sales. Walkie-talkies and CB radios were recommended to maintain tight security in communication systems, and four-wheel drive vehicles were a prerequisite for membership.

The manual also noted that some Posse leaders were strongly advocating counterfeiting money, maintaining that the Posse had as much right to print and circulate money as did the federal government.*

*James Wickstrom, profiled in the IRS manual as "the Posse's national director for counterinsurgency" was arrested in 1988 for allegedly attempting to launder counterfeit money in Italy and France.

A news article, published in the *Philadelphia Inquirer* on July 1, 1988, reported that a Cambia County chiropractor and an Irishman visiting Pennsylvania were arrested for allegedly helping a white supremacist (Wickstrom) to launder \$100,000 in counterfeit money to finance paramilitary organizations.

An excerpt from the article, written by Cassandra Burrell, read as follows:

Both men were released after each posted a \$10,000 bail bond. They stand accused of obtaining counterfeit money for James Wickstrom of Homer City, Indiana County. Wickstrom, a founding member of the anti-black, anti-Semitic Posse Comitatus, is accused of planning to launder the counterfeit money in Italy and France to help support right-wing paramilitary organizations. He also is charged with conspiring to obtain two unregistered .22-caliber silencers.

James Wickstrom published an *Intelligence Update* in February, 1989, in which he wrote: "ZOG thought the 'Posse Comitatus' was just a tax rebellion movement. But to their surprise some years later, ZOG found that the movement was loaded with former military officers being used in an advisory manner. In Wisconsin alone, Posse Comitatus officers from 36 states were trained in all types of leadership positions and guerilla warfare. Other training sites handled the other states."

Documents obtained from the Ministry of Christ Church and interviews with Colonel Gale confirmed that veteran military officers were in fact involved in, or supportive of the far-right, to varying degrees. Just a few of the officers mentioned by Gale were: Admiral John Crommelin, Colonel Benjamin (Von) Stahl, Colonel John Beaty (deceased), Major George R. Jordan, General Edwin A. Walker, Lt. Colonel Arch E. Roberts, General P.A. Del Valle, Commander Howard Houston, Colonel Jack Mohr, and Lt. Colonel F.P. Farrell.

Wickstrom ran for the U.S. Senate in 1980 and received 16,000 votes. In a 1982 race for the governorship of Wisconsin, he received 7,700 votes. In the IRS manual, Wickstrom was portrayed as a pastor of the Life Science Church and Principal of the Christian Liberty Academy, both believed to be located within a compound at Tigerton, Shawano County, Wisconsin.

According to the IRS, Wickstrom was closely associated with Randall Reineking, Roger Elvick, and James Ellison from The Covenant, The Sword and The Arm of The Lord. He was seen dressed in a black beret, combat boots and camouflaged fatigues during survival training exercises. "He traveled extensively with Roger Elvick giving At-Law Seminars and at times encouraged noncompliance with the tax laws."

A *Posse Noose Report*, signed by "Jim Wickstrom, Posse Comitatus National Director of Counter-Insurgency," warned that state police units throughout the United States were storing food and medicines in preparation for the coming war against Christian Patriots. According to Wickstrom, "An old fort near Nevada, Missouri, that was used to house German prisoners of war, was being totally refurbished, including new fence and guard towers." The facility was being prepared to house inmates "who are not violent, but do not like the present Administration in Washington," he wrote.

The last page of the *Posse Noose Report* told readers to order three cassette tapes explaining the history and purpose of posses in the United States from Reverend William P. Gale at the Ministry of Christ Church in Mariposa.

An attempt was made, on pages nine and ten of the IRS manual, to describe the innermost driving force behind the Identity Movement. Portions of that analysis are excerpted below:

... Members of this movement claim Great Britain and, by extension, the United States, are the true Holy Land—home to the true Israelites and is the “true identification of Israel.” Basic to this “Identity” movement is their anti-black, anti-Semitic doctrine, contending white Anglo-Saxons are superior.

Many “Identity” supporters believe the second coming of Jesus Christ is near and American cities will go up in flames preceding that event. They predict this will be the result of a gigantic race war that will follow an attack upon the United States by the Soviet Union. They also prophesize only members of the “Identity” movement will survive to build a “new Israel” in America. “Identity” followers are now preparing for the racial wars and political and economic chaos they envision will precede the second coming of Jesus Christ.

The Posse Comitatus, Aryan Nations, certain elements of the Ku Klux Klan (KKK), the Christian Patriots Defense League (CPDL) and the Christian Defense League (CDL) are among those groups whose bigotry shares the above theological ideas. The “Identity” movement maintains “Jesus was not a Jew, that He was of Israel, not Judah—but rather an ancestor of present British, Germanic, and Scandinavian peoples, who are therefore God’s chosen people. . . .”

The majority of the leaders and supporters of these various violent groups teach that they intend to cleanse our land with swords and violence resulting in a blood bath from one end of the country to the other and this will be “A Holy War.”

* * * * *

In retrospect, the IRS actually geared up to go to war against tax protesters and Identity advocates eleven years before Operation Clean-Sweep was put into effect. On February 9, 1973, thirteen years before Colonel Gale was arrested in Mariposa, a strategy conference was held at the Intelligence Division of the Los Angeles IRS to discuss the “Tax Rebellion Movement” in California. The conference was attended by all Los Angeles and San Francisco IRS District Directors and Regional Office officials.

A letter dated February 26, 1973, sent to the thirteen participants in the conference from IRS Regional Commissioner Homer Croasman, read as follows:

I am sending you the minutes of our meeting of February 9, 1973, on the Tax Rebellion Movement. These minutes enumerate action items for the Los Angeles and San Francisco District Directors and for Regional Office officials.

I appreciate your past attention to this serious matter and feel confident that all of us working together can successfully overcome this challenge to our tax system.

Excerpts from the minutes of that conference are recounted below. In the copy of the minutes which were sent to reporter Cheri Seymour, specific names had been blacked out, however it is obvious that the areas in which Mariposa was mentioned, were referring to Colonel Gale who purchased his ranch in Mariposa in 1972. The blacked out areas will be shown as (—):

Mr. Croasman opened the conference with a review of the history of the Tax Rebellion Movement. He stated we should set up our motives and bounds to achieve our goals; that we do not have unlimited manpower so we must focus on the total program and concentrate on the leaders of the movement [who are] attacking the IRS.

Mr. Croasman pointed out that seven months ago we changed our direction on Tax Rebellion cases from a defensive posture and have now seized the initiative by infiltration of their organization so we now know in advance of their plans before they execute them. This is vital and we must continue to stay aggressive if we are to enforce the revenue laws and to protect the Service from attack by tax rebel militants.

Mr. Croasman stated that we are not limiting ourselves to the sanctions in the Revenue Code, but are using all the available law enforcement machinery whether it be federal, state or local laws; for example, if a tax rebel leader is violating a state law by carrying a concealed weapon, we should use state enforcement to prosecute him; and, if there is a firearms violation, ATF [Bureau of Alcohol, Tobacco and Firearms] agents should be alerted.

Mr. Howard advised that he had been advised by the Detroit District that since (—) spoke on the radio in Cleveland, there had been a flood of General Motors employees submitting false forms W-4. Mr. Busalacchi stated he had a report that (—) had been active in Albuquerque.

Mr. Hansen advised that a (—) of Ventura County had attempted to file false forms W-4; that he is now leading the Mariposa camp of militants organized by (—), the (—) (—).

Mr. Vargofcak said the sheriff of Mariposa County had been checking on activities of (—) since May of 1972, when the (—) bought the Mariposa property from (—); that (—) is a close personal friend of (—), that (—) has a state criminal record; that he has three or four firearms; and that the Bureau of Alcohol, Tobacco & Firearms has a case on (—).

Mr. Schmidt pointed out that there are varying degrees of militancy in the various tax rebellion groups; that in the Los Angeles District, Taxpayers Anonymous in Orange County, led by (—) and (—) is the most militant; and that we should keep this in mind in deciding our targets.

Mr. Monzon gave a summary of laws enforced by the Bureau of Alcohol, Tobacco & Firearms which could be used on tax rebel cases. He pointed out it is not a federal violation to carry a gun unless the person has a felony record; that an automatic pistol is not an "automatic" gun under the definitions of BATF unless one pull of the trigger will discharge multiple shots; that explosives are a federal violation; and, likewise, "silencers" are a violation. He said he wanted more information about a report that tax rebels are able to buy silencers in Phoenix, as this would be a clear violation.

Mr. Howard advised he has been conferring with state tax officials who are anxious to cooperate with [the] IRS in the attack on tax rebels who also do not pay state taxes; often the state can move quickly to close up a tax rebel's business or revoke his license; that we should see that the state uses its enforcement machinery on those cases which are not our targets.

Mr. Croasman reported on his discussions with Assistant U.S. Attorney (—) and Judge (—), Fresno, and of their interest in enforcement of the law in tax rebel cases. Mr. Hansen commented on the problem of federal judges appearing to be anti-IRS based on a belief that IRS is "high-handed." Mr. Howard reported on a change of attitude in federal judges in San Francisco after he met with a number of them and discussed the gravity of the Tax Rebellion Movement and the importance of giving prison sentences as deterrents.

There was a general discussion of the importance of meeting with U.S. Attorneys and federal judges to acquaint them with the full picture of the tax rebellion movement. Mr. Croasman pointed out that after his meeting with Mr. (—) and Judge (—), they requested background information on the Movement which was furnished them.

Mr. Kingman suggested the possibility of requesting religious leaders to warn their following against participation in the movement, pointing to the beneficial effects of Mormon Church President Lee's message.

Mr. Howard advised that after his discussion with the federal judges,

they said they had not full background information on some of the defendants to whom they had given light sentences.

Mr. Schwartz suggested that the Porth-type cases not prosecuted should at least be considered for fraud penalties or other civil penalties.

Action items for district directors were listed as: (1) Maintain the initiative in the attack on the tax rebels; (2) know their plans before they arrive at our door to execute them; (3) identify the leaders of the Movement and concentrate on them; (4) have a plan of action in coordination with the region rather than hit and miss defensive reactions; (5) continue and step up the infiltration in-depth of the Movement; (6) use all available federal, state and local laws; (7) use civil penalties on Porth-type cases; (8) wage a campaign to educate U.S. attorneys and federal judges with the importance of prison sentences on cases; (9) district directors to continue to follow up cases of admitted or known false W-4's or W-4C's to advise employers of responsibilities in such cases and follow up to see that proper 1040s are filed at the filing season; (10) use state taxing agencies willing to cooperate on enforcement of laws on tax rebels; (11) Los Angeles and San Francisco project supervisors to hold periodic planning meetings on common targets.

* * * * *

The above-mentioned memorandum ultimately fell into the hands of Don Kostyu, publisher of the *Constitutionalist* in Dearborn, Michigan. An article written by Mr. Kostyu, entitled, "IRS 'Educates' Judges," noted that "the memorandum was loaded with shocking and ominous implications regarding the extent to which the judiciary was being influenced and controlled by the Internal Revenue Service."

Kostyu called the memorandum a direct assault on the independence of the judicial system and federal judges, guaranteed under Article III of the Constitution. "Suppose you were a federal district judge and the IRS came to 'educate' you. What would you do?", he asked.

Kostyu also referred to the IRS Strategic Plan, noting that it loomed ominously on the horizon. "Once Big Brother's Plan is implemented, control of nearly everyone will be complete. . . ."

The IRS Strategic Plan of which Kostyu spoke, was later reproduced in part in the *Constitutionalist*. In a phone interview with Seymour, Kostyu noted that he obtained both the 1973 IRS Memorandum and the 1984 IRS Strategic Plan (IRS Document No. 6941) from the National Coalition of IRS Whistleblowers, an organization comprised of current and former IRS employees devoted to exposing abuses and criminal activities within the IRS.

The two-hundred-page Strategic Plan called for fifteen initiatives to be implemented to strengthen voluntary compliance of taxpayers. In five years, the Service anticipated unreported income of individuals to reach \$98 billion. A decline in voluntary compliance in a period of "budgetary constraints" was forcing the IRS to find ways to increase "presence" and to selectively apply resources to produce more effective results.

Page forty-five of the plan noted that the government was having difficulty detecting and dealing with "tax abuses" because taxpayers were better informed about the existence of tax abuses, such as "tax shelters" and the "tax gap," which was widely publicized.

Taxpayers were becoming more inclined to avoid and evade taxes through such means as was available to them, and their attitude towards authority was changing, said the IRS. New "trends" which impacted the Service's ability to carry out its mission were identified as follows:

Changes in attitude towards authority, in some cases [is] manifested as open hostility and organized resistance. Taxpayers are exhibiting a declining respect for and reliance on "the law" and government in general. A "decay in the social contract" is detectable; there is a growing feeling, particularly among middle-income taxpayers, that they are not getting back, from society and government, their money's worth for taxes paid. The tendency is for taxpayers to try to take more control of their finances, perhaps because they see an uncertain economic future for themselves; they exhibit a declining willingness to pay the share of governmental expenditures, including expenditures they may strongly disagree with, which government says is theirs to pay.

Under the heading of "Strengthening Voluntary Compliance," the IRS noted that "expanded use of computer technology" and "more efficient enforcement programs" would be explored. The Service would also be looking to other federal agencies, state governments and non-government organizations to join in cooperative efforts to promote compliance with tax laws. Those efforts would particularly include improved enforcement efforts against "self-employed taxpayers."

Strategic directives called for development of individual taxpayer profiles

through outreach programs taking advantage of state agencies, Census information, commercial mailing lists, and electronic banking.

Other sources of information about taxpayers would be solicited through cooperative programs with "the American Institute of Certified Public Accountants, the National Society of Public Accountants, other practitioner organizations, associations of software manufacturers, and other entities that would be interested in seeing a viable procedure developed." This procedure would allow the practitioners, the financial industry and the Service to "operate effectively in a 'paperless' economy." Ultimately, the IRS looked forward to electronic banking replacing the use of checks.

One initiative called for legislation to be promoted which would require any person who contracted with the state or applied for a license to show that he or she had filed all their tax returns and paid all their taxes to date. The language read as follows:

Any person providing goods or services to, or real estate space for, the state or any subdivision thereof, and any person applying to the state, or any subdivision thereof, for a right or license, or renewal thereof, to conduct a profession, trade, or business within the state shall be required to establish or certify under penalty of perjury that the person has filed all return(s) and paid any tax required by the state.

Reportedly, the purpose of the proposed initiative was to "surface delinquent or nonfiler taxpayers through matching the 'certifications' with the state's income tax records. The state's income tax records would be made available to [the] IRS through the Federal/State Exchange Program."

Additionally, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, the National Credit Union Administration, and the Office of the Comptroller of the Currency would be contacted to provide descriptive listings of their investigatory activities.

The IRS reminded its employees that it touched more lives than any other agency in the Federal Government, i.e., 94 million taxpayers. Over the past four years Congress had added some thirty-five penalties to the Internal Revenue Code and increased or expanded others. "The volume of information readily available to Service managers is increasing dramatically," wrote the IRS. Public data bases and increased use of electronic recordkeeping and funds transfers would eventually add to potential sources of information.

According to the IRS, an "information explosion" was taking place. Technological developments supporting the acquisition, transmission, storage, and processing of information was opening a "myriad of opportunities . . ."

“Organizations are recognizing that information is as valuable a resource as money, people, technology, and facilities,” wrote the IRS. “These organizations view information as a corporate resource that should be managed from an organization-wide perspective.”

* * * * *

On May 7, 1985, Paul DesFosses, a senior IRS agent for Eastern Idaho who had retired in 1984 after twenty years with the Service, told *Moneychanger* newsletter (P.O. Box 241203, Memphis, Tennessee, 38124), that the IRS profiles, under the new “Strategic Plan,” would contain taxpayers’ voter registration information, property tax records, automobile registration, drivers license records, Credit Union records, home loans, FHA loans, automobile purchases, land purchases, building permits, and private credit bureau reports. The taxpayer “profiles” would reportedly be used as a supplement to the selection of returns for audit.

In the fall of 1985, Don Kostyu spoke to an audience of approximately 350 people at the Oakland Community College in Michigan. Paul DesFosses, then president of the National Coalition of IRS Whistleblowers, and U.S. Congressman George Hansen also participated. The focus of the meeting was the IRS Strategic Plan.

In May 1986, Kostyu, who had never been charged with anything illegal or violent in his life, learned that his name was listed in the IRS *Illegal Tax Protester Information Book*.

He immediately contacted the IRS and requested that his name be expunged from the manual. The IRS wrote back that the manual, identified as Document 7072, was being withdrawn from circulation and all copies destroyed.

Columnist Jack Anderson, along with Joseph Spear, wrote in a December 2, 1986 syndicated article, entitled, “IRS Can—And Does—Make Mistakes,” that Kostyu’s writings in *The Constitutionalist* may have caused his name to be mentioned in the *Illegal Tax Protester Information Book*.

In the spring of 1987, Kostyu filed a lawsuit against the Internal Revenue Service. He is currently awaiting a re-hearing on the case.

* * * * *

The *Constitutionalist* and the National Coalition of IRS Whistleblowers were not the only contingent putting pressure on the Internal Revenue Service. On April 14, 1987, ABC News with Ted Koppel in Washington, D.C., aired an expose of IRS collection tactics in a special program entitled, “IRS: Overzealous Collection.” *TIME* magazine later published a story entitled, “Putting a Leash on the IRS,” in its April 11, 1988 edition. And on November 12, 1988, the *Fresno Bee* headlined a story entitled, “Reagan Gives Taxpayers ‘Bill of Rights,’ Big Benefits,” which noted that President Reagan had signed legislation providing \$4.1 billion in tax benefits to farmers, writers and others, while instituting a controversial taxpayer ‘bill of rights’ against overly aggressive agents of the Internal Revenue Service.

The “Taxpayers Bill of Rights” was bitterly opposed by the IRS, but it was backed by an unlikely coalition which included the U.S. Chamber of Commerce, the American Civil Liberties Union, the Urban League and the National Council of La Raza.

On March 15, 1990, the “Geraldo Show” got into the act when Geraldo Rivera aired a program entitled, “IRS Horror Stories.”

Geraldo told viewers to call the Treasury Department Inspector General at 800-826-0407 if they could not get fair treatment through the IRS.

In the April 1990 issue of the *Washington Post National Weekly Edition* (Copyright © 1990), an article, entitled “At the IRS, a Long Form of Problems,” described the transitional problems facing the IRS. A new IRS commissioner had been installed, Fred T. Goldberg Jr., who announced that the most important challenge to the system was to make it more workable for the average taxpayer. His goal, the newspaper reported, was “to reduce the frustration factor . . . the hassle factor” that caused the long-term erosion of confidence in the IRS.

The article, written by *Washington Post* staff writers Albert Crenshaw and Willie Schatz, reported that the goal of the IRS was to “make the entire system electronic, so that IRS workers will have immediate access to all information on a taxpayer whenever they deal with a return—much as a credit card firm can do when a customer calls to question a bill.”

According to the Government Accounting Office, the IRS had spent about \$120 million since the plan’s inception in 1986, and several billion dollars more were needed to complete it.

“In the next three to five years, the [IRS] system will reach its ultimate capacity, and unless something is done, no one knows what will happen then,” reported the *Washington Post*.

“Goldberg is sitting on a time-bomb,” noted David Burnham, the author of, *A Law Unto Itself: Power, Politics and the IRS* (published by Random House,

Inc., 201 East 50th Street, New York, N.Y. 10022). Burnham's 1989 book, probably the first contemporary full-scale probe of the IRS ever written, corroborated the existence of the IRS "Strategic Plan" on page 333.

In an unrelated, but extraordinary disclosure on page 270, he noted that the late President John F. Kennedy had "mobilized the legal might of the IRS against an entirely different target: the right-wing fundamentalist ministers who had been so critical of his religion and his brother Robert during his presidential campaign and his first months in the White House."

* * * * *

The IRS' stepped up program against tax protesters created a dangerous backlash along the California coast. From March 1986 to February 1990, four bombings and two attempted bombings occurred against IRS installations in Southern California. In one instance, a pickup truck containing five 55-gallon steel drums full of ammonium nitrate fuel oil was found burning in front of an IRS office near Olympic Boulevard in Los Angeles. The contents of the detonator-equipped drums were discovered by a tow-truck driver hours after firefighters had left the scene. At that point bomb experts were brought in and police ordered residents out of a sixteen-block area.

Los Angeles Times staff writers Eric Malnic and John Kendall reported in a February 23, 1990 article entitled, "Bomb-Laden Truck Defused on Westside," that hundreds of police officers and firefighters moved into the neighborhood and were joined by FBI and Bureau of Alcohol, Tobacco and Firearms agents. The barrels were lifted out of the bed of the burned truck with a forklift and taken away for analysis and disposal.

According to Assistant Los Angeles Police Chief Robert Vernon, the barrels had the potential of being a very large explosion. "We can't say at this moment that it would have flattened so many blocks, but we have to assume the worst," he said.

As of March 1990, police and FBI agents had no direct leads to suggest a motive or a suspect, but IRS spokesman, Rob Giannangeli, said Southern California had a history of the tax protest movement, and "some of those people are not exactly enamored of us."

* * * * *

The IRS also had internal problems. On October 4, 1990, the Committee on Government Operations, House Report 101-800, announced in a report entitled, "Misconduct by Senior Managers in the Internal Revenue Service" that the subcommittee's investigation had revealed "a pattern of improper and possibly unlawful conduct by a significant number of senior IRS employees. . . ."

The "Findings and Conclusions" noted that significant numbers of integrity problems had existed prior to Commissioner Fred Goldberg's recently announced "employee integrity reforms."

In November 1990, Goldberg issued an "Interim Report on Integrity Within the IRS" which addressed the issue of ethics and pointed out that the Treasury Department Inspector General had the responsibility to conduct investigations involving all senior IRS managers and executives, as well as all IRS inspection personnel.

Integrity awareness training programs were to be conducted throughout the country for IRS senior executives and managers for the purpose of "developing an organizational awareness and appreciation of integrity, ethics and proper rules of conduct."

The Commissioner's Review Panel on IRS Integrity Controls, comprised of tax preparers, academics and federal agency personnel, concluded that while the problems of integrity abuse were serious within the IRS, Commissioner Goldberg and his senior staff were to be commended for addressing the problems in a "positive and constructive way as distinguished from merely battering down the hatches and contending that integrity abuse could not happen within the IRS."

By December 1990, the new IRS Commissioner had instituted "whistleblowing procedures" at all offices of the Internal Revenue Service. Employees were encouraged to report over-zealous collections or misconduct to the IRS Inspection Department or the Treasury Department Inspector General on nationwide toll-free "hotlines."

Operation Clean-Sweep

California Magazine reported in April 1985 that a shootout between law enforcement authorities and members of "The Order" in Washington state had led federal attorneys from California, Oregon, Washington, Idaho, Colorado, and Alabama to meet in Seattle to discuss strategies for a counter-attack which would later be known as "Operation Clean-Sweep."

The shootout had taken place in Washington state on December 8, 1984 with Robert Mathews, 31, leader of The Order. Mathews was killed after a thirty-six-hour siege on his headquarters on Whidbey Island when magnesium flares were dropped from an FBI helicopter causing the stored munitions inside the building to ignite. (Mathews' last words, "I have no choice. I must stand up like a white man and do battle," were echoed in David Moran's Last Will and Testament.)

Twenty-three known members of The Order were subsequently arrested, along with seven members of The Covenant, The Sword and The Arm of the Lord (CSA). On April 22, 1985, a compound belonging to CSA was raided and a cache of illegal firearms, an anti-tank rocket, an armored vehicle and one hundred pounds of powdered sodium-cyanide were confiscated.

That same year, in December 1985, ten members of The Order were arrested. A \$3 million trial was held in Seattle, Washington and all ten defendants were found guilty of racketeering on February 6, 1986.

During the trial, prosecutors accused three of the defendants of assassinating Jewish talk show host, Alan Berg at his home in Denver, Colorado. Federal authorities alleged that Bruce Carroll Pierce, 32, held the sub-machine gun that killed Berg, and he was accompanied by David Eden Lane, 48, and Richard Joseph Scutari, 39.

The June 18, 1984, killing prompted law enforcement officers to round up fifteen associated members of The Order and Aryan Nations and put them on trial at Fort Smith, Arkansas, in February 1988.

On October 23, 1986, Colonel Gale and six members of the Committee of the States were arrested. On December 15, 1986, four members of the Arizona Patriots were arrested.

Four months later, on April 4, 1987, the *Arkansas Gazette* announced that the government was close to ending its year long investigation called "Operation Clean-Sweep."

On April 24, 1987, the *Harrison Daily Times* noted that fifteen white supremacists had been indicted in Arkansas and Colorado for allegedly murdering a radio talk show host in Denver in 1984, and conspiring to overthrow the U.S. government.

Those indicted for sedition were Robert Miles; Richard G. Butler, 69, pastor of the Church of Jesus Christ Christian (Aryan Nations) in Hayden Lake, Idaho; Louis Ray Beam, Jr.; Richard Joseph Scutari; Bruce Carroll Pierce; Andrew Virgil Barnhill; Ardie McBrearty; David Lane; Robert Neil Smalley; and Richard Wayne Snell.

In California, the *San Francisco Chronicle* headlined, "15 White Racists Indicted for Murder, Plotting Revolt," (*Washington Post*), April 25, 1987. (Excerpt):

The Order is a neo-Nazi group that has issued a "declaration of war" against the United States. FBI officials have said that the group's activities seem to have been inspired by a novel written by white supremacist William Pierce of Arlington, Va., in which armed American Nazis overthrow the U.S. Government, launch a nuclear attack on Israel and murder prominent American Jews. . . .

On April 25, 1987, the *Arkansas Gazette* heralded, "White Radicals Charged with Sedition," by Rodney Bowers. U.S. Attorney Michael Fitzhugh was reported to have said that white supremacists presented a serious threat to the U.S. government and to government officials.

Fitzhugh was asked if the defendants possessed or planned to develop a nuclear weapon as outlined in *The Turner Diaries*, which was considered the blueprint for radical right-wing actions. Fitzhugh cleared his throat, paused, and said, "We would be reluctant to comment on that. . . ."

Ironically, it was the radical-right constituency themselves who provided the evidence for the indictments. James Ellison, 47, the head of The Covenant, The Sword and The Arm of the Lord (CSA), became the government's star witness at a federal grand jury hearing in Fort Smith, Arkansas. Ellison, who was already serving a twenty-year sentence for a 1985 conviction of racketeering and weapons law violations, contended that for almost a decade, leaders of Aryan Nations church groups in Idaho and Michigan coordinated crimes committed by "hate groups" to finance their activities.

The federal grand jury at Fort Smith, Arkansas, accused Richard Bulter of Aryan Nations in Idaho and nine others affiliated with the Ku Klux Klan and

The Order of sedition, or conspiring to overthrow the government over a twenty-one-month period beginning in July 1983.

The Fort Smith indictment also charged five people with conspiring to murder U.S. District Judge H. Franklin Waters of Fort Smith, as well as a special FBI agent assigned to the Little Rock office.

According to the indictment, the sedition efforts were financed by armed robberies and counterfeiting—white-separatists plotting to destroy utilities, pollute water supplies, establish guerrilla warfare training camps, and bomb ethnic groups.

In Denver, a one-count indictment was returned against Bruce Carroll Pierce, 32, David Eden Lane, 48, Richard Joseph Scutari, 39, and Jean Margaret Craig, 53, for murdering radio talk show host Alan Berg.

Reports of the Movement unfolded in media across the nation. *TIME* magazine wrote that it was a “well-funded, high-tech guerrilla war.” (“Foiling a Revolt,” May 4, 1987. *TIME* Magazine, Time and Life Building, Rockefeller Center, New York, NY, 10020) Members of The Order had distributed \$3.6 million from a California Brinks robbery to members in several states, and Louis Beam, Jr., a former Klan organizer, had set up a nationwide computer system. FBI authorities said new members were also being recruited in federal prisons. “They will be released like time bombs,” said authorities.

By April 1987, Operation Clean-Sweep had slowed the momentum of the Movement. Arrest warrants had been issued against leaders of Aryan Nations, the Ku Klux Klan, the Committee of the States, the Arizona Patriots, The Order, and The Covenant, The Sword and The Arm of the Lord. With investigations winding down, the lumbering bureaucracy began preparing for court. U.S. Attorney Michael Fitzhugh in Arkansas, Assistant U.S. Attorney Richard Pocker in Nevada, and Assistant U.S. Attorney Roger Dokken in Arizona had their work cut out for them.

Behind the scenes, the right-wing regrouped. Membership lists were scrutinized; everyone was suspect. The doors to the mammoth camps of the Fed and the right-wing slammed shut while cases were prepared.

Roxanne Gale aptly reflected the mood of the right-wing when she proclaimed, “It’s time to go underground.”

* * * * *



MANASSEH RANCH, Mariposa, California. The Committee of the States was formed here on July 4, 1984. (Note guard shack in background.)

**Great Seal
of the
United States of America**



Seal of Manasseh

This drawing was used in an advertisement published in a newspaper by the Ministry of Christ church in 1975.

Manasseh Ranch was named after the “Seal of Manasseh” as printed on the American dollar bill. Note the 13 olive leaves clutched in one claw of the eagle and 13 arrows clutched in the other. According to Identity doctrines, Manasseh was the son of Joseph of the lost tribes of Israel, and the 13 leaves represent the 13 tribes.



LT. COL. WILLIAM POTTER GALE at Tacloban, Philippine Islands—1944. Lt. Colonel Gale provided "security" for General Sutherland, General MacArthur, and President Sergio Osmena. (Left to right: President Osmena, Gen. MacArthur, Capt. Sam Yorty, Lt. Col. Gale.

COL. GALE with his wife ROXANNE outside Presidio hospital at Letterman Army Base in San Francisco, California, July 13, 1987.



COL. GALE, retired. This photo was taken in the early 1950s after Gale's retirement from the Army when he worked for Howard Hughes.



GALE's marriage to ROXANNE (1965) in Glendale, California, with Roxanne's daughter Kitty in attendance.

PASTOR GALE at Manasseh Ranch, Mariposa California (Late 1970s).



MAJOR GEORGE MUELLER with MAJOR BILL GALE in Tacloban, Philippine Islands (1944), shown here in front of the Price house—General MacArthur's living quarters and Army General Headquarters in Tacloban.



CHARLES GALE (Bill's father) as a policeman in St. Paul, Minnesota.



Young WILLIAM GALE at Presidio Army Base.



WILLIAM GALE at Waddel and Reed. Gale was the Hollywood Division Manager for Waddel and Reed, distributors of mutual funds and united funds (Gale is at far right, back row).

COL. GALE at American Legion Post (1963). Mayor of Signal Hill presents him with a plaque in honor of Philippine campaign.



WILLIAM GALE with his wife ROX-ANNE and nephew, LEE LUTTRELL outside Foley Federal Building at Committee of the States trial, Las Vegas Nevada (September, 1987).





THE COMMITTEE OF THE STATES, outside Federal Building in Las Vegas, Nevada (September, 1987). Above, left to right: Slim Parrino, Pat McCray, Mike McCray, Richard Van Hazel. With back to camera: Thomas Pitaro, defense attorney for William Gale.



RICHARD VAN HAZEL, leader of the Arizona Chapter of the Committee of the States, member of the Arizona Patriots, Commander-In-Chief of the Unorganized Militia, defendant in the Committee of the States trial in Las Vegas, Nevada (September, 1987).



SLIM PARRINO (left) and RICHARD VAN HAZEL outside the Federal Building in Las Vegas, Nevada.





RICHARD POCKER, Asst. U.S. Attorney



Inspector JOSEPH O'CONNELL, I.R.S.

THE McCRAY BROTHERS, leaders of the Nevada Chapter of the Committee of the States. Mike McCray (top) and Patrick McCray are shown with their wives in front of the Federal Building in Las Vegas, Nevada during the Committee of the States trial (September, 1987).

THE PROSECUTORS

**COMMITTEE OF THE STATES TRIAL
Las Vegas, Nevada (September, 1987)**

THE DEFENSE



THOMAS PITARO, Wm. Gale's attorney



ROMMEL BONDOC, appeals attorney





ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho



ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho
Television cameramen outside Aryan Nations compound.





FBI agent outside Aryan Nations compound.

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Guard shack at Aryan Nations compound.



Leader of Skinheads from Las Vegas (center) with comrades.

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Guard tower at the Aryan Nations compound.





Pastor Richard Butler

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Church of Jesus Christ Christian (guard tower in background).



Richard Butler (Aryan Nations) with Mike Huber (San Diego Identity)

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Guard dogs (left to right: Doberman pinscher, Rottweiler, German shepherd).





John Boggs giving sermon at Church of Jesus Christ Christian
(William Gale's replacement minister).

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Harold von Braunhut (Catholic priest from Maryland) and Colonel/Pastor Gayhart (formerly of C.I.A.)
(wore Klan robes at cross burning).

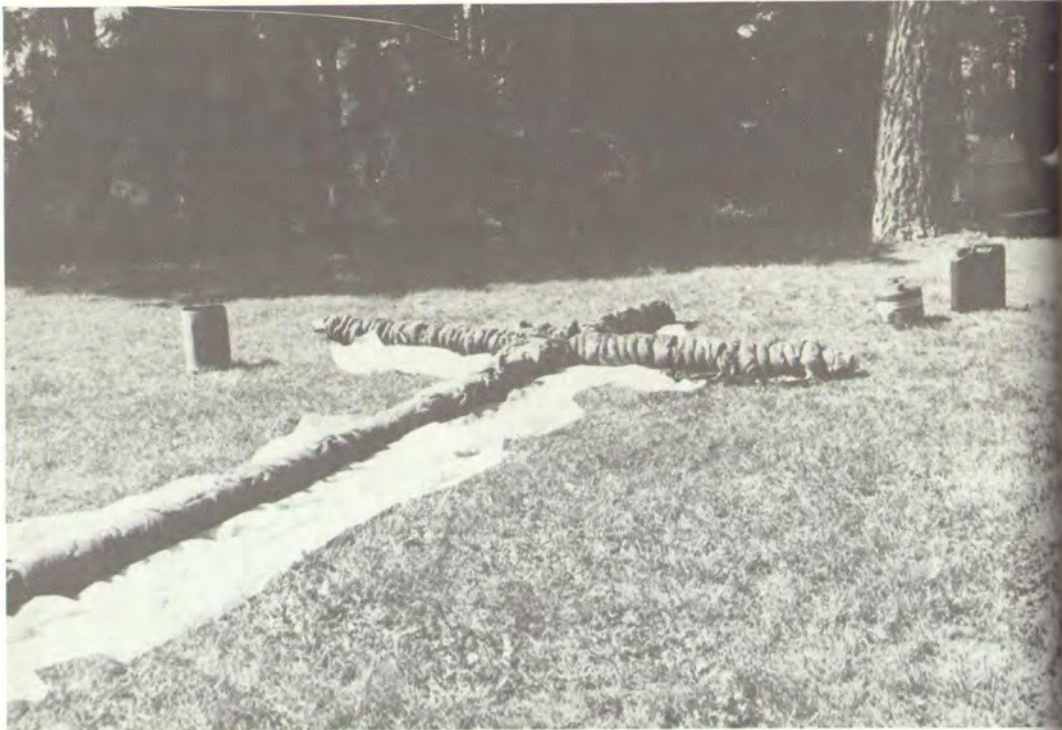


John Boggs takes an oath in the ritual, "Soldier's Ransom," inside the Church of Jesus Christ Christian.

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Mike Huber is annointed by Pastor Richard Butler as part of the "Soldier's Ransom" ritual.

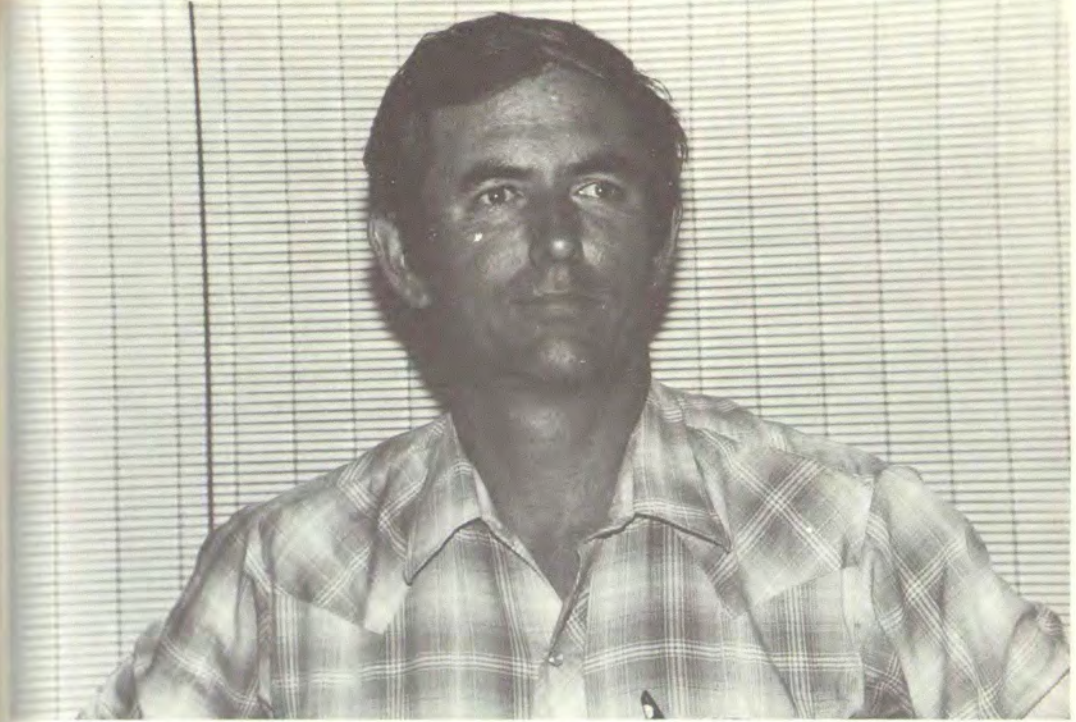




Ku Klux Klan cross burning ritual: "The Circle of Life."

ARYAN NATIONS WORLD CONGRESS (1988)
Hayden Lake, Idaho

Midnight cross burning led by Bob Miles (July 16, 1988).



RODNEY SMITH, member of the Unorganized Militia, church member.

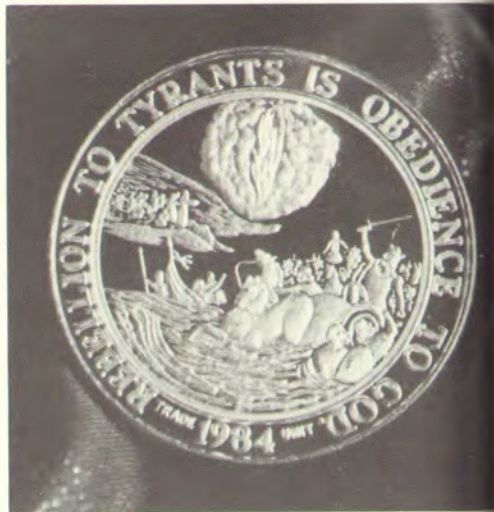
Sermon: "Committee of the States" by William Gale. Taped at Ministry of Christ Church, Mariposa, California.





"FREEMEN" MEETING PLACE in Mariposa, California. Committee of the States, Patriots, Freemen, and other Identity members met here on Tuesday evenings.

COMMITTEE OF THE STATES COIN. One ounce of pure silver, thousands of these coins were minted in Sacramento in 1984 by the Committee of the States to commemorate its founding in 1984 in Mariposa, California. These coins are used as currency within the Movement and are still being minted.



DAVID JOHN MORAN was the National Committee Chairman on Education for the Committee of the States; he was also a signatory of the Committee of the States Compact signed in Mariposa by forty-four delegates from twelve states. Killed at the age of 30 in a shootout with police on December 8, 1986.



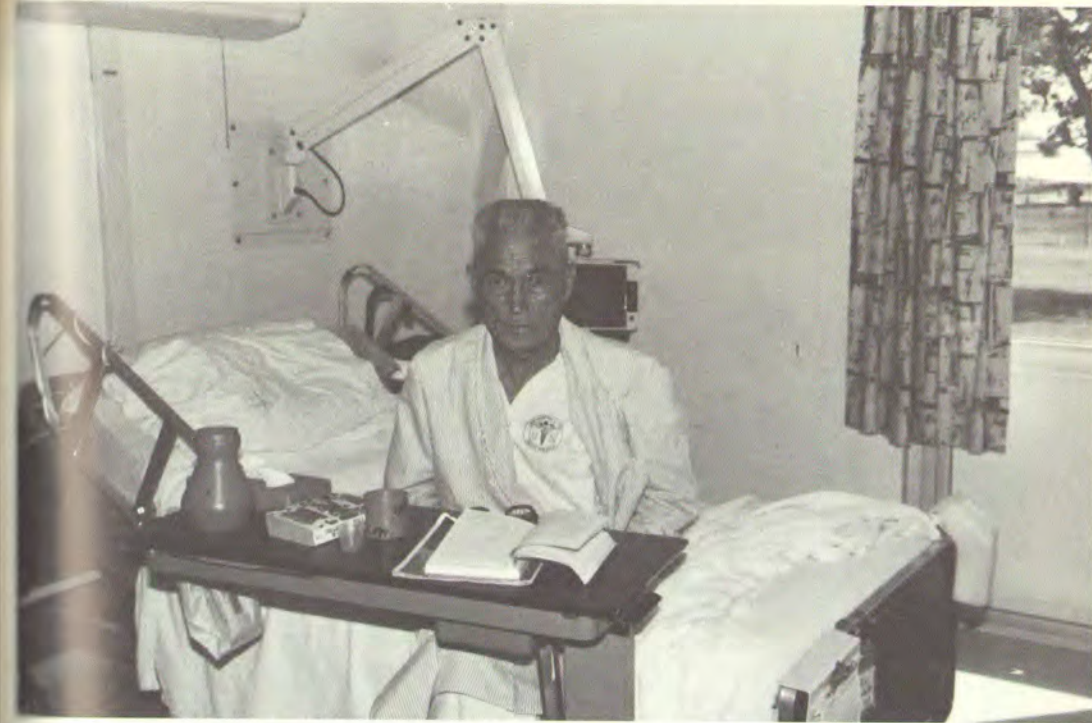
FLORENCE MAE WOLF is a high-standing member of the Committee of the States who witnessed the police shootout with David Moran. (Photo taken at the Wolf residence in Winter, California April 10, 1987.)

WOLF FAMILY SCHOOLROOM. Florence's six children do not attend public schools; she educates them daily in this schoolroom.



TOM METZGER is the former Grand Dragon of the Ku Klux Klan. He currently heads the White Aryan Resistance (W.A.R.) organization in Fallbrook, California. At the age of nineteen, Metzger was indoctrinated and baptized by Bill Gale in San Diego, California. (Photo taken at Aryan Woodstock—Napa Valley Skinhead Rally— on March 4th, 1989, by Cheri Seymour.)





COLONEL WILLIAM POTTER GALE inside Castle Air Force Base Hospital, Merced, California (May, 1987).

HOME MADE EXPLOSIVE DEVICES, such as booby traps, and trip devices, used in paramilitary training outside Mariposa County.

MILITARY FUNERAL of Colonel William Potter Gale, held at Riverside National Cemetery (May 2, 1988).





MILITARY FUNERAL for Colonel William Potter Gale at Riverside National Cemetery (May 2, 1988).
Top, left to right: Roxanne Gale, Kitty (Roxanne's daughter from a previous marriage), and Roxanne's grand-daughter.



DR. WESLEY A. SWIFT—original founder
of the Church of Jesus Christ Christian at
Hayden Lake, Idaho.



BERTRAND L. COMPARET, attorney for
Gale and Swift in Hollywood, circa 1950s.



YOUNG IDENTITY MEMBER—1990.

In April of 1987, reporter Cheri Seymour had researched the Identity Movement for scarcely a month. She called Hedi Immoos at the Terrorist Division of the Sacramento Justice Department to obtain legislative reports on Colonel Gale and other far-right groups. Immoos agreed to send the 1986 report at the end of May.

Seymour also contacted sources she had developed as a reporter in Mariposa. A senior FBI agent, who had retired from the Fresno office a few years earlier, agreed to an interview at a coffee shop in Merced. Also in attendance, was Ray Jenkins, a former police officer and private investigator from Merced who had arranged the meeting.

At the meeting, the retired agent acknowledged that for five years, prior to the time the IRS took over the investigation of Colonel Gale in 1984, he had supervised the twenty-four-hour surveillance and continuous investigation of William Gale and the Ministry of Christ Church in Mariposa.

The agent, who was casually dressed in blue jeans and red suspenders, looked as though he had been pulled away from yard work. He said he had been with the FBI for twenty-seven years, and considered “right-wingers” to be more dangerous than communists because communists could never take over the country. “America is too rich and spoiled,” he mused. “Communism could never take hold.” Chuckling, he reflected for a moment, then noted, “However, right-wingers are usually all talk.”

Undercover agents had worked for him out of the Merced office, he said, but he hadn’t looked at the Ministry of Christ Church file in a long time. “In fact,” he added, “not much went on over at that church, there wasn’t much to be concerned about.”

Another meeting was arranged at a secluded restaurant in Snelling with a terrorist specialist who had infiltrated the Ministry of Christ Church in 1984 and attended the Fourth of July seminar. The specialist speculated that the church grounds were mined with sensing devices, and it would not be a good idea for Seymour to walk the grounds alone. He also believed that there were weapons stored under the church structure.

At one of the seminars, he had met a motorcyclist from North Carolina who identified himself as being in “Special Forces.” The man had described how to carry plastic explosives in the mouth.

A “hit tape” (video) had been offered to him to view which reportedly showed the “impact of bullets on human bodies and animals,” but he had declined to view it.

During church services, the specialist had observed sophisticated radio equipment hidden in an ante-room off the main building. Noticing the specialist’s curiosity, one of the members, wearing a gun in a holster, had exited

through the back door and checked the specialist's car, then returned, taking the gun off.

In the specialist's opinion, Reverend Gale's taped sermons contained coded messages (cryptography) which were sent out across the nation. He chose not to elaborate on his theories, but concluded the meeting by emphasizing the danger to Seymour if she uncovered "Gale's military preparations and associations within the government."

The Order

It is impossible to write about the Movement without, at some point, chronicling the exploits of the most notorious of all the Identity groups, "The Order." Robert Mathews, like David Moran, acted out the revolutionary tenets he unearthed in the Movement. Though Mathews never met Bill Gale, his words in underground publications often reflected the themes in Gale's sermon tapes. In response to Mathews' activities, Gale said he disagreed with his methods.

Mathews' "methods" were reported in a *New York Times* article written by Wayne King on December 27, 1984, entitled, "Links of Anti-Semitic Band Bring 6-State Law Parley." According to King, "The Silent Brotherhood," better known as The Order, had alliances with groups in half a dozen western and southern states and were believed to have carried out at least four bank and armored car robberies, as well as armed attacks on federal officers.

On December 8, 1984, one hundred law authorities had clashed in a shootout with Mathews and other members of The Order on Whidbey Island in Puget Sound, Washington. The Whidbey Island clash bore resemblance to the Gordon Kahl conflagration which occurred only eighteen months earlier, on June 3, 1983, in Smithville, Arkansas.

Interestingly, both men originated from the state of Texas. Both had read *The Turner Diaries*, a fantasy novel in which the central character dies in a suicidal nuclear assault on the Pentagon. The novel was written by William Pierce, a college professor who, in 1984, headed a neo-Nazi group called the National Alliance, in Washington, D.C.

Peter Lake, a Los Angeles writer who infiltrated Aryan Nations, wrote in *California Magazine* in April 1985 ("An Exegesis of the Radical Right"), that the Far West played an important role in William Pierce's scenario. "The really critical theatre of operations will be the West Coast," fantasized Pierce. "With California as a training and supply base, and with more than five million Whites to recruit from, we could steadily escalate our guerrilla war throughout the rest of the country."

Pierce's book gave a fictional account of a white supremacist group called "The Order" who formed a paramilitary underground and launched a revolu-

tion against the United States government. The group funded itself by robberies, counterfeiting and other crimes. The book described obtaining automatic weapons, terrorist attacks, assassination of public officials and bombing of public utilities. A nuclear attack was launched against Israel, and millions of American Jews, blacks, Latinos, and "race traitors" were exterminated on a climactic "Day of the Rope." The fictional revolution, led by Aryan warrior Earl Turner, reportedly took place in the year 1991.

In October 1985, Colonel Gale filed a lawsuit in the U.S. District Court against *The New York Times* and *California Magazine* for mentioning him in the above articles. The *New York Times* asserted that Gale was the head of the Christian Identity Movement and Aryan Nations had "derived its violently anti-Semitic doctrine from the Ministry of Christ Church in Mariposa, Calif., headed by the Rev. William Potter Gale."

California Magazine described Gale and Richard Butler, both Californians (Butler moved to Idaho from California), as "the two chief prophets of Christian Identity." Next to Gale's picture was a caption which described a training manual, *The Road Back*, featuring hit and run guerrilla tactics. Gale denied writing the manual, but his wife, Roxanne, noted to reporters, "You boil it all down and we're coming to a racial and religious war."

Robert Mathews' last testament was excerpted in a number of publications, including *California Magazine* and the *National Vanguard*, an underground publication dated January-February 1985. The thirty-one-year-old, Texas born leader of The Order wrote: "By the time my son arrived, I realized that White America—indeed my entire race—was headed for oblivion unless White men rose and turned the tide. The more I came to love my son, the more I realized that by the time he was my age, he would be a stranger in his own land, a blond-haired, blue-eyed Aryan in a country populated mainly by Mexicans, mulattoes, Blacks, and Asians. His future was growing darker by the day."

Mathews talked of the Alamo: "Were the men of the Alamo only a myth?" He spoke of "standing up like a White man and doing battle." Of his impending death he wrote, "I will leave knowing that I have made the ultimate sacrifice to secure the future of my children." The following year, and every year thereafter, members of The Order and Aryan Nations gathered on Whidbey Island on December 8 to commemorate their hero.

In May 1987, a twenty-three page FBI report on "The Order" was sent to Cheri Seymour by an investigative reporter with contacts in the Justice Department. The report chronicled a \$3.6 million Brinks robbery in Ukiah, California; the dispersment of the monies to partisan organizations; the financing of a secret government experiment, and the subsequent murder of Walter West, a member of Aryan Nations in Hayden Lake, Idaho.

The following is a summary of that FBI report:

The Formation of the Order

In about June 1983, Bruce Carroll Pierce met Robert Mathews at a rally in Spokane, Washington. In October of 1983, Dan Bauer told Pierce that Mathews was looking for tree cutters to work his land at Metaline Falls, Washington. Being out of work at the time, Bruce accepted the job, and he and a man named Denver Parmenter started working together cutting the trees.

While employed at Bob Mathews' property, Bruce soon realized that Mathews had for quite some time been talking to Dan Bauer, Rich Kemp and Bill Soderquist about starting a "white power" group named "The Order."

Mathews discussed this concept with Pierce and Parmenter and asked them if they knew anyone who would be interested in belonging to such a group. Both Pierce and Parmenter told Mathews that they would be interested. Denver Parmenter suggested that Randy Duey might be interested. An organizational meeting was held to discuss the concept of "The Order."

Present at this meeting were Bob Mathews, Bruce Pierce, Bill Soderquist, Rich Kemp, Randy Duey, Denver Parmenter, David Lane and Dan Bauer. David Tate, Gary Yarbrough, Jim Tapani, Dwaine Butler, and others now associated with the Order were not present at these first meetings.

At first it was agreed that the members would fund the organization through legitimate means. Therefore, the members bid for a Forest Service contract to clear a trail through the forest. Most of the money earned from the trail-clearing project would go to the "organization;" however, the work turned out to be hard, and most of it had to be done by hand. When it began snowing, Mathews terminated the project and suggested that the organization be funded through armed robberies. At that point, Mathew's suggestion sounded like a good one, and everyone agreed to this plan of action. A territorial imperative was defined: the northwest United States would be the last bastion of white predominance. Pierce hoped for a natural disaster, economic failure of the United States government, a major race war, or anything that would disrupt society in America so that he could gather up his army of men and strike against the system, that being the United States government. Bob Mathews' intent was to destroy those instruments standing in the way of Aryans having a home land for the white race. All other members of the organization fell in line behind Mathews and followed like sheep.

The Counterfeiting Operation

In about October 1983, Randy Evans and Frank Silva came to Hayden Lake, Idaho from California and visited the Aryan Nations Church. Randy Evans was informed of the newly-formed "Order," and was introduced into the organization by Dan Bauer. At this time it was decided that The Order would start up a counterfeiting project using the press at the Aryan Nations Church. About \$500,000 was printed in \$50 bills. After the counterfeiting was completed, Dan Bauer, David Lane and Bruce Pierce each took eight to ten \$50 counterfeit bills to the Yakima Mall in Yakima, Washington to exchange the counterfeit money for good money. When they got to the Mall, they separated and each went to a different store. Bruce passed all his money without incident and waited for the others in the center of the mall. Bauer walked towards him, but did not stop, saying "I'm being followed." He related briefly how the store employee had put the bill under a light and discovered it was counterfeit. Bauer then pointed at the man following him, and turned sharply to the left and departed the mall.

The man formerly following Bauer now began following Pierce. Pierce walked out of the mall and saw David Lane walking toward their vehicle. Bruce made some facial motions to indicate that he was being followed and for Lane not to recognize him or speak to him. Walking away from their vehicle, and from Lane, Bruce entered a nearby seafood restaurant where he was arrested by local authorities. Dan Bauer and David Lane got away from the mall without being arrested or identified. This arrest took place on or about the last day of November 1983 or the first day of December 1983.

Bruce was released from custody on December 23, 1983 and several days later while at Tom Bentley's cabin at the Aryan Nations compound, he had a conversation with Aryan Nations leader Richard Butler concerning the counterfeit money. Butler didn't think they had handled the counterfeiting operation in the "right and proper manner." Butler said, "I knew what was going on in there!" but he made no suggestion as to how it should have been handled differently.

The Robberies

In March 1983, Bob Mathews, Bruce Pierce, Randy Duey and Gary Yarbrough traveled to Seattle, Washington in Mathews' blue four-door Chevrolet Cavalier. They drove to a point south of Seattle to a motel located just off the freeway about ten miles south of the center of town. They registered under alias names and began a stake-out of the Fred Meyer store in Seattle. After watching the courier and the Brinks armored truck for about a week, they decided to pull the heist on Monday, the day when the courier would have the most money.

On the day of the robbery, everyone disguised themselves. Bob Mathews darkened his face; Bruce Pierce darkened his hair and added a false beard as he only had a goatee at the time. Randy Duey purchased a white Slant Six Dodge Dart from an ad in the newspaper and paid from \$300 to \$500 for it. Then they stashed their "clean" car behind a doctor's office about three-eighths mile from the east side of the Fred Meyer store. They drove the Dodge Dart to the east side of the mall and parked. The armored Brinks car arrived on schedule and the courier entered the main door empty-handed. Bruce Pierce knelt down beside the door that the courier would use to exit with the money. Bob Mathews stood about six to ten feet away from the door in a passageway pretending to be reading a magazine. Both Mathews and Pierce were armed with handguns. Randy Duey was inside the store acting as security for Pierce and Mathews. Gary Yarbrough was outside in the Dodge Dart escape vehicle.

The courier emerged from an inner office pushing a cart loaded with one or two boxes on the bottom and four heavy bags on top. He walked past Bruce Pierce to his left, and towards Bob Mathews. Pierce stood up and followed as he neared Mathews. Mathews pulled his handgun, smiled and pointed it at the courier. Pierce pointed his gun at the courier and they immediately disarmed the guard and placed him on the floor in a prone position. Pierce put the courier's weapon in the waistband of his trousers; they took the four bags of money and hurried to their escape car where they immediately traveled to their clean car and switched vehicles. They all drove together to Mathew's house where they went upstairs to the area known as "the barracks," and divided the loot. The total take was determined to be between \$40,000 and \$50,000. Approximately \$7,000 was set aside for The Order, and placed in the care of Bob Mathews. Ten percent tithes were set aside and donated to some Aryan

groups, (particular groups were not recalled) and each of the four men received \$7,000 each.

Other robberies followed. Mathews single-handedly robbed a Seattle bank of \$25,000 in December 1983. In January 1984, Bruce Pierce and Gary Yarbrough robbed a bank in Spokane and got away with \$3,600. In late April 1984, another armored car was robbed in a Seattle mall, netting the gang \$260,000 in cash this time, not counting checks and money orders.

The Bombing

The next week, without any planning and on the spur of the moment, Rich Kemp and Bruce Pierce decided to bomb the Jewish Synagogue at Boise, Idaho. Pierce and Kemp made a bomb with three sticks of dynamite, a battery, a clock and an electric blasting cap, which was obtained from Pete Travis, a cross country skier who found the dynamite and blasting caps in a mine shaft in Missoula, Montana. Pierce took the bomb and a container of gasoline and crawled underneath the floor of the Jewish Synagogue, where he placed the bomb and the container of gas. He set the timer on the clock for thirty minutes or less and left the area to rejoin Kemp who was waiting in a car at a predetermined location. To the best of Pierce's recollection, this took place around three or 4:00 p.m. on a Sunday afternoon in late April 1984. The other members of The Order were angry with Pierce and Kemp for taking this action without first obtaining the approval of Bob Mathews and the other members of The Order.

The Brinks Robbery

Bob Mathews was in contact with a Brinks employee who was helping him to plan a robbery in Ukiah, California. Pierce went to the Aryan Nations Compound in Idaho to recruit for the "big" job coming up in July 1984. James Wallington, Tom Bentley and David Tate declined Pierce's invitation, claiming that they had to prepare for the Aryan Nations World Congress scheduled for that same month.

After members of The Order robbed the Brinks armored truck at Ukiah,

California, they met at Robert Merki's house in Boise, Idaho, where they divided the money. Bruce Pierce took with him six bags containing \$107,000 in each bag, making a total of \$642,000. Bob Mathews then took \$300,000 away from Pierce to give to Glen Miller in North Carolina, Tom Metzger in California, and William Pierce with National Alliance in Washington, D.C. Mathews gave \$100,000 of the money to Glen Miller; \$50,000 to Tom Metzger, and \$50,000 to William Pierce. Mathews subsequently gave an additional \$200,000 to Glen Miller, and an additional \$150,000 to \$200,000 to Tom Metzger. Mathews directed that \$100,000 be delivered to Louis Beam. \$100,000 was given to Dan Bauer for the "Reliance Project," plus an additional \$40,000 to be given to Richard Butler at the Aryan Nations Church. The aforementioned \$140,000 was to be delivered to Bauer by Gary Yarbrough and was authorized by Bob Mathews.

After the Ukiah Brinks robbery money was divided, Pierce and Rich Kemp drove to Hayden Lake, Idaho and met with David Tate. Tate arranged for a meeting between Bob Miles and Pierce at a scenic rest stop near the Idaho-Montana border. At this time Pierce gave Miles \$15,300 cash and said, "Stout-hearted Aryan men risked their lives to get this." Miles accepted the money and said it would be put to good use.

The Reliance Project

In late September 1984 a meeting took place in Boise, Idaho between Dan Bauer and Bruce Pierce, Denver Parmenter, Bob Mathews, Randy Duey and Gary Yarbrough regarding the "Reliance Project." Bauer claimed to be in contact with two former government scientists who had been involved in a secret United States scientific experiment dealing with the transmission of electronic signals or waves at particular frequencies which serve to render people more docile and subservient. Bauer said the Soviets were presently using this technology on the U.S. Embassy. He further explained that scientific experiments were being conducted that will allow persons with the knowledge to take a lock of hair from another and by some scientific process, project a chemical imbalance in that person. He explained that this could be done from a great distance. Bauer was given \$100,000 to finance the project for eventual use by The Order.

During the months of August and September 1984, The Order was joined by James Wallington, Dwaine Butler, Michael Butler, David Tate, Tom Bentley

and Randy Evans. Robert Mathews was killed in a shootout in Washington on December 8, 1984. On January 1, 1985, Bruce Pierce divided The Order into four teams, and these teams included new members, Frank Silva and Richard Scutari.

The Murder of Walter West

Bruce Pierce first learned that Aryan Nations member Walter West had been murdered by members of The Order through a conversation with Bob Mathews. Mathews told Pierce that Tom Bentley came to him and said that West was a problem. He talked too much, he was making accusations about members of The Order being involved in bank robberies and counterfeiting, and Bentley feared that West might notify law enforcement authorities of these activities.

Richard Kemp next told Pierce about the murder of Walter West. He said he and Randy Duey, Dave Tate and James Dye went to West's home, which was located across the tracks west of Highway 95 near the dump between Athol and Careywood, Idaho. Kemp asked West if he would take a ride with them to talk about West joining The Order. West climbed into Kemp's vehicle carrying his mini-14 rifle. Kemp then drove somewhere in the country in north Idaho, and they all got out of the vehicle. Nearby, Randy Duey, James Dye and Dave Tate were engaged in conversation. When West looked in their direction, Kemp hit him in the back of the head with a hammer. West dropped to the ground in a sitting position, then laid back on the ground. They all began to talk at once. Suddenly, West sat up and "let out an incredible frightening yell." Randy Duey told Bruce Pierce that when West suddenly sat up and screamed, "It surprised all of us," and he [Duey] shot West in the head with the mini-14 rifle. Duey told Pierce that they all dragged West's body to another location where they buried him in a dip or ravine.

* * * * *

Two years after the above mentioned FBI report was written, on April 4, 1987, the *Arkansas Gazette* announced that a Federal Grand Jury had convened to investigate white supremacists allegedly intent on overthrowing the United States government.

The Committee of the States

MAY 3, 1987 (Merced, California)—The hospital clinic at Castle Air Force Base slumbered tranquilly in the May sun. The guard snapped to attention as Seymour and Roxanne Gale passed through the gates onto the base. Inside the hospital, far down the empty corridor, Colonel Gale shuffled precariously towards his room, sucking on a cup of raspberry jelly he had smuggled from the commissary.

Up close, the colonel looked tired and pale. He had suffered lung collapse due to emphysema and was temporarily hospitalized. Roxanne gave him a self-conscious peck on the cheek and he flushed momentarily back to life. Positioning himself semi-cross-legged on the hospital bed, and without further ado, he launched into a recital of Article Five of the Articles of Confederation.

Seymour commented that "he must have been waiting all day to get that off his chest." Arranged neatly on his hospital tray were his Bible and his Constitution book. Seymour smiled; he had remembered to bring them into the emergency room. Roxanne Gale listened attentively, face carefully expressionless as he defined his involvement in the Committee of the States.

"You see," he wheezed, "I receive retirement pay from the military, so I can't be a member of the Committee of the States." He paused, eyes glinting, awaiting some acquiescence from Seymour. She noted that he was being prosecuted in Las Vegas for being the "founder" of the Committee of the States.

"Conspiratorily, he drew her nearer. His trembling finger pointed to page twenty-five of the government handbook, *The Constitution of the United States*. He began to read aloud. Roxanne hushed him, "Lower your voice, Bill!" Immediately, a black nurse bustled into the room to check his chart; the room became conspicuously silent. The nurse managed a half-hearted smile, then retreated innocuously.

Gale chuckled, and his hazel eyes became less riveting. The court had barred

him from preaching to his congregation, but on that day, he had an audience. "You see," he continued, "there's a second Congress elected by the people; the Committee of the States is a watchdog over the whole federal government!"

He wanted Seymour to comprehend the purpose of the Committee of the States, but he also wanted her to believe that he wasn't a member. "The upshot of this is, I can't be a member of the Committee of the States, which stands in for Congress, because I collect retirement pay from the United States government! Look at Article Five of the Articles of Confederation. Do you understand now?" He handed her the book in his hands.

Article Five of the "Articles of Confederation—1778" reads as follows—(Excerpt):

For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to call its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No state shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; *nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind.* . . .

Seymour said she understood the theory. At the first interview he had given her the government document, *The Formation of the Union of the American States*, which emphasized that the Constitution was a "revision" of the Articles of Confederation. According to Gale's understanding, the Articles had never been repealed, so, therefore they were still in effect, and he chose to follow them.

While glancing at Gale's copy of the Articles of Confederation, she noticed there was also a Committee of the States mentioned broadly in Articles Nine and Ten which said the Committee of the States were authorized to execute the powers of Congress while Congress was in recess. But, contrary to what had occurred in Mariposa, that Committee would be "appointed" by the Congress itself.*

*Article Nine reads (excerpt): "The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated 'a Committee of the States,' and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction. . . ."

Article Ten stated (excerpt): "The Committee of the States, or any nine of them shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with"

Colonel Gale was not a person who took easily to debate, so Seymour decided to wait and see what came out at the trial. "Is your attorney going to use the Articles of Confederation as a basis for your defense?" she asked. Gale leaned forward, gaunt arms braced firmly against the hospital bed table. "Van Hazel is going to do the talking for all of us," he said. "Pocker admitted to Van that the Committee of the States is a valid body, but he intends to introduce a motion to prohibit the Articles from being referenced in court."

Gale grabbed the respirator off the wall and breathed deeply from the tube, still muttering into the mouthpiece. His voice echoed back, "The Committee of the States is a SECOND Congress," he croaked. "There's two Congresses!"

Exasperated, Roxanne interjected, "Bill, stop talking while you're on the respirator!"

A troupe of nurses entered the room, this time to check the medication in the respirator. Gale's face tightened into an injured look. "I've been unable to hold any food down," he muttered. A dark male nurse stopped abruptly, turned to Gale and said, his voice low and steady, "Well, if you can't hold any food down, then you'll starve to death, won't you?"

The Colonel's brooding eyes stalked the nurse momentarily, then glancing at Seymour, he murmured, "Well, yes, but I need treatment!" As he turned away, the nurse replied, "I'll talk to the doctor about it."

Gale's eyes followed the nurse out the door, then settled on Seymour with a look of defiance. "This doctor who treats me here, he's Chinese!" Gesturing wildly, he recounted how the doctor had said, "Go home. This isn't a rest home!" Gale snorted helplessly, "I come here for treatment!"

Roxanne leaned back in her chair; she looked as though some hidden smile was working at the corners of her mouth. As though he had read her mind, the Colonel swung his legs over the edge of the bed and offered to pose for a picture. He indicated that it would be a good idea to show "proof" of his emergency visits to the hospital. Seymour prepared her camera, wondering if there was something she had missed in the glance between husband and wife.

He posed his fragile body on the edge of the bed and opened his robe to show the U. S. Air Force insignia on the freshly starched pajamas. For what reason, she did not know. Looking through the lens of the camera, Seymour burst out laughing. The expression on Gale's face was doleful. He had folded his hands primly in his lap; his eyebrows were raised, and his eyes lowered piteously to the floor.

When he heard her laugh, he snapped his head up reflectively; a strange, fine smile moved the curve of his mouth, then his face slammed shut at the instant the shutter clicked.

Within moments, he was back on the bed, cross-legged again, animatedly

dissecting the powers of Congress. "The Committee of the States, in Congress assembled, can declare war, raise and support armies, call forth the Militia to repel invasions and," he paused for emphasis, "organize, arm, discipline and train the Militia," he said, pointing to Article Sixteen.

"In the army, I'm qualified in irregular warfare," he added. "You only need six officers—"

Roxanne Gale interjected, "You mean guerrilla warfare."

Gale looked at her distractedly, and snapped, "No, I don't mean guerrilla warfare. I mean irregular warfare. You can't TRAIN for guerrilla warfare!"

Abruptly, Seymour asked too loud, "Is this what you did for the Committee of the States?" At the extradition hearing in Fresno, Gale had been called the "Chief of Staff" of the Unorganized Militia.

Seymour began setting up her tape-recorder. Waving the tape recorder away impatiently, Gale seemed intent on explaining his involvement in the Unorganized Militia. "That's what I did for the Unorganized Militia, when they asked me to do that. I set up an organizational structure. It's my job as a staff officer. I know how to do that. That's all I did, nothing else. I didn't join anything."

Seymour asked, "Who asked you to do that?"

Gale looked at her steadily and answered, "Roger Elvick and Dick Kinney."

"What are your personal feelings about the Committee of the States," she countered.

He said without hesitation, "They didn't do what they said they were going to do."

Seymour looked outside the window of his room. He was closing his eyes and reaching for the respirator. Rusty museum planes languished on hot asphalt pads outside the walls of the clinic. A recent narrative curled in her memory; Gale had fastidiously detailed the killing of hundreds of Japanese soldiers as they retreated from a P.O.W. camp in the Philippines during World War II. She remembered the look in his eyes; the way his hands had moved as if holding a rifle. A deadly calling had thrummed in his memory, and she had comprehended with utter clarity, his ability to kill.

The colonel was sick and dying now, but somewhere in California and across the nation, was an army he had trained. She wondered how far the Unorganized Militia would have gone if they had not been stopped.

* * * * *

Seymour requested and received a copy of Gale's 1982 "Committee of the States" tape recording which, in effect, was the beginning of the unification of all the far-right groups. The tape, which had been distributed throughout the United States, was named in the Las Vegas indictment and would soon be used as evidence against him in court. Portions of that tape are excerpted on the following pages.

(Gale speaking): Well, good morning. Today we're gonna do something which I held up doing for a long time. You may recall that in 1969 I published in our Identity Magazine a little article . . . it was the law of Posse Comitatus. In 1969 we put that out.

. . . In Oregon they stole the material and put some other material in with it, which was erroneous by the way. But at least it got out. And from 1969 until today, that [message] has been growing. That concept and the material of the law of Posse Comitatus. It's literally exploded recently across the Midwest and the entire United States. The people are forming Christian posses. They're trying to educate the sheriffs of this land as to their proper duties and their proper responsibilities to the people, who are, by the way, the government. And who are, by the way, the bosses, not the servants.

So you see, the sheriffs have been wittingly or unwittingly in the conspiracy with the bankers and the lawyer judges—the farmers are now finding out that their farms have been stolen, and these banks and these lawyer judges are cooperating with them as their agents and foreclosing on the farmer's farms.

And they found that they didn't lend them any money, but they just loaned them false Jewish bank credits; which they didn't have to lend them in the first place. The sheriffs have been in on the conspiracy with the courts and the judges and the bankers; and they've done it knowingly, I'm sure. But some of them may not [have].

. . . These people are wise to the fact that they've been had. And they're gonna fight to keep that property and their farms.

But this is going on all over the United States, whether you know it or not; it's happening. We're aware of it, cause we're in contact with a lot of people. So, the country's in trouble. Now, there's the Duck Club, you know. You've heard of the Duck Club. They're all following little Duck Clubs all over the country. They're telling the people that the money situation is bad, that the country's in economic chaos. They say that it's next year or so, the banks are all gonna close up. Everybody's gonna lose whatever they've had. . . .

Well, I'm gonna just call it the dilemma of the Republic. But, when

we said our pledge to the flag today, people haven't been thinking very much about what they say. They haven't been thinking very much about the words they use when they discuss the problems of the country. They've been brainwashed by a Jew controlled television. And, I said Jew controlled. And, I'm gonna name the Jews. If I can't name the Jew, then I'm too yellow for you to even listen to. . . .

Now, there are leaders who say, "Yes, we know the Jews are behind communism. We know that the Jews are the source of a lot of trouble in this Republic. But, you know, be quiet. Don't say anything. Somebody might get mad at you."

Well, in that case, that person's too yellow to be the leader of God's people and God's army in these latter days. So, if they're that kind of person, wipe them out. . . .

Then there are those who say if they can't be captains, they won't play. They have a solution. The solution is to form some organization. Get everybody to send \$10 a month. Publish a newsletter that will expose the enemy. Then they don't name the enemy, because they don't know who the enemy is. . . .

And if someone mentions the name of Jesus Christ around these people, they'll say, "Oh, no. Be quiet now. You're bringing religion into this. You stay out of here with that name." And, therefore, they forget that Jesus Christ said, "Without me, you can do nothing." And that's exactly what they're gonna do, nothing.

So, I'm gonna bring you something that I've researched for years. I didn't just suddenly come up with this. I published it in an Identity magazine over ten years ago. . . .

You must remedy the cause of the illness of this Republic, and this Republic is sick. So, I'm gonna do that. I'm gonna put it on tape today. . . .

In the mind of almighty God, Jesus Christ, this has inspired me, and I know it's true. I know it's true, that's all that counts with me. It is a hard solution. It's gonna have to be done in a hard manner. It's not nice. It's not easy to correct errors that have been progressing in our government for many, many years. And getting worse. . . .

Ben Franklin said they gave us a Republic. That happened in Philadelphia, when he came out of one of the conferences. When the Constitution was being adopted and someone asked him, "What did you do?," he said, "We've given you a Republic, if you can keep it."

Well, we haven't kept it. We've lost it. People are forming organizations all over the country to save the Republic. Or to save our Constitution. You can't save something that's already been lost. You've gotta redeem it. You can't take it back by Constitutional means even. You can't vote them out. . . . They're not gonna allow you to vote them out. The thief isn't gonna allow you to vote him out of the property that he's

stolen. The international bankers have stolen your money system. . . .

You have a bunch of Congressmen in Washington, D.C. who gave it to them. In violation of their oath of office. You have a bunch of Congressmen today in Washington, D.C. who have given away the Panama Canal in violation of their oath of office. You have a bunch of Congressmen in Washington, D.C. today, and in the past, who have given away your money, the money of your public treasury. They gave it to Jews and Anti-Christ people, and communist governments all over the world. . . .

You have a bunch of criminals in your federal government all over this land. You have a criminal government running all over America today. Strong words you say. Not near as strong as the actions you're gonna have to take to correct it. You're either gonna take these actions or you're going down the drain the rest of the way with the Republic that's already been lost. Yes, you're in the latter days of Bible times. So, I'm gonna tell you how to save it. . . .

I'll stand here ready to do what I'm talking about if you're willing to join me. You make that decision yourself. I'm gonna make an indictment right now. You know what an indictment is? It's bringing a charge. Against who? Well, the criminals. Well, who are they? Well, number one is the Congress of the United States . . . [who have] been in violation of the oath of office . . . and they have acted in such a manner as to constitute the crime of malfeasance and misfeasance of office. . . .

. . . You must understand that you, the citizens, the body politic, are sovereign in this Republic. And the states are sovereign in this Republic. Remember that word sovereign. Remember it and repeat it, repeat it, and repeat it. Sovereign, sovereign, sovereign Without sovereignty there is no jurisdiction. Remember that.

. . . By what authority do they bring any citizen in for willful failure to file a communist graduated income tax, when they, in fact, have no jurisdiction over that sovereign citizen, who is a citizen of a state and a county in a state. Now, you see, are you getting the drift? You've got an enemy government running around . . . and its source and its location is Washington, D.C. . . .

We, the people, the body politic, citizens of this Republic, citizens of this union; we are citizens under a contract known as the Articles of Confederation and Perpetual Union. And we affirm this indictment, the indictment that has just been read and the charges here against this Congress and all Congresses

We, the people, the body politic bringing this indictment, are the lords and masters of this self-governing Republic known as the United States of America. And the Congress of the United States, collectively and in persona as individuals, are employees on the public payroll. Therefore—

now hear this, as they say in the navy—they are subject to dismissal and removal from office and replacement by a Committee of the States as provided for in Article Five of the Articles of Confederation and Perpetual Union of 1778, that was ratified by the States of the Union and formally announced to the public on March 1, 1781. This removal from office and replacement by the Committee of the States is hereby recommended and authorized.

You didn't know that you had the power to fire every single Congressman in Washington, D.C., did you? Well, you do have it. Now, I challenge you to do it. Are you gonna find out how to do it? Well, I'll tell you how. . . .

. . . This is your common law. And the Constitution is the contract by which these Congressmen have been employed. . . . The original contract for your government is known as the Articles of Confederation and Perpetual Union. These Articles, being perpetual, remain in effect to this day. They've never been altered, amended nor repealed. They cannot be. . . .

The source of the Articles of Confederation for a Perpetual Union is the Holy Bible. . . . It contains God's laws for his people, for their nations and their governments. . . . The source is the Bible, otherwise known as the common law. If you want to find your common law, you have it in your law library at home and you have it in your library at home if you have a copy of the Bible."

Read Article Five now. Turn to Article Five of the Articles of Confederation and Perpetual Union and read it carefully. It provides for a Committee of the States to exist as a Congress of the United States and it says why. For the more convenient management of the general interest of the United States, that's the States of the Union. That's not for the convenience of a federal government in Washington, D.C. . . .

It says, and I'm quoting it, "Nor shall any persons being a delegate be capable of holding any office under the United States. . . ." It says this delegate may not even receive pay from the federal government. Well, that eliminates the Congressmen, doesn't it? It eliminates every army officer, navy officer, and anybody employed by the federal government. They cannot be a delegate of that Congress known as the Committee of the States. . . .

Put it this way, for the dummies. The Committee of the States is the watchdog over the present federal government. . . . The Committee of the States has authority over all of the federal government. You know what that means? The Congress, the House of Representatives, the Senate, the State Department, the president, the Supreme Court, and all of the federal courts.

You didn't know you had the power. You didn't know the power you

had, and you have as people in the states, do you? . . .

Oh, oh. Somebody's in trouble. When you understand that. When you, the sheep wolves, understand that you have power that you didn't know you had. . . .

Just like your sheriffs, they need to know the power that they didn't know they have. They don't have to be lackeys for these judges and courts and lawyers. They could put them in jail if they knew the law.

Well, nobody's in trouble yet. Cause nobody has the guts to bring this Committee of the States into being and provide a program of correction that can be effective to redeem the republic. . . .

These Duck Clubs, all of them, none of them have the guts to bring the Committee of the States into being. And I challenge them. I'd love to do it, but I can't be a delegate. But you can. You can do it. If you're not on a federal payroll. . . .

Read your state constitutions. Read them and read them good now. For instance, the California Constitution, and every state constitution gives you the right of revolution. It gives you the right, as citizens, to alter your government, your state government included, at any time, for any reason, and you don't have to vote. . . .

Now, here's what I propose that they [the delegates] do—form the Committee of the States. All you Duck Club people want a project? Get into this one and support it. Form a Committee of the States to sit as a Congress of the United States. Then have each county in your state provide for a citizen's posse as the defense force for that Committee of the States. In other words, the counties provide armed posses. That also is your right. And anybody who tries to interfere with the lawful operations of the Committee of the States should be faced by that armed posse and be declared outlaws. Be apprehended upon sight. . . .

All prior acts of the Congresses of the United States . . . wherein appropriations of funds, monies or credits have been made for anything other than the domestic support of the government of the United States, [shall be] repealed immediately. . . . No more appropriations for support of anything other than the domestic requirements of the government of the United States. . . . All unexpended funds, monies, or credits for all of these appropriations will be immediately returned to the Treasury of the United States. . . .

. . . The Federal Reserve Act, 38 Statute 251, 12 U.S. Code 221, enacted 23 December 1913, is hereby repealed. . . .

All stock of the Federal Reserve System and of the Federal Reserve Bank shall be delivered to the Treasurer of the United States within ten days from this date. . . .

Identity

JUNE 2, 1987 (Mariposa, California)—Home from the hospital, Gale had the ethereal appearance of someone from another dimension. He weighed barely a hundred pounds, and functioned on will alone. On that day, he chose to read passages from the booklet he had written, entitled, *Identity*.

. . . Adam's entry on earth dates back some 7,400 years, yet there is sound scientific evidence that people existed on earth even 1,750,000 years ago. Carbon-14 tests have been applied to the bones of African blacks that have been found in the caves of Kilimanjaro, which date back approximately 73,000 years.

There is also a history of Asiatic Sumerian dynasties which date back possibly as far as 400,000 years or more. It is no wonder that many intelligent people who are aware of these archeological and scientific findings become skeptical of the Bible. Some even reject it and become agnostics. Having been taught by irresponsible clergy that all races of mankind descend from Adam and Eve, people do not have the facts and are unable to reconcile the findings of scientists and archeologists which prove that the earth was inhabited by Asiatics and Negroes long before the advent of Adam and Eve.

Gale paused to show Seymour a passage in the Bible. It was from Genesis, chapter 4, verses 16 and 17. It read: (16) "And Cain went out from the presence of the Lord, and dwelt in the land of Nod, on the east of Eden." (17) "And Cain knew his wife; and she conceived, and bare Enoch: and he builded a city, and called the name of the city, after the name of his son, Enoch."

He leaned forward, eyes intent. "Where did Cain's wife come from if there were no people on earth before Adam and Eve?"

It was a rhetorical question. He handed her the Bible from his lap, and continued: "Adam and Eve arrived on the earth about 7,400 years ago, but there were other races of people here prior to their arrival, races that had been on the earth over a million years. Adam, the father of the Adamic, or white race, was the latest to arrive. Many archeologists agree that the white race

appeared upon the earth suddenly and with a high state of civilization, a written language, and superior in every way to the races preceeding it. While there are histories and scientific records concerning the earlier races, there is no record of the white race prior to 5,500 B.C., and this is in agreement with Bible chronology for the arrival of Adam and Eve upon the earth."

Gale glanced up briefly, catching Seymour's expression. "The Bible is not the history of all races," he said. "It is the history and guidebook of the white race and begins with Adam." He paused, and instructed her to open the Bible to Genesis, Chapter 5, verse 1. "This is the book of the generation, or race, of Adam," he said, pointing at the book in her lap.

Lowering his eyes he continued to read from the book, titled, *Identity*. ". . . Therefore, since Adam was the first white man, the Asiatic and black races could not have come from him. One cannot be older than his father. It is sheer folly to claim that God would violate his own Law that kind begets kind, and bring forth black and yellow people from white parents, Adam and Eve."

Again, he looked up from his book. "You see, the Bible is written specifically to and for the white race." Seymour sat silently at the kitchen table. Gale's theology was more exotic than Christian fundamentalism, as the newspapers called it. Leaning forward, hazel eyes gleaming, he said cautiously, "Cain was the son of Eve's seduction by Satan. Cain was the progeny of 'that wicked one.' This makes Cain a son of Satan. It is from the Cain line that we have the so-called white Jew, Cain being the first of that type. His voice remained neutral, but profoundly active in its implications.

Seymour stopped herself at the point of asking where he drew that conclusion from. Instead she said, "Colonel, how did you get into this—?"

Gale held his hand up, quickly finishing his coffee. He sighed and rocked back in the chair. Ignoring her unfinished question, he said in a cold, measured voice, "We've got to stop supporting our own destroyers." His eyes belied the calm of his features.

Seymour repeated, "Colonel, how did you get into *Identity*?" Sighing again, the old colonel straightened himself in the chair and clasped his hands together. "I went to school at Yale in 1946; I studied Russian history with a professor, a prominent writer on Russian history. And he told me about the Czars of Russia. And, he said these were the descendants of the Israelite people in the Bible! The Russians! And I said, 'Wait a minute!' And I didn't get time to really research that. You know, its one of those things that kept bugging me.

"Anyway, I was still on duty, and I went back to Japan. I wasn't supposed to be over there, 'cause I was physically on limited duty. Three and a half years later, when I retired from the Army, I was on the death bed, twenty-four-hour a day nurse. I thought I was dyin,' and I read the Bible. And bam, all of a

sudden, I says, 'Hey, who are these Israelites?' And I started readin,' and boy, the lights lit up. And I said, 'Hey, these Jews are not the Israelites!' Jesus said, 'I come not but for the lost sheep of the house of Israel.'"

There was a touch of resentment in his voice when he spoke. "You see, if you are not an Israelite, throw the Bible away, because there isn't anything in it for you." He said it with an implied ownership so complete that he could afford to be scornful.

"Read John, Chapter 8, Verses 39 through 47 where Jesus identifies the Jews. Jesus was at Mount Olive temple talking to the Jews, and he said, 'If ye were Abraham's children, ye would do the works of Abraham. But, ye do the works of your father.' Then Jesus said, 'If God were your Father, ye would love me: for I proceeded forth and came from God—Ye are of your father the devil, and the lusts of your father ye will do. He was a murderer from the beginning, and abode not in the truth, because there is no truth in him.'"

Gale searched through his *Identity* book for a passage. Not finding it immediately, he shrugged, and resumed his narrative.

"The Jews falsely lay claim to the Holy Land. Their Bible claims are false because they are not the Israelites of the Bible! The Arabs are the descendants of Abraham thru Ishmael, and are relatives of the true Israelites now known as Christians—not the Jews!"

Incredulity was Seymour's only reaction. Incredulity, because she had thought "color" was an issue in Gale's racial doctrines. An inner voice chuckled within her. Gale was playing a dangerous game, but he played it consummately. "Really," she said. "The Arabs are your friends?"

He handed her a booklet titled, *The Palestine Arab Delegation*, that originated from an address on Lexington Avenue in New York. Inside, were listings of all the television stations and newspapers that employed Jewish personnel. Each individual was profiled according to his position within the media. Attached to the booklet was a right-wing newspaper with the heading, "Exclusive Interview with Abu Nidal."

The *Spotlight*, published in Washington, D.C., ran a picture of militant Palestinian leader Abu Nidal, who headed the "most wanted" lists of both Israel and the Reagan administration. An unidentified special correspondent for the *Spotlight* conducted an interview with Nidal, who said he believed in "legitimate armed action against the enemy that occupied his homeland, Israel and its supporters. . . ."

Nidal, who was probably the most hunted man in the world at that time, said he killed only collaborators or agents of the Mossad (Israel's Secret Service) or its U.S. confederates. The interviewer asked, "Do you think that these tactics will lead you to victory over Israel?"

Nidal answered, "Ultimately, yes—but only after the struggle against the Israeli invaders has become a pan-Arab movement. We target Arab leaders who stand in the way of such a broad unity of all Islamic forces as the worst enemies of Palestine's liberation."

King Hussein of Jordan, the Kuwaiti regime, and Egyptian President Hosni Mubarak were named as enemies. Noted Nidal, "He [Mubarak] is involved in a continuous relationship with Israel and is an enemy of our cause."

Nidal's friendly relationship with the reporter was apparent when he noted, "I don't like to talk about myself. In all my life as an activist and organizer, I have given only three interviews. This is the fourth. . . ."

Gale held his silence for a long space, then he said, "You see, I'm not anti-Semitic. The Semites are the descendants of Shem. Shem was one of Noah's sons. Noah was a descendant of Adam. Therefore, whites, and not Jews, are Semites. If I was anti-Semitic, I would be against myself!"

His gravely voice picked up the tone of a public address. "Getting back to my story—In searching the Scriptures, it says that when Moses led the family of Israel out of Egypt, he placed the tribe of Levi, ordained as the new priesthood, in the center. Then he placed three tribes on the North, three on the South, three on the East and three on the West. Each of the twelve tribes, other than the tribe of Levi, had a standard before its tent which identified it according to the ancient days of their forefathers. The twelve standards of the tribes of Israel were the twelve signs of the Zodiac.

"There became thirteen tribes because Joseph gave his birthright to his two sons Ephraim and Manasseh, splitting the twelfth tribe into two parts. Jacob crossed his hands and blessed the two sons of Joseph, Ephraim and Manasseh, and said, 'On these two lads shall my name Israel be called.'

"Hundreds of years after the Exodus of Israel from Egypt, these standards of the Whole House of Is-ra-el were seen constantly behind the large banquet tables of the Viking Kings in Northern Europe.

"When they left Egypt, the Hebrew tribes had one nation and one king, the God of Israel. But, they became stiff-necked and stubborn and wanted men-kings over them, so God gave them men-kings. However, he told them that it would result in trouble for them, and it did. He took the title 'Is-ra-el' away from them. He told them that they would be known by a new name (Isaiah 62:2). That new name would be that of the One Who came to redeem them. Well, we are no longer called the Israelites today, as prophesied, we are known by the name of the One Who came to redeem us, Christ's sons or Christians.

"It was because of the men-kings that the Israelites fought amongst themselves, but a promise had been made by the Creator to their father Abraham and it was to be fulfilled. The Prophets and the Scripture told them that they

would be taken into captivity and each tribe would be under punishment for a period of 2,520 from the date of captivity, then the Creator would make each of them a nation (Genesis 17:4, 5)."

Gale paused, thumbing through his *Identity* booklet. On page eighteen he found what he was looking for. "A Bible 'time' is a cycle or circle with the numerical value of 360, so we see that 360 years is a Bible Time," he said slowly. "Therefore, seven times 360 equals 2,520 years."

Resuming his story, he announced, "Exactly 2,520 years after the capture of the Tribe of Dan, Denmark became a nation. It is even more mysterious when we realize that Denmark got its name from the tribe of Dan—Dan's mark. By the same schedule, we trace the tribe of Issachar and find that 2,520 years from its captivity, Finland became a nation with its first king. Surprisingly enough, Finland has its war song which calls for 'Ye men of Issachar.'

"Again, 2,520 years from the date of Simeon's captivity, Spain became a nation with its first royal family, established as a king. The same time schedule fits France from the date of Zebulun's captivity, Norway for Naphtali, Sweden for Asher, Iceland for Benjamin, Italy for Gad, and Holland for Reuben."

Gale paused. "Think about the Dutch song, 'Reuben, Reuben, Reuben, I've been thinkin.'"

Seymour looked up from her notes. "You've only named ten tribes."

Gale chuckled. "One of the most important time schedules is the one for the tribe of Judah. Daniel told of a difference in the time schedule for Judah to have its first king. This is the thirty-five years to be added to the 2,520 for Judah. When this computation is made, we find that on that exact day, Germany had its first royal king line. The Scots are Germanic and their original name was Judah before it became Jutes, before it became Scots. Jutland is just north of Germany. The royal family of Britain is of Scotch blood as is the royal family of Germany!"

Gale's face lit up. The fact that he was Scottish was not lost on Seymour. He continued, "Now, we come to the House of Joseph, which was divided into two, Ephraim and Manasseh. 2,520 years from Ephraim's captivity, the Union Jack, or the Union of Jacob, was adopted and Britain became an Empire. The Bible said that Ephraim would become a company of nations, a house of many houses, and that is exactly what the British Commonwealth is.

"Two thousand, five hundred twenty years from the captivity of Manasseh, the United States was born, on July 4, 1776. Look at the Great Seal of the United States. It has surprised many to learn that it is the Seal of Manasseh which was made clear in the records of the U.S. Congress when the seal was adopted.

"Look at a dollar bill and you will see it. It is the eagle that John tells us about in the Book of Revelation. It holds thirteen olive leaves in one claw and

thirteen arrows in the other. Above the eagle is a cloud cluster containing thirteen stars; on the eagle's breast is a shield with thirteen stripes. On the banner are the words, E Pluribus Unim, meaning 'one out of many.'"

Gale became somber. "The Books of Deuteronomy and Leviticus give a picture that has apparently been missed by the clergy. In these passages, God tells his people, Israel, that He will make Jerusalem a land of abomination and desolation. He will give them a 'New Jerusalem!'"

Seymour had often heard the radical right refer to America as the New Jerusalem. Gale described the Biblical version of New Jerusalem. "It will have a great sea on the east and a great sea on the west. It will be divided by great rivers and great mountains and will contain brass in the land. It will be a land of milk and honey. It will lend to all and borrow from none. It will be the only nation with the most high Ya-veh [God] as its king."

Gale set his *Identity* book down and picked up some literature on George Washington. "George Washington was well aware of the Bible prophecy for this nation. He would accept no royal title and insisted that he be called president. He said, 'This nation already has a king, it is Jesus Christ.'

"Every official document of the government is dated in the Year of Our Lord, and the date is the birth of Jesus Christ, the only Lord and God recognized by the founders of this nation. . . ."

* * * * *

Anglo-Israelism, or the belief that Anglo-Saxons are Hebrews descended from the Lost Tribes of Israel, did not originate with Colonel Gale, though he was one of the first to officially call it "Identity," and develop the concept into a contemporary movement.

According to the *Jewish Encyclopedia*, the theory dates back to 1794 when Richard Brothers claimed to be descended from David and prophesied that he would be revealed as prince of the Hebrews on November 19, 1795.

A publication called *Age Ending* (Vol. VII/No. 4—1988), put out by the Servants of Messiah, P.O. Box 779, Saipan, MP, 96950, outlined Anglo-Israelism according to the Jewish viewpoint (derived from *The Universal Jewish Encyclopedia*):

. . . A theory that the English speaking peoples are to be identified with the descendants of the Ten Tribes which were exiled by Sargon, King of Assyria, in 721 B.C.E. This doctrine is still accepted by many persons, and active propaganda is carried on by organizations and publications to gain fresh adherents.

The chief organizations are the British-Israel World Federation of London. The Anglo-Saxon Federation of America, with headquarters at Detroit, propagates somewhat similar ideas; but it is anti-Semitic and its views and ideas are distinctly different from that of the genuine proponents of the doctrine of Anglo-Israelism.

The fate of the Ten Tribes has always excited the interest of both Jewish and non-Jewish writers, and traces of them have been supposedly found in all parts of the world. Thus, in the 13th cent. Matthew Paris related a legend of how Alexander the Great had shut them up in the Caspian mountains; Sir John Maundeville (14th cent.) located them in the mountains of Scythia; Giles Fletcher (16th cent.) identified them with the Tartars. The American Indians were also favored candidates for the role of being descended from the Ten Tribes. It is noteworthy that the Karaites of Russia claimed to be descendants of these tribes, and that on this basis, they were granted immunity from the restrictions imposed upon the other Jews, since they had no share in the crucifixion

John Sadler, a student of Oriental literature, published in 1694, his *Rights of the Kingdom*, in which he endeavored to show that the constitution of England had been derived from that of Israel, and in which he implied that the English are descendants of Israelites. He explained the name "Britain" as being derived from the Phoenician Berat Anac, which he declared to mean "The Field of Tin and Lead." He was evidently influenced by the tradition that in the time of Solomon, Phoenician traders, accompanied by Hebrews, reached as far as England and bartered their wares for the tin obtained from the mines of Cornwall. England was therefore known to the Israelites and they may have sought a refuge there after the fall of their kingdom. . . .

. . . In 1840 appeared *Our Israelitish Origin* by John Wilson, which is the first clear exposition of the theory. It was adopted by C.P. Smyth, the Astronomer-Royal of Scotland, who supported it by observations in connection with the Great Pyramid. A work by Edward Hines, *Identification of the British Nation with the Lost Tribes* (1871), became exceedingly popular, and a quarter of a million copies were sold. Since then, there has been a constant flow of books and brochures on the subject. . . .

The Servants of Messiah writer, using the *Universal Jewish Encyclopedia* as his source, noted that proponents of Anglo-Israelism traced the tribes to England in the following manner:

The Assyrian records tell of a race called the "Khumri." They are identified with the population of the Northern Kingdom of Israel, and the name reappears in Greek as the Cimmerioi, and in Latin as Cimbri. It occurs also in place-names like Crimea, Cumberland and Cambria. A section settled in Russia, and the tribe of Dan was responsible for the designation of the rivers Don, Danes, Dnieper, Dniester, and Danube. Under attack from the Romans, they trekked to the north, and the tribe of Gad appears in course of time as the Goths, while the Danes are assumed to have been descendants of the tribe of Dan.

Other branches of the "Khumri" were the Scythae or Scythians, who founded the population of Scotland, and the Sacae, who are now called Saxons, i.e. sons of Issac! (Issac-sons = Saxons)

A part of the tribe of Dan wandered to Ireland under the leadership of Baruch, the scribe of Jeremiah. Among them was an Israelite princess, named Tephai, of the house of David, who married an Irish Chieftan, and from the union sprang the present reigning family of England. These wanderers brought with them the Bethel Stone, i.e., the stone which Jacob used as a pillow. It had been rescued from the Temple at the time of its destruction and now rests in Westminster Abbey, London, where it is used in the crowning of English monarchs. . . .

. . . The predictions of the prophets with regard to the future of Israel have only been fulfilled, it is alleged, in the experience of the British Empire. For instance, Israel's name would be changed and the people grow exceedingly numerous (Hosea 1:18-25) and glorify the Divine Name "in the isles of the sea" (Isa. 24:15), which is interpreted as referring to the British Isles. They would dwell in the north (Jer. 3:12), and establish many colonies (Isa. 49:20-21; 54:3).

The prophesy that one of the tribes, Manasseh, would become an independent power (Gen. 48:19) has been certainly verified in the establishment of the United States of America, especially as the American eagle is indicated in Ezek. 17:3 and the British emblem of the unicorn and lion in Num. 24:8-9. . . .

The Servants of Messiah writer noted that within the text of the *Universal Jewish Encyclopedia's* definition of "Anglo-Israelism," was a statement that "proofs" linking the British peoples to the ancient House of Israel were abundant in Hebrew Scripture, "provided that the Authorized Version [King James Version], which did not always accurately represent the original text, was used, and that passages were given the required interpretation."

Accordingly, the *Universal Jewish Encyclopedia* suggested that “it was useless to try to submit such far-fetched hypotheses [Anglo-Israelism] to critical investigation, because instead of the theory’s having been deduced from the evidence, the evidence had been painfully collected and distorted to support the theory.”

To which Servants of Messiah responded: “It is interesting that the *Jewish Encyclopedia* writer sought to ridicule and belittle the Anglo-Israel belief charging that it was ‘based upon an extremely literal interpretation’ of the Old Testament. . . . How else should one first try to interpret Scripture—except literally? . . . Most Bible scholars, including Jewish ones, are well aware of the fact that the KJV [King James Version] is an extremely literal translation of the Old Testament which compares very closely to the Jewish Publication Society translation. And while not perfect, most of us wanting a literal translation, find the KJV a good one to use in English.”

Servants of Messiah then offered further literature on “The Irish Link,” . . . “linking the Anglo-Saxon-Celtic peoples back to the Scriptural House of Israel.”

* * * * *

A former *San Francisco Chronicle* reporter, Phillip Finch, author of the 1983 book *God, Guts, and Guns* (Putnam Publishing Group, 200 Madison Avenue, New York, New York 10016), spent a year in the early 1980s travelling across the nation interviewing members of the radical right. (Amongst those interviewed, was Ron Boggs, father of John Boggs, Colonel Gale’s right-arm man.)

The most notable distinction of the radical right, as opposed to other political factions, was their use of “racial terms” when discussing politics or social ills. Wrote Finch of this characteristic: “We have no greater political taboo, and it’s one that the Radical Right cheerfully, doggedly, resolutely violates.” It also explained the Movement’s perpetual status as a pariah in mainstream politics.

In one observation he noted that “blacks are only secondary targets for the

Radical Right’s bilious invective.” The surprisingly complex closed system of the Radical Right was constantly at war with the Jews. A woman at a gathering of the Christian Patriots Defense League was quoted as saying (referring to blacks), “There’s no people on earth that’s been used and manipulated more than they have . . . and we know who’s been pulling their strings, don’t we?”

Finch’s assessment of the paranoia that permeates the radical right was brilliant in its simplicity: “Within the Radical Right is a body of myth and spurious literature that advances the notion that Jews, over centuries, have organized a plot to control the world, and that communism is its latest manifestation.”

In Chapter Eleven, he referred to a fifty-four-page document entitled, *Deguello*, that was mailed to key leaders and contributors in the Movement. The document, purportedly written by a group of international intelligence officers who were sympathetic to the cause, named more than thirty leading conservative and right-wing figures as “infiltrators” who were deliberately destroying the movement.

“That was the nightmare,” wrote Finch, “the fear non-parallel of the Radical Right that the enemy is everywhere, and that nobody can be trusted.”

Z.O.G.

Identity advocates are convinced they live in a Jewish/Communist occupied country. Stockpiling food and weapons, and robbing the “enemy” of millions to finance survival camps is a physical manifestation of the conviction that there will someday be a Biblical jihad, or holy war, in which Christians will square off against non-Christians in a final showdown.

Written manifestations of fear and hatred of Jews have surfaced first in Europe and then in America for centuries, yet few American writings have ever been as potently anti-Semitic as those emanating from the radical right.

Henry Ford, Sr., founder of Ford Motor Company, published writings under the title of *The International Jew* in which he echoed the stringent nationalism of the radical right and their fear of imported cultural influences. Regarding immigration he wrote: “The Jewish immigrants can come from anywhere and are coming from anywhere; their first glimpse of life here shows a Jewish control as potent and complete as it is in Russia. They see officials of Jewish secret societies override officials of the United States Immigration Bureau; why should they not behave as if they own the United States?”

In another segment he echoed the far-right fear of Jewish influences in education: “[Jews] prepare the mind of the public school child by enforcing the rule that no mention shall ever be made to indicate that culture or patriotism is in any way connected with the deeper principles of the Anglo-Saxon religion.”

Just about everything that a Jew does in America is attributed by the far-right to the “Jewish conspiracy,” yet the rationale is surprisingly complex. The literature from which it derives its “Jewish conspiracy” theory dates as far back in time as the tenth century when the Crusaders captured Palestine in the Holy Land. The abiding theme in these tomes seems to be “Christian law verses Talmudic law.”

From the Crusaders on the coast of Palestine (Acre) emerged the Knights of the Teutonic Order who returned to Germany in the twelfth century and converted everyone to Christianity. Aryan Nations derives much of its lore from this era.

But, according to most literature within the Movement, the “conspiracy” solidified in 1776, when Dr. Adam Weishaupt formed the Order of the Illuminati in Bavaria. Professor John Robison’s book, *Proofs of a Conspiracy*, first published in 1798, accused the Illuminati of starting the French Revolution.

Around 1834, an obscure intellectual named Moses Mordecai Marx Levi, alias Karl Marx, joined a branch of the Illuminati known as the League of the Just, and the *Communist Manifesto* was born. Enter the Russian Revolution in 1917 when Lenin and Trotsky joined forces to install communism in Russia.

During and after World War II, military officers expounded in a number of writings about the danger of importing German and Soviet refugees into America for re-settlement. They feared communist infiltrators would create a new liberalism in the post-war civilian operated government.

Using the above sources and others obtained from the radical right, the following chapter relates in detail the various factors from which the Z.O.G.—Zionist Occupied Government—hypothesis emerged. Because the spectre of Z.O.G. exists exclusively in the far-right psyche and is the source of all their hate, this chapter delves to the core of the Identity Movement.

* * * * *

JUNE 7, 1987 (Mariposa, California)—Colonel Gale chuckled in response to Seymour’s question about the right-wing’s obsession with Z.O.G., the Zionist Occupied Government. He preferred not to use right-wing buzzwords to describe the “Jewish conspiracy,” and chose instead to give her a book, entitled, *The Iron Curtain Over America*, written by Colonel John Beaty, a military intelligence officer at the Pentagon during World War II. Gale said he had been friends with Beaty before his death, and the book would explain the origin of Z.O.G.

Seymour asked him what his personal involvement had been. He studied her face, unsure of where to begin. “Well,” he shook his head at some personal memory of his own, “there was this radio station, KTTL in Dodge City, which stupidly broadcast these tapes I had made about the JDL [Jewish Defense League]. The JDL had been attacking me in Glendale; they were saying I had a guerrilla army and all that nonsense. I referred to the JDL in Los Angeles when I said I was gonna kill all the rabbis within twenty-four hours if they didn’t stop harassing me at all hours of the night.”

For not the first time, Seymour wondered if the colonel was serious, or

jesting. Catching the look on her face, he chuckled involuntarily. "They said I was gonna kill the rabbis all over the country—I just meant in the Los Angeles area!"

Seymour sat in stunned silence. Gale continued, gathering momentum. "I said, 'Now listen, I'm not threatening you, I'm making a promise. You bother us and you're going to get killed!'" A stab of anger crossed his face.*

Gale looked intently at Seymour. "I meant it, you know. I told them it was no threat, it was a promise.

"Well, they played that old tape over the radio. That was stupid. I didn't even know they had it, and of course, that caused a big stir."

Gale turned an alert and pouncing look upon Roxanne. "They called us up—threatening us."

Seymour asked, "Who, the ADL?"

"Naw," he scoffed. "The JDL, but they're both the same. They pretend they're different—just to confuse ya'—but they're all the same bunch."

He smiled derisively. There was a look of bitterness on his face. "They called us a lot of times here in Mariposa. We finally got tired of it and told the sheriff here. The sheriff came out and put a tracer on our phone." He glanced sullenly at Roxanne.

The interview left no question in Seymour's mind why he received threatening calls from the JDL. But his relationship with them was almost whimsical. "You mean, they threatened to kill you?," she asked.

"Oh sure, oh yeah," he countered. "What-da-ya want it with, a knife or a bullet?," he barked. "They called me names." Gale turned to look at Roxanne. "Then Roxanne would answer the phone. She'd have a ball with 'em. They said, 'There's a \$5,000 dollar reward on your head.' For her and me both. And they warned us about it, you know. 'Be careful,' they said."

Roxanne interjected. She was peeling fruit in the kitchen. Pointing the paring knife toward the phone, she picked up where Gale left off. "And, I said, 'Isn't that just like that cheap Jerry Rubin—I'm worth more than \$5,000!'"

*James Corcoran referred to Gale's speech on station KTTL in Dodge City, Kansas, on page thirty-one of his 1990 book entitled, *Bitter Harvest—Gordon Kahl and the Posse Comitatus*, published by Viking Penguin in New York. The portion of the public broadcast which Corcoran used and which has been widely quoted by media for years went as follows:

Yes, we are going to cleanse our land. We're going to do it with a sword. And we're going to do it with violence. You're damn right I'm teaching violence. God said you're going to do it that way, and it's about time somebody is telling you to get violent, whitey.

Gale also urged his listeners to "start making dossiers, names, addresses, phone numbers, car license numbers, on every damn Jew rabbi in this land, and every Anti-Defamation League Leader or JDL leader in this land, and you better start doing it now. . . . You get these roadblock locations, where you can set up ambushes, and get it all working now."

Seymour was later given a tape recording of the broadcast by Gale.

"And the fellow on the phone said, 'Well, in Chinatown, where they were trying to get someone—\$5,000 is a lot of money in Chinatown.'" She laughed defiantly, but her eyes held no humor. Continuing with her story, she looked down at the cutting board and began furiously slicing apples. "And finally, I said, 'Well, I tell you what Jew boy, I'll match that. I'll give you another \$5,000 if you think you can kill me and live to spend it!'"

The colonel laughed softly, locking his eyes with Roxanne's. A wordless conversation passed between them. In the unspoken conversation, Seymour sensed a subtle warning.

"I've said many times," said the colonel. "Anybody who attacks this church is in trouble. They're in trouble with the Almighty. They don't know it, but somethin' happens to 'em. And, you know, in every instance of somebody turning on our church, somethin' happened to 'em. One of the board of supervisors was against us—he went off a cliff a year later."

* * * * *

Seymour was surprised to learn that within most right-wing libraries were volumes of books relating to Jewish history, many written by Jewish authors. One such book passed around to newcomers was a book entitled, *A History of the Marranos*, by Cecil Roth. The book, published in 1959 by the Jewish Publication Society of America and Meridian Books in New York, essentially outlined the forced Christianization of Jews by European Catholics dating as far back as the eleventh century.

With such information at hand, and taking into account the German holocaust, it defied logic for Christian Patriots to fear Jews. Ironically, all of the mainstream contemporary books written about the far-right accurately conveyed the movement's obsession with Jews, yet none had explored it in depth.

Perhaps the closest analysis written to date was published in the July 16, 1990, issue of the *Nation* magazine (72 Fifth Avenue, New York, New York 10011). A comprehensive article written by Elinor Langer, entitled, "The American Neo-Nazi Movement Today," noted that mail-order catalogues of Christian Patriots, Posse Comitatus, and Nazi's not only offered selections in that group's specialized areas, but they often overlapped, featuring such

classics as Carleton Putnam's *Race and Reason*, Henry Ford's *The International Jew*, and William Pierce's *The Turner Diaries*, a fantasy about the violent overthrow of the U.S. government by patriotic guerrillas.

"To the readers of these books," wrote Langer, "Jews are the force controlling your life, blacks are genetically inferior and race mixing is the nearest thing to the end of the world this side of Armageddon. Although one group may start with the Jews and end with the blacks and another may start with the blacks and end with the Jews, they are linked by the newer idea that blacks are the latest woe that the Jews are heaping on the world."

The quality of the Movement's hate and the direction of its intentions go beyond what we have seen in America before, observed Langer. "The Jew is, increasingly, the ultimate target; and lest the logic elude you, it is that, out of fear of being recognized as a race themselves, the Jews have conceived and implemented a variety of political strategies, of which integration is only the most offensive, designed to minimize racial differences in general."

There appeared to be only a handful of scholars at work on specialized aspects of the Movement, she noted. And, there was no ongoing research of a general sociological nature.

Langer emphasized that it was time to open up the subject for further investigation and discussion so that out of a "broader base of information and a variety of perspectives there can possibly be fashioned a sound response."

Langer, who received grants from the Fund for Investigative Journalism and the Dick Goldensohn Fund to help pay for her research on the far-right, concluded on page 106 of the *Nation* that "anyone approaching the movement with the seriousness it deserves is immediately faced with another dilemma also remarked on by historians: maintaining intellectual perspective. . . ."

From any logical perspective, the radical-right is difficult to write about. As Los Angeles writer Anna Hamilton Phelan told Howard Rosenberg in an article published in the *Los Angeles Times* on November 25, 1987 (Copyright, © 1987, *Los Angeles Times*. Reprinted by permission): "I expected to see lunatics," but instead, she saw "friendly people, Norman Rockwell people—everyone chatting warmly and back-slapping, their kids so healthy, happy and all-American.

"They talked about baseball. They talked about football. It was so benign. Everyone was so common, so average, so mannerly and nice. . . . There was a lot of physical holding of kids, a lot of good parenting. I didn't expect that. It was surreal," she added.

Phelan, posing as a white-supremacist, had attended a gathering of some four hundred Identity advocates in the Northwest to obtain material for her fictional T.V. story, "Into the Homeland," which aired December 26, 1987 on HBO.

Wrote Rosenberg about Phelan's experience, "A young mother gave Phelan a recipe for gingerbread on the back of a flyer that bore a swastika and called for 'White Power!' and 'Death to Race-Mixing!'"

These warm, family people were not as ordinary as they appeared, noted Rosenberg. "They were dedicated racists, white supremacists, members of a neo-Nazi organization gathered for its annual two-week retreat in the group's woodsy headquarters." They believed that "Satanic Jews" were attempting to create a "mongrel race" by breeding minorities with American white women, and "race war was inevitable."

Indeed, Identity theology, racial, political and religious dogma all combined into one doctrine, exists in a culture parallel to and hidden within mainstream America. Adherents are consummate readers and writers as evidenced by the thousands of newsletters they send out monthly. Most of their source books are obtained from ultra-right book publishers, two of whom are Emissary Publications in Clackamas, Oregon, and National Vanguard Books in Hillsboro, West Virginia.

Few of their book selections are found in mainstream bookstores. Many are reprints from the McCarthy era that were removed from libraries and bookstores long ago. Some discuss biblical archaeology and history as was the case with San Jacinto Capt who introduced Colonel Gale to Anglo-Israelism.*

It was during this era, the 1950's, that Ayn Rand wrote *Atlas Shrugged*, and spearheaded an anti-communist *Screen Guide for Americans*. And, Random House released Whittaker Chambers' *Witness*, the extraordinary, true account of Soviet spy Alger Hiss who helped write the Yalta Agreement and the first draft of the United Nations Charter while he worked in the U.S. State Department. Coincidentally, it was Richard M. Nixon who led the investigation of Alger Hiss and pushed for his prosecution.

The book, *Iron Curtain Over America*, first published in 1951, scared the military community half to death. Its author, Colonel John Beaty, had written or collaborated on a dozen books, many of which were used in hundreds of colleges and universities. His education (M.A., University of Virginia; Ph.D., Columbia University; post-graduate study, University of Montpellier, France), his travels in Europe and Asia, and his five years with the Military Intelligence Service during World War II created the background for his research.

*Capt's son, E. Raymond Capt, M.A., A.I.A., F.S.A. Scot., is a practicing archeologist who holds a Master of Arts degree in Christian History and Biblical Archeology from Covenant College, Lake Wales, Florida, and California State teaching credentials in Biblical Archeology and History.

Raymond Capt is also a member of the Archeological Institute of America. In 1972 he was elected a Fellow of the Society of Antiquaries of Scotland and in 1976 he received an honorary Doctorate of Literature (Doctor Literarum Honoris Causa) from the Accademia Testina Per Le Scienze, (established A.D. 450) Pescara, Italy.

Beatty's World War II background included editorship of the secret daily *G-2 Report*, which was issued each noon to persons in high places, including the White House, to give the world picture as it existed four hours earlier.

In 1947 Beatty wrote a short history of the Military Intelligence Service, and in 1949 he prepared for the Army Field Forces an annotated reading list for officers in the Military Intelligence Reserve.

The front pages of *Iron Curtain Over America* contained photographs and enthusiastic endorsements from Lt. General George E. Stratemeyer, USAF (ret.), Lt. General Edward M. Almond, USA (ret.), Vice Admiral T.G. Settle, U.S.N. (ret.), and Lt. General P.A. Del Valle, USMC (ret.).

General Stratemeyer wrote: "I congratulate you on your book and the service you have performed for our country. If my health would permit it I would go on a continuous lecture tour gratis and preach your book and recommendations. My *Iron Curtain Over America* will be on loan continuously and I intend to recommend its reading in every letter I write."

General Almond wrote: "It is an inspiration to me to find an author with the courage and energy to research and to secure the publication of such information as you have assembled in order that the poorly informed average American may know wherein the real threats to our Country lurk. Your book is a magnificent contribution to those who would preserve our American ideals."

Vice Admiral Settle wrote: "*The Iron Curtain Over America* is a most pertinent and excellently presented treatise on the 'cancer' in our national set-up. I hope this book has had, and will have, the widest possible dissemination, particularly to our leaders—in Washington, and in industry and the press,—and that our leaders who are 'uncontaminated' will have their serious attention engaged by it."

General Del Valle wrote: "I am compelled to write to you to express my admiration of your great service to the Nation in writing this truly magnificent book. No American who has taken the oath of allegiance can afford to miss it, and I heartily recommend it as an honest and courageous dispeller of the fog of propaganda in which most minds seem to dwell."

Senator William A. Langer, former Chairman of the Judiciary Committee wrote: "I think it ought to be compulsory reading in every public school in America."

The book revealed to Seymour the military's perception of Z.O.G. A noteworthy and generally unpublicized aspect of the radical-right's history is the military involvement since the movement's inception. James Wickstrom, head of Posse Comitatus, wrote in a 1989 *Intelligence Update* circulated from Pennsylvania that "ZOG thought the 'Posse Comitatus' was just a tax rebellion movement. But to their surprise some years later, ZOG found that the move-

ment was loaded with former military officers, being used in an advisory manner."

"In Wisconsin alone," wrote Wickstrom, "Posse Comitatus officers from 36 states were trained in all types of leadership positions and guerrilla warfare. . . ."

Indeed, Seymour discovered that in addition to Colonel Gale's paramilitary training and lecturing excursions across the country, other retired World War II and Korean war officers such as Colonel Benjamin [Von] Stahl from Nebraska and Colonel Jack Mohr from Mississippi conducted nationwide training exercises.

Other officers participated in a less militaristic fashion. On September 24, 1981, retired Admiral John Crommelin, a World War II officer with an impressive record of service, gave a speech at Wetumpka, Alabama, before a group calling themselves "The Duck Club" in which he spoke about the "Federal Reserve Conspiracy." "The passing of the Federal Reserve Act took control of the nation's money out of the hands of Congress and put it into the hands of international bankers," he declared. On June 24, 1982, he sent a telegraph to President Ronald Reagan in Washington, D.C. imploring him to repeal the Federal Reserve Act of 1913.

General P.A. del Valle wrote "How Will The Rightwing Get Together?—The Road Back to Sanity" which was distributed by the Committee For the Preservation of the Constitution in Los Angeles, California.

In April 1986, Lt. Colonel Archibald Roberts circulated a newsletter for The Committee To Restore the Constitution of which he was the Director at Fort Collins, Colorado.

Seymour's research consistently uncovered involvement at the highest levels by retired military officers. Older books, *Cross-Currents*, authored by Arnold Forster and Benjamin R. Epstein, published in 1956 by Doubleday and Company, Inc., *Victory Denied*, by Major Archibald E. Roberts, and *Iron Curtain Over America* not only corroborated Colonel Gale's narrative, but they provided the final pieces to the puzzle of the radical right.

During interview sessions with Seymour, Colonel Gale spoke of meetings amongst retired military officers at private homes around Hollywood. Many were conducted at Gale's home on Outpost Drive. It appeared that members of the disgruntled post-war military establishment were the first to entertain the notion of a "Zionist Occupied Government."

In the early 1950s, many officers in the post-World War II military community opposed the new civilian policies at the Pentagon and they were making their opinions known. Colonel John Beatty, a military intelligence officer of the War Department General Staff in 1941, and chief of the Historical Section at the Pentagon in 1942, argued that by 1950, five years after the war ended with

Germany, several hundreds of thousands of refugees were arrested and released for want of adequate provisions for deporting them. Wrote Beaty:

Refugees upon arrival in the country were by executive order introduced into sensitive government positions without the formality of having them wait for citizenship. Employment could not be denied on the grounds of race, creed or "national origin."

An article by Senator Pat McCarran, chairman of a Senate sub-committee on internal security, said as many as 5,000,000 aliens had poured into the country "illegally," creating a situation potentially more dangerous than an armed invasion. (AP dispatch in the *New York Times*, August 20, 1951.)

General Douglas MacArthur in a speech before a joint session of the Mississippi legislature on March 22, 1952, said: "Our policy is leading us toward a Communist state with as much dreadful certainty as though the leaders of the Kremlin themselves were charting the course."

Explaining that the past must be studied because of its bearing on the living future, Colonel Beaty wrote in the introduction of *Iron Curtain Over America* that he had "turned on the light in certain darkened or dimmed out yet tremendously significant phases of the history of medieval and modern Europe." Many of the facts would be new and disturbing, he said, noting that "Chapters I and II may be described as 'hard reading.'"

Today, Aryan Nations colloquialisms can be traced to Beaty's historical account of the medieval military-religious Crusaders known as the "Knighthood of the Teutonic Order." The hundred years from 1309 to 1409 were the Golden Age of the Teutonic Knights. Young nobles from all over Europe found no greater honor than to come out and fight under their banner and be knighted by their Grand Master. As the years passed, the function of the Teutonic Knights as defenders, or potential defenders, of the Christian West remained unchanged.

The Teutonic Knights converted the Prussian people to Christianity and assumed sovereignty over East Prussia. They encouraged the immigration of German families of farmers and artisans, and their domain on the south shore of the Baltic became a self-contained German state, outside the Holy Roman Empire.

"Thus in the early years of the twentieth century," wrote Beaty, "the American people admired Germany. It was a strong nation, closely akin; and it was a Christian land, part Protestant and part Catholic, as America had been part Catholic since Lord Baltimore founded Maryland and part Protestant since the Cavaliers came to Virginia and the Puritans to New England."

"Moreover," added Beaty, "the old land of the Teutonic Knights led the world in music, in medicine, and in scholarship. The terms Prussia and Prussian, Germany and German had a most favorable connotation. Then came World War I (1914), in which Britain and France and their allies were opposed to Germany and her allies. Since the citizens of the United States admired all three nations they were stunned at the calamity of such a conflict and were slow in taking sides."

The Jewish question arose during the crash in Germany in 1923, when German money lost its value. According to Beaty, there was terrible suffering among the people everywhere and especially in the cities and industrial areas. Berlin in 1923 was a city of despair. "People waited in the alley behind the Hotel Adlon ready to pounce on garbage cans immediately they were placed outside the hotel's kitchen"

"In hunger and desperation, many Germans blamed their troubles on the Jews, whom they identified with Communism." Beaty supported his statement with a quote taken from the *Universal Jewish Encyclopedia*, Vol. I, pp. 366-367 which said: "The fact that certain Jews, such as Kurt Eisner, Toller, and Levine, had been leaders of Communist Movements (1918, 1919) . . . gave the conservatives the opportunity of proclaiming that the Jews were responsible for the national misfortunes and disorders."

The German attitude was intensified by the new power German Jews acquired in the terrible year 1923 from using funds derived from "rich race-conscious" Jews in other countries and by an inrush of Jews from the destroyed Austro-Hungarian Empire and from the East. Noted Beaty, "Some of those Eastern European Jews took an active part in the speculation which was rampant in Germany because of the unstable currency and the shortage of commodities." (Beaty obtained this information from *America's Second Crusade*, by William Henry Chamberlin, Henry Regnery Company, 1950, pp. 30-31). "The immediate result of the events of 1923 was an increase of Jewish power in the Reich."

Lamenting the inhumane treatment of Germany after World War II by a "Communist influenced America," Beaty drew parallels between communism and Judaism, and ultimately outlined the great conspiracy; the right-wing notion that America had been infiltrated by Communist/Jewish aliens, and was now ruled by a Zionist/Communist Occupied Government (Z.O.G.).

The ancient tribe of people known as the Khazars from Russia were the descendants of the "infiltrators" whom Beaty claimed immigrated to the United States and ultimately became Z.O.G. (It is noteworthy that the word "Khazars" was often used at right-wing meetings and discussions when Jews were mentioned.) Beaty's rendition of Khazar history is excerpted as follows:

In the later years of the dimly recorded first millennium of the Christian era, Slavic people of several kindred tribes occupied the land which became known later as the north central portion of European Russia. South of them, between the Don and Volga rivers and north of the lofty Caucasus Mountains lived a people known to history as Khazars ("Ancient Russia," by George Vernadsky, Yale University Press, 1943, p. 214). These people had been driven westward from Central Asia and entered Europe by the corridor between the Ural Mountains and the Caspian Sea. They found a land occupied by primitive pastoral people of a score or more of tribes, a land which lay beyond the boundaries of the Roman Empire and its greatest extent under Trajan (ruled, 98-117 A.D.), and also beyond the boundaries of the Byzantine Empire (395-1453). By slow stages the Khazars extended their territory eventually to the Sea of Azov and the adjacent littoral of the Black Sea. The Khazars were apparently a people of mixed stock with Mongol and Turkic affinities. . . .

In the eighth or ninth century of our era, a khakan (or chagan, roughly equivalent to tribal chief or primitive king) of the Khazars wanted a religion for his pagan people. Partly, perhaps, because of incipient tension between Christians and the adherents of the new Mohammedan faith (Mohammed died in 632), and partly because of fear of becoming subject to the power of the Byzantine emperor or the Islamic caliph (From *Ancient Russia*, p. 291), he adopted a form of the Jewish religion at a date generally placed at c. 741 A.D., but believed by Vernadsky to be as late as 865.

According to the *Universal Jewish Encyclopedia* (Vol. VI, pp. 375-377), this chieftain, probably Bulan, "called upon the representatives of Judaism, Christianity and Mohammedism to expound their doctrines before him." This discussion convinced him that the Jewish faith was the most preferable, and he decided to embrace it. Thereupon he and about 4,000 Khazars were circumcised; it was only by degrees that the Jewish teachings gained a foothold among the population.

In his *History of the Jews* (The Jewish Publication Society of America, Vol. III, 1894, pp. 140-141), Professor H. Graetz gives further details: "A successor of Bulan, who bore the Hebrew name of Obadiah, was the first to make serious efforts to further the Jewish religion. He invited Jewish sages to settle in his dominions, rewarded them royally, founded synagogues and schools . . . caused instruction to be given to himself and his people in the Bible and the Talmud, and introduced a divine service modeled on the ancient communities.

After Obadiah came a long series of Jewish chagans, for according to a fundamental law of the state only Jewish rulers were permitted to ascend the throne.

In the Middle Ages, Viking warriors, or Northmen, penetrated the areas south of Lake Ladoga and West of the Kama and Lower Volga rivers. These immigrants were known as "the Russ," a Varangian tribe in ancient annals considered to be related to the Swedes. Organizing the local Slavic tribes, they formed a state known as Russia, and they accepted Christianity as their religion.

From the Khazars, who had extended their power up the Dnieper Valley, they took Kiev, later known as Moscow. Kiev became the seat of an enlightened Westward-looking dynasty, whose members married into several European royal houses, including that of France.

However, the Slavs in the area now known as the Ukraine, were engaged in almost constant warfare with the Khazars and finally, by 1016 A.D., they destroyed the Khazar government and took a large portion of Khazar territory. Some of the subjugated Khazars remained in the Slav-held lands their khakans had long ruled, and some migrated to Kiev and other parts of Russia. After Kiev fell to the nephew of Genghis Khan in 1240, the Khazar Jews became widely distributed in Western Russia.

According to Beaty, relations between Slavs and the Judaized Khazars in their midst were never happy. The reasons were not racial, he noted, but were ideological. The rabbis sent for by Khakan Obadiah were educated in and were zealots for the Babylonian Talmud. In the thousands of synagogues which were built in the Khazar khanate, the imported rabbis and their successors were in complete control of the political, social, and religious thought of their people, and they refused Russian efforts to end the Khazar's political and religious separatism. The rabbi-governed Khazars had no intention of losing their identity by becoming Russianized or Christian.

Beaty wrote: "As time passed, it came about that these Khazar people of mixed non-Russian stock, who hated the Russians and lived under Babylonian Talmudic law, became known in the western world, from their place of residence and their legal-religious code, as Russian Jews."

Under the Romanov rulers of the seventeenth and eighteenth centuries, there was no change in attitude toward the Judaized Khazars, who scorned Russian civilization and stubbornly refused to enter the fold of Christianity. Resentful of Alexander III who accused them of murdering his father, and "possessing a new world plan, hordes of Jews, some of them highly educated in Russian universities, migrated to other European countries and America."

A passage from *A History of the Ukraine*, by Michael Hrushevsky, Yale University Press, 1941, described the Jews who remained in Russia as the founders of the Russian Bolshevik party:

In 1897, was founded the Bund, the union of Jewish workers in

Poland and Lithuania. . . . They engaged in revolutionary activity upon a large scale, and their energy made them the spearhead of the Party. (Article on "Communism" by Harold J. Laski, Encyc. Brit., Vol. III, pp. 824-827)

Beaty wrote:

The Zionist Jews were another group that laid its plan in Russia as a part of the new reorientation of Russian Jewry after the collapse of Haskalah and the assassination (1881) of Alexander II.

On November 6, 1884, for the first time in history, a Jewish international assembly was held at Kattowitz, near the Russian frontier, where representatives from all classes and different countries met and decided to colonize Palestine. . . . (From *The Haskalah Movement in Russia*, p. 285)

In 1917, when Russia was staggering under defeat by Germany—a year before Germany in turn staggered to defeat under the triple blows of Britain, France, and the United States—the Russian Revolution began. On March 15, 1917, Czar Nicholas's train was stopped and he was told that his rule was at an end. "Israel in Russia suddenly found itself lifted out of its oppression and degradation." (Graetz-Raisin, op. cit., Vol. VI, p. 209.)

"At about the same time, Trotsky arrived from the United States, followed by over three hundred Jews from the East End of New York and joined up with the Bolshevik Party" (op. cit., p. 73).

"Thus," added Beaty, "under Lenin, whose birth-name was Ulianov and whose racial antecedents are uncertain, and under Leon Trotsky, a Jew, whose birth-name was Brontstein, a small number of highly-trained Jews from abroad, along with Russian Judaized Khazars and non-Jewish captives to the Marxian ideology, were able to make themselves masters of Russia."

Robert Wilton, a Russian correspondent for the *London Times* wrote in his book *Les derniers jours des Romanof* (The Last Days of the Romanovs), that out of 556 important functionaries of the new Bolshevik State, there were in 1918-1919, "17 Russians, 2 Ukrainians, 11 Armenians, 35 Letts, 15 Germans, 1 Hungarian, 10 Georgians, 3 Poles, 3 Finns, 1 Karaim, and 457 Jews."

Beaty observed that after 1918 the Bolsheviks called their organization "the Communist Party."

Drawing from *World Almanac* statistics, he summarized that immigration by Jews to the United States from 1937 to 1943 (before and during World War II) constituted between 25 and 77 percent of total net immigration to America. ". . . Statistics indicate that over 50 percent of the World Jewish population is now residing in the Western Hemisphere," he wrote.

"*The Iron Curtain Over America*," concluded Beaty, "presents in compressed detail—along with other matters—the problems created in the United States by a powerful minority possessed of an ideology alien to our traditions and fired by an ambition which threatens to involve us in the ruin of a third world-wide war."

* * * * *

In the book, *Cross-Currents*, several organizations participated in the 1950s "reactionary movement." Most of these organizations sought to establish a third political party, the Constitution Party, thereby "reviving original Constitutional government administrative practices." The Congress of Freedom, Operation America, Inc., the America First Committee, For America, and Ten Million Americans Mobilizing for Justice (TMA) were unified on most issues in the 1950s, some of which included opposition to the United Nations and its UNESCO, collectivism in modern education, federal aid to education, socialized medicine, and foreign aid.

In 1955, TMA obtained signatures against a Senate resolution censuring Senator Joe McCarthy, but according to *Cross-Currents*, the organization was really formed to create a national mailing list for future political purposes. At last count (in 1955), the petition list contained 2,287,143 names and addresses of American citizens.

Lieutenant General George E. Stratemeyer was reportedly the national chairman of Ten Million Americans, but he was also one of the national directors of For America. Colonel Gale's close friends, Rear Admiral John G. Crommelin and Major George Racey Jordan, attempted to turn TMA's mass following into a permanent national body, but according to *Cross-Currents*, they failed.

General Pedro A. Del Valle reportedly joined the national advisory committee of the Congress of Freedom and was also active behind the doors of TMA's headquarters. General Robert E. Wood, former head of Sears, Roebuck and Company, was onetime chairman of the America First Committee and later co-chairman of For America.

All of these organizations were considered to be "extreme right-wing" or "extremely conservative" in their pursuits and philosophies, and though many

of the members had ties to notorious anti-semites such as Gerald L.K. Smith or Father Charles E. Coughlin,* they were not considered to be particularly anti-semitic.

The Congress of Freedom described itself as a “coalition of right-wing forces,” when it convened for five days in San Francisco on April 30, 1955 to propose a series of resolutions calling for American withdrawal from the world body. Oratory denunciations were made against the United Nations, the federal income tax system, and Presidents Eisenhower, Truman and Roosevelt.

The solemn deliberations were climaxed when Merwin K. Hart, head of the National Economic Council in New York City, voiced the underlying concern of all the groups when he reportedly said, “We’re speeding toward world government under which all American traditions and ideas will be lost.”

* * * * *

In 1966, Lieutenant Colonel Arch E. Roberts pointed out in his book, *Victory Denied*, that “no-win” wars such as the Korean conflict and the Vietnam war were the result of international influences with a concealed objective of eliminating American armed forces and placing absolute, monolithic military power in the hands of the United Nations.

In the introduction of his book, Roberts asked, “WHO denied us victory in Korea? WHY is victory denied in Vietnam?” General Douglas MacArthur was quoted (referring to the Korean War): “Under this new conception, we are required in the midst of deadly war to soften our blows and send men into battle with neither promise nor hope of Victory.”

“The internationalists,” wrote Roberts, “by gradualism and indirection, have made collectivism an acceptable political philosophy. And, through the media of mass propaganda, they have conferred legal status upon illegal acts.”

*Father Charles E. Coughlin was a Roman Catholic priest, commonly known as “the radio priest of Royal Oak, Michigan.” He founded the *Social Justice Weekly* newspaper in 1936 and operated out of the Shrine of Little Flower Parish in Michigan. His radio messages denounced international bankers and money-changers and sounded the battle cry, “America For Americans,” to thirty million radio listeners during the depression era. His associates and co-speakers from the radical right included Gerald L.K. Smith, Huey Long, and Dr. Frances Townsend, all famous anti-semites.

Coughlin was silenced by the Catholic Church in 1942 and remained a parish priest until his death in the 1960s.

Roberts referred to a September 1, 1961, State Department Publication (Number 7277), titled, *Freedom from War: The United States Program for General and Complete Disarmament in a Peaceful World* which reportedly called for “. . . progressive reduction of the war-making capability of the nations and the simultaneous strengthening of international institutions [U.N.] to settle disputes and maintain the peace. . . .”

“The Nations of the World,” said the State Department, “are determined to eliminate all armaments, including weapons of mass destruction, other than those required for a United Nations Peace Force.”

“Under this plan,” noted Roberts, “the United States will finance and man a totalitarian U.N. military complex. We, of course, will exercise no control over this international army.”

Roberts was an ex-paratrooper who served with the Eleventh Airborne Division, the 187th Airborne Regimental Combat Team, the 101st Airborne Division, the Third Infantry Division, Office of the Surgeon General, Army Information Digest, and Office of the Chief of Information as an army information officer. A graduate of the Command and General Staff College, the Armed Forces Information School, the Medical Field Service School, and Officer Candidate School, he enlisted in the Regular Army at Denver, Colorado on June 2, 1939.*

Major General Charles A. Willoughby, U.S. Army, General MacArthur’s Chief of Intelligence during World War II, endorsed Roberts’ book by saying, “Major Roberts has produced a first-class book . . . to curb the corrosive anti-American influence of the ‘liberal establishment.’”

Lt. General P.A. del Valle, U.S. Marine Corps, Ret., Commander of the U.S. Marines, Pacific Theatre, World War II, wrote of the book: “The exposure of the United Nations Organization in [the] courageously splendid book, *Victory Denied*, . . . deserves the gratitude of every American.”

Wrote Bishop James Parker Dees of the Anglican Orthodox Church, Stateville, North Carolina: “It is a privilege to commend this splendid book to everyone who is concerned about the survival of Christian civilization.”

The book discussed Roberts’ authorship of the famous Pro-Blue Troop Information program initiated by Major General Edwin A. Walker in 1959 when he took command of the Twenty-fourth Infantry Division in Germany. The program, which reportedly taught “Citizenship in Service” to troop audiences, was actually a directive permitting military men to instruct civilians in anti-communism.

*Lt. Col. Arch Roberts knew Colonel Gale well, but according to Roxanne Gale, he did not subscribe to the Identity theology. Documents provided by Roxanne Gale indicated that Roberts is currently Director of The Committee to Restore the Constitution at Fort Collins, Colorado.

Pro-Blue ultimately created a lengthy Senate investigation which resulted in the removal of General Edwin A. Walker from his command by order of President John F. Kennedy.*

On August 30, 1961, in a vain effort to defend General Walker and the merits of the program, the text of the Pro-Blue program was inserted into the Congressional Record by Senators J. Strom Thurmond and John G. Tower of Texas.

One Senate investigator questioned Major Roberts about an interview he gave to journalist Jimmy Ezzell of the *Petersburg Progress* in which he reportedly said that "subversive elements had infiltrated the service and [the] government." Roberts explained that he had based his information on the professional testimony of Mr. Edward Hunter who informed a Senate Internal Security Subcommittee that "Moscow agents had infiltrated the White House." Roberts was subsequently removed from active duty.

In his book, Roberts claimed that much of the United Nations Charter was copied directly from the Soviet Constitution. Accordingly, he wrote that Soviet spy Alger Hiss acted as General Secretary at the San Francisco conference which created the United Nations on June 26, 1945, and Hiss authored the first draft of the United Nations Charter along with Harry Hopkins, Cordell Hull and others.

"The United Nations Organization," wrote Roberts, "is the product of internationalists whose objective is Soviet-style control over the world's people and resources." Roberts feared that an international "peace force" under U.N. control could lead to a totalitarian "one-world government."

*In the 1989 book *Contract on America* (Shapolsky Publishers, 136 W. 22nd Street, New York, New York, 10011) author David E. Scheim wrote that upon Fidel Castro's victory in Cuba in 1959, certain elements of the extreme right-wing, the CIA, and Cuban exiles developed an antipathy towards President John F. Kennedy.

Members of the extreme-right reportedly sent a flyer to Cubans in Miami in April 1963. Essentially, the flyer predicted that a Texan known to be a friend of all Latin Americans would be placed in the White House by an "Act of God."

Referring to Vice President Lyndon Johnson it said, "... though he must under present conditions bow to the Zionists who since 1905 came into control of the United States, and for whom Jack Kennedy and Nelson Rockefeller and other members of the Council of Foreign Relations and allied agencies are only stooges and pawns.

"Though Johnson must now bow to these crafty and cunning Communist-hatching Jews, yet, did an Act of God suddenly elevate him into the top position (he) would revert to what his beloved father and grandfather were, and to their values and principles and loyalties."

Scheim wrote that "Edwin Walker, a well-known Dallas official of the John Birch Society" exhibited similar sentiments when he flew the American flag in front of his house upside-down days before President Kennedy's visit to Dallas, but flew it at full staff during President Johnson's proclaimed period of half-staff mourning.

A few days before the assassination of Kennedy in November 1963, handbills with President Kennedy's photo and a "Wanted For Treason" caption appeared on the streets of Dallas. Scheim noted that they were printed by a close associate of Walker.

Roberts named a Soviet representative who served on the United Nations Military Staff Committee from 1947 to 1950, (Lieutenant General Alexandre Ph. Vasiliev) who was subsequently ordered to North Korea where he was placed in command of all Chinese Communist movements across the thirty-eighth parallel.

A State Department Bulletin, number 442A, dated August 3, 1947, revealed that General Vasiliev of the Red Army, Chairman of the U.N. Military Staff Committee, sent recommendations to the United Nations Security Council on the principles governing the organization of U.N. armed forces. In other words, noted Roberts, General Vasiliev directed the preparation of plans for an "armed United Nations," then three years later, directed war operations against U.N. soldiers in North Korea.

Wrote Roberts: "The U.S. State Department [bulletin] revealed that war plans for the employment of American soldiers are now prepared by foreign generals under the direction of Soviet Communists at the United Nations military headquarters."

A *Chicago Tribune* newspaper article, dated September 4, 1965, entitled "One Man's Battle," was reproduced in Roberts' book. Portions of the article described the mounting animosity between the Kennedy administration and segments of the military community. (Excerpt):

... The major [Roberts] was a casualty of the campaign to censor utterances of military men instituted during the administration of President Kennedy. The campaign to gag the military grew out of the celebrated "Fulbright memorandum," sent to Mr. Kennedy in 1961 by Sen. J. William Fulbright, chairman of the foreign relations committee.

Sen. Fulbright felt that military officers were talking too much about the menace of communism, and that their disposition to speak out showed them to be "infected with the virus of right-wing radicalism." He thought "the danger was great" if the military engaged in educating the public

According to Roberts, newspapers admonished retired officers such as Major General Charles A. Willoughby, Chief of Intelligence in Douglas MacArthur's command in the Pacific; Lt. General Charles B. Stone, Third Air Force; General Alfred Wedemeyer, former General Staff Officer on War Plans at the Pentagon; Lt. General John O'Daniel, Military Attache, U.S. Embassy in Moscow (1948 through 1950); Lt. General P.A. del Valle, U.S. Marine Corps; and other military officers for backing a tactical guide, or manual of arms for the future, called *The John Franklin Letters* which suggested that "Patriotic underground armies should be established, named the 'Rangers' who

should train to assassinate, sabotage, and overthrow the 'People's Democracy.'"

Roberts added that on May 31, 1961, the Pro-Blue program General Walker had put into effect was secretly shelved under instructions from the "civilian" heads of the Pentagon.

Roberts subsequently brought suit against the army, charging violation of public law and abridgement of Constitutional Rights. On June 18, 1964, the U.S. District Court of Appeals directed that he be reinstated. On August 5, 1965, the Department of the Army restored Roberts to active duty and paid him \$34,000 back pay. On September 30, 1965 he voluntarily retired after twenty-six years service.

* * * * *

In August, 1988, Aryan Nations circulated a report authored by Lieutenant Colonel Francis P. Farrell, USAF, Retired. The back page of the report showed photographs of Farrell receiving the Bronze Star and the Distinguished Flying Cross from Brigadier General Smith of the First Infantry Division for combat accomplishments beyond the call of duty in South Vietnam.

The report, entitled, *United States Government (ZOG) Treason Against Our American Soldiers in Korea and Vietnam*, claimed that the United Nations' goals of world membership in a one world organization was nothing more than a "hidden conspiracy to rule and enslave all people" throughout the world.

Colonel Farrell wrote: "When I was a young officer and jet fighter pilot flying missions in the Korean conflict, unknowingly under the command of a Soviet general of the United Nations Security Council, I could never understand how the enemy knew so much about us, as broadcast almost daily over the communist Pyongyang radio station in North Korea."

Farrell said the soldier's wives names, childrens names, squadron commander names, flight numbers, etc. were broadcast. "The North Koreans knew when we were coming, how many of us there were, what type of aircraft we were flying, and even the targets we were to hit."

The army and marine infantry troops allegedly suffered the same fate. Farrell's explanation for this read as follows: "All of our military operations had to be forwarded by radio to the Soviet commander of the United Nations Security Council at the United Nations building in New York City for approval before our forces went into action against the North Koreans and Red Chinese."

Presidents and Congressmen were aware of these procedures of the United

Nations Security Council, as traditionally, according to "The London Accord," only a Soviet could sit as under-secretary general of the Security Council of the United Nations. Wrote Farrell of the Vietnam war: "Like blind fools we sent our combat plans to the enemy for approval. There was a standing joke among us fighter pilots, that Moscow had a file on each and every one of us."

According to Farrell, during the Korean conflict, General Douglas MacArthur was denied by the Soviet general in the United Nations the right to bomb the hydroelectric plants along the Yalu River. The order broadened to include every plant in North Korea which was capable of furnishing electric power to Manchuria and Siberia.

A series of directives from Truman in Washington also denied him the right to bomb the important supply center at Racin in northeast Korea. Racin was a depot to which the Soviet Union forwarded supplies from Vladivostok for the North Korean Army.

MacArthur decided there was a leak in intelligence. His generals were complaining that their operations were known to the enemy in advance through sources in Washington. A memo intercepted in Red China, written by Chinese General Lin Piao, noted that Piao had been assured that "Washington would restrain General MacArthur from taking adequate retaliatory measures against his lines of supply and communication."

MacArthur failed to ask permission from the United Nations Security Council when he planned and carried out the secret military engagement and sea landing at Inchon on September 15, 1950. The massive destruction of communist forces and supply dumps created the turning point of the Korean war, however, though the operation was fantastically successful, MacArthur was relieved of his command of the United Nations fighting forces in Korea and returned home in disgrace with the White House. The successful Inchon attack had been the only mission he had kept secret from Washington.

Colonel Farrell closed his report by imploring all veterans who served in Korea and Vietnam to "Lock and Load." The president and the Congress were "committing treason each and every day by allowing the United Nations to control American lives," he said.

"We continue to see our economy being slowly destroyed," he added. "We see our Christian moral standards decimated . . . and our Common Law heritage denied us in 'their courts.' We see organized religions being converted to Humanism; i.e., no God, Christian prayer and the Pledge of Allegiance taken from our children in school, removing any loyalty what-so-ever by these children towards Jesus the Christ and this, His Christian Nation."

* * * * *

The "One World Conspiracy" dominates just about every piece of literature within the Movement. According to the radical-right, the conspiracy to create a one-world, anti-Christ government officially began in 33 A.D. when Simon Magus, a priest of the Babylonian religion (from Samaria) adulterated Christianity with pagan ideas and practices.

Centuries later, the conspiracy re-surfaced in Germany in the form of "The Illuminati." In *Fourth Reich of the Rich* (published by Emissary Publications, 9010 S.E. St. Helens, Clackamas, Oregon, 97015), author Des Griffin wrote about a secret society called "The Order of the Illuminati," founded by Dr. Adam Weishaupt on May 1, 1776 in Bavaria. Weishaupt was reportedly born into the Jewish faith on February 6, 1748, but converted to Roman Catholicism. Later, as a Jesuit priest, he broke with the order to form his own organization, the Illuminati.

The existence of the Illuminati was first discovered by accident in 1785 when a courier for the Illuminati, named Lanze, was racing on horseback from Frankfurt to Paris carrying documents relating to Illuminati activities in general, and specific instructions for the planned French revolution in particular.

The documents originated with Jewish members of the Illuminati in Germany, according to Griffin, and were addressed to the Grand Master of the Grand Orient of Masons in Paris. As the courier galloped through Ratisbon (Regensburg), he was struck by lightning and killed. All the papers he was carrying fell into the hands of the local police who turned them over to the Bavarian government. The authorities ordered the police to raid the headquarters of the Illuminati and this raid resulted in additional documents being captured which revealed the conspirators had world-wide aims.

The documents were brought to the attention of the governments of Britain, Germany, Austria, France, Poland and Russia. Four years later, the French Revolution exploded on the European scene.

The great intellectuals and money barons of the Illuminati invited Professor John Robison to join their ranks. Robison was a Professor of Natural Philosophy at Edinburgh University in Scotland, and was recognized by Adam Weishaupt as being one of the truly great intellectuals of his day.

Robison played along with the conspirators and was able to scrutinize secret Illuminati documents and the inner workings of the Secret Society at close range. As a result, he wrote a book entitled, *Proofs of a Conspiracy* which was published in 1797 and again in 1967. This book quoted extensively from the *Original Writings of the Order and Sect of the Illuminati*, the official report of

the Bavarian government issued in 1786.

Author Des Griffin referred to the *Encyclopedia Britannica*, Eleventh edition, 1910, for a description of the structure of the Illuminati: The Order was comprised of three main classes; the first included novices, the second consisted of freemasons and knights, and the third or "mystery" class was comprised of priests and a *magus*, or king.

Griffin wrote that the king was Weishaupt himself. The initiates who made up the outer rings were told that the great purpose of the Illuminati was "to make of the human race, without any distinction of nation, condition or profession, one good and happy family."

By the time the member had reached the "inner circle," his oath of absolute secrecy was deadly serious. He was allowed to finally see the ultimate aims of the order . . . abolition of all ordered government, abolition of private property, abolition of inheritance, abolition of patriotism, abolition of all religion, abolition of the family unit, and the creation of a world government.

On July 16, 1782, at the Congress of Wilhelmsbad, an alliance between Illuminism and Freemasonry was sealed. This pact, wrote Griffin ominously, joined together all the leading secret societies of the day and united "not less than three million members from all over the world."

In 1785, a Bavarian Court of Inquiry discovered a "universal revolution" was afoot by the secret societies, and they published their findings in a document entitled *Original Writings of the Order and Sect of the Illuminati*. From that point on, the instructions for the degree of Regent were: "The great strength of our Order [the Illuminati] lies in its concealment; never let it appear in any place in its own name, but always covered by another name, and another occupation."

Fifteen lodges of the Order of the Illuminati were formed in the thirteen colonies. The Columbian Lodge of the Order of the Illuminati was established in New York City in 1785. Members included Governor DeWitt Clinton and later, Clinton Roosevelt, the ancestor of Franklin D. Roosevelt.

Griffin contended that George Washington "was gravely concerned about the threat posed to the United States by the Illuminati" when he delivered his famous Farewell Address on September 17, 1796:

. . . Such combinations and associations are likely in the course of time and things to become potent engines by which cunning, ambitious and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government . . . one method of assault may be to effect in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. . . . The jealousy of a free people ought

to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of a Republican government. . . .

One year later, Professor John Robison published his famous *Proofs of a Conspiracy* in which he warned the world of the Illuminati infiltration of Masonic Lodges.

Around 1834, an obscure Jewish intellectual named Moses Mordecai Marx Levi, alias Karl Marx, joined one of the branch organizations of the Illuminati known as the League of the Just. In 1847, he was hired to write what became known as the *Communist Manifesto*. It was basically a policy statement of their overall plans for the future. It also plainly plagiarized the writings of Adam Weishaupt and his disciple, Clinton Roosevelt.

Griffin quoted from an article published in the *Illustrated Sunday Herald* on February 8, 1920, in which Winston Churchill was reported to have said:

. . . From the days of Spartacus Weishaupt to those of Karl Marx, to those of Trotsky, Bela-Kuhn, Rose Luxembourg and Emma Goldman, this world-wide conspiracy has been steadily growing. This conspiracy played a definitely recognizable role in the French Revolution. It has been the mainspring of every subversive movement during the nineteenth century, and now at last, this band of extraordinary personalities from the underworld of the great cities of Europe and America have gripped the Russian people by the hair of their heads, and have become practically the undisputed masters of that enormous empire.

The creation of a "Central Bank" (the American Federal Reserve System) and income taxes were all part of the conspiracy by the international bankers to enslave the American people, wrote Griffin. Originally, the international bankers included the Rothschilds of England, i.e. The Bank of England, and their American counterparts, J.P. Morgan and Company in New York and the Rockefeller family in Ohio.

Although these banking families carried tremendous influence on the economic and political life of the country at the beginning of the nineteenth century, the American economy had grown so dynamic that the international bankers were having trouble maintaining control of its development. They decided to establish a "central bank" operated by themselves.

In 1912, Colonel Edward Mandell House, a close advisor to President Wilson, outlined the concept of a central bank, income taxes, and the establishment of socialism in America in his book, *Philip Dru: Administrator—A Story of Tomorrow*.

Shortly afterward, in December 1913, the Federal Reserve Act passed the House of Representatives and the Federal Reserve System came into existence. Under the act, the international bankers were granted the privilege of loaning money to the U.S. government at interest.

Conservative Henry Cabot Lodge Sr. was quoted in a *Congressional Record* dated June 10, 1932 as saying that the Federal Reserve would make it possible for the bankers to "submerge the gold standard in a flood of irredeemable paper currency."

Griffin maintained that the international bankers made huge profits by financing worldwide wars. Paul Warburg was the chief architect of the Federal Reserve System in America; his brother, Max Warburg, handled the financial backing for Hitler through the Mendelsohn Bank of Amsterdam. Hitler was later financed by the J. Henry Schroeder Bank with branches in Frankfurt, London and New York.

Even the financing of the Russian Revolution came from British and American circles, according to Griffin: Jacob Schiff \$20,000,000; Sir George Buchanan, and Lord Milner from the Rochchild Corporation provided 21 million rubles.

This same group later developed the Council on Foreign Relations. Wrote Griffin:

The main tool of the internationalist elite in the United States is undoubtedly the Council on Foreign Relations (CFR). The CFR was formed in 1921 under the direction of Colonel Edward House when it became apparent that America was not going to join the League of Nations, an early effort to create a One-World government. The principle figures behind the formation of the Council were banking barons like J.P. Morgan, John D. Rockefeller, Paul Warburg and Jacob Schiff—the very personalities who engineered the creation of the "Federal" Reserve System and who were responsible for the introduction of income tax to America.

Griffin added: "It should be noted that both of these (a central bank and a graduated income tax) were major points in the Communist Manifesto published in 1848—a work plagiarized by Karl Marx from Illuminist Clinton Roosevelt's book, *The Science of Government Founded on Natural Law*, published by Dean and Trevett, 121 Fulton St., New York, in 1841."

According to Griffin, Clinton Roosevelt's book outlined plans for the regimentation of mankind under the control of "the enlightened ones" (the Illuminati), and their plans to emasculate and then destroy the American Constitution which Roosevelt likened to a "leaky vessel which was hasily put

together when we left the British flag.”

Most far-right literature maintains that the Illuminati conspiracy included gaining control of schools, colleges, universities, newspapers, magazines and publishing houses. Reportedly, the Rockefeller and Carnegie Foundations were a part of this conspiracy.

Griffin used as an example a book, entitled, *Foundations: Their Power and Influence*, written by Rene A. Wormser, a Congressional committee general counsel, who wrote that the facts the committee developed “leads one to the conclusion that there was, indeed, something in the nature of an actual conspiracy among certain leading educators in the United States to bring about Socialism through the use of our school system. . . .”

Dr. George Counts, a professor of education and a leading member of John Dewey’s “Frontier Thinkers,” wrote in a *1934 Report on Education* (produced by the American Historical Association and sponsored by the Carnegie Foundation): “The age of individualism and laissez-faire (freedom) in economy and government is closing, and a new age of collectivism is emerging.”

According to the radical-right, the above mentioned bankers and educators were members of the secret Illuminati, including those in the Federal Reserve who designed the American dollar bill.

The Illuminati insignia, the pyramid with the “all seeing eye” at the top, gained Masonic significance after the merger of the Masonic Order with the Illuminati at the Congress of Wilhelmsbad in 1782. Griffin pointed out that the insignia as described above is seen on the back side of the American one-dollar bill. The words “Novus Ordo Seclorum” at the base of the seal translate to “New Deal,” declaring that the beginning of a new social order (or World Order) had been established. This insignia was adopted by Weishaupt at the time he founded the Order of the Illuminati on May 1, 1776, said Griffin. Moreover, the founding of the Illuminati was memorialized by the “MDCCLXXVI” date written at the base of the pyramid, and not the date of the signing of the Declaration of Independence as was supposed.

The chief cornerstone or capstone missing from the top of the pyramid represented the removal of Jesus Christ, described in the Bible (Ephesians 2:20) as the “chief cornerstone.” Christ was also described in Mark 12:10 and Luke 20:17 as the “stone which the builders rejected.” The Illuminati, noted Griffin, therefore removed the chief cornerstone from their insignia and replaced it with the “Satanic all seeing-eye.”

The Trilateral Commission, founded by David Rockefeller in 1972, according to members of the far-right, is a modern-day coalition of financial, industrial and politically elite conspirators who control giant banking firms, the U.S. Federal Reserve, and the U.S. Treasury. The purpose of the Trilateral

Commission, and also of the larger and older Council on Foreign Relations was to use concentrated wealth to exert world power.

David Rockefeller, who chaired the Council on Foreign Relations and was also chairman of Chase Manhattan Bank, reportedly asked Michael Blumenthal, then chairman of the Bendix Corporation, to bring up the idea of the Commission at the Spring 1972 Bilderberger meeting.*

The Trilateral Commission was subsequently formed because of increasing commercial competition between the United States and the combined industries of Japan and Western Europe. Rockefeller thought that if the three industrial superpowers could form some sort of industrial cartel, they could quietly carve up the globe into economic areas of influence.

Rockefeller placed Zbigniew Brzezinski in control of Trilateral Commission operations. Michael Blumenthal and Brzezinski were later moved into respective control of the U.S. Treasury and National Security under the Jimmy Carter Administration. Allegedly, Jimmy Carter was a member of the Trilateral Commission as was George Bush. Ultra-right theorists believe the big five New York City banks are all run by members of the CFR and the Trilateral Commission.

*The Bilderbergers, comprised of top United States and European bankers and corporate and political leaders, have met annually at plush international spas for the past twenty-eight years to coordinate economic, commercial and political policies.

Common Law

Identity advocates told Seymour they rejected lawyers based on a passage in the King James Bible, Luke 11:52, which says, “Woe unto you, Lawyers! for ye have taken away the key of knowledge.”

American courts in the 1980s were becoming clogged with patriots who refused to use the services of a lawyer and insisted on preparing their own documents and representing themselves in court.

In 1985 and 1986, Colonel Gale tested common law jurisprudence and sued the *New York Times*, the *Fresno Bee*, the *Oregonian*, the *Sacramento Bee*, *California Magazine*, the Anti-Defamation League, and the American Broadcasting Company for allegedly libelous publicity. “I sued ’em in an ‘at law’ proceeding, not ‘in equity,’” said Gale at a May interview with Seymour. “The guy who sits there in the black robe on the bench is not a judge at law. He’s a chancellor in equity. Now, at law, a lawyer can’t even enter that court. He’s a title of nobility by the laws of this country. In judicial procedure, he’s an officer of the court. The judge is a title of nobility—the Constitution prohibits titles of nobility in ‘at law’ proceedings. Can’t even go into court . . . it’s one citizen against the other!”

An “action at law” was filed against Royal Calkins of the *Fresno Bee* for writing the following paragraph:

It was even rumored that he [Gale] was performing ritual sacrifices of black and Jewish babies. He was labeled the Minister of Hate. According to Federal agents and the Anti-Defamation League of B’nai B’rith, an organization Gale despises, he has become a spiritual leader of the white supremacist movement in the United States. He is believed to exert strong influence over the Ku Klux Klan groups as well as the Posse Comitatus and tax revolt movements active in much of the West and Midwest.

The statement that Gale sacrificed black and Jewish babies was of course absurd, but he ignored modern civil procedures and filed under common law precepts. The case was dismissed, his petition did not comply with rules of the court.

Other media stories were less provocative, nevertheless, Gale sued them also. He sued Wayne King of the *New York Times* for saying that Aryan Nations derived its violently anti-Semitic doctrines from the Ministry of Christ Church in Mariposa, California. John Snell of the *Oregonian* was sued for writing that Gale was training racist groups in paramilitary commando tactics; Dale Maharidge of the *Sacramento Bee* for inferring that Gale inspired Richard Butler in Idaho to form Aryan Nations; and Geraldo Rivera for playing an audio tape on “20/20” (ABC network) in which Gale reportedly said, “Kill them all, wipe them out, there’s a war coming. . . .”

Peter Lake wrote in “An Exegesis of the Radical Right” (April 1985, *California Magazine*) that “Anglo-Israelism (now known as Christian Identity) might have remained safely in the bottom drawer of intellectual history” had it not been discovered in this century by first Gerald L.K. Smith who led the Christian Nationalist Crusade, then by “the two chief living prophets of Christian Identity” who were both Californians: Richard Girnt Butler, who moved to Idaho, and Colonel William Potter Gale, who operated his Ministry of Christ Church from the gold-rush hamlet of Mariposa, in the foothills near Yosemite.

In his article, Lake wrote that Butler, “like Gale, boasts of wartime service and says his military background gave him a broad experience concerning alien races.”

“Gale rants with McCarthyite passion,” wrote Lake, “interminably against the Zionist conspirators who have taken over America.” Reportedly, Colonel Gale wrote *The Road Back*, a training manual on “hit and run” tactics.

All of these “common law” suits were dismissed by U.S. District Court Judge Edward J. Garcia in Sacramento and Gale never had his day in court, though he did file a Writ of Mandamus with the Supreme Court claiming Judge Garcia and a coalition of lawyers “entered into a conspiracy to deprive him of his constitutionally guaranteed rights.” Gale contended that “Judge Garcia entered into a common law court unlawfully for the purpose of subjecting the petitioner [Gale] to equity jurisdiction thereby denying him the right to due process of law and trial by jury as guaranteed and mandated by Article VII of the Bill of Rights.”

Judge Garcia had conducted a pretrial conference in which Gale’s libel suits were dismissed. This “equity proceeding,” according to Gale, was contrary to the rules of common law in which the defendants were required to answer the complaint after which time the action would go before a jury.

On February 6, 1987, Gale’s Writ of Mandamus was returned to him by the chief deputy clerk of the Supreme Court in Washington, D.C. with a note stating that his petition had not complied with Rule 27 and 33 of the Rules of

the Supreme Court. Gale ultimately filed liens against everyone involved, including the lawyers of the defendants, and discontinued his efforts to sue for libel.

Four major sources from which Gale derived his common law tenets were Article III of the U.S. Constitution, Article VII of the U.S. Bill of Rights, a government document (printed and distributed in 1927 from the Government Printing Office in Washington, D.C.), entitled *The Formation of the Union of the American States*, and the writings of Lucille Moran from Massachusetts whom Gale admired greatly.

Article III of the U.S. Constitution noted that “The judicial power shall extend to all cases, in law and equity” Gale explained that Article III indicated there were two forms of law: In law or common law, and equity or admiralty law.

Article VII of the Bill of Rights noted: “In suits at common law where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.” Because the Bill of Rights is still in effect, this assured an individual the right to a “common law” trial by jury, according to Gale.

Article II of the government document *The Formation of the Union of the American States* originated on July 13, 1787, read as follows: “The inhabitants of the said territory shall always be entitled to the benefits of the writs of habeas corpus, and of the trial by jury; of an appropriate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. . . .”

Lucille Moran, Gale’s close friend and mentor, wrote: “If self-government by rule of law is currently non-operative in this nation, we do not have to look very far or use a magnifying glass to investigate and isolate the cause of the malaise. The evidence shows that self-serving entrenched bar groups have slyly set themselves up in a complete monopoly of the Judicial branch and virtual monopolies of the Legislative and Executive branches. . . .”

In her revolutionary writings, Moran, who was the daughter of a Massachusetts lawyer, suggested that roughly eighty percent of the members of Congress and state legislatures were members of a “private association of men called the American Bar Association.” Accordingly, she mused that lawyers had stacked the deck in their favor by taking “squatters rights” on the courts, and accused them of grandiose scheming to abridge Constitutional safeguards and install despotism.

Quoting Thomas Jefferson, Moran wrote: “The greatest danger to the republic will be presented by the judicial branch of the government. It will usurp

the powers of the legislative and executive branches, and thereby establish a dictatorship of the judiciary over the people of this land.”

Driving her point home, she added, “If you are still dubious about shouldering the revolutionary demands that are necessary for the maintenance of our self-governing system, I cite you the Tenth Article of the New Hampshire State Constitution which not only bans any political designs patterned after the British rule of men scheme, but provides explicit instructions for curing the disease should it prove recurrent. It is unabashedly entitled, ‘Right of Revolution.’”

“Right of Revolution” said, “. . . whenever the ends of government are perverted and public liberty manifestly endangered, and all other means of redress ineffectual, the people may, and they ought to reform the old, or establish a new government.”

“The [American] Revolution,” wrote Moran in a report entitled, *Constructive Notice*, “existed long before the bloody fighting and should not be confused with the War for Independence—which came afterwards to prove that these virile Americans meant business and were not just talkers, debaters, or hand-wringers.”

The first paragraph of the report noted, “This is a *constructive notice*, a judicial notice, and an indictment of certain persons in the United States of America who are considered to be in conspiracy to subvert the Constitution of the United States and are in seditious conduct against we the people, the lawful government of the states of this Union, known as the United States of America.”

The conspirators were lawyers and judges. They were attempting to defeat the law of the land by “devious language conversions, enabling legislation, and rulemaking.”

The government was being put on notice that the body politic, or “we the people” were not going to allow themselves to be destroyed by any of the several “crimes against the state raps that seem to be in vogue.”

“These conspirators,” she wrote, “must be asked by what political theory do they think that public employees, such as judges, prosecutors and the like, have been delegated the power and the authority to coerce sovereign citizens and members of this self-governing body politic by threatening to prosecute and dis-sieze them of their God given rights merely on the notions of law and say-so of persons who make believe that they are better than other people, but in fact, they are not. They must be asked, where they get off to make believe that legislative frivolities (pretended legislation) conveniently planted on the books by these same associations of persons called lawyers, in furtherance of their wicked design, can take precedence over the Constitutional guarantees

of our revolutionary self-government mandate, the Constitution, so that strivers can reverse roles with the sovereign citizens or body politic.”

Ultra-right literature overflowed with criteria for self-representation in courts (*in propria persona*) and common law procedures. Patriots explained that they were attempting to revive the issues and principles of the American Revolution in order to cause a political and economic reformation as dramatic as that of 1776.

One publication noted that common law was “scientific law” as opposed to “political law.” It all began around 500 A.D. The Roman Empire had collapsed, barbarians were overrunning Europe and setting up feudal governments, and government court systems were non-existent. When two individuals had a dispute, in order to avoid violence, their families and friends would gather and tell them to find a neutral third party to listen to their stories and make a decision.

The disputants were usually brought before a clergyman and he would make a decision which later became known as a “precedent” and was used again and again by commoners to settle their disputes. The body of precedents produced by the clergymen, later known as judges, became the law of “common usage.” Common law was a private legal system completely independent of government.

Patriots argue today that law and government are two very different institutions and do not necessarily go together. They say law is a service and government is brute force, or enforcement of laws. In old common law, there were two fundamental laws on which all major religions and philosophies agreed: (1) Do all you have agreed to do (contract law), and (2) do not encroach on other people or their property (criminal law).

Rightist manuals say political law is considered the opposite of common law. It is considered arbitrary in that it changes with the political wind. Something that is right today can be wrong tomorrow and right again the next day. Political law reportedly destroys businessmen’s ability to plan ahead, because the people’s wants change constantly. James Madison was quoted from *The Federalist Papers*, “What prudent merchant will hazard his fortunes in any new branch of commerce when he knows not that his plans may be rendered unlawful before they can be executed?”

The leaders of the American Revolution believed common law was superior to political law. After the revolution, they created the Bill of Rights and other documents based on common law principles. The goal was to keep government officials restrained by them and permanently establish such fundamental “God given” rights as life, liberty and property without possibility of being erased or revoked by government. “All men are created equal” reportedly meant political equality, in other words, government officials did not have the power

to encroach on private citizen’s rights.

Patriots believe that common law principles disappeared in the 1930s when Franklin Roosevelt’s New Deal politics came into effect. One publication entitled, *The Committee to Save the Judges From Hanging* wrote: “We citizens have allowed ‘judges’ and other public servants to assume and impose upon us an alien and unlawful jurisdiction. That alien jurisdiction is the Roman Civil Law, the law of dictators. That evil and alien law, the Roman Civil Law, allows ‘judges’ to enforce the unlawful summonses of IRS agents, Highway Patrol officers, city policemen, building inspectors, OSHA agents, FDA agents, and the agents of all other equally unlawful regulatory bodies of government. That evil and viscious Roman Law allows the ‘judges’ to have you arrested, jailed, and your property taken away from you without a common law trial by jury.”

The same publication listed common law criteria:

... The only entity that can decide an Action at Common Law is a twelve-man jury deciding the law and fact, without any interference from a bureaucrat of any ilk. Under the Common Law, no evidence of any nature can be withheld from the jury. When the ‘judge’ controls the admissibility of evidence, he is tampering with the evidence, a criminal act.

Under the Common Law, no bureaucrat can dictate what happens to your liberty or your property. The only entity that can determine punishment (pass sentence) upon a citizen is a lawfully constituted Common Law Jury.

A common law guilty verdict required a unanimous vote. However, enforcement of early common law had no connection with government, therefore a judge or police force could not enforce decisions handed down by the jury. If the perpetrator of the crime did not abide by the verdict of the jury, he became an outlaw, outside the law. Because he had chosen not to accept the responsibilities of the law, he could not enjoy its protections. Henceforth, his legal status became the same as that of a rabbit. Anyone could hunt him down and enslave him, or kill him. It was none of the court’s business, the outlaw had made his choice.

A technique often used by modern day common law advocates is the practice of representing one’s self in court without a lawyer and demanding as “a matter of law” that the court produce a “victim.” There is no such thing as a “crime against the state,” they declare in their documents. For there to be a crime, there had to be a victim, and “the State could not be a victim.”

Committee of the States spokesman Roger Elvick was charged in Griggs County, North Dakota with practicing law without a license. There were three separate hearings presided over by three separate judges; Elvick produced legal

papers demanding that the court “produce the victim.”

Other North Dakota farmers followed his example and filed papers similarly. “Did a ‘victim’ file an injured party complaint?” they asked the court. “Was I indicted by a Grand Jury?” As a “matter of law,” the judge was asked to bring forth the injured party to be examined under oath by the accused. Because the crimes were perpetrated against the state (lack of licenses), the defendants argued that they wanted to subpoena the state so they could question “it” on the stand.

The frustrated North Dakota judges insisted that the defendants plead guilty or not guilty and get on with the hearing. The defendants refused to acknowledge the “equity” jurisdiction of the court and quoted Article VI of the U.S. Constitution, “The accused has the right to be confronted by the accusers.” The cases were ultimately thrown out of court.

Roger Elvick took his common law practice to Franklin County, Wisconsin where he helped Committee of the States Clerk Randall Reineking file a common law Writ of Habeas Corpus directed to County Sheriff Rex Bowling who had incarcerated Reineking for practicing law without a license. The Writ declared that the detention of Reineking was without proper authority and due process of law because it did not have an “injured party complaint.” Reineking testified at a subsequent hearing (the COS trial) that the Writ was unsuccessful.

Elvick, however, continued to add to his repertoire of court-room strategies. In August 1990, the *Forum* newspaper in North Dakota reported that he had been convicted and sentenced by a federal court to three years and ten months in prison for masterminding a nationwide tax fraud scheme in which he and other tax protesters reported false income information to the Internal Revenue Service to harass people that they considered their enemies.

Betsy Gerboth, a staff writer for the *Forum* newspaper, reported that Elvick and three co-defendants, one from Glendale, Arizona, sent phony forms to the IRS on which they claimed to have made extravagant payments to judges, lawyers, bankers and others, with the intention of prompting IRS audits of their victims. They also filed bogus 1040 forms with the IRS, seeking large refunds.

Gerboth’s August 25 article included a number of comments made by U.S. District Judge Rodney Webb during Elvick’s sentencing hearing. At one point, after Elvick had repeatedly asked for a Writ of Habeas Corpus claiming his constitutional rights were being violated and insisting that the court had no jurisdiction in his case, the judge responded: “This is being repetitive. About 90 percent of what you’re talking about today, you’ve addressed before. . . . I want to be courteous if I can to you, but I can’t understand the way you so easily and glibly throw around constitutional terms with no apparent logic.”

Elvick’s co-defendant, a woman from Arizona who also received three years

in prison, parroted much of what Elvick had said earlier. Every time there was a lull in the proceedings, wrote Gerboth, the Arizona woman interjected with a “rambling discourse that touched on, among other things, the Constitution, the definition of a person and why she believed the court had no jurisdiction in her case.”

After Judge Webb handed down his sentence, the woman refused to acknowledge it. “I don’t authorize you to carry out any sentence,” she said. “I don’t allow it. I don’t agree to serving any time.”

Judge Webb admitted to all four defendants, who refused to attend their seven-day trial or acknowledge their court-appointed attorneys, that he had no hope that prison terms would either rehabilitate them or deter them from similar criminal conduct in the future. Instead, noted Gerboth, the judge hoped their sentences would send a message that would deter others from participating in such schemes.

Schools of common law across the country had already distributed video courses and case histories to thousands of advocates. One such school, Barristers Inn School of Common Law in Boise, Idaho charged \$2,400 for a video taped course in common law. A quicky, one-hour course could be obtained for \$20. However, few defendants were prepared for the reception they frequently received in court. Common law documents were generally not accepted for filing at the courthouse. Discussion about Constitutional issues relating to the validity of common law jurisprudence, of licenses or income taxes was barred from court. The judges threw out carefully prepared “In Propria Persona” motions, pled not guilty for the defendant if he would not acknowledge the jurisdiction of the court, and assigned court appointed lawyers to defend him. If the defendant protested too loudly he was placed in contempt of court and incarcerated for psychiatric evaluation.

Not all far-right cases were unsuccessful in court, however. One case, the Charles Wayne Brown case, was heavily copied and distributed throughout the movement. Brown, a resident of Houston, Texas, filed a “Request For Declaratory Judgement of Citizenship” (In Propria Persona) in June 1986 asking the court to recognize his “class of citizenship” as that of a natural born, non-Fourteenth Amendment citizen. Declaring that two classes of citizenship existed in the United States, Brown wanted legal recognition of “De Jure” status.

He also wanted three questions addressed by a U.S. District Court and the answers placed on record. They were: (1) “To whom pertains the original common law citizenship of the Constitution of the United States?” (2) “Whether that de jure citizenship was destroyed with the advent of the Fourteenth Amendment?” and (3) “Whether the class or classes of de facto and artificial citizenship created via the Fourteenth Amendment may be imposed

sans knowledge and consent upon one who is of de jure citizenship?"

An excerpt from his petition read as follows:

Petitioner respectfully moves this Court to review this petition (with attached authorities) for a Declaration of his class of Citizenship being that of the PREAMBLE of the United States Constitution and of the PREAMBLE of this State's Constitution and *not* emanating from that of the Fourteenth Amendment which I believe is somewhat different and that the first is natural requisitional Citizenship being that of the Sovereign body that created the State and the Federal Government, where the latter is a conferred Citizenship subsequent to its creation, which has a different legal procedural and status of reduction of the law.

Brown asked the court to legally declare that he was a "Free, White, Citizen" and a member of a class without special conferred rights by the state, but rather a natural citizen as designated in the preamble of the state's constitution.

The attached documents to the petition asserted that he was a "Free, White Citizen of Texas" and thereby a United States Citizen and co-heir of the inalienable rights set down by his forefathers in the Preamble of the U.S. Constitution. He was not a corporate entity, nor was he seeking escape from "natural liability;" he was responsible for his own actions and therefore did not need to be policed by the state pursuant to the maritime jurisdiction (equity law) of the "de facto 14th Amendment to the United States Constitution."

Brown's supportive documents extensively quoted the precedent case, *Dred Scott v. Sanford* in affirming that he was a citizen *de jure* (natural) and not a "de facto corporate State created creature." He then went on to say that by no process other than the due process of the organic Constitutional and common law could any de facto government or accouterments demand or establish any maritime privileges or license upon him, "a Real Natural Citizen and Co-Heir."

As a "natural" citizen, Brown refused to be governed by a maritime or equity jurisdiction, then proceeded to revoke his drivers license #01650955 and cancel participation in the Social Security System which, he said, were deprivations of his inalienable rights under the organic law.

Brown listed numerous points and authorities in a forty-five-page memorandum which argued, amongst other things, that white Americans were in full possession of substantive natural citizenship, and should not be affected by the "limited citizenship" imposed upon those peoples who came under "the protection" of the Thirteenth Amendment (abolishment of slavery) and Fourteenth Amendment (granted citizenship) provisions. Black slaves could have citizenship and other rights bestowed upon them by government, but government could also withdraw those rights arbitrarily. Such citizenship was there-

fore "artificial." White De Jure citizens had "unalienable" rights declared at the founding of the country which could neither be bestowed by government nor taken away.

All Constitutional amendments enacted after the original first ten were considered invalid by the far-right. A number of case histories used by Brown explained why the radical-right insisted on being called "non-Fourteenth Amendment citizens." One such case (*United States v. Wong Kim Ark*, US 649-692) was quoted as saying: "The object of the 14th Amendment, as is well known, was to confer upon the colored race the right of citizenship."

The amendment "reversed and annulled the original policy of the Constitution," wrote Brown, quoting *United States v. Rhodes*, supra, at 794. An 1873 ruling (*United States v. Anthony*, 24 Fed. Cas. 829, 830) stated that "the rights of citizens of the state, as such, are not under consideration in the Fourteenth Amendment. They stand as they did before the adoption of the Fourteenth Amendment, and are fully guaranteed by other provisions."

The original intent of the Constitution was perceived as static by Brown: "The Constitution is either a superior, paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and like other acts, is alterable when the legislature shall please to alter it. If the former part of the alternative be true, then a legislative act contrary to the constitution is not law; if the latter part be true, then written constitutions are absurd attempts, on the part of the people, to limit a power, in its own nature illimitable," he wrote. (Reference: *Marbury v. Madison*, 1 Cranch 237, at pages 176 to 178).

Brown called upon the Texas court to review the identity of the founding fathers and what their intent was at the time the Constitution was created. Again, language from the *Dred Scott v. Sanford* precedent was excerpted to support his claim that certain classes of people were not intended to be included under the word "citizens" in the Constitution and therefore could not claim the same rights and privileges which were provided for "posterity" by the framers of the Constitution.

The framers, according to Brown, were unilaterally of the white race and of Christian faith. The Preamble to the Constitution designated "to ourselves and our posterity" was speaking of the white Christian race only. The "one people" of the Declaration of Independence was likewise referring to white Christians, he wrote.

Regarding the separation of church and state, former U.S. Supreme Court Judge Joseph Story (1810—1846) was quoted from *Commentaries on the Constitution of the United States*: "The real object of the [First] amendment was, not to countenance, much less to advance Mohammedanism, or Judaism, or infidelity, by prostrating Christianity; but to exclude all rivalry among

Christian sects, and to prevent any national ecclesiastical establishment which should give to an hierarchy the exclusive patronage of the national government. It thus cut off the means of religious persecution, the vice and pest of former ages, and of the subversion of the rights of conscience in matters of religion, which had been trampled upon almost from the days of the Apostles to the present age." (*Commentaries*, Story, supra, Vol. III, at pg. 728).

"Christianity," wrote Brown, "as the embodiment of the law of God, was, and is, of the common law of both England and the American Republic." *Wylly v. Collins*, 9 Ga 223, 237 (1851) was used to indicate that the Bible was the foundation of the common law.

Page sixteen of Brown's Memorandum, Point No. 5, proclaimed: "The De Jure citizenship of the Organic Law pertains solely to 'Free White Persons.'" Who were the citizens of the several States when the Constitution was adopted?, he asked. Who were recognized as the people or citizens of a State whose rights and liberties had been outraged by the English government? And who declared their independence, and assumed the power of government to defend their rights by force of arms?

"In the opinion of the court," he added, "the legislation and histories of the times, and the language used in the Declaration of Independence, show that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, nor intended to be included in the general words used in that memorable instrument." (*Dred Scott v. Sanford*, supra, Page 407.)

Congressional acts, such as the naturalization law passed on March 26, 1790, confined the right of becoming a citizen to "aliens being free white persons." The first militia law, passed in 1792, directed that every "free able-bodied white male citizen" shall be enrolled in the militia, and so on. Court rulings and Congressional mandates abounded in Brown's Memorandum to support the concept that more than one class of citizenship existed in early America.

* * * * *

That the founding fathers spoke and acted according to the then established doctrines and principles of their day is not disputed by modern-day liberals. Mortimer Adler, author of the book, *We Hold These Truths: Understanding The Ideas and Ideals of the Constitution*, advocates updating the Constitution to fit a democracy, instead of a republic, which he says is bigoted and outdated.

"They [the founding fathers] were expressly against democracy," noted Adler in a public affairs television segment hosted by Bill Moyers, entitled, "In Search of the Constitution" which aired on April 30, 1987. During the television program, Adler carried on a teaching debate with students at St. John's College in Annapolis, Maryland. The college dates back to the revolution; four of the college's founders signed the Declaration of Independence.

A republican form of government is "tyranny of the majority," or majority vote, said Adler. In other words, "tyranny of legislation by a majority that treats the minority of the people unjustly." Adler suggested that "democracy" corrects the defects in the Constitution by allowing for the common good. ". . . Economic rights are just as basic to human rights as political rights and we haven't fully and finally secured them by several enactments."

Colonel Gale's response to Adler's presentation was taken from a November 30, 1928 War Department *Training Manual*, a United States Army document numbered TM 2000-25, which set forth definitions of a Democracy and a Republic. An excerpt from the Appendix noted: "These precise and scholarly definitions of a Democracy and a Republic were carefully considered as a proper guide for U.S. soldiers and U.S. citizens by the Chief of Staff of the United States Army."

The document defined a Democracy as "A government of the masses . . . results in mobocracy . . . attitude toward property is communistic—negating property rights . . . results in demagogism, license, agitation, discontent, anarchy."

Under "Republic," the attitude towards property was listed as "respect for laws and individual rights, and a sensible economic procedure." The results of a Republic were, "statesmanship, liberty, reason, justice, contentment, and progress."

Gale scoffed at any suggestion that the Constitution was outdated and ineffective as it is currently written. "The Constitution is a contract between the states," he said. "The federal government has no 'rights' whatsoever, only powers. Without the Constitution there is no 'federal' government, no federal courts, no federal Congress and no President of these United States!"

He handed Seymour a quotation from Abraham Lincoln. "Lincoln had the answer to liberals," he quipped. The passage read as follows: "The people of these United States are the rightful masters of both the courts and the Congress, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution."

Seymour chuckled at an anecdote attached to the Lincoln passage which seemed more appropriate for the far-right. It was a quote from Idaho Senator Steve Symms: "In America, freedom and justice have always come from the ballot box, the jury box, and when that fails, the cartridge box."

The Senator

Arizona State Senator Wayne Stump seemed to be a warm, unpretentious man who through an evolutionary process involving research on the Constitution, inadvertently became a friend and occasional defender of the religious right.

He was introduced to Seymour through Jessica Armaugh (from the Bill of Rights meetings) who asked the senator to phone the reporter in Mariposa, California. Stump subsequently sent Seymour communications corroborating his position on various constitutional issues.

At the top of a letter written to the National Rifle Association (NRA), Stump listed memberships in the Bicentennial Commission of the U.S. Constitution, the Christian Law Association, Christian Chiropractors Association, and the Arizona State Rifle and Pistol Association. He also noted that he was a member of the board of directors of the National Rifle Association, a life member of the NRA, and an advisory member of the Committee to Restore the Constitution (headed by Lt. Colonel Archibald E. Roberts, author of *Victory Denied*).

In his letter to the NRA, Stump wrote that the authors of the Second Amendment (the right to bear arms) did not write it to protect citizen's rights to self-defense, or their rights to hunt or compete with firearms. "They wrote the Second Amendment," he noted, "to preserve our rights to throw off tyranny.

"Our founding fathers had just thrown off the tyranny of King George, III, and they wanted to make sure that the people kept in their own hands the power necessary to throw off tyranny should our government ever become tyrannical. These men knew that a militia of the people armed with whatever they could afford would be a far greater force than any standing army that could be raised and supported by a tyrannical government."

Stump's letter was written to support armor-piercing bullets, a controversial issue that the NRA was addressing in their monthly publication. He wrote: "In looking at the Second Amendment, it needs to be kept in mind that 'the shot heard 'round the world' was fired by farmers at Concord and Lexington, using their own weapons. That these farmers (militiamen) were shooting at the policemen of the day, who happened to be wearing red coats. They threw off

tyranny with their own weapons and with 'cop-killer' bullets. Therefore, the Second Amendment was written for the purpose of guaranteeing the people's right to have so-called 'cop-killer' bullets, because that is precisely what they needed to throw off tyranny when that demon raised its ugly head."

Senator Stump's interest in Constitutional law drew letters and circulars from "patriots" across the nation. In a letter reproduced in a patriot circular, Stump wrote: "Many folks involved in the research and use of the principles involved in our 'Republican' form of government have become personal friends. These friendships have enabled a great degree of activity, from diverse sources, to develop together for the purpose of comparison and evaluation . . ."

During a meeting in Mariposa, California, Jessica Armaugh had produced a packet of letters and communications from Senator Stump with whom she said she communicated regularly. Essentially, Stump's communications to Mariposa discussed the Fourteenth Amendment to the U.S. Constitution. According to Stump, the "creation" of the Fourteenth Amendment delineated a new "class" of citizenship. In other words, there were two classes of citizens in America; a "preamble citizen" who was born or naturalized within the Republic and a "citizen subject," enfranchised by the Fourteenth Amendment and enjoying the privileges of a "limited" citizenship.

A "subject citizen" or Fourteenth Amendment citizen, could be regulated by licensing, thus giving control of himself and his children to the state "by making them wards of the state and subject to the regulation of the legislative courts by statute, etc."

Non-Fourteenth Amendment citizens were entitled to "direct personal access to the Article III courts known as justice courts which deal with law." Preamble, non-Fourteenth Amendment citizens were the only class of citizens who could claim the protections of the first ten Amendments to the Constitution.

"As the truth of our personal status, and the responsibilities connected therewith unfolds," he wrote, "it becomes clear that the Article III justice court must be accessed individually by the person claiming that right. At present, it is being done by common law filing of actions 'in law' with County Recorders who have been found to be ex-officio clerks of the County courts."

Preamble citizens were also known as "de jure citizens." In May 1987, the *Mariposa Gazette and Miner* newspaper ran a story entitled, "Freeman Challenges Courts" which described Jessica Armaugh's fight in a Mariposa court to establish herself as a "sovereign, de jure citizen" who was not subject to regulation by the State of California Department of Motor Vehicles. Armaugh had received a citation from Highway Patrolman Gary McCullough on September 4 when she was caught driving her unregistered car down Triangle Road without a driver's license. At the time, Armaugh said she chose

to live without “licenses, permits or contracts with the state.”

On November 21, 1986, Jessica sent officer John Conway a “Constructive Notice” advising him that because he had mailed her a “Complaint: Notice to Appear” (Case No. 42212), he had violated her “substantive rights, specifically Article 4 of the Bill of Rights, Article 5, Article 6, Article 9, and Article 10.”

Attached to the Constructive Notice was a letter written by Senator Stump which noted that numerous individuals in Arizona had also rescinded their driver’s licenses and Social Security cards.

Stump’s letter, dated December 10, 1985, was addressed to Ralph Milstead, Director of the Department of Public Safety in Arizona. Part of the letter read as follows:

It has come to my attention that numerous individuals in our state have rescinded all of their contracts with the United States Federal government, the State of Arizona, and each of its political subdivisions, establishing themselves as Freemen under the organic national Constitution of the Republic of the United States of America. Consequently, they may be driving without auto registration, driver’s license, or any other evidence of contract.

Because many law enforcement personnel may be unaware of the contractual nature of auto registration and driver’s licenses, it is conceivable that this situation may lead to confrontation between these individuals and law enforcement personnel. I urge you to inform yourself and your personnel about this matter as soon as possible. If you would like to be briefed by someone knowledgeable on this subject, please contact me.

Stump’s letter caused consternation within Arizona law enforcement and on February 25, 1986, he sent out a letter explaining that he was simply offering his “knowledge” of common law, equity law, admiralty/maritime law and contracts to the law enforcement community. He was trying to represent “all” the people in his district, he said, and that included “those who wanted to lawfully move from the contractual jurisdiction of Admiralty/Maritime—just as our Founding Fathers did, placing themselves in a position consistent with the Common Law and the Constitution”

Though Stump was not a member of the Committee of the States, and indeed may not have known of the existence of the Committee of the States, he attached a list of “Sources of Information” which naively included names such as Roger Elvick and addresses of organizations such as the National Commodity and Barter Association in Colorado and Arizona, and *Aid and Abet Newsletter* from Phoenix, Arizona.

In Mariposa, the original letter was simply excised from Armaugh’s case file at the courthouse. She never discovered who removed the documents, but she later re-inserted copies of them back into the file.

One letter, written by Senator Stump, dated November 14, 1986, addressed to Arizona Attorney General Bob Corbin, questioned the right of the state to administratively regulate “unenfranchised individuals who constitute the sovereignty of the State.”

In an attached letter, the attorney general replied that “the privileges or immunities clause of the Fourteenth Amendment of the U.S. Constitution provides that no State shall make or enforce any law which shall abridge the privileges or immunities of the Citizens of the United States,” however, added Corbin, “this applies only to those uniquely Federal rights, such as the right to interstate travel or commerce, and not the Bill of Rights.”

Armaugh’s court documents disregarded Mariposa court procedures and jurisdictions. She claimed that she would not obtain an attorney to represent her in court because “there was no such thing as State-licensed attorneys; the California Bar Association was a private corporation, not registered with the Secretary of State, and what she had been led to believe were licensed attorneys, were in fact, only members of a private corporation.”

She also insisted that she had the right to go forward in court (without a court-appointed attorney) under the Bill of Rights, the Sixth Article, “to counsel of her choice, not to represent her, but to sit there at her side to assist with the papers and to act as counsel.”

The court had no jurisdiction over her, she said, because it was an “Admiralty Court,” as indicated by the fringe on the American flag displayed in the courtroom. The court had no proof that she ever signed “a contract” to obey the California Commercial Vehicle Code, and therefore the code did not apply to her. She also contended that the district attorney had no right to be in court because he was a member of the state bar association.

In a document filed on April 9, 1987, Armaugh quoted a precedent case, *Griswold v. Conn.* (1965), to support her position that she had the right to drive without a drivers license: “The Fourteenth Amendment prohibits the states from infringing on the right to travel, which is so essential to our pursuit of life, liberty and happiness.”

Ironically, Armaugh’s document used the Fourteenth Amendment to support her premise, while at the same time, she maintained that she was a sovereign, “non-14th Amendment” citizen.

The district attorney of Mariposa County countered in his court documents that “the issuance of a driver’s license by a State did not involve contract law; a license was in no sense a contract between the State and the licensee, but was

a mere personal permit, neither transferable nor vendable; people had a right to travel, however, that right was subject to reasonable regulations for the public good, and liberty of conscience did not excuse acts which were inconsistent with the peace or safety of the State. . . .”

Armaugh responded: “It is my firm belief, both political and Christian, that we do not need licenses to pursue life, liberty or happiness, which government was established to protect. The power to license is the power of life and death. There is no greater piece of disinformation than the propaganda that driving is a privilege—it is a natural right.”

* * * * *

On June 2, 1987, Jessica Armaugh was arrested and booked at the Riverside County Sheriff’s Department for misdemeanor violations of public intoxication and carrying two concealed loaded firearms on her person. She had been taken, semi-conscious, to Riverside General Hospital where she was treated for heat exhaustion. The police were called when the gun was found in her jacket. Also in her purse was found a Committee of the States membership card.

She later told arresting officers that she was traveling back to California from Phoenix, Arizona, where she had delivered papers to Senator Wayne Stump. She had become exhausted from the heat at the Indio bus depot and fainted. The gun she carried for self-protection was “her constitutional right.”

In court, Jessica refused to accept a court-appointed attorney and insisted that she was illegally searched. When asked what her age was, she responded, “I’m keeping to my Fifth Amendment Rights.” She also would not allow the jailer to take her fingerprints. A psychological evaluation was ordered by the presiding judge.

Psychologist Michael C. Leitman wrote the court that Armaugh was uncooperative with personal questions and because of her “uncooperative attitude and paranoid ideation she would most probably not be able to understand the nature and purpose of the proceedings taken against her.”

He also wrote that she probably would not be able to cooperate in a rational manner with counsel in presenting her defense.

In jail, Jessica refused to eat or drink. On June 15, Frank G. Andrews, commander of the Riverside County Jail facility in Indio, petitioned the court to remove Armaugh to the Riverside County Hospital where her rapidly deteriorating condition could be treated. She was placed at the hospital for mental evaluation.

While under observation, and heavily sedated at the hospital mental ward, Armaugh managed to obtain a pencil and paper from an inmate which she used to write an articulate nine-page Writ of Habeas Corpus. The Writ, witnessed by the signatures of six inmates, read in part as follows: (Handwritten)

Indio City Superior Court
In and For the County of Riverside
Oasis Street
Indio, California 92202

People of California, Accuser

v.

Jessica D. Armaugh,
Sovereign, Freeman,
In Pro Per, (Continually
Denied Counsel of My Choice),
Deus Vult, Accused.

I.

Comes now the Accused, waiving none of her rights at any time, demanding all of her rights at all times, including the right to time.

II.

That the Accused does bar jurisdiction to the Riverside County Superior Court, located in Indio, California which is still under jurisdiction of the United States and the Constitution FOR the United States of America.

III.

That to wit, this Accused has a status no less than Escobar, Sanchez and Miranda and superior to the aforesaid as recorded in the County Recorder’s Office of Mariposa County, Mariposa, California wherein are three (3) documents:

- 1) Public Notice of Sovereign Status
- 2) Notice: Waiver of the Breach
- 3) Revocation of any and all Power of Attorneys

IV.

That this sovereign Accused had a ‘heat’ stroke on June 2nd, 1987, at approximately 7:00 a.m. while waiting for a Greyhound Bus in the bus station of Indio, California and the doctor’s notes from the Indio hospital do so reflect the record.

V.

That an ambulance was called for this Accused and Indio Police did arrive upon the scene of the 'heat stroke.' This Accused was semi-conscious and volunteered her identification to the ambulance personnel ONLY.

VI.

That one executive employee of the Indio Police Department did willfully and illegally search the private properties and person of this Accused without a valid probable cause (*corpus dilecti*) and/or a legal warrant nor permission from this Accused, as this Accused was in a delicate health condition and could not gather enough strength to resist this unlawful rape of this Accused's RIGHTS. . . .

Section ten of Armaugh's Writ declared that the Accused was "aware of many United States Supreme Court rulings, including those which state that this Accused's photograph and fingerprints are her PRIVATE PROPERTY."

Armaugh stated that she, therefore, refused the "illegal booking [which] the sheriff's department so cruelly tried to force upon her by violent physical abuse." The abuse, she stated, was in the form of "the twisting of both arms and pulling of this Accused's hair in order to force a picture from her, the brutal force of one deputy who had an attitude problem and twisted the left arm of this Accused, doubling her in half and making her cry out in pain, and a third time when this Accused was ordered out of her jail cell to be handcuffed and manacled while her hair was again cruelly pulled and head twisted in order to steal another picture from this accused."

According to her handwritten document, Armaugh was taken before the "magistrate of the lower agency forum, to wit, the Municipal Court of no record located in the same building as the sheriff's jail." She refused to acknowledge the jurisdiction of the municipal court and informed the judge that she took exception to all further proceedings against her. The judge promptly turned her over to the superior court for an order to see a psychiatrist.

At the hospital, Jessica refused treatment and would give no medical information to the doctors. The scars on her body indicated that she had been hooked up to "feeder tubes" at a date prior to her incarceration. She explained that her esophagus had been removed years before and the scarred area required periodic treatments to allow her to eat and breathe.

In her June 13 Writ she wrote: "To date, this Accused is still illegally incarcerated with her throat daily growing tighter, slowly strangling this Accused and causing irreversible damage to this Accused's body; plus the mental anguish of this horror tormenting her mind by the minutes"

On June 17 the Writ was officially denied. On June 20, Senator Wayne Stump intervened on Jessica's behalf. He personally typed a letter asking Indio Superior Court Judge Herrin to review the successful *Brown v. Texas* case in which Charles Wayne Brown requested a Declaratory Judgement of Citizenship of the District Court of Harris County, Texas. Essentially, the petition discussed "classes" of citizenship and government jurisdiction over such classes.

In his letter to Judge Herrin, Stump wrote that Jessica had, in fact, delivered papers to his office on June 1. "While Miss Armaugh was here," he wrote, "she indicated that her lawful status of citizenship is that of Article 4, Section 2 of the United States Constitution, a preamble individual, and that as such she is subject to the jurisdiction of an Article III court, but not of an Article I legislative tribunal and that a properly executed 4th Amendment warrant is required to make an arrest. . . ."

Stump added that "there were individuals who had properly established their Article 4, Section 2 citizenship status both by Averments under seal and by declaratory judgements as in the Brown case in Texas." Jessica Armaugh had apparently recorded such a declaration in Mariposa County on December 13, 1985.

On June 30, Dr. LeVan Cao, a staff psychiatrist at Riverside General Hospital, sent a report to Judge J. Carroll at the Indio Superior Court recommending that Jessica be discharged to the Riverside County Jail. Jessica was still uncooperative and insisting that she was illegally arrested by "executive branch of government," but she was obviously not insane.

Jessica was transported to the Indio Branch Jail, instead. A court hearing was set for 9:00 a.m. on July 6, 1987 at which time Judge B. J. Bjork dismissed the charges against her and she was released to go home.

Without funds and nearly destitute, Jessica did not pay the fines imposed upon her by Mariposa County for earlier traffic violations (driving without a license or registration), but instead, fled to Washington, D.C. where she subsequently went to work for the National Rifle Association.

* * * * *

In addition to his literary contributions to the NRA, Senator Stump circulated writings about the Federal Reserve and juries. In a composition entitled, "I Owe My Soul to the Company Store," Stump wrote: "The 'company store' is a rather limited group of international bankers who control the currency of

most of the nations in the world through central banks. In the United States it is known as the Federal Reserve Bank.”

The bankers had burdened Americans with a currency of interest-bearing debt dollars. The founding fathers knew about the bankers, wrote Stump, “they have been with us for thousands of years. In the Bible they were called ‘money changers’ and Jesus chased them out of the Temple. Our forefathers did not intend for us to be controlled by the money-changers. In the Constitution they provided us with the means to chase them out. Article I, section 10 says that ‘no state shall make anything except gold and silver coin a payment for debt.’”

Moreover, noted Stump, “Under the Constitution the states cannot force the payment of taxes in anything or force creditors [employees] to accept anything but gold and silver coin. . . .” He implored the reader to “chase out” the money changers and force the government, in court, under the Constitution, to bring back “honest money.”

In another essay entitled, “The Inheritance Stealers,” Stump asked prospective jurors to go to their local superior court and obtain a copy of the juror’s handbook. “The juror should judge the law as well as the facts in a case,” he warned. “. . . We are governed by our own consent,” he added, “this is our inheritance. Did you give your consent to our present unjust laws, over-regulation and heavy taxation? If you served on a jury you did. . . .”

Historically, according to Stump, jurors rejected unfair laws by nullifying them in the jury box. Two outstanding examples were the Prohibition Act and the Fugitive Slave Act. In both instances, Stump pointed out, the government could no longer get convictions and the acts were repealed.

In one of his most heartfelt writings, Senator Stump proclaimed “Freemen” to be acting in concert with “God’s principles and natural law and the organic Constitution—and completely opposite to lawlessness” when they rescinded their contracts with the state and called themselves Freemen. “Acts of violence against proper law are unthinkable to Freemen,” he declared.

Stump noted that Freemen believed it was “reasonable and right to move from one jurisdiction [admiralty law] to another [common law].”

“Freemen are willing to take a stand for what they believe to be proper, right, and good,” he wrote, “and to test what they perceive to be true of the established law in a court of proper jurisdiction.”

More than two years later, Seymour received an updated treatise from Senator Stump on Fourteenth Amendment citizenship and admiralty law. He had always had trouble accepting the idea that Fourteenth Amendment citizens couldn’t access the first ten amendments to the Constitution. “Recent research,” he wrote, “seems to indicate that if anyone cannot access the Constitution or Article III courts, it may be through involvement with the Uniform Commercial Code [that their goals may be accomplished]. It now appears that there may be built into the UCC (Uniform Commercial Code) ways to extract one’s self from the UCC and perhaps by doing so, become someone who can exercise un-alienable rights in an Article III court. In addition, my Bible in several places indicates that the ‘stranger in your midst’ rights are to be protected also. This principle, if applied, would seem to indicate that the unalienable rights of anyone should be protected.”

Regarding admiralty law, Stump noted that more recent research indicated that “statute law” was something called “colorable law,” rather than admiralty law. He expressed a concern that some of his earlier writings, “while based upon research available at the time,” may have been inaccurate or misleading in view of information developed recently.

“I believe that the sharing of available information, even if it later proves not to be absolutely accurate or on point, is useful in continuing down the road of inquiry and knowledge, stimulating additional research.” He added that his goal had always been the truth, but he worried that his readers might use his statements as “authority” and be tempted to act upon them, thus putting them at risk in a confrontation with government.

In closing, he addressed his final concern: “I believe that the God given rights which our forefathers attempted to secure with the Constitution for the United States of America have, through deception, been infringed in many ways.”

The Survivalist

JUNE 19, 1987 (Mariposa, California)—The survivalist agreed to be interviewed provided that his real name be replaced with a fictitious one. He occasionally lived at Manasseh Ranch when he wasn't guarding Gale's private residence in Lushmeadows. He was a Vietnam veteran, a survivalist, and an officer in the Unorganized Militia who believed the end of the world, as we know it, was near. He pointed to passages in the Bible, Matthew 24:16 and others, which warned Christians to "flee into the mountains" when the end times come.

He had established four emergency camps in the Mariposa wilderness, each costing \$2,562, and weighing approximately 965 pounds. At last count, he was vigorously burying a fifth camp.

Every Tuesday night, he attended the Bill of Rights meeting on Triangle Road, put on by Jessica Armaugh and her friends, most of them former members of the Ministry of Christ Church. He didn't participate in the round table discussions after the meetings, but one night as he prepared to leave, he handed Seymour a packet of literature which he had brought to the meeting especially for her.

The following Tuesday night he agreed to be interviewed on condition of anonymity, but he insisted that the interview take place at her home. Seymour was listed in the telephone directory, so she advised him to call her before the interview. She wanted time to think about it.

* * * * *

On June 19, 1987, he arrived at Seymour's home carrying a large box of material obtained from the Ministry of Christ Church. Seymour assigned him the code name of "Clute." The interview went surprisingly well on that first evening, and by the third interview, he began to describe the training activities at Manasseh Ranch in dramatic detail. He remembered David Moran well.

Moran, along with Bill Sivils (who was later discovered to be an undercover agent), had shown distinctive expertise in preparing explosive devices for night-time training sessions.

The training sessions, according to Clute, included night-time ambush techniques, garroting, booby-trapped mine fields, and other guerrilla warfare tactics.

From a box under his chair, Clute produced a bag of home-made bomb parts and a handwritten manual, which he had authored, describing how to construct anti-personnel, anti-tank mines and booby traps. Believing the author to be a prophet of sorts (because of her book project), Clute endeavored to prepare her for the coming revolution. She was provided with expensive radio tracking equipment, special antennas, walkie-talkies, maps, boxes of food and supplies, and a guerrilla warfare manual put out by the Ministry of Christ Church.

Clute's manual, *The Family Minute Man Kit*, consisted of mine field criteria and check lists along with assembly diagrams and parts lists for "camp defense weapons." Some of the camp defense weapons consisted of 12-gauge booby traps, 5-gallon bursters, drop tube kits, anti-personnel mines, gasoline tree traps, bungi stake foot traps, vehicle cable snares and branch flail traps.

A cautionary excerpt from the "Training and Practice" page read: "We deployed six perimeter kits on our first training exercise. If they were loaded with live ammo, we would have killed two command staff, two of our own team, and one aggressor."

Detailed instructions for preparing and setting up a 12-gauge claymore mine field, code named "Perimeter Kit," were written on page one, followed by a "Mine Field Criteria and Check List" instructing the team member to "make a sketch of the area (roads, streams, houses) to determine team escape routes, determine the most probable approach by the enemy—land and air, prepare for aircraft and satellite surveillance, sketch guard outposts, positioning and communications, base camp positions and re-supply routes, determine the duration of a mine field, prepare a contingency evacuation field, and mark the mine fields for team members."

From a box of catalogued right-wing communiques, Clute retrieved a fearsome guerrilla warfare booklet entitled, *Irregular Warfare*, produced by the Ministry of Christ Church of Mariposa. The first page of the booklet notified the reader that the contents of the book were not only essential, but mandatory for the survival of the Republic. It speculated that the United States would ultimately surrender to the Soviet Union under threat of a first strike nuclear attack.

Tactics and techniques of "irregular warfare" were defined under such headings as: Leadership, Training, Communications, Counter-intelligence,

Sabotage, Raids, Defense, and Explosives. Irregular warfare was to be carried out by “overt guerrilla units and covert underground elements in small towns and rural areas of each county.”

Under the “Defense” heading, a section referred to the irregular force network of spies, agents and informants as such:

Nets of spies, agents and informers are employed to report on enemy installations, equipment, weapons, habits and morale. Sympathetic government officials may sometimes provide valuable information. There will no doubt be many “neutral” people amongst the population and there are some of those who will say “I’d rather be red than dead.”

For these kind of people, Irregular Force policy is that they NOT be red—but dead! If past experience with the communist anti-Christ takeovers of other nations is of any value, a first analysis could be that the anti-Christ agents and “commissars” will have already been planted prior to “announcement” that a surrender of the Republic has been made.

These small groups of reds will occupy the high-level positions in all elements of the “government” (communist government, that is). This may run the gamut from Mayors of cities to County seats, State Capitols and the National Capitol itself.

Present officials in the offices taken over will no doubt be invited to a “conference” by the commissars appointed to replace them. The meeting place will have a front door and a back door. The “conference” will be brief—in the front door—out the back door and swift “execution”

Collaboration with the enemy is punished severely by Irregular Forces. This may be accomplished for psychological purposes as well as for direct punishment such as creation of civil disturbances, destruction of local food supplies, abduction and assassination. Officials or soldiers of the enemy may be killed and the corpses displayed in pro-enemy communities if necessary

Under “Explosives,” detailed instructions were given for creating home-made explosive devices for sabotaging enemy power sources, transportation, public services, communications, buildings, bridges and motor vehicles. The paragraph closed with instructions for preparing and using a garrote: “It is made from two pieces of wood and a fine, strong wire attached. Upon approach from the rear, the hands are raised and then crossed as the wire is brought forward, down and over the head of the victim. At the rear of the head, the wire is crossed over itself and the left hand pulls to the left and the right hand to the right. This is a deadly weapon. A good text on unconventional warfare devices and techniques with references is Department of the Army Technical Manual

TM 31-200-1, April 1966—if it can be obtained easily. Please do not ask us where to get it! Use your own initiative.”

Sitting at the kitchen table, Clute sipped coffee and pondered his relationship with Colonel Gale. “The first contact I had with Reverend Gale was through the *Fresno Bee*. On the front page they ran a story entitled, “Mariposa Minister of Hate,” or something like that. At that time, I was commuting back and forth from Fresno to Mariposa to meet with a friend, we were planning on building a Christian survival camp in Mariposa.

“Then when the story came out in the *Fresno Bee*, my friend Jim said he didn’t want to build a survival camp anywhere near a radical like that. In as much as I was working in Mariposa, he suggested that I try to get more information on Gale.

“During the process of getting more information on him, I met someone who actually knew him. Course they didn’t come out and admit it right away. They were staying at the K.O.A., as I was, and I wanted to relate to these seemingly poor people about the coming disaster that Christianity was going to face, so I invited them out to dinner.”

Clute paused, fidgeting with the coffee cup. He seemed unsure of how to continue. Looking up, he said resolutely, “I had an experience. It was incredible. I was walking to meet them at their little trailer, when I saw a bright light. It appeared to be a bright light, accompanied by a feeling of euphoria and a three word message. The message came from somewhere in my brain and it said, ‘Right on and continue.’

“The message wasn’t in my normal language, but that’s the way it came through translated. I went on down the path, because it only lasted a few seconds, but it was something I’ll never forget.”

Clute told the people, “You guys must be Christians” when he arrived at their trailer. Later on, they told him they attended Reverend Gale’s church and gave him a tape to listen to. “I listened to that tape for about fifteen minutes and I knew this country was in serious trouble. Just listening to the tape, I knew the man was telling the truth and the *Fresno Bee* was a blatant liar.”

Clute met the caretaker of Manasseh Ranch and helped him out for several weekends. “I attended the 1985 seminar and later, Reverend Gale invited me to move my little trailer over to his property. Just out of the clear blue. And I said, ‘No, this can’t be true,’ so I just ignored it. Two weeks later, he asked me again, so I said I could have it over at his house on Saturday.”

He chuckled, causing the tan skin at the corner of his eyes to crinkle. “I had been thinking about his offer. I knew that Reverend Gale’s house was nuclear ground zero—right there, you know, the feds were going to blow him up, and he proposed to move my little trailer over to his house.”

He laughed again. "I did some very serious thinking about it and I couldn't think of any human being that I would rather die with than Reverend Gale. For the truth that he brings to everyone. . . ."

The seminars had "very important people" in attendance, according to Clute. "We were all concerned about the next step of the Satanic Occupational Government, SOG for short, and we felt that it would be a good idea to make certain that there wasn't anything left at Reverend Gale's house that the feds could construe as incriminating evidence. So I was instructed to get rid of anything of mine that might be incriminating.

"We had a big discussion whether to do it or not to do it, and Reverend Gale said it wasn't necessary. But the rest of us talked among ourselves and we felt we'd be more comfortable if I got my equipment out of there."

Clute had piercing eyes and straight Gregory Peck features, but his speech was almost folksy. His voice didn't match his rugged appearance. Seymour had never seen him wearing anything but army fatigues, sometimes a flannel lumberjack shirt when he walked through town, but always in mountain attire, and always reserved, remote. At that moment, he spoke confidentially, as if talking to a friend. "I had just got a new job and had a terrible cold. It was a lot of work getting that equipment out of there. It had to be buried off the property."

He paused, looking deep into the reporter's eyes. "It couldn't be anywhere near the property, it had to be secure, and on the morning of October 23, 1986, at 7:00 in the morning, I had just thirty seconds to clear the driveway and I would have been free."

Seymour realized that was the date and time of Gale's arrest at his home. Clute continued, "The whole driveway lit up with red lights and I said, 'Oh boy, here they come.' We'd already been trained for it, I knew exactly what to do. I felt very disappointed that I couldn't engage them in combat at the time. But my orders were not to do anything. I obeyed the orders."

He looked out the large kitchen window and seemed lost in thought. When he turned his face towards the reporter, it was tense, his mouth had become a straight line. "I still regret not being able to have the opportunity to engage them, even though it would have cost my life. I had the capability—but I followed orders."

In the back of Clute's pick-up truck on the morning of the arrest were claymore mines and other training equipment he had accumulated during his association with undercover agent Bill Sivils. Oddly, according to Clute, Sivils had been the catalyst which caused most of the Mariposa members of the Unorganized Militia to become interested in booby traps and mines. Clute laughed sardonically. "Until Sivils came onto the scene, we didn't know how

to make the things," he said. "Oh yeah, we learned a lot from him. Some of the techniques that he taught us worked well and they'll work well again. Against the people he was working for."

On the morning of the arrest, Clute said his equipment was covered over by a tarp in the back of the pick-up truck, but no-one thought to look under the tarp. "I was immediately accosted by the local county sheriff and he was backed up by, oh, four or five cars, maybe more out there over the hill. Anyway, they jumped out of their cars with sawed off shotguns and I was held at gunpoint while they arrested Reverend Gale. The whole thing was over in about three minutes."

Seymour wanted to know more about David Moran. Clute rubbed his chin and squinted his eyes. "David Moran was a special man among a group of special men. He was outstanding as a constitutional speaker—and a militia soldier. He believed in God and he was willing to fight for it. He was an outstanding irregular warfare specialist. He enjoyed it very much and the people around him enjoyed it very much."

Seymour asked, "And Florence Wolf, did she actually participate in the training? Did the gals get into it?"

"Oh yeah, the women loved it."

Seymour pressed, "What did they do. Did they crawl on the ground and all that?"

Clute became wary. "Well, everyone at the seminar felt that there was a real need to defend themselves and their families against the federal government and other communist governments, and it was a real deep feeling that all of us had. We did practice family defense training. We didn't know what scenario would come, whether it would be a group, a nation or as an individual, we still don't know, but the best scenario I can find to prepare for is in the Bible, Mark 13:14,15.

"I have tried to get other people to prepare and I will probably do this until the day that I die. This is how I am going to serve God. It pleased him once and I imagine it'll please him again." He paused. "You know, one of the most difficult things in the Identity message is having the patience to wait until God's time before we start the war. And when he sends in his reinforcements is the only time we'll ever win. Because we will be fighting a holding action, backing up, backing up, you know, base camp to base camp, up until the time he sends Michael, the Archangel. It's quite clear in the Bible, so I have been preparing as much survival—excuse me, don't want to use the word survival—endurance, Christian endurance equipment as possible.

"Fox hole mentality is not what it's all about. It's all about His people fighting for Him, for Yahweh, God. This is what we'll do. We'll get as many camps as we can, set 'em up, complete. Knowing that we're going to lose 'em. And fall back

to another one and back to another one, you know? And just keep doing it until it's time. And before we use these camps, which is very difficult living at best, we have to occupy our homes and do the very best we can right now."

Clute struggled for words. "It's incredibly difficult. Some people can't do it. I believe David Moran was one who couldn't do it."

* * * * *

Months later, Clute allowed Seymour to witness a training exercise in which a young initiate, clad in army fatigues and boots, was timed by a stop watch as he assembled and set a prototype booby-trap in a secluded area of Mariposa. The youngster set the booby-trap in less than two minutes.

In the nearby Sierra National Forest, a small group of teenagers met each day during the summer months for intensive combat and survival training; beneath Ponderosa pines and thick manzanita, they dug bunkers and buried equipment. Incredibly, one of the Skinheads had received a machine gun as a gift from one of his parents. But, Clute's rigorous "boot camp" program became too demanding for the youths and, as summer waned, they parted company.

The Trial—Las Vegas

SEPTEMBER 15, 1987 (Las Vegas, Nevada)—Outside the Foley Federal Building, KVBC Channel 3 News indiscriminately filmed everyone who walked into the courthouse. As outside newspaper reporters filed into the lobby, *Las Vegas Review Journal* and *Las Vegas Sun* journalists set up news operations in a private office provided by the government.

Earlier, on September 14, electronic scanning equipment which had been housed on the second floor, was moved to the first floor. On the fourth floor, which accommodated Judge Lloyd George's courtroom, special camera and sound detecting equipment was installed in the upper corners of the hallway and outside the elevators.

At 9:00 a.m., defendants, witnesses, reporters, and prosecutors crowded together outside the courtroom. Security guards and federal agents lined the hallways whispering into walkie-talkies.

Colonel Gale arrived in a wheelchair, accompanied by his wife, Roxanne, and his nephew, Lee Luttrell, who was pushing the wheel-chair. Seymour was introduced to the McCray brothers from Las Vegas, and Richard Van Hazel from Arizona, who was accompanied by his father. Van Hazel had caused a stir at the entrance to the courthouse when the metal in his legs and other parts of his body had set off the electronic scanning equipment. According to his father, he had been injured in the Vietnam war and various parts of his body were held together with metal.

In two days, on September 17, it would be the 200th anniversary of the signing of the U.S. Constitution. This phenomenon was not lost on the six attorneys who planned to use the First Amendment (freedom of speech and religion) as their prevailing argument.

Ironically, though no-one could have known at the beginning of the trial, five of the defendants would be convicted on October 2, the evening of the first day of Yom Kippur, the Jewish time of judgement and atonement.

The honorable Judge Lloyd George entered the courtroom at 9:30 a.m. Defendants William P. Gale, Richard Van Hazel, Patrick McCray, Mike McCray, Fortunato "Slim" Parrino and Gary Dolphin sat beside their respec-

tive attorneys at a large table. Seated at another table across the courtroom were the prosecutors, Assistant U.S. Attorney Richard Pocker and IRS Special Investigator Joseph O'Connell.

A jury of five men and seven women was selected by 1:00 p.m. and instructed by Judge George on how to determine the value of the evidence and the attitude and probability of the witnesses.

A list of fifty-eight witnesses had been prepared by the court to be called in to testify against the Committee of the States defendants, however, only thirty-three would actually give testimony by the end of the trial.

A few of the names listed were Angelo Stefanelli, a Committee of the States member who sent Constructive Notices to IRS agents on Committee of the States stationary; Harvey Coleman, a sheriff's detective who participated in the SWAT team search of Florence Wolf's residence; Beth Defner, a police officer who participated in the search of David Moran's residence; Rod Sinclair, commander at the Mariposa County Sheriff's Department; Robert Fiske, gate keeper at Manassah Ranch; David Longman, a major in Gale's Unorganized Militia; Bill Sivils, a paid informer for the FBI who infiltrated Gale's church; and Randall R. Reineking, clerk of the Committee of the States.

Richard Van Hazel presented a motion to defend himself *in propria persona* (to conduct his case in court himself), but the motion was denied and James Smith, Esq. was appointed as his counsel.

The court proceedings began with opening statements by Richard Pocker and each of the six defense attorneys. Pocker intended to prove "beyond a reasonable doubt" that the defendants participated in a conspiracy to violate Title 26, United States Code, Section 7212 (a), interfering with the administration of the Internal Revenue laws by attempting to impede officers of the IRS in the performance of their duties. This allegedly entailed a "threat of force" directed toward an agent of the IRS while he was carrying out his duties.

A violation of Title 18, United States Code, Section 876 was included in the indictment because the Constructive Notices, or death threats, were sent through the United States mail. "That prohibits the use of the United States mails to mail threatening communications to individuals," said Pocker, adding, "They don't have to be government officials, they don't have to be IRS employees, to anybody, so long as the nature of the threat is to cause bodily harm or to kill; a threat of force, in other words."

One of the Committee of the States notices had been sent to Judge Earl White, a state court justice of the peace who had presided over committee members at a Nevada traffic court.

Pocker looked solemnly at the jury. "This particular case may sound like a bad grade B movie. And that would be very entertaining if, in fact, this were

not true, that these were not the facts. But it is a serious situation, and it really can be summarized as the affect of a charismatic angry man on several other individuals, and their inappropriate response or their inappropriate actions in connection with their beliefs."

According to Pocker, the whole story began in 1982 when Colonel Gale began to disseminate information nationwide on the Committee of the States. The term Committee of the States came from the Articles of Confederation, a document which governed the United States in its early days prior to the adoption of the Constitution.

"What Mr. Gale did back in 1982," said Pocker, "was tape record what he called a sermon which, in essence, was a speech concerning the Committee of the States. This particular speech outlined what he thought was wrong with the American system, where he thought the cause of the problems with the American government lay and his solution for that, [for] which he called upon individuals concerned, just as he, to form the Committee of the States.

"This particular tape recording was not just made by him, but was actually disseminated to individuals all over the United States. This particular tape recording also served as a blueprint for the formation, the actual formation, of the Committee of the States.

"The purpose of the Committee of the States, according to Mr. Gale and his tape, was for putting current federal officials on notice that they were involved in a series of treasonous acts. That, according to Gale, many of the agencies of government, many of the laws that have been enacted in the last hundred years were unlawful, were treasonous and that we had, quote 'a criminal government,' unquote.

"The Committee of the States was set up and was tasked with the task of warning federal officials that they were doing things that were considered treasonous, directing their voluntary removal from office or their voluntary cease and desist from all such actions, and warning them that if not, they would be forcibly removed and could be subject to the death penalty.

"The original concept of the Committee of the States was that since Congress was misbehaving, they were acting in an illegal manner, they would be told so, they would be told to resign. And when they did, the Committee of the States would replace them as the government of the United States.

"Well, defendant Gale came up with this blueprint, put it on tape. You will find that he is an extremely charismatic man to the extent that he is a good speaker. The tape is a very compelling performance and many individuals heard that tape."

According to Pocker, in 1984 Gale traveled around the United States spreading the word about his solution to the problems in the United States. He

traveled to Texas, the Midwest, Arizona and Nevada exhorting people to take action against federal officials who supported such practices as income tax. “He specifically identified IRS [employees] and federal judges as criminals who should be removed from office and hanged for their treasonous practices. He was assisted by others, during this time period, in spreading the word and he collected a large group of followers,” he said.

One of the individuals that Gale convinced in May of 1984 to participate in the Committee of the States was a man named Randall Reineking at Irving, Texas. Gale not only explained the Committee of the States to Mr. Reineking, but he also showed him a document called the Compact of the Committee of the States which, essentially, set out the statutes that the Committee of the States were going to abolish or repeal.

Article Nine of the Compact addressed the Internal Revenue Service, basically declaring that all of the IRS laws were to become null and void. Pocker noted that Gale took pride in authorship of the Compact and gave Reineking a tape recording entitled, “Law Enforcement,” which discussed similar issues, blaming the criminal government, the judges, the lawyers, and others who were subverting the Constitution of the United States.

“The Compact,” added Pocker, “contained a section called the ‘Caveat,’ which was designed as a warning to any of those who would get in the way of the Committee of the States once they started to take action.”

He read the Caveat aloud to the jury: “Any interference or attempt to interfere with the functions and activities of this Committee of the States or its delegates by any person or agency of the government shall result in the death penalty being imposed upon conviction by said Committee sitting as the Congress of the United States.”

The jury listened attentively as the prosecutor gave an overview of the Fourth of July weekend at Mariposa, California, when the Committee of the States was formally founded. “Basically, it was a large meeting at which delegates from several different states met; they adopted the Compact that I have spoken about earlier and they affixed their signatures to that Compact; it was later filed with the Mariposa County Recorder’s Office.”

“Gale, himself, did not sign the Compact,” said Pocker. “He lamely rationalized to the other members that because he was a retired military officer it was illegal for him to be a member of the Committee of the States. So, instead, he simply opened the meeting, explained it to everybody, drafted it all up and stood in the background watching the delegates come up and sign the document in his presence.”

Pocker pointed out that Randall Reineking would testify that he was present at the Fourth of July convention at Manasseh Ranch, because he was appointed

clerk of the Committee of the States and, as such, was given custody of the official documents of the Committee of the States, including a copy of the Compact and a copy of the official minutes of the founding meeting.

During the course of the meeting, Colonel Gale reportedly responded to the question of whether or not the Unorganized Militia would actually carry out the Caveat. Pocker said Gale answered, “Yes, indeed, the Militia would carry it out. That’s not a threat, that’s a promise.”

The Committee of the States formed a “private army,” noted Pocker, that was tasked with the security of the delegates in carrying out the directives of the Committee of the States, including imposing any death penalty which would be adjudged by that Committee.

The Unorganized Militia was headed by Richard Van Hazel from Arizona who became Colonel Van Hazel the commander in chief of the Unorganized Militia. “Each and every state delegation of the Committee of the States had its own Unorganized Militia,” he cited, “and its commanders were responsible to Colonel Van Hazel.”

The defendants sitting in the courtroom were pointed out as being Lieutenant Colonel Mike McCray, commander of the Nevada Unorganized Militia and Chief Marshall Slim Parrino of the California Unorganized Militia. “All of the Chief Marshall’s were tasked with organizing their individual states for the purpose of protecting the delegates of the Committee of the States from any interference by outside government agencies or individuals, and also for carrying out any death threats which would be adjudged,” said Pocker.

Pocker further asserted that the Unorganized Militia conducted training seminars during 1984, 1985, and 1986 at which they practiced ambush techniques, the manufacture and use of explosive devices, knife fighting, garroting, and attacking homes in the dead of night. “In other words,” said Pocker, “preparing the delegates for the worst possible alternatives.”

Colonel Gale reportedly kept a tight rein on the entire situation. He drafted standard operating procedures, he directed training, and he was particularly concerned with making sure channels of communication were open between the Nevada and Arizona delegation and his ranch at Mariposa. Records of the Unorganized Militia were kept by Gale with the assistance of an individual by the name of David Longman, who Pocker noted, would be testifying later in the trial. Mr. Longman served as a staff officer for Colonel Gale and Colonel Van Hazel, so he was familiar with the operations of the Unorganized Militia.

The Nevada chapter of the Committee of the States was headed by Mike McCray. During the spring months of 1985, certain members, including Angelo Stefanelli, were having problems with the Nevada traffic courts. According to Pocker, Mr. Stefanelli took exception to the way he was handled

by Judge Earl White, a local state court justice of the peace, so he sued him. But he also sent him a warning that the Committee of the States in Nevada was holding meetings, and they subsequently sent him a Constructive Notice with a death penalty Caveat.

"The Committee was holding hearings and was hearing evidence about violations of constitutional rights by public officials, corrupt public officials," said Pocker. "Judge White received the Constructive Notice at his home address. As a result, the meetings of the Committee of the States got a little extra attention from the Las Vegas Metropolitan Police Department.

"You'll hear testimony from officers from the SWAT team from the Las Vegas Metropolitan Police Department, and they will relate to you the fact that they conducted surveillance of meetings of the Committee of the States throughout the spring and summer of 1985, trying to figure out what this group was all about."

Also, during 1985, Angelo Stefanelli was having tax problems. Constructive Notices were sent out to various IRS employees, four of which were named in the indictment. The Notices generally were addressed with a letterhead from the "United States Congress Committee of the States and Congress Assembled," with a return address of Post Office Box 27206. The post office box was in the name of the Committee of the States and was applied for by Patrick McCray.

Pocker read a Constructive Notice which was sent to an IRS agent:

Dear Mr. Agent: This Constructive Notice is to inform you that the Committee of the States is currently in session and sitting as the Grand Jury of the people of the States of the Union for the express purpose of indicting those officials and employees who would attempt to subvert the Constitution of the United States.

The document stated that the officials violating the law would be indicted and arrested by the Committee of the States. The language read as follows: "Should you choose to ignore this Constructive Notice, it will be used as prima facie evidence against you by this Committee of the States, sitting as a Grand Jury, which will issue a criminal indictment and warrant for your arrest.

Pocker added, "And then just in case the reader didn't get the point about how serious this was, they [the Committee of the States] would include the Caveat, once again in bold letters saying: 'Any interference or attempt to interfere with the functions and activities of this Committee of the States or its delegates by any person or agency of government shall result in the death penalty being imposed upon conviction by said Committee sitting as the Congress of the United States'."

Constructive Notices were sent to IRS agents Kirk Braun, John Heaton, Bonnie Culver and Hal Elks in Nevada. Those notices contained the signature of Michael McCray, however, other notices were sent to agents at the Ogden Service Center in Utah which bore the signatures of Gary Dolphin and Pat McCray.

"They [the notices] were sanctioned by Colonel Gale," expounded Pocker. "Nothing was done in Nevada without approval from Mariposa. And they had the backing of the marshals. Not only the state marshall in Nevada, but the chief marshall, Mr. Van Hazel and Mr. Parrino, who in addition to being the chief marshall in California was also the right hand man of Colonel Gale. They were going to back them up. If it came to it, the death penalty would be enforced under the direction of those individuals."

The surveillance of the Committee of the States by the Las Vegas Metropolitan Police Department continued into the fall of 1985, and on September 29, 1985, Mike and Pat McCray were arrested.

During a search of the McCray brothers' briefcases, the officers discovered documents relating to the Committee of the States and the Unorganized Militia.* Officer John Nicholson was notified, and he and Inspector O'Connell took the contents of the briefcases, which contained Constructive Notices amongst other things, and photocopied them at the Metro Records Section of the Las Vegas Metropolitan Police Department.

During the summer months, Angelo Stefanelli's tax problems had continued. As a result, he had been contacted by Revenue Officer Walt Swall who was aware of the Constructive Notices, so he took IRS internal security inspector David Richardson with him when he went to Stefanelli's home. Stefanelli was belligerent and uncooperative. He later sent correspondence to Swall indicating that the Committee of the States was tired of Swall's harrassment of Stefanelli and they were going to hold hearings regarding the matter.

On September 1, 1985, the Committee of the States met and indicted Walt Swall and Dave Richardson. The indictment was allegedly signed by Mike McCray, but witnessed and also signed by Pat McCray, Angelo Stefanelli, Susan Kieffer (Stefanelli's fiancée) and other delegates of the Committee of the States. Copies of that indictment were subsequently found in two locations: inside Mike McCray's briefcase on September 29, 1985, and inside the home of Florence Wolf in Yolo County, California, during a SWAT team search on December 12, 1986.

In March 1986, the military arm of the Committee of the States, the

*The legality of this search was later contested by all the defendants at a hearing at the Ninth Circuit Court of Appeals in Pasadena on March 13, 1990. Mike McCray claimed to have given consent to the arresting officers to remove a gun from his briefcase, but not to read the documents enclosed.

Unorganized Militia headed by Richard Van Hazel, held training sessions at Manasseh Ranch in Mariposa. Pocker stressed that the training sessions consisted of preparation for killing, ambushing, and militia-type tactics. "The reason we know this, is that a government—an individual working as an informant for the FBI attended that training."

The informant, Bill Sivils, met with Colonel Gale, Fortunato Parrino and Richard Van Hazel and joined the Unorganized Militia, later becoming the chief marshal of the state of Arizona. According to Pocker, the Committee had planned to "do some judges," but then changed their minds because "they figured that if they did one, they had to do them all."

* * * * *

Opening statements by all six defense attorneys followed Pocker's presentation. The issue of free speech was predominate throughout the morning session, however, Thomas Pitaro, Colonel Gale's hired attorney, summed up the defense strategy when he said, "The evidence will show quite clearly that the Constructive Notice allegations of the government are nothing but an attempt to place this man [Gale] on trial because they don't like his religion and they don't like his politics."

Pitaro challenged the jury to accept Gale's racial beliefs as protected under the First Amendment: "Reverend Gale believes and preaches that the United States is a Christian country, a white Christian country. That offends people . . . It is not a crime to believe that the United States of America is a white Christian country; that is accepted religious belief. And on the 200th Anniversary of the Constitution, we should not have to be in a courtroom litigating that issue."

Each of the six defendants were individually on trial, however, for strategic reasons, the government chose to try them all at once. "We have six trials going on at once," Pitaro reminded the jury. "Each person individually has his own attorney. . . . You have a very difficult intellectual task of attempting to keep straight evidence that may apply to this one and not to someone else."

Pitaro pointed out that Gale preached against lawyers, judges and bankers, particularly those who foreclosed on the farms in the Midwest. "Reverend Gale had a right, if he so believed, to criticize lawyers, and judges and bankers (in a taped sermon), . . . and that tape is not a crime."

The Committee of the States was not a figment of Gale's imagination, declared Pitaro. It was taken from the Articles of Confederation to act as an

oversight if Congress abused its power.*

Pitaro continued: "In the opening statement of the prosecutor, Mr. Pocker said that he would show that Reverend Gale lamely found an excuse not to sign the documents of the Committee of the States in July of 1984." Pitaro paused, looking around at Gale seated in his wheelchair. "Reverend Gale believes that he cannot be a member of the Committee of the States, because Article V of the Articles of Confederation of 1781 says that a person who draws pay from the United States government cannot be a member of the Committee of the States because they did not want to merge a government employee being a delegate to the Congress. Reverend Gale believes that, and that's not a crime.

"The evidence will show there is an Unorganized Militia," added Pitaro. "However, the Unorganized Militia is a law of the United States of America codified in the United States Code, which says that every person, every male, who is between the ages of seventeen and forty-five who is not an active member of the armed forces, is a member of the Unorganized Militia.

"The evidence will show that the Unorganized Militia is not a figment of this man's imagination, it is a law, albeit one that few knew about. So the Unorganized Militia, or being a member of that, is not a crime. As a matter of fact, those between seventeen and forty-five are members of the Unorganized Militia."

Prior to the trial, Angelo Stefanelli, a delegate to the Committee of the States, and the only one with tax problems at that time, had been persuaded to testify against the defendants in the courtroom. "By the miracle or the power of the government, Angelo Stefanelli no longer sits at this table," noted Pitaro wryly. "He was offered a deal to come in and be a misdemeanor to get the people who 'didn't' send the messages and the Constructive Notices to be felons, because the man that did . . ."

Pocker objected, noting that Pitaro was getting into improper evidence. Pitaro had been about to accuse Stefanelli of sending the Constructive Notices. Judge George said, "Let's move on." Pitaro continued, "The evidence will

*In 1778, two years after the Declaration of Independence, the Articles of Confederation (and perpetual union) were written by delegates from thirteen states and ratified to form a Confederacy in March 1781.

The Confederacy, called the United States of America, remained the supreme law until September 17, 1787, when the new "Constitution" of the United States was signed by thirty-nine delegates from twelve states at the Federal Convention.

The Committee of the States is mentioned in Article IX and Article X of the Articles of Confederation. Paragraph five of Article IX notes: "The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated 'a Committee of the States,' and to consist of one delegate from each state; and to appoint such other committees and civil offices as may be necessary for managing the general affairs of the United States under their direction. . . ."

An excerpt from paragraph one of Article X reads: "The Committee of the States, or any nine of them shall be authorized to execute, in the recess of Congress, such of the powers as the United States in Congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with . . ."

show the consideration given to Mr. Stefanelli, by the government, to come in and testify against these men. That will speak for itself.”

Stefanelli had been secretly taped by IRS agents Swall and Richardson when they paid a visit to his home. A quote from that transcript was read aloud in court by Pitaro: “Mr. Stefanelli says to Agent Swall: ‘Under what authority can someone go up to someone’s private vehicle or checkbook, or whatever, without their day in court, without due process of law? You guys do understand about due process of law? You’ve heard of that? You know, Fourth and Fifth Amendment; Constitutional rights, in other words?’”

According to Pitaro, Agent Swall answered that he [Swall] was not part of the law because that would lead to questions about the Constructive Notice. Swall added, “We’d be sentenced to death if we tried to do anything in reference to your property?”

Stefanelli responded, “What am I supposed to do? You think I’m going to take a gun and shoot you or something? That’s crazy; is that what you’re referring to?”

Pitaro read another transcript in which Colonel Gale spoke with FBI informant Bill Sivils. The taped conversation went as follows:

GALE: (Referring to the Nevada Committee of the States) They’ve got problems and I can’t solve them for them.

SIVILS: Yeah, they’re trying to make you the scapegoat for everything.

GALE: Well some, I think, Stefanelli. They were operating under so much misinformation, it isn’t funny.

SIVILS: Uh-huh.

GALE: That I did learn. And I think that Stefanelli, according to what Van [Richard Van Hazel] heard from the agents, they were certain that I was head of the Committee of the States. They didn’t realize that I’m not even a delegate. I had nothing to do with it.

SIVILS: Uh-huh.

GALE: I can’t be a delegate. All you got to do is read Article 5: anyone drawing pay from the United States [government] can’t be a delegate for the Congress of the Committee of the States.

SIVILS: Yeah.

GALE: And I draw army retirement pay from the United States, so I can’t be a delegate.

SIVILS: Uh-huh.

GALE: And I’m not, never have been, don’t intend to be.

Pitaro gestured towards Gale seated in his wheelchair. “Now that is what this man was saying to the FBI informant, unbeknownst that it was being recorded. And yet, the government says their evidence is going to show that

he’s the head of the Committee of the States. The evidence won’t because it can’t, because it isn’t true.”

In closing, he looked each juror in the eye and said expressively, “I’m confident that if this is not a trial of Reverend Gale’s political beliefs, then you will find you have no choice but to find that Reverend Gale is not guilty.”

* * * * *

James Smith, a court appointed attorney representing Richard Van Hazel, addressed the jury about his client’s background as a Vietnam veteran, married to a lovely Korean woman, a former reserve police officer with the Flagstaff Police Department, and a former chief criminal investigator for Coconino County in Arizona.

Informant Bill Sivils had spent a great deal of time with Van Hazel in Arizona; most of their conversations had been tape recorded by a device hidden in Sivils’ boot. However, although the conversations would be the most dramatic evidence presented in court, they did not shed any light on who actually mailed the threatening notices from Reno, Nevada.

“I would ask that you stick to the charges,” stated Smith. “The charges include: mailing threatening communications, attempting to interfere with the administration of IRS laws through threat of force, and a conspiracy to do those acts. . . .

“But I think that after it’s all said and done, after you listen to both sides of the case, it will be clear that the government is making a mountain out of a molehill. And with respect to some of the things you may hear on tape, you have to realize that you’re listening to people basically being recorded without their knowledge and that, certainly, groups in our country have the right to assemble and express their beliefs and they have the right to free speech.”

* * * * *

Dennis Wagner, a court appointed attorney for Patrick McCray, noted that McCray had at one time filed a lawsuit against Joseph O’Connell, the case agent, prior to the Committee of the States investigation.

“The elements that deal with the IRS, that we think will be shown, will be part of a vindictiveness on the part of the Internal Revenue Service against select individuals, an individual such as Patrick McCray who engaged in

conduct where he actively expressed feelings that he disagrees with the IRS.”

* * * * *

Eric Woods, court appointed for Mike McCray, instructed the jury on what they could expect during the trial proceedings. “The prosecutor is going to put his case on first. The defendants, the people that are accused of committing offenses here, are going to present their evidence afterwards. And, at that point, you are going to be instructed [by the judge] as to the law; you’re going to go into deliberation, and you’re going to have to hear from the other jurors; discuss with them, express your opinions, listen to what their opinions are. . . .

“The jury was intended to stand between the prosecutor, between the government with all its power, all its resources, and the single American citizen that might come to have a problem with the government. . . . I think that it’s important for you in carrying out your job as jurors to remember that historical role, to remember that that is why the people that drafted the Constitution created a position for the jury in the criminal justice system. . . .

“I think that the evidence in this case will show that Mike McCray, in anything he did in connection with the Committee of the States, was seeking to uphold the law. His conception at every point was that the way certain institutions in our country have developed is a departure from what the people that wrote the Constitution intended.”

McCray was seeking to promote lawful objectives, said Woods. McCray’s conception was that the Internal Revenue Service and certain parts of the government were not construed lawfully when considered in light of the Constitution. McCray’s objective was to try and modify institutions to bring them into conformity with his understanding of what the Constitution called for.

According to Woods, the Committee of the States recorded their documents with county clerks and sent their communications certified mail to government officials all over the country. “This is not an example of people who want to keep what they’re doing secret in any way, or who think they’re doing something improper,” he added.

* * * * *

Frank Cremen had been hired by Slim Parrino to represent him in court.

Though Cremen was being paid from the Ministry of Christ Church fund, he had a background of representing mostly law enforcement officials. Before moving to Mariposa, Parrino had retired from a law enforcement career.

Cremen cited Parrino’s membership in the Unorganized Militia as his only involvement in the Committee of the States. “That is not alleged to be a crime; it is not a crime. He [Parrino] is on trial because the government says he aided and abetted those people in Nevada in sending those letters, and there will not be any evidence that he was even aware that they were to be sent.”

In an attempt to prepare the jury for what lay ahead, Cremen alluded to the anti-semitic beliefs of the Committee members. “I want to bring these points out because I want you to understand that these people have these beliefs and they hold them very sincerely. Their beliefs, you may find offensive. The philosophies that you will hear in this courtroom may cause you not to like one or more of these defendants, and maybe none of them. But you’re not here to judge these men on their beliefs, you’re not here to ask yourselves whether or not Fortunato Parrino is a likable guy who has nice opinions. You’re here to ask whether or not he is guilty of the very specific acts that have been alleged against him.

“He is not on trial for being an anti-semitic, none of these men are, but the evidence will suggest they are.

“You are going to hear testimony concerning a number of philosophies. You’re going to hear about the Committee of the States, which the government has said is the product of the mind of Mr. Gale. But you are going to hear a lot more.

“You are going to hear about perhaps an Identity religion, a theory of Christianity that would deem certain people to be the children of Satan; you are going to hear about a theory of law called ‘at-law proceedings;’ you are going to hear a lot of rhetoric against lawyers; you are going to hear a lot of rhetoric, perhaps, against courts and judges; you are going to hear a lot of rhetoric about the bar association, perhaps. . . .

“But none of these defendants are accused of a crime because they belong to the Committee of the States. There is nothing criminal about the formation of this committee. None of these defendants, and particularly my client, is accused of a crime because [he] joined what has been called the Unorganized Militia. That is not a crime, and I want you to remember that. He is accused of a crime because he is alleged to have conspired with other people to mail threatening communications to interfere with the administration of the Internal Revenue Service laws.

“Now as a matter of fact, this Compact that Mr. Pocker has mentioned is one that was evidently adopted by this Committee of the States in July of 1984,

and in it they repealed, supposedly, any number of laws. They abolished the Federal Reserve system; they abolished the system of Social Security; they abolished Title 26 of the United States Code, that section which deals with income taxes; they abolished any number of agencies of government, so they said.

"They said, these men who met in Mariposa in July of 1984, that in reality the Articles of Confederation, that Compact that our founding fathers utilized to form the country at the time of the Revolutionary War, was never repealed when the founding fathers met in 1787 to adopt the United States Constitution.

"Rather, they said that Constitution was meant only to amend the Articles of Confederation, and that in reality the Articles of Confederation still exists. And one unit of government set-up by the Articles of Confederation, the Committee of the States, still exists. And the legislatures of the various states have defaulted in their obligation to appoint people to this Committee of the States to govern this country. And because the legislatures of this country have failed to do that, they were going to do it and form this Committee of the States.

"And one of the things they said in July of 1984 was that they were going to go to Washington, D.C. on the first Monday of November, as is required under the real Articles of Confederation, to take over the management of the government. Now, they said this in July of 1984 and they were all supposed to go, these delegates from these various states, to Washington and commence their administration of this government.

"Well, it didn't happen. You see, it was a pipe dream. These men never made any effort to go to Washington, and they never made any effort to implement this Compact that they adopted in July of 1984. They played games with their Unorganized Militia, but they never made any serious effort to do what they said they were going to do. . . ."

* * * * *

Daniel Markoff, a Las Vegas court appointed attorney for Gary Dolfin, had other plans for his client. In his opening statement before the jury he lectured on the Articles of Confederation thereby causing Pocker to object on the grounds that no outline of evidence was being presented.

Two days later, Gary Dolfin, 33, plead guilty before U.S. District Judge Philip Pro and agreed to testify for the government. Rick Pocker had agreed to drop the original charges and replace them with lesser misdemeanor charges in exchange for Dolfin's cooperation.

Dolfin became the third defendant linked to the Committee of the States to

plead guilty and agree to cooperate. The other two were Angelo Stefanelli and Susan Kiefer, Stefanelli's fiancée.

* * * * *

The trial received front page newspaper coverage for three weeks. The two major newspapers, the *Las Vegas Sun* and the *Las Vegas Review-Journal* published daily reports of the trial. Headlines heralded: "Feds Boost Security for Courthouse;" "Las Vegas Death Plot Exposed;" "IRS Agents Tell Jury of Death Threat Letters;" "White Supremacist's Sermons Aired;" "Witness Describes Tax Rebel's Ranch;" "Witness Tells of Paramilitary Exercises;" "State Judge Tells of Receiving Death Threats," and others which were generally self-explanatory.

The first story, published on the second day of the trial in the *Review-Journal*, quoted the government as saying that "Gale laid the philosophical groundwork for the Committee of the States during an inflammatory 1982 sermon in Mariposa."

Richard Pocker was reported as saying, "The organization went beyond the bounds of protected speech and religion, and formed a 'private army' called the 'Unorganized Militia,' which provided security for membership and was to assassinate federal officials."

In an unspoken reference to Operation Clean-Sweep, the September 16 article linked The Order, Aryan Nations, Posse Comitatus and the Ku Klux Klan to Gale's Identity Movement. Federal officials suspected that Committee of the States sympathizers were linked to a mortar attack on the sprawling Chet Holifield Federal Building in Laguna Niguel, California, on March 2.

Officials theorized that the Ku Klux Klan launched the mortars in retaliation for Gale's indictment.

* * * * *

On September 16, Judge George opened the proceedings by requesting that "racial and ethnic issues be limited," apparently implying that racial issues pertaining to the defendants' beliefs were irrelevant to the government's charges against the defendants and excessive use of such evidence by the prosecutor would prejudice the jury.

The first government witness of the day testified that Patrick McCray

applied for the Committee of the States post office box (P.O. Box 27206) in Las Vegas, Nevada. Ironically, the return box number was stamped on all the threatening communications sent to the IRS.

Hal Elks, an IRS revenue agent since 1975, testified that he received a Constructive Notice allegedly signed by Mike McCray, Chairman of the Committee of the States. Attached was Angelo Stefanelli's 1983 tax return. According to Elks, he received voluminous tax protest letters everyday with similar wording, but the Caveat at the bottom of the COS letter prompted him to turn it over to Joseph O'Connell, the Regional Inspector. O'Connell told him not to make contact with Stefanelli or McCray.

All the notices were postmarked from Reno, Nevada, however, the person who actually mailed the notices was never identified. McCray claimed that his signature had been forged.

Another IRS revenue officer, John Heaton, testified that he also received a Constructive Notice in May of 1985. Heaton was a group manager in Reno, Nevada, at the time he received the notice. During cross-examination, Thomas Pitaro asked him if he directed his agents to "go out and tell people that [the IRS] will sell their house, their car, and attach their wages if they don't pay their taxes."

Heaton answered, "Certainly, that's an alternative, I mean if it comes to that they would have to proceed with enforcement, which may mean seizure of a home, automobile, whatever."

Pitaro pressed on. "Mr. Heaton, isn't it true that in your capacity as the group supervisor that individuals who complain about taxes are considered 'tax protesters'?"

Heaton: "No I don't think you put anybody in that category. But anybody who is a member of a group and so states their feelings in writing and makes an effort to thwart the tax system, I would consider them a tax protester."

Pitaro: "Okay. Isn't it true that agents under your direction and control often seized cars, homes, bank accounts, personal property without court orders or process except the process that is issued from the IRS itself?"

Pocker objected. "Your honor, I don't see the relevancy of this at all."

Judge George: "Sustained. Let's move on counsel."

Defense attorney Daniel Markoff requested a moment with Mr. Heaton. "Mr. Heaton, you said that a person who often raises the constitutionality of something with you as a representative of the IRS, you classify as a tax protester, isn't that correct? Sort of generically falls under that line?"

Heaton: "Yes, that's generally my impression, I mean we have had—a number of groups will come to the office with television cameras and tape recorders and start arguing the constitutionality of the income tax law."

Pocker objected to the line of questioning relative to the definition of a "tax protester."

Judge George answered, "Well, it's been asked and answered and I'm—I don't know that it makes any difference. Lets' move on."

Judge George was apparently not inclined to allow any prejudicial material about the IRS to be presented in court either.

* * * * *

Randall Reineking appeared in court on September 16 as a witness for the government. He identified William Gale, Richard Van Hazel and the McCray brothers, though he seemed vague about the McCrays.

A "discovery" document prepared by government agents during a conversation with Reineking said Reineking was introduced to the right wing movement by Alton Moss, AKA John L. Freeman. He was actively involved with the right-wing from around 1979 until 1985 when he became "disenchanted with the movement due to the lack of support he received and with many of the leaders who Reineking described as charlatans."

According to the report, Reineking also disagreed with the "growing propensity for violence that the groups as a whole espoused as a solution to their problems." While he was active within the movement, Reineking said he met with representatives of various right-wing groups which included the Ku Klux Klan, Aryan Nations, The Covenant, Sword and the Arm of the Lord, the Posse Comitatus, and other Identity groups. He noted that representatives from each of those groups attended the Committee of the States Conference.

"The Committee of the States was to have the power to indict and try people for various crimes most often verbalized as treason, which carried the death penalty. Those indicted could be tried in absentia and convicted."

There was also talk about forming "hit squads," at some time in the future. The report quoted Reineking as saying that "some people had absolutely no regard for the lives of IRS agents, lawyers or police, and there was frequent talk of 'hanging them high.'"

The theory of the Committee of the States included the necessity of the president or the Congress vesting power with the group. Reineking came to believe that was a fantasy and would never happen.

Reineking's position within the Committee of the States was that of clerk, his responsibilities included keeping the records and minutes of the meetings. The minutes were recorded on a cassette and then transcribed. He also kept an

attendance roster and did not allow pseudonyms on the records and insisted on actual names. All of these records eventually ended up in the hands of the government though they were not provided by Reineking as he had passed them on to his replacement.

In court, Reineking testified that he was engaged in giving “at law” seminars with Roger Elvick, the spokesman for the Committee of the States, during the spring of 1984.

He first met Colonel Gale at a meeting in Irving, Texas, on May 7, 1984. The purpose of the meeting was to “open up a larger scale of communications for the Committee of the States.”

Reineking said there were a series of documents that were called the Committee of the States documents. They were unsigned and there were some questions about them, also how “it was going to more or less come off and what was going to happen with it.”

Pocker asked Reineking to clarify what type of paperwork he went over with Colonel Gale. Reineking answered, “It was the basic resolutions that were adopted by the subsequent Committee of the States.”

According to Reineking, the Committee of the States Compact, dated July 4, 1984, was discussed with Colonel Gale on May 7, 1984, however the document was not signed by any of the delegates as yet. “The document had been in the fire for about twenty years as I understood it at the time,” said Reineking.

Slim Parrino’s attorney objected on behalf of his client, since the conversation between Gale and Reineking did not implicate Parrino, or any of the other defendants. The court allowed the testimony of Reineking to be limited to Gale.

Pocker resumed questioning: “Mr. Reineking, what did Mr. Gale tell you about that document called the Compact?”

Reineking answered: “Well, some of the articles in there that were discussed were placing limitations on the IRS, in fact eliminating them. Bringing back lawful money to the United States, such as gold and silver coin. Regulating banks and things of that nature.”

Pocker: “Did Mr. Gale indicate to you whether or not he had any involvement in preparing that document?”

Reineking: “Yes, he did have input into the preparation of this document.”

July 4, 1984, was chosen as the day that all the various committees would end their deliberations and ratify the Compact by states. At the May 7 meeting, Reineking received four tapes from Colonel Gale. One of the tapes was titled, “Law Enforcement—Tape No. 8412.” In court, the tape was marked as Government’s Exhibit No. 60.

Reineking had been particularly concerned about the Caveat at the end of the Compact. “Interference with the functions or activities of the Committee

of the States by a person or agency of government would result in the Death Penalty being imposed”

He wanted to know just exactly what this meant in terms of “enforcement” of the Committee’s warning. Pocker asked Reineking to be more specific. “Well,” answered Reineking, “I asked for more information on how the enforcement of it and everything was going to be carried out. . . .”

In response to Reineking’s concerns, Gale gave him the audio tape “Law Enforcement.”

The government had made a redacted tape, marked Government’s Exhibit No. 61, which contained portions of Tape No 60 on it. The speaker on both tapes was identified by Reineking as William Potter Gale. Pocker moved for the admission of Exhibits No. 60 and No. 61 into evidence.

Pitaro objected on behalf of Gale stating that the tapes were clearly within the parameters of the First Amendment, pursuant to political and religious beliefs. Also, according to Pitaro, the tapes were prejudicial in that they were offered only against Gale and not against the other defendants, thus making it difficult to say that the tape was part of a conspiracy.

Pocker responded that the tapes reflected Gale’s attitude and intents while asking other people to do things, but he had not shown the basis for a conspiracy at this early date.

“It’s the government’s position that Mr. Gale acted as the advisor and instigator of the Nevada Chapter and other chapters throughout the country at some seminars, and exhorted people to do what the defendants are charged with doing in this particular case,” noted Pocker. “This particular tape under these circumstances is almost like a recruiting tool, it isn’t just a tape that he made years ago and it’s coming back to haunt him, it’s a situation where Mr. Reineking says I need to know more about this if I’m going to participate, and Mr. Gale gives him the tape. It’s just the same as if he wrote out in longhand, well this is what it’s all about.”

Judge George wanted Pocker to go on to something else at that point. No foundation had been laid to address the concept being presented, and the judge said he was troubled with the course being used to pursue a conspiracy. “Why don’t you go ahead and address something else, then we can pursue this some time tomorrow?”

The judge stated that he would defer his ruling as to the admissibility of the tape (Government Exhibit No. 61) until a later date. *

Randall Reineking testified that he originally thought the Committee of the

*The redacted version of Gale’s “Law Enforcement” tape, Government Exhibit No. 61, essentially identified lawyers as the source of America’s problems. On the morning of September 17, this version was played aloud to the jury.

States was a positive right-wing patriot program. On July 2, 1984, he arrived at Manasseh Ranch and stayed until July 5. There was a bunk house, shower facilities, camping facilities and a main meeting hall.

Reineking testified that he saw Bill Gale, Richard Van Hazel, and one of the McCray brothers amongst the people inside the meeting hall on July 2. Gale was speaking about the articles in the Compact, the same document which he had shown Reineking in Irving, Texas, on May 7, 1984.

Pocker asked Reineking what Gale said about the Caveat, or death penalty in the document? Reineking responded that Gale merely read the Caveat aloud.

At that meeting, Roger Elvick appointed Reineking to be Clerk of the Committee of the States. Reineking would subsequently initial, stamp and attest to the authenticity of the signatures on the July Fourth Compact.

Pocker questioned the purpose of the document. "It was a tool to effect change," stated Reineking. "The basic purpose of it was to try to restore sanity to the government, that was the understanding, belief and knowledge that I had about it. Which is to say that going back to the IRS seizures and the government, or the bank foreclosures—"

Attorney Cremen objected to Reineking's voluntary statement. The court ordered that it be stricken.

Referring to the signing of the document, Pocker asked, "What procedure did you follow?" Reineking said that each delegate was called by state and they came forward to sign the Compact, with the exception of Roger Elvick who was the speaker of the house and the first to sign.

Pocker asked Reineking to identify a copy of the Compact before him, Government Exhibit No. 124, which was mailed to him from Bill Gale after the July 4 meeting in Mariposa. Pocker inquired, "How did you know that he sent you that?" Reineking answered, "Well, I had requested it."

Pocker asked, "You requested it from Mr. Gale directly?"

Reineking answered, "Yes."

Looking at the document, Reineking attested to the signatures of Richard Van Hazel, Mike McCray, and Patrick McCray. Colonel Gale was in the kitchen, standing by the sink, while the signing occurred, he said. The people came in from the meeting hall through an archway door into the kitchen for the signing ceremony. According to Reineking, Gale was positioned about fifteen to twenty feet away from the document.

Pocker probed, "Did you notice whether or not Gale was paying attention to what was happening?"

Reineking recalled that Gale was leaning against a cupboard, watching. Gale had told him earlier that he could not sign the document because he received a pension from the government.

After the signing of the Compact, about two hours later, Reineking spoke with Richard Van Hazel in the yard outside the meeting hall. Reineking was still concerned about whether the warnings in the Caveat would actually be carried out. And if so, how and by whom?

Several of the defense attorneys objected to Reineking's testimony, but the court overruled the objections. Pocker continued, "And did Mr. Van Hazel give you an answer to your question?"

Reineking recalled that Van Hazel had said the Unorganized Militia would carry out the death penalty.

* * * * *

On September 17, Pocker formally moved that Government Exhibits No. 60 and No. 61, the full length "Law Enforcement" tape and the redacted version, be entered into evidence. The court allowed the exhibits to be received.

Portions of that tape are excerpted as follows—(Gale to his congregation):

What do you have causing your problems today? A conspiracy of lawyers in your land and in your government. To violate the law. To take the law into their own hands, and they have done it. And they are not just lawyers, they are judges in your courts and your whole judicial department of government. They are presidents of men in the executive department of your government. Today, you have one who was a movie actor instead of a lawyer. That's worse. Mr. Nixon was a lawyer. The Governor of California is a lawyer. The governor of almost every state in the United States is a lawyer. Ninety-nine percent of your legislative bodies, your state legislatures are lawyers. Ninety-nine percent of your federal legislatures are lawyers. Ninety-nine percent of the men in public, on your public payroll are lawyers. . . .

Early in the tape, Gale paraphrased a biblical passage which went as follows:

Woe unto you lawyers . . . Whosoever will not do the law of your God, and the law of the King, let judgement be executed speedily upon him, whether it be to death or to banishment or to confiscation of his goods or to imprisonment.

Gale believed violators of the law were judges, lawyers, and people in government on the public payroll who were committing crimes against God's people.

... criminal deprivation of God-given rights, unlawful taxation, and unlawful court trials in equity or law merchant, or the law of admiralty, which has been the crux of problems ever since the nation was founded. . . .

That was the biggest complaint of the colonists against England and its Parliament, was that they imposed admiralty law upon the colonists; and they didn't want it. . . .

Regarding the revolution, Gale said there is a revolution going on in America today.

It's exploding. It's right under the surface. But the shot at Concord Bridge hasn't been fired yet. It will be shortly fired. And when it is fired, the King's magistrates had better head for England, or they're gonna be hung by the neck. The same as occurred in 1776 and 1778 by your ancestors. Is that a threat? Oh no. I predict it. That's coming, and it's coming soon. It may be coming this year in fact. . . .

According to Gale, those government officials who violated God's law would be punished by Almighty God himself.

I've seen it for over twenty years. I have seen individuals attack me and this church. And they have had one hell of a trouble afterwards. They've even died. . . .

You will learn that you don't have to pay taxes on your property. Your land is tax exempt under the law. Now, the people don't know that. And you can fight them and stop them, if you know how. And this is what we're starting to teach the people, and Roger Elvick's doing one heck of a good job in teaching it.

Gale promised to show those who attended the seminar on July 4 why they didn't have to pay taxes on their home or their property:

We're gonna have a paralegal seminar. Roger's gonna be there. We're going to have some top men in this field here, the 4th of July, to show you where the law is. He's doing it now all across the country. And it's causing the bureaucrats a lot of trouble. . . .

The sheriff's didn't know the law, said Gale.

Every sheriff in this country is going to learn the law in this next year, or he will not be sheriff. It's that simple. Now they say, you know, this

guy's threatening the sheriff. No, I'm not. It's a promise.

Regarding the IRS, Gale said:

An IRS agent who comes out to your property and says he's a law enforcement officer, and these lawyers, U.S. Attorneys, and judges, all of these people on your payroll who tell you that the IRS are law, enforcing the Internal Revenue Code and have the right to do it are damnable liars. They have no law enforcement powers whatsoever in this land. You have it, and all of it.

The state constitution said, "All political power is inherent in the people." That's you. You have the right to alter or change your form of government whenever you desire it and whenever you feel it's for the public good. That's the right of revolution and the revolution is on. All we're waiting for is the shot to be fired at Concord Bridge, and it's coming. It's coming this year. The war for independence. Yeah, it's coming because God's people are waking up, because they're getting tired of these lies. . . .

They put Jim Wickstrom in jail, noted Gale.

The judges think they're above the law. . . . When they put you in jail for willful failure to file income tax returns, they are violating the law." The states and the people are sovereign over the federal government and the Treasury Department, and they don't have jurisdiction or law enforcement power over the people. . . .

Gale exhorted about the militia and the courts, warning the government and law officials that the people were going to hold them to account:

Millions of us concerned Americans, who are like Gordon Kahl, are willing to die on our feet, rather than live on our knees under Jewish world control. . . .

To be born free is an accident, to remain free is a responsibility, to die free is a necessity. And Gordon Kahl was willing to die so that his children and grandchildren could remain free. But worms like you [the government] have made him into a monstrous murderer. And by all rights, he's an American hero. It is ironic that the agents of Satan who murdered Gordon Kahl are free to run the streets of America, while decent men and woman like Leonard and Norma Gentor and others in that area in Arkansas are in jail on a trumped up murder charge. But this will be remembered too. Physically, the anti-Christ have silenced Gordon Kahl, but America is awakened.

What is the Militia? Gale asked. It's not the National Guard.

It's the posse. It is by law, all male citizens in the country, from the age of fifteen to forty-five who are in good physical health and not in the military service of the United States. That constitutes the posse for that county. The sheriff's posse if you will.

He [the sheriff] doesn't have to use it if he doesn't want to, but he can't keep it from being formed and organized by you, the people, who are the government. He works for you. And if he is a criminal and violates the law, the posse could put his neck on the end of a rope at the most populated intersection of the township at high noon. And the body hangs until dark as an example to those who would subvert the law. That's where the term "high noon" came from.

Regarding the courts, he said they had evolved into equity courts, the same courts that America's forefather's objected to.

Admiralty law, equity law, equity proceedings—where the judge is a chancellor and not a judge in a court of law. You don't have a chance. And who has put you into this area in the last two hundred years in this land? Lawyers. Because in a court of equity, there are motions and pleadings. The first thing they do is tell you that you must have a lawyer to make motions for you and plead for you, and you put your life into his hands. And you pay him a mighty sum

That is misleading you. The Constitution, in Article Three, says you don't have to do that. The Constitution says you can go into a court of law, not in equity, where your complaint is filed against an individual, a pro se, sovereign individual. And then the court becomes your court. The United States District Court is then your court.

The judges were going to get hung, said Gale.

They're gonna bring about the shot that was fired at Concord Bridge, because they're all violating the law. They are criminals committing crimes. Against who? God's people. You the government, it is treason. It's more than treason. It is sedition against the government of the United States. Because you are the government and it's sedition against you the people. . . .

* * * * *

The Compact was also entered into evidence against Gale, Van Hazel, and the McCray brothers according to Rules 9024 and 1005 of the Federal Rules of Evidence.

Randall Reineking took the witness stand once again. He was asked to read aloud the section in the Compact, entitled Article IX, which declared income taxes unlawful.

Pocker then pressed Reineking to reiterate the conversation which took place outside the meeting hall after the signing of the Compact. Gale's attorney, Tom Pitaro, began strenuously objecting to the line of questioning and he and the other defense attorneys continued to object each time Reineking spoke. The court overruled all the objections.

Reineking: "At the beginning when I first had gotten to the meeting, Mr. Gale was discussing the—that he would like to see Mr. Van Hazel appointed as chief marshal [of the Unorganized Militia], because he felt he was qualified."

Pocker: "During your discussion with Mr. Van Hazel, did you have any discussion with him about the topic of what would happen if the Congress or other government officials did not heed the Committee of the States' warning to leave office?" (Pitaro and Cremen objected).

Reineking: "Yes."

Pocker: "And what was the nature of that discussion?" (Pitaro objected).

Reineking: "Mr. Van Hazel told me they would be removed."

Pocker: "Did you ask him anything further in response to that remark?"

Reineking: "I asked him how and by whom?" (Pitaro objected).

Pocker: "Did Mr. Van Hazel give you a reply?"

Reineking: "Yes."

Pocker: "And what was that reply?" (Pitaro and Woods objected).

Reineking: "By the Unorganized Militia, by any means necessary."

Reineking testified that he had occasion to see Richard Van Hazel again, in Lawrence, Kansas, in August 1984. Reineking had been charged with a Class D felony, "aiding and abetting a false writing," and Van Hazel had offered protection and help in fighting the criminal case.

However, according to Reineking, when Van Hazel arrived at the residence of a Mr. Emil Wiley, who was a delegate of the Committee of the States, and met with Reineking in the basement of Mr. Wiley's residence, they discussed a sample form provided by the Arizona Committee of the States to be used in Kansas and Wisconsin.

Reineking did not receive much help from Van Hazel on his criminal case. He was convicted of the offense in August 1984.

The document entitled, "Committee of the States of Arizona Assembled," dated July 4, 1984, was entered into evidence as Government Exhibit No. 121.

Defense Attorneys Pitaro and Woods objected based upon relevancy, and asked that the evidence be limited to defendant Van Hazel only. The court agreed, since the document related to Arizona only.

Pocker asked permission from the court to have Reineking read aloud the "Preamble" of the Arizona Committee of the States Declaration to be offered as evidence against Richard Van Hazel.

The court agreed and Reineking read as follows:

When men transgress against the laws of God and the rights of men and presume to see themselves as kings and lords over men, by what power and authority do they thereby govern? To all who these presence shall come, we the undersigned Committee of the States of Arizona send greetings.

To each and every member of the House of Representatives of the State of Arizona, via the Clerk of the House of Representatives in the city of Phoenix, Arizona, and to each and every member of the Senate of the State of Arizona, via the President of the Senate in the City of Phoenix, Arizona, and to each and every officer of the executive branch of the State of Arizona, via the Governor of the City of Phoenix, Arizona, and to each and every officer of the judicial branch of the State of Arizona, via the Chief Justice of the Supreme Court in the city of Phoenix, Arizona.

You are hereby served the attached indictment containing specific charges brought against you by this Committee of the State of Arizona, sitting as Grand Jury of the people (the body politic) of the State of Arizona.

You are hereby notified that this Committee of the State of Arizona shall meet in Congress Assembled at a later date at the convenience of said committee to conduct a grand jury inquest to determine your complicity, unless your resignation from office is accomplished within thirty days of the effective date thereon.

Authority. Your attention is directed to the aversation of the attached indictment. Wherein the Committee of the State of Arizona is lawfully empowered to perform its functions under the authority of the Constitution of the State of Arizona, Article II, Sections 2 and 3, as effected by the Proclamation of the Declaration of Statehood of February 14, 1912.

Caveat. In Caveat, any interference or attempt to interfere with the functions and activities of this Committee of the State of Arizona or its delegates by any person, or by any agent, or agency of government, shall result in a death penalty being imposed upon conviction by a lawfully impaneled jury.

Once again, Reineking had questioned the Caveat and asked Van Hazel if it needed to be included in the Kansas and Wisconsin documents.

Van Hazel had responded that it was needed to keep the law enforcement and legislatures off their backs.

Pocker then introduced a tape made by Colonel Gale in 1982 entitled, "The Committee of the States." A composite of excerpts had been made of this tape along with two other tapes and introduced as evidence under Government Exhibits No. 59, No. 449 and No. 58.

Tom Pitaro objected on behalf of Colonel Gale: "Your honor, I would object, these tapes follow the ambient of religious and political free speech and they should not be used. Protected speech should not be used in a criminal trial against an individual. They are sermons from the Church of Christ Ministry Church [Ministry of Christ Church], preached by Reverend Gale as religious sermons and therefore fall within the ambient of the First Amendment. And I would object based upon that ground."

Pitaro added, "Secondly, these tapes, or this tape which is a composite of the exhibits is not made in furtherance of the conspiracy, they date back to a sermon from 1982."

The court overruled the objection and received the tapes as evidence against Gale.

* * * * *

The following Monday, September 21, Randall Reineking was cross-examined by Parrino's attorney, Frank Cremen. Reineking and Roger Elvick had traveled throughout the country together, teaching what they described as "at law" proceedings. Cremen lead the witness through a series of "yes" answers by describing at law concepts for the benefit of the jury.

Essentially, according to Cremen, a citizen of the United States had a right to enter into a courtroom and represent himself without a lawyer present. There was no role for a judge, since a judge had a title, and titles were abolished in America by the founding fathers. The only people who should be present in a courtroom were the plaintiff, the defendant, and the jury.

"You file a complaint against someone, you have it served and you're in court, there's no motions, no pleadings," noted Cremen. Reineking agreed. "As soon as someone brings a lawyer into the proceedings or files a motion in the proceedings, you deem it to be in equity or chancellor, is that correct?," asked Cremen. "Yes," answered Reineking.

Cremen asked pointed questions of Reineking about the date of the signing of the Magna Carta, the Articles of Confederation and the U.S. Constitution

upon which Reineking's beliefs were predicated. He seemed intent on showing that Reineking was a stickler for the law, a student of history. Later, under intense questioning from Cremen, Reineking became confused, unable to explain how the Mariposa Compact had been ratified "lawfully" under the terms of the Articles of Confederation.

Again leading the dialogue for the purpose of enlightening the jury, Cremen clarified Gale's theory that the Articles of Confederation were never abolished at the time of the signing of the U.S. Constitution. According to Gale's tape, the Constitution was meant to supplement, or amend, the Articles, not replace them. Gale's tape was reportedly meant to activate the Committee of the States that was referenced in the Articles of Confederation of 1778.

At the Mariposa meeting, Roberts Rules of Order were implemented. Role was taken. And the Compact which was signed there referenced the Articles of Confederation which stated that "No state shall be represented by less than two, nor by more than seven members."

The original Articles were ratified by thirteen states, yet the Mariposa COS Compact showed only twelve states represented. Forty-four delegates had signed the Mariposa Compact, but some of the states, such as Minnesota, Idaho and Texas, showed a signature from only one delegate, not in keeping with the requirements of the original Articles of Confederation.

Cremens pressed Reineking for an explanation of the discrepancies. Looking through the Compact, he asked, "Now I don't know, but I think if I go through here, I don't think I'll find more than eleven or twelve states represented, is that right?"

Reineking looked befuddled. "That could be correct."

Cremens pressed further. "Well, we know there weren't fifty, don't we?"

Reineking answered, "Yes."

Cremens turned toward the jury. "And we know there weren't twenty-five, don't we?"

"Yes."

"So, eleven or twelve sounds about right, doesn't it?"

"Yes."

Cremens continued with the Articles of Confederation. "Now under the Articles of Confederation, each state was to send no fewer than two delegates, isn't that right?"

Reineking: "Yes."

Cremens: "So at the end of this meeting, you realized that in order to be successful to recreate this revolutionary concept stated in the Articles of Confederation, there would have to be delegates from other states, isn't that right?"

Reineking: "Yes."

Cremens: "Because until that happened, this document that you guys signed wasn't effective, isn't that right?"

Reineking: "I believed it to be effective."

Cremens pounced. "Well, you guys are sticklers, aren't you? I mean we have this at law concept, we have the technicalities being followed, we won't let more than seven people from any state sign this document, and the Articles of Confederation said that each state—each state, not some states, but each state must send two delegates at least, isn't that right?"

Reineking: "Yes."

Cremen recalled Reineking's conversation with Treasury agents prior to the trial. "Do you remember talking to Treasury agents and telling them that you began to think that this was a pipe dream?"

Reineking said he remembered.

"In order for this group to constitute an agency or a branch of the federal government, the United States government, it had to be vested with power by either the president or the Congress, isn't that right?"

Reineking answered: "This was subsequent to the signing of the document, Compact."

Cremens spoke to Reineking, but his statements were obviously for the benefit of the jury. "Everyone elected to the United States Congress was to get a notice that there was now a function called the Committee of the States and they were taking over the Congress of the United States. On the first Monday in November 1984, the COS had agreed to go to Washington, D.C. and take over the government of the United States. The Congressman would all leave and the Committee delegates would now be the Congress of the United States." Cremens asked Reineking, "Isn't that right?"

Reineking was uncomfortable. "At the time of the signing of the Compact, yes."

Cremens pressed on. "You believed that, Gale believed it, Van Hazel believed it, isn't that right?"

Reineking: "Yes."

Cremens: "Did you go to Washington in November of 1984?"

Reineking: "No, I did not."

Cremens: "Did anybody go to Washington in 1984?"

Reineking: "Not to my knowledge."

Cremens: "Because it was all a pipe dream, wasn't it?"

Reineking: "Yes."

Tom Pitaro, representing Colonel Gale, tried to impeach Reineking's testimony (show that Reineking had perjured himself on the witness stand). Referring to Gale's "Law Enforcement" tape, dated March 1984, which Gale reportedly gave to Reineking on May 7, 1984, he pointed out that Gale stated that Roger Elvick would be present at the paralegal seminar on July 4. The at law studies would run "in conjunction" with the Committee of the States meeting at Manasseh Ranch.

Under cross-examination, Reineking had testified that he went to Mariposa solely for the signing of the Committee of the States Compact. Reineking admitted to being Roger Elvick's assistant, in charge of scheduling seminars and making travel arrangements months in advance, however, he testified that he knew nothing of the at law seminar at which he and Elvick would be guest speakers on July 4.

Pitaro asked Reineking if he remembered listening to the tape in which Gale said Roger Elvick would be speaking at the July 4 "at law" seminar? Reineking responded: "I did not listen to the tape until after Memorial Day."

Pitaro resumed his line of questioning: "Well, isn't it true that Reverend Gale knew that you and Mr. Elvick were coming to Mariposa in July 1984 to give an at law seminar?"

Reineking answered, "I believe that Mr. Gale knew that Roger would be there."

Pitaro continued, "Well, you were Roger's traveling companion, weren't you?"

Richard Pocker objected.

Pitaro looked at the judge and said, "It is impeachment, Your Honor."

The judge replied, "Let's move on."

* * * * *

On that same day, Robert Fiske took the stand and testified that he was the caretaker of the Ministry of Christ Church property from November 1979 to approximately December 1985.

Essentially he cut the grass, cleaned the church and took offerings at church services. He resided in a two-bedroom mobile home adjacent to the church.

During seminars, Fiske took application sheets at the main gate of the church property (Manasseh Ranch). Guests were given an oath or affirmation to sign stating they were not an agent, informant or provocateur for any government agency, or a member of the news media.

Fiske testified that he observed Mike McCray and Angelo Stefanelli sign the affirmation sheet. He also observed Richard Van Hazel, John Boggs and Slim Parrino during para-military training exercises sometime after the 1984 seminar.

* * * * *

In a Memorandum of Contact dated July 16, 1986, prepared by Special Investigator Joseph O'Connell and Inspector G.P. Fiske, an interrogation of Robert Fiske revealed that most of the para-military training exercises were conducted by John Boggs and Slim Parrino.

During the time that Fiske was employed as caretaker at Manasseh Ranch, which was from November 16, 1979, until he resigned in January of 1986, he observed two seminars a year, one on Easter weekend and the other on the Fourth of July weekend.

Fiske was told by Colonel Gale that he (Gale) was the chief of staff of the Unorganized Militia. The U.S. Constitution was the main topic of the seminars. The military type training took place during the day and at night.

Fiske said he personally observed training in ambushes and hand-to-hand combat training. His duty during these meetings included meeting people at the gate and checking their passes. If they had no pass they were not allowed to enter. Blacks, Jews, immigrants and federal agents were not permitted to attend.

The report noted that "Fiske was prosecuted by the IRS for failure to pay taxes and sentenced to three years probation."

Most of the government witnesses who had been members of the Identity Movement had also had tax problems with the IRS. Few of the defendants on trial had tax problems, however. (William Gale collected a non-taxable army pension).

During cross-examination, the defense lawyers, particularly Thomas Pitaro, attempted to show the jury that the witnesses—former followers of Gale—had bargained with the IRS to have their tax problems settled by testifying against Gale and the other defendants.

Through Gale's "discovery" documents, reporter Cheri Seymour was able to obtain a transcript of the Federal Grand Jury testimony of Robert Fiske. The transcript was dated October 2, 1986. In his sworn statement Fiske said that Richard Van Hazel also provided para-military training at Manasseh Ranch, but not as often as Boggs or Parrino. Van Hazel was not checked into the

seminars at the gate because he had “personal contact with the Reverend Gale, and he came and went with the Reverend Gale.”

The Nevada Federal Grand Jury also asked Fiske if he had ever met an individual by the name of Rod Smith? Excerpts went as follows:

GRAND JURY: Have you ever met an individual by the name of Rod Smith?

FISKE: Yes, sir.

GRAND JURY: And who is Rod Smith?

FISKE: He’s Rod Smith.

GRAND JURY: Okay. A little more specific. Where did you meet Mr. Rod Smith?

FISKE: I met him through David Longman.

GRAND JURY: And where did you meet him?

FISKE: David brought him to my house at one time. This was back in April of 1985. I believe it was April. Could have been March.

GRAND JURY: To your knowledge, does Mr. Smith have any connection with Gale’s church?

FISKE: Yes. He is a member of the congregation.

GRAND JURY: Mr. Fiske, do you know what a claymore mine is?

FISKE: No, sir—Well, wait a minute now. I shouldn’t say I don’t know. I do know now, but it’s a booby trap of some sort.

GRAND JURY: Have you ever seen a claymore mine?

FISKE: No.

GRAND JURY: Have you ever had any discussions with anyone concerning what one is?

FISKE: Yes, I have.

GRAND JURY: And with whom were those discussions?

FISKE: With Rod Smith.

GRAND JURY: And what was the gist of your conversation with Mr. Smith concerning claymore mines?

FISKE: Well, he said he had some claymore mines, and I didn’t know what a claymore mine was.

GRAND JURY: Did you ask him what it was?

FISKE: Yeah.

GRAND JURY: And what did he tell you?

FISKE: He said it was a shotgun shell that goes off with a trip wire.

GRAND JURY: Did he explain to you why he had those?

FISKE: No.

GRAND JURY: What did you tell him when he asked you if you wanted some?

FISKE: I told him I didn’t need it.

GRAND JURY: Did he give any indication as to where he had obtained

them?

FISKE: Yes. He said he made them.

For unknown reasons, neither the Federal Grand Jury or the government ever questioned Rodney Smith or subpoenaed him to testify at the Committee of the States trial.

* * * * *

At 11:45 a.m., on the same day that Robert Fiske testified, IRS revenue officer Walter J. Swall was called to the witness stand. Swall had been with the Las Vegas branch of the IRS for five years, he currently collected unpaid taxes and secured tax returns.

Swall testified that Angelo Stefanelli, 42, a band teacher at Knudson Junior High School in Las Vegas, Nevada, had failed to pay his 1983 income taxes and subsequently stopped filing altogether. Court documents indicated that the IRS collection branch in Ogden, Utah, sent Stefanelli a Request for Information about Tax Form on February 1, 1985, inquiring about his 1983 tax return.

On July 22, 1985, Swall phoned Stefanelli at home and told him he wanted to talk to him about unpaid taxes from 1980 and 1981. Stefanelli intoned that “if he [Swall] wanted to communicate with him, he had better do it by mail.”

Swall said, “But sir, I’ve been out to your house, I sent you a copy of your Notice of Federal Tax Lien, I sent you a final demand, I need to talk to you about these taxes.”

Stefanelli answered: “I see. Well, I’ll tell you what. You send me a letter when you want to meet and I’ll make sure to make the appointment.”

Swall inquired, “Look, you sent us a letter [Constructive Notice] that Mr. McCray signed from the Congress of the United States. I was wondering if you could answer some questions about that.”

“No!” retorted Stefanelli. “Of course I’m not going to answer any questions! And don’t fucking call me at my home again! If you want to communicate with me, you do it by mail! You understand?”

Before he hung up, Swall arranged a meeting with Stefanelli at the federal building on July 30 at 10:00 a.m.

On July 26, 1985, Stefanelli sent Swall a certified notice informing him that his correspondence was being reviewed by the Committee of the States in Congress Assembled. The notice, sent on Committee of the States letterhead with a return address of P.O. Box 27206, Las Vegas, Nevada, 89126, read as follows:

To: I.R.S. Agent Swall,

I, Angelo Stefanelli, am a member of the United States Congress Committee of the States which is currently in session as a Body Politic of WE THE PEOPLE. This Grand Jury is hearing testimony against corrupt government officials and employees who are usurping the Supreme Law of this Land and advocating the overthrow of the government of this style of the Confederacy known as the United States of America. Your correspondence is before said committee as testimony of violation of the foresaid law and therefore any contact between us would be inappropriate. However, if you wish to address the committee, please send correspondence to the address on letterhead above.

Submitted this 25th day of July, 1985.

In the Name and Year of Almighty God Jesus Christ.

Signed: Angelo Stefanelli
United States Congress
Committee of the States Delegate

On July 26, Swall called Stefanelli at home to confirm an appointment to meet with him. Stefanelli confirmed the appointment, however he failed to show for the interview.

On July 30, at approximately 11:40 a.m., Walt Swall and IRS Inspector Richardson paid a call to Stefanelli's home to discuss his unpaid taxes. Swall wore two recording microphones on his body during the meeting. By this time, the Committee of the States notices had been received at the IRS offices. According to a government Memorandum of Contact introduced in court, the IRS internal security inspectors and the Las Vegas Police Department Special Weapons and Tactical Team (SWAT) had been called in to provide protection to Swall during the interview at Stefanelli's residence. Also present in the area, in a stationary surveillance vehicle were Inspectors Joseph O'Connell and Steve Walsh.

When Swall and Richardson knocked on Stefanelli's door they got no response. The tape recording indicated that Swall said aloud that he would have no alternative but to seize Stefanelli's motorcycle and his four-wheel-drive vehicle parked in front of the apartment unit. Stefanelli opened the door and asked them for identification. They showed him their IRS identification.

When Swall asked Stefanelli about his unpaid taxes, Stefanelli responded that there was "no such thing as unpaid taxes." Swall countered, "Sir, I'm here to inform you that if you do not immediately pay the taxes, we are going to force collection against you."

Stefanelli insisted on seeing Swall's driver's license, but Swall refused, saying, "What we're going to do is drive a tow-truck up to your vehicle and we're going to take it away. I'm going to attach your income, I'm going to get your bank account, until all the taxes are paid in full. That's why I'm here, to inform you of that. If you don't want to talk to us, that's fine. Here's my card."

Stefanelli launched into a dissertation about the Articles of Confederation. "When this country was founded, there was a Congress, like there is now, except there was a Committee of the States in each state to keep an eye on the Congress and make sure that they did what we the people were expecting of them. You see? For 180 years it hasn't been like that. Okay, now the Committee of the States has been reformed and it's constitutional. All you got to do is read the Constitution. Okay? And, like you say I owe this tax. Well, I say I don't."

Swall asked, "What about what I'm going to do?"

Stefanelli asked, "Who's right?"

Swall demanded, "Well, I'll be right when I tow your truck away and sell it, and when I stop your income from coming through and take it."

Stefanelli replied, "Okay, let me ask you a question. Under what authority can someone go up to someone's private vehicle or checkbook or whatever, without their day in court? Without due process of law? And guys, you understand about due process of law, you've heard of that, haven't you? Fourth and Fifth Constitutional rights? In other words, has there been a twelve man jury who said, 'Hey, Stefanelli, you're wrong! You owe that tax. Now, you pay it or these guys can do it.'" Stefanelli paused. "So, what are you guys? The jury or the judge? What law?"

Swall informed Stefanelli that "the assessment had been made, he'd been given due notice, and the liens had been filed," all the while, Stefanelli was arguing in the background. Swall added, "You've now refused to pay, so we're going to enforce collection."

Stefanelli said he could see that he could talk until he was blue in the face, and Swall was not going to listen. Swall changed the subject and asked Stefanelli why he had Mike McCray send the letter from the Committee of the States?

"It's the only logical thing to do," Stefanelli replied. "But, why did you have him send it?", asked Swall.

"Because he's the chairman. I can't do anything on my own. You understand? You can't do anything without your supervisor."

Swall: "Have they [the Committee of the States] convicted anyone or sentenced anyone?"

Stefanelli: "Who?"

Swall: "Well, the Committee."

Stefanelli: "Oh, I don't know. I've been out of town until today."*

During the conversation between agent Walt Swall and Angelo Stefanelli on July 30, 1985, Swall again taunted Stefanelli with threats to confiscate his property if he didn't fill out a financial statement and cooperate with the IRS. The dialogue went as follows:

SWALL: We're going to come out and tow your truck away. We're going to attach your bank accounts, your wages, whatever income we can locate, whether it's from a conventional authority or wherever you get your income. We will attach it, we will tow your vehicle away. What do you intend to do as a Delegate of the Committee of the States at that point?

STEFANELLI: Well, I don't know. I've never had that . . .

SWALL: That's why I'm here. To tell you all this. You can still pay your tax.

STEFANELLI: The lien?

SWALL: Yes. I have a financial statement here, that you had given us, to determine your ability to pay. If you would like to sit down with us, and fill that out, we would take that under [consideration in determining] what you could afford to pay. It would allow you necessary living expenses, we would take the balance of your income.

STEFANELLI: Well, if I don't, you are going to tow this away? Is that right?

SWALL: That's your alternative at this point.

STEFANELLI: Well, either I get that taken away or I do this, right?

*The Committee of the States did, in fact, indict IRS agents Swall and Richardson on September 1, 1985. The indictment read as follows:

The Delegates to the State of Nevada charge:

On or about the 30th day of July, 1985, in the District of the ceded territory, known as Las Vegas, Nevada (Clark County), the above named Agents, Swall and Richardson, representing the Internal Revenue Service, did willfully and knowingly violate Article IX, of the Declarations of Alteration and Reform of the Committee of the States by attempting to coerce and extort personal property of a Delegate to this Congress. (See related testimony attached.)

Based on the testimony presented to this committee by the two witnesses, Angelo Stefanelli and Susan Kieffer, an affirmative vote for Indictment and Conviction of the charges was returned by the Nevada Delegation.

This Indictment is hereby submitted to the full Committee of the States for a vote of yea or nay as to the Indictment and Conviction.

In witness whereof we have set our hands this 1st day of September, 1985. In the Name and Year of Almighty God, Jesus Christ.

Signed: Mike McCray

Nevada State Chairman

Attached to the indictment was an affidavit containing the signatures of Jim Dix, Patrick McCray, Lee Luttrell, Angelo Stefanelli, Lee Dix, and Susan Kieffer. Copies were allegedly sent to the clerk of the Committee of the States and the office of the chief marshal.

At that point agent Richardson asked Stefanelli a question relative to whether or not he would be home when the vehicle was towed away. Stefanelli responded: "Come on, we can't answer that kind of a question!"

The letter sent from the Committee of the States was brought up by the agents again. Swall said, "You said we would be sentenced to death if we tried to do anything in reference to your property."

Stefanelli seemed taken aback. "What am I supposed to do? You think I'm going to take a gun and shoot you or something? That's crazy! Is that what you're referring to?"

Swall expressed some concern. Stefanelli changed the subject by inquiring if they wanted him to make monthly payments or something. Swall replied, "It's a possibility."

On the porch of his home, as the SWAT team crouched in the bushes, Angelo Stefanelli began filling out the forms with the help of IRS agent Swall. "Now, do I put head of household in A, or—"

Swall answered, "Put county school district. What date do you usually receive your check?" Stefanelli thought for a moment, then said, "Let's put monthly, the twenty-fifth." Swall added, "And we need the number of people you support."

Stefanelli said he just supported himself. Swall asked, "Do you have someone who would always know where you're at and how to locate you?"

Stefanelli: "Oh, yeah."

Swall: "Put down their names and addresses. Phone number, if you know it."

Angelo continued to fill out the form while Swall helped him. As they spoke, the microphone equipment on Swall's body continued to pick up the conversation. As the tape played in court, Swall's voice instructed: "Put checking and savings. The total you have in both accounts, put that right here. Do you have any other accounts? T-Bills, IRA's, no other checking or savings accounts anywhere?"

Before he left, Swall pressed Stefanelli for a telephone number or address of Mike McCray. "I'd like to be able to get face to face with some of these people, or go to a meeting or something," he asked. Stefanelli said he would work on it. "I'll stand on the Fifth Amendment right now, but I'll inquire for you, that is a promise."

Swall asked Stefanelli if McCray sent the first letter on behalf of Stefanelli? "Did you ask him to send it?"

Stefanelli answered cautiously, "I'm just gonna stand on the Fifth right now, okay? You can ask these questions later, you know?"

Swall pointed out to Stefanelli that the tax problem needed to be resolved

within fourteen days or else action would be taken against him such as attachments against his county check, his bank account, his vehicle and his land. Stefanelli's \$30,000 piece of land would be sold by the IRS for \$5,000 or \$6,000, warned Swall.

Stefanelli, completely subdued at that point, concluded the meeting by saying, "Yeah, I'll come in and get those forms tomorrow. You guys got me by the gonads here. There's nothing I can do."

Stefanelli communicated with IRS agent Swall in subsequent meetings and phone conversations through December of 1986. All of the conversations were tape recorded by both Stefanelli and Swall. Essentially, Swall continued to advise Stefanelli to submit tax returns in order to determine the amount he owed the IRS. The IRS was taking action based on estimated amounts because Stefanelli still had not turned in any tax returns. However, tax money owed would have late penalties attached after the returns were submitted.

Swall continued to press Stefanelli for information about the Committee of the States. In a recorded and videotaped conversation at the IRS offices on October 1, 1985, Swall asked Stefanelli if he was still an active member of the Committee of the States? Stefanelli answered, "I'm just gonna pay my taxes and forget about it."

However, agent Swall was not to be put off. Stefanelli had made a threatening phone call to Swall's office on or about September 25 when he learned that his wages had been levied by the IRS, leaving him no money to live on. Of the \$1,253 pay check he had earned, he received only \$82 after the IRS garnishment. In his rage, Stefanelli had called the IRS manager, Steve Fite, and threatened to "kick his ass."

Agent Richardson was present at the meeting between Swall and Stefanelli on October 1, and when Swall was called out of the office for a phone call, Richardson reminded Stefanelli that Swall was preparing to seize his real property. "What does the Committee of the States intend to do about it?" he asked.

Stefanelli laughed half-heartedly and said he didn't think they were going to do anything. Swall had returned to the office and he said, "Well, they sent

me a letter saying that they were going to sentence me to death and they sent it as your agent."

Again laughing uneasily, Stefanelli said, "If you lost any sleep over it, then that's probably all that's going to happen."

For the first time, Swall asked Stefanelli if he would voluntarily help the IRS obtain information about the Committee of the States. "Would you be willing to help us . . . do anything in reference to the Committee of the States?"

Stefanelli responded quickly. "No. The only thing I'm gonna do to help you guys with is just do my business here. . . . I have to dwell on this, I can't answer questions right now."

"You understand," noted Swall, "we're very serious about this?"

"No kidding," chuckled Stefanelli. "No kidding. I know very well. Very well."

Swall asked him why he joined the Committee of the States. Stefanelli paused for a moment, then answered, "I don't know. I've been tryin' to figure that out myself."

* * * * *

When Stefanelli was cross-examined in court on September 24, 1987, attorney Dennis Wagner asked him how much time he had spent with Joseph O'Connell prior to the trial. Stefanelli estimated ten hours. Attorney Frank Cremen stepped in and reviewed the goals of the Committee of the States orally, then asked Stefanelli, pointing to the Compact resting on the witness stand, "You believed this bilgewater?" Stefanelli responded seriously, "At the time, that was the only act in town."

* * * * *

*Stefanelli's wife, Susan Kiefer, later testified that she and Angelo dropped out of the Committee of the States in September 1985. She said she had called the other Nevada delegates and asked them for help with the IRS, but help had not been forthcoming. Under cross-examination she testified: "I believed that they [the Committee of the States] were big and bad, and they were really going to kick some ass." Thomas Pitaro asked, "But, they didn't do anything, did they?" Kiefer replied, "No."

Stefanelli testified on September 23: "The Committee of the States dropped me like a hot potato when the IRS contacted me. They certainly weren't around when the IRS attached my property."

In September 1985, the McCray brothers had problems of their own. They had been arrested and their briefcases had been searched, thus paving the way for the subsequent indictment against the Committee of the States in California, Arizona and Nevada.

Under cross-examination in court by Thomas Pitaro, IRS agent Swall admitted that he was directed by Joseph O'Connell to make inquiries about the Committee of the States. It was Swall's understanding that a formal investigation had been initiated by the security division of the IRS, however, Stefanelli

was never read his Miranda Rights nor advised that the information he was giving would be used to incriminate him. His tax bill remained unresolved as he subsequently filed bankruptcy.*

* * * * *

Officer Thomas Conlin of the Metropolitan Police Department in Las Vegas, Nevada, took the witness stand and testified that he and five or six other officers changed into plain clothes and surveillanced the meetings of the Committee of the States being held at the Ballard Street residence of James Dix. The surveillance revealed that Patrick McCray, Mike McCray, Gary Dolfin and Angelo Stefanelli were frequent visitors at the Dix residence, especially on the nights of the Committee of the States meetings.

Those individuals were identified through motor vehicle license plate checks and from physical observation. On September 1, 1985, the Nevada Chapter of the Committee of the States allegedly conducted a meeting which resulted in the “indictment” of IRS agents Swall and Richardson.

On September 29, Officers William Walkin and Tom Conlin stopped and arrested Patrick McCray after he left a Committee of the States meeting. McCray had an outstanding traffic warrant; he was told he could park his vehicle in a parking lot. He was asked if he carried a gun. McCray answered that he had a weapon in his briefcase. Conlin found the briefcase in the back seat of the car; inside the briefcase was a Ruger handgun. He unloaded it and checked for the registration via his car radio. According to Conlin, McCray asked to take his briefcase with him to the police station.

Conlin testified that he noticed some papers in the briefcase which indicated they were Committee of the States documents. On the way to the station Patrick McCray said it was a violation of people’s rights to be forced to pay income taxes. The Committee of the States was put together to resist illegal tax collection.

Patrick McCray was booked for warrants outstanding and his briefcase was entered into “bulk property.”

Shortly afterward, Mike McCray was stopped at the same location. A

* On October 9, 1986, a ten count indictment was filed in the U.S. District Court of Nevada against Angelo Stefanelli, Susan Kiefer, William P. Gale, Richard Van Hazel, Patrick McCray, George R. “Mike” McCray, Fortunato “Slim” Parrino, and Gary Dolfin.

Stefanelli and his (then) fiancée Susan Kiefer ultimately plea bargained with the IRS to have six of the ten counts dismissed. Four of the charges against Stefanelli were reduced to misdemeanors in exchange for a guilty plea on four counts and his testimony against the Committee of the States defendants. The remaining charges against Kiefer were dismissed without prejudice provided that she cooperate with the government in their case against the Committee of the States.

shotgun and a briefcase was found in the back of the car. Inside the briefcase was a Bible with money stuffed inside and a handgun. Once again, the officer noticed documents having to do with the Committee of the States. The money was removed from the Bible and given to Mike McCray. McCray parked the car in the parking lot on Charleston Avenue and took his briefcase with him to the police station. The shotgun and ammunition were impounded and taken to the station also.

Officer William Walkin testified that Mike McCray was “very much at ease” as he rode to the police station. Like his brother, Mike remarked that tax laws were illegal, DMV laws were illegal, and the police force lacked authority because Nevada was a territory and not a state.

Dennis Wagner, attorney for Patrick McCray, attempted to show through cross-examination that the surveillance (from May 1985 through September 1985) and subsequent arrests of the McCray brothers was excessive for traffic violations which amounted to misdemeanor citations. Prior to the September 29, 1985, arrests, Conlin and Walkin had been briefed at intelligence meetings on the Committee of the States, and Conlin was a member of the SWAT team at that time. In fact, Conlin knew Inspector Joseph O’Connell prior to the arrests since his supervisor, Sergeant Clint Bassett, was working with O’Connell on the Committee of the States investigation, and O’Connell had been present at SWAT team briefings as early as April 1985.

Attorney Tom Pitaro attempted to prove that the McCray brothers were stopped “ostensibly” for a traffic citation, arrested and booked, and their personal belongings—the briefcases—were rifled through by the IRS without permission from the defendants. According to Pitaro, “bulk property” was personal property, not “evidence”, and since the briefcases were removed from inventory at the Clark County Detention Center by Inspector Joseph O’Connell and Officer John Nicholson without any official record being made of the removal, and the contents photocopied from 1:00 a.m. to 5:00 a.m. at the Metro Records Section of the Police Department, the defendants’ constitutional rights had been violated.*

Mike McCray’s attorney, Eric Woods, objected to copies of the contents of the McCray’s briefcases being introduced as evidence because “photocopies”

*A Memorandum of Contact dated September 29, 1985, written by Special Investigator Joseph O’Connell indicated that John Nicholson, the “Terrorist Coordinator for the Las Vegas Metropolitan Police Department,” met with him at the jail and they decided to copy as many of the documents in the McCray’s briefcases as they could before the brothers were released from jail on bond.

After the documents were copied, each document was “placed back in Mike’s briefcase in the manner in which it was taken out.”

According to the report, “some of the documents copied included letters to IRS agents. There were also letters from Colonel William Potter Gale to the McCrays. There was also an indictment by the Committee of the States of Revenue Officer Swall and Inspector David Richardson.”

could be altered and therefore should not be allowed. Judge Lloyd George responded that copies were admissible unless there was evidence that the documents had been tampered with.

Woods noted that there was a question about the authenticity of Mike McCray's signature on the documents presented in court. Dennis Wagner, representing Patrick McCray, noted at sidebar with the judge that there was a question whether Stefanelli had signed McCray's signature on some of the documents.

The judge noted that he had concern about the photocopied documents being presented as evidence since the documents were not entered as evidence on September 30, 1985 when they were photocopied.*

In court on September 22, 1987, Judge George deferred his decision until later, but subsequently allowed the evidence to be introduced after a handwriting analyst testified that "there was a high degree of probability" that the signatures on the documents were authentic. However, the expert added that he was "giving his opinion with some degree of reservation." (Eric Woods brought a copying machine into the courtroom and copied Mike McCray's signature onto another document to show that a signature from one document can be transferred to another simply by photocopying it.)

Tom Pitaro brought up an interesting point when cross-examining Officer John Nicholson of the Las Vegas Metropolitan Police Department. "You didn't want the McCray brothers to know that their property [briefcases] had been examined, did you?" Nicholson testified that he did not.

Inspector Joseph O'Connell's first meeting with the McCray brothers took place at the lumber yard where they worked in Las Vegas, Nevada. On February 6, 1986, O'Connell and his assistant, Deborah Corwin, confronted the McCrays about their involvement in the Committee of the States. Corwin wore electronic taping equipment hidden in her clothing during the conversation that ensued. That tape, marked Government Exhibit No. 81-A, was entered into evidence by Richard Pocker on September 25. Essentially, the discussion revolved around the McCray's philosophical attitude about the IRS. One

sentence went as follows: (McCray) "I don't advocate anything but upholding the law. I don't think they [IRS agents] have anything to fear unless they're upholding the Communist Manifesto Giving exemptions to Communist organizations"

* * * * *

On the afternoon of September 22, 1987, the government called Mark Shaw to the witness stand. Shaw looked ill and shaky. He appeared to be nodding out as Pocker questioned him.

According to Shaw, the guard shack at Manasseh Ranch contained a Thompson sub-machine gun. The field exercises included ambush training, hand-to-hand and knife combat lessons, and garroting using military equipment. No guns were used, but listening devices and infra-red night scopes were used in the evening sessions.

Sermons inside the church revolved around the races not being pure, the IRS, and DMV licenses not being legal. Shaw rubbed the back of his head and closed his eyes repeatedly. "Gale was teaching us what we would do in these situations," he said. John Boggs directed most of the training at the ranch while Gale discussed military tactics, noted Shaw.

Pitaro objected to Shaw's testimony on the grounds of the First Amendment right to free speech and religion. The judge over-ruled the objection, and Shaw continued.

Pocker asked Shaw what the purpose of the training was.

"The tax laws were illegal; mud races, illegal immigrants," muttered Shaw.

Pitaro again objected: "Illegal immigrants are only being brought up to inflame and prejudice the jury against Gale!" Frustrated, Pitaro moved for a mistrial based on misconduct by the prosecution.

James Smith, representing Richard Van Hazel, showed that the witness had been struck on the head by a piece of iron and used medication for his pain. Shaw squinted his eyes and noted that he had a neck injury but could not recall if he took medication on July 4, 1984, when he attended the seminar. He reiterated that no guns or ammunition were used at the ranch, just rubber knives. The infra-red scope was not mounted on a rifle. Before being helped off the witness stand, Shaw acknowledged that he had not filed income tax returns for four or five years due to his disability.

* * * * *

*These same concerns were voiced by subsequent appeals judges. On May 22, 1990, the Ninth Circuit Court of Appeals ordered Assistant U.S. Attorney Richard Pocker and defendants Patrick McCray, George R. "Mike" McCray, Fortunato Parrino, and Richard Van Hazel to supply the court with the following:

(1) Information known to the government prior to or independently of the "briefcase searches" of Patrick and George McCray which could establish independent sources for the evidence eventually produced at trial.

(2) Objections made to specific evidence admitted at trial on the basis that it was "tainted" fruit of the allegedly illegal "briefcase searches."

(3) Information concerning what the officers actually viewed in the course of the "briefcase searches" at the scene of Patrick and George McCray's arrests, prior to the inventory search of the briefcases conducted at the station house.

At 3:10 p.m., Dave Longman took the witness stand. Longman identified all the defendants in the courtroom, then testified that he was a major in the Unorganized Militia and chief signal officer because he had communications experience on a ham radio. He first met Bill Gale as a member of the Ministry of Christ Church in 1983.

Longman's testimony was probably the most damaging to Bill Gale of all the witnesses brought before the court. Tom Pitaro would later point out that the relevancy of Longman's testimony was questionable since the existence of the Unorganized Militia was not technically illegal and its activities were being used in court to prejudice the jury. Longman had also received a tax bill for \$30,000 from the IRS prior to his testimony and was apparently striving to be cooperative with the government.

Much of Longman's testimony centered around the activities of the Unorganized Militia, of which Gale was the chief of staff operating under Richard Van Hazel who was the national commander of the Unorganized Militia.

Longman was given a two-page document to review, allegedly to refresh his memory. The document, titled Memorandum of Contact, was dated March 19, 1986. It had been written by Joseph O'Connell in Commander Rod Sinclair's office at the Mariposa Sheriff's Department after they jointly conducted an interview with Dave Longman. O'Connell's report indicated that Longman had been involved with Colonel Gale for about eighteen months. An excerpt from the interview with Longman read as follows:

On the ranch there was paramilitary training given to various individual state committees. The training was given on various months during the year on holiday weekends. The next training was expected to take place during the Easter weekend. The training consisted of simulated attacks on individual houses. The participants were taught how to enter a home and kill all its inhabitants. The owner of the home was supposed to be an "enemy" of the Committee of the States. The participants were taught that 3:00 a.m. was the best time to do these attacks. The slitting of throats was the best way to kill the inhabitants.

Gale gave instructions on how to deal with enemies of the Committee. A notice should be given to the person bothering or harassing a delegate with a caveat that further attempts to interfere with the delegate or the Committee could result in a sentence of death.

If further contacts of the delegates were made, then the Committee should decide whether or not to "indict" the individual bothering the delegate. Gale strongly recommended that the Committee should look beyond the actual person bothering the delegate, to the person who actually issued the order. Instead of a revenue officer attempting to collect tax, the group should indict the district director who was in charge.

A death sentence should be carried out by the Unorganized Militia. The specific person would be the Chief Marshall. The National Chief Marshall was Colonel Van Hazel of Arizona.

Gale also advised each chapter to make a "list of enemies" of officials in their area. These officials would be persons who espoused the belief in the present system of government as opposed to the new laws of the Committee of the States. They would usually be local judges, police officers, IRS agents, FBI agents, and any agency that contacted the delegates in an unfavorable way. Specific enemies would always be influential Jews, blacks, or immigrants.

Gale also frequently used the term "BUG" or "belly up in the grass." This was usually in regards to traitors or other enemies. It meant that these persons should be found dead with their throats cut.

Mike McCray and Angelo Stefanelli had been to the ranch for the above training approximately six months ago. (There was another person as well but the person was not identified.) Mike McCray had been to Gale's home for dinner and was well thought of by Gale.

The source [Longman] considered McCray to be a dangerous person.

As Longman identified Militia documents and I.D. cards, attorney Wagner objected on the grounds of relevancy: "The [government] indictment concerns the mailing of Constructive Notices and not this type of stuff."

The court overruled the objections of all the attorneys and Pocker continued to question Longman about his recollections of the Unorganized Militia. "What were your duties as enumerated by Mr. Gale?"

Longman: "My primary duties were to establish a communications network of amateur or ham radio operators to facilitate communications for the Unorganized Militia between the various groups and various states."

During the July 4, 1985, seminar, Longman spent a lot of time with Richard Van Hazel. "We were copying programs for computer programs," he recalled.

Pocker: "How was the copying of computer programs connected with your duties in the Unorganized Militia?"

Longman: "The computer programs would have assisted me in word processing to develop Standard Operating Directives, as I call them."

Pocker: "Are you familiar with the term S.O.P.?"

Longman: "Yes, I am, that's Standard Operating Procedures."

Pocker: "And how is it that you're familiar with that term?"

Longman: "I had received Standard Operating Procedures from Bill Gale and I, at other times, had received Standard Operating Procedures from Slim Parrino through his Major, John Boggs."

Longman testified that he received the S.O.P.'s in the mail from John Boggs.

He identified a document marked Government Exhibit No. 133 and testified that he received it from Colonel Gale.

Government Exhibit No. 133 was dated July 30, 1984. The heading contained the words "Committee of the States in Congress Assembled, Office of the Chief Marshall." The subject was "Unorganized Militia Standard Operating Procedures."

S.O.P. No. 1 said directives of the chief marshall of the Committee of the States would be disseminated in the form of S.O.P.'s. The responsibilities of the "State Marshalls" were defined as insuring that all Unorganized Militia personnel be properly instructed in the Common Law, the provisions of their state constitutions, the national Constitution, and the Articles of Confederation.

All personnel of the Unorganized Militia were expected to uphold an oath of office to preserve and defend the Constitution and the Articles of Confederation against all enemies whatsoever, both foreign and domestic.

The primary function of the Unorganized Militia was to provide for the defense, protection and security of the delegates and alternate delegates of the Committee of the States.

The authority for the existence of the Committee of the States and its Militia was listed in S.O.P. No. 4, dated October 25, 1984. (Government Exhibit No. 132.) It was a "Memorandum of Understanding for Training and Objectives of the Unorganized Militia" ordered by Colonel Richard Van Hazel, office of the chief marshall, and signed by Colonel Gale as chief of staff. Excerpts read as follows:

The authority for organization, equipment, discipline and government of the Militia by the Committee of the States assembled as the Congress of the United States is contained in Article I, Section 8 of the Constitution, and Article V of the Articles of Confederation in Perpetual Union.

The memorandum went on to say that although the Committee of the States had Constitutional authority to employ the Militia (Art.1, Sec. 8, Cl. 15), the primary mission of the Unorganized Militia was:

... defensive in nature and should not be confused with any local law enforcement authority or duties and responsibilities of any County Posse functioning under authority of the law of Posse Comitatus, nor was the Unorganized Militia to be employed as a Posse or other type of law enforcement agency in any County or State, nor in support of personal vendettas of any kind.

State marshalls were informed that their militia personnel were not

subject to the control or directives of the state delegates, but answered only to the military command channels of the Militia. The memorandum closed by saying that "strict military discipline was necessary and would be employed for the proper functioning of the Unorganized Militia."

Pocker asked Longman to describe a speech made by Bill Gale at a 1985 seminar.

Longman said the group was discussing enemies of Bill Gale, personally, and of the Committee of the States: "Individuals that would perhaps get one of the individuals thrown in jail or charge them with some type of a crime, a government agent or otherwise."

Longman looked at O'Connell, as if for reassurance, then recalled Gale's words: "That in order to protect ourselves, personally, and he [Gale] had done so himself, was to form what he—through friends, very quiet and not letting anybody know who they are, to form what he called a 'bug unit,' which means belly up in the grass."

Pocker interrupted. "Okay. Mr. Gale explained to the group what a bug unit was?"

Longman hesitated, then answered, "Yes, he explained that if something would happen to him, that he would be arrested and charged with a crime, that he had friends, very close friends, that would take care of those people. That they would go, not just at the guy on the bottom that came out and arrested him, they said that it would be the higher ups, whoever made the decision and brought the charges would be the person that would be killed."

Pocker began pacing the courtroom. "Did he [Gale] make any remarks concerning public officials during the speech?"

"Yes," Longman answered haltingly, looking around the courtroom at the defendants. "The public officials were mentioned which included the chief of police, possibly the sheriff, depending. It was a general statement, and he named several officials that would include the commissioner of the Internal Revenue Service, rather than the individual agent. And the commissioner, he always referred to as saying that the word came from the commissar, Communist commissar."

Pocker took Longman through the "constructive notice" procedure in which enemies of the Committee of the States would be put on notice that they were in violation of the laws of the COS, and if they were found guilty [of treason] through the indictment process, they would be put to death by the Unorganized Militia.

"At the time of July 1985, was there a commander of the Unorganized Militia?"

Longman said the commander was Richard Van Hazel, however, his official title was chief marshal. The California state marshal was “Slim” Parrino and his assistant was Major John Boggs.

The details of the training at Manasseh Ranch were described for the jury. Approximately twenty to thirty people participated in the garrotting training under the leadership of Slim Parrino and John Boggs.

“Do you recall exactly what it was you were being instructed in as far as garrotting?” asked Pocker.

“In the garrotting?” Longman seemed increasingly nervous. “Yes, that would be the way it was instructed for sneaking up behind, approaching a sentry or guard, or someone who’s guarding something. You use a piece of wire like a piano wire with handles made of wood or some type of handles, and that would be to sneak up behind the individual and—without him knowing and silence him; cut his throat, basically—or to actually—to decapitate.”

Pocker asked Longman to describe “ambush training.”

“Well,” said Longman, “the activity began at the church and then they would break up into patrols, like seven-man teams, and then one team would go out into the field across the bridge, the river, and into the trees; they had like a wooded area at the back of the church. Then the other team would go out and attempt to find them. And I observed the other teams go out, and the other teams would go out to find them—or be ambushed.”

The night-time ambush training was headed by John Boggs. A separate group, Mariposans only, were instructed by Slim Parrino in attacks on residences.

The judge interceded at that point and noted that the emphasis on paramilitary training was becoming redundant. “Unless there’s something different from some of this training, I think we should move on. I don’t see any reason for going over this training, the predicate has been laid for whatever your purpose is.”*

Pocker re-directed his questions to Longman. “In the course of your duties with the Unorganized Militia, did you ever have occasion to discuss with Mr. Gale, personally, the enemies of the Committee of the States other than the address that you’ve testified about earlier?”

*On the following day, September 23, Pocker again pressed Longman to describe the SWAT team training at Manasseh Ranch. Longman noted: “It was specifically—as described to us in the training, it was SWAT team, special weapons and tactics training.” This training was reserved for the Mariposa group only.

“We studied in a team,” added Longman, “a certain number of individuals, and if you had to go into a house and get somebody, take somebody out or if you had to kill them, there was—we were learning how to enter the premises—surveillance and enter the premises without having any of our own people killed.”

Longman testified that the instructors for this particular training exercise were Jack Reneau and Slim Parrino. (Jack Reneau was a former Los Angeles Sheriff’s Deputy who worked with Slim Parrino when he was on the force. Reneau currently trains law enforcement and military SWAT teams.)

Longman said a comment stuck in his mind, when he was alone with Gale at his home, and he was referring to the “war that was perceived that would come up in the country, the revolt . . .”

Pitaro objected, based on relevancy. The court overruled. Pitaro requested a sidebar with the judge. The judge overruled the request and instructed Longman to continue.

“It was a list of enemies that we were discussing, that when the battle occurred, he [Gale] would assume immediate military command and . . .”

Pocker interrupted. “Okay. A list of enemies of whom?”

Longman: “Of the Committee of the States or his personal enemies.”

Pocker: “Did you ever have a discussion with Mr. Gale concerning a list of enemies with respect to the Committee of the States?”

Longman: “Yes, as far—enemies or a hit list.”

Pocker: “Okay. Now you say a hit list. Whose terminology is that?”

Longman: “That term has been used several times by Bill. It’s just a list, it’s . . .”

Pitaro objected vehemently, but Judge George overruled. When Longman continued his testimony, he was agitated and confused. Pocker was unable to bring him back to a coherent pattern of thought as Longman insisted he could not understand the questions. He was asked to identify Bill Gale’s handwriting, which he did.

Under cross-examination the following day, Longman told defense attorney Frank Cremen that Parrino was not a delegate at the Committee of the States convention in which the Compact was signed. Parrino was collecting a pension from the Los Angeles Sheriff’s Department and was therefore exempt from signing the Compact.

Cremen also attempted to show that the national Committee of the States was not responsible, through vicarious liability, for what the Nevada Chapter of COS perpetrated against the IRS. In other words, it was the Nevada Chapter who sent out the Constructive Notices, purportedly without the knowledge of the California Chapter. (This included the first notice sent out to Judge Earl White on April 1, 1985. Angelo Stefanelli was having trouble with traffic violations and Judge White was presiding at the court hearings.)

Upon finalizing his cross-examination of Longman, Cremen noted, “I don’t have anything else other than to ask: you evidently have been given some reward for testifying? Your tax problems are going to be ironed out, is that right?”

Longman stammered, “I received a thirty thousand (\$30,000) bill from the Internal Revenue Service, and I am scared to death, and I have no assurances anything is going to happen at this time.”

* * * * *

Because no witnesses were ever called by the defense attorneys to testify on behalf of the Committee of the States defendants,* they attempted to impeach the testimony of government witnesses.

Longman's credibility as a witness was called into question by Tom Pitaro on September 23. According to Pitaro, after Longman resigned from the Ministry of Christ Church, Joseph O'Connell contacted him and offered to help him get back into the tax system. On the witness stand, Longman acknowledged the offer.

Pitaro asked, "Has an IRS agent come out to you and told you that they're going to take your car from you, sell your car and sell your property?"

Longman responded, "I received the proper ten day notice."

Pitaro pressed, "You feel kind of intimidated by the IRS, don't you?"

Longman looked over at O'Connell and whispered, "You betcha."

Pitaro added, "And you actually feel that your testimony today with this intimidation may help you, if you ever figure out how to deal with the IRS, to maybe resolve this discrepancy as to how much you owe, don't you? Don't you?"

Longman swallowed, then answered, "I am hopeful—but it's been explained to me that they can't do anything other than what the regulations specified, but they may be able to help me understand the regulations. And that's why I'm hopeful in maybe in some way learning how to deal with the Internal Revenue Service, because I'm pretty scared."

Under cross-examination, Longman admitted that he was not present at the 1984 Committee of the States convention. He attended the July 4, 1985, seminar where he observed the paramilitary training. Pitaro summed up Gale's speech at that seminar: "Isn't it true that the Bible speaks of a violent upheaval that is to happen before the Kingdom of God—before Jesus will return?"

Longman nodded. "Yes, then he will—or simultaneously —"

Pitaro: "And there has to be a war between the followers of Christ and the anti-Christ, correct?"

Longman: "Yes."

Pitaro: "And no man knows when it will come, isn't that correct?"

Longman: "That's correct."

Pitaro: "And you don't know when it's going to come, do you?"

Longman: "I don't know exactly when it's going to come . . ."

*Roger Elvick, the speaker of the Committee of the States, was staying in the Bahamas during the trial, according to Colonel Gale.

Pitaro: "And you believe that, don't you?"

Longman: "That no man will know, yes."

Pitaro: "And you felt for yourself that it was a good idea to learn and be trained in case that battle was imminent, isn't that correct?"

Longman: "Yes."

Pitaro: "And you still feel that way, don't you?"

Longman: "Yes."

Pitaro: "So if it wasn't for the \$30,000 tax liability you got, you wouldn't be here trying to disperse [*sic*] that man [Gale] his ministry, would you?"

Pocker objected to the question as being argumentative. The court sustained the objection and Pitaro walked away saying, "I have nothing further."

* * * * *

On September 24, the prosecution called William Sivils to the witness stand. Sivils was a retired marine with a background as a deputy sheriff for three years and a Forest Service range conservationist and district law enforcement officer. He had been recruited in July 1984, by the FBI to infiltrate various right-wing extremist groups at a salary of one thousand dollars a month plus expenses. In early 1986, his salary was increased to two thousand dollars per month.

After attending a funeral in Stockton, California, Sivils made contact with Bill Gale on December 7, 1985, and had lunch with him and Slim Parrino at a restaurant in Mariposa where they discussed the Committee of the States and the Unorganized Militia. Because Sivils lived in Arizona, Gale advised him to make contact with Richard Van Hazel in Flagstaff, Arizona.

An FBI report, Government Exhibit No. 339, described the initial contact between Sivils, Gale and Parrino on December 7. Excerpts from that document read as follows:

Colonel Gale stated he had checked source [Bill Sivils] out before their meeting with "Van" up in Oregon. Gale spoke out against Jews, Blacks, Hispanics. Gale does not like Colonel Jack Mohr of CPDL (Christian Patriots Defense League) as he currently wears a General's star when he was only a Colonel in the U.S. Military. He said there were too many phonies in the movement. Gale knew Jack Oliphant* and stated he was a good man, however, Joe Garner from Tucson is wanted

*Jack Oliphant was a member of the Arizona Patriots who was arrested on December 15, 1986, at his 320-acre compound in Kingman, Arizona. He was charged with conspiring to rob a Wells Fargo armored car in Laughlin. Oliphant's ranch was used for public "war games."

in Washington and received a dishonorable discharge from the U.S. Marine Corps. Gale does not like Ty Hardin as Hardin came unannounced to one of their meetings and caused disruptions. Hardin also brought a Jew to the meeting, then left without saying anything to anybody.

Gale stated that according to the U.S. Constitution, all able bodied males between 16 and 45 years of age should be trained and ready for the armed military. Gale believes the Russians are training in Mexico and are a real threat to the U.S. Gale showed his military I.D. to source and looked at source's I.D. to make sure it was genuine. Said he would like to spend more time with source.

The people in Mariposa came up to Gale and shook his hand, et cetera, treating him like a local hero. Gale was driving a small Dodge pickup with a cab high camper shell and a CB radio antenna on the windshield. The truck had California license 2HO-8162.

Gale is described as a white male American, about 5 feet 10 inches, 180 pounds, crew-cut graying hair, false teeth, about 65 or so, sharp mind and a good speaker.

Slim [Parrino] is described as a white male American, 6 feet 6 inches, 220 pounds, dark graying hair, 45 to 50 years old, very hard core and was introduced as Pastor Slim.

Gale was friendly but guarded and cautious—seems very dedicated to the cause.

On March 18, 1986, Sivils met with Van Hazel at his home and recorded the first of many conversations while wearing an FBI NAGRA tape recorder in his boot. Transcripts of these conversations were entered into evidence by Rick Pocker.

Richard Van Hazel was a former law enforcement officer in Arizona. He was married to a Korean woman and had three children from his Korean wife. In a report to the FBI, Sivils described Van Hazel as a "white male American, born June 5, 1941, brown hair, brown eyes, 6 feet 3 inches tall and weighing 235 pounds."

In court on September 25, Bill Sivils testified that Van Hazel commissioned him (Sivils) as a lieutenant colonel in the Unorganized Militia, and a chief marshal for the state of Arizona. Since Van Hazel was the chief marshal of the United States, Sivils would work under him in Arizona. Under direct questioning by Richard Pocker, Sivils said he attended a training session for the Unorganized Militia at Manasseh Ranch between March 25 and March 28 in 1986.

Pocker asked, "When you arrived at the location [Manasseh Ranch] that was indicated, could you describe the property?"

Sivils responded, "Well, sir, it's an oak woodland—the large, mature oak trees; rolling, grassy open areas. As you would be going down the road, there was a white arch on the road—right off the road, and it said, 'Ministry of Christ Church.'"

When he arrived at the gate of the church property, Sivils was stopped by a guard and asked for his name. When the name was checked off a list, he was allowed to pass onto the grounds. Pocker asked, "Did you have a chance to look at the guard shack at all?"

Sivils testified that he pulled guard duty for a few hours during his stay at the ranch and therefore had an opportunity to study the guard shack. "Well, sir, the guard shack appeared to be a wooden building, approximately twelve feet by twelve feet, with screened wire up about halfway up the wall to the ceiling, with a wooden or a metal roof on it. And the walls were reinforced—the walls were approximately six or eight inches thick, with panelling on the outside—I think it was metal panelling and plywood on the inside, and it was filled with sand."

At the meeting, Richard Van Hazel gave a class on Constitutional law. He also instructed Sivils to teach a "familiarization course on readily-available types of weapons; shotguns, rifles, handguns; and actual patrol tactics; how to move from one area to another and be secure."

A man named Jack Reneau gave a class to approximately thirty people on how to detect bugs (recording or transmitting devices) in meetings; how to detect informants and agents of the federal government.

Sivils recalled a sermon given by Slim Parrino in which he (Parrino) spoke on the responsibility of the Committee of the States members to be in the Militia and to "kill the unholy people, the Jews."

Pocker asked Sivils, "Was there any discussion about the United States government in connection with the Unorganized Militia and the Committee of the States?"

Sivils said, "Yes, sir. The government is controlled by the Jews and the Communists, and that was our job, to take over whatever was possible."

Pocker asked, "Anyone else address that meeting, with the exception of Mr. Slim Parrino?"

Sivils: "Yes, sir. Dave Moran."

Pocker: "And Mr. Moran, what general problems did he address?"

Sivils: "Sir, he spoke on his general problems with the law enforcement personnel in California; all the times he'd been arrested; what he had been arrested for."

Referring to a sermon given by John Boggs, entitled "All the Answers," Pocker asked: "During the course of that sermon, did Mr. Boggs make any

reference to the federal government or enemies of the Constitution?"

Sivils: "Yes, sir."

Pocker: "What did Mr. Boggs say about the federal government?"

Sivils: "Well, sir, that the federal government was communist, and they're Jews; and we need to virtually do away with them and set up our own form of government."

Pocker: "And what did he say with respect to enemies of the Constitution?"

Sivils: "Well, sir, that is the Jews and the IRS, and the federal government, in general."

Under Pocker's guidance, Sivils recalled a conversation with Slim Parrino in which Parrino stated that weapons should not be buried on an individual's property. "You do not bury them on your property; you bury them off of your property, so when the feds—the federal law enforcement officials, or the state or county come and raid your place, they do not find your weapons."

Sivils also recalled a conversation with Richard Van Hazel in May of 1986 in which Sivils and his Militia were ordered to "stand by" in the event that Colonel Gale was arrested at the Federal Grand Jury hearing in Las Vegas, Nevada. Gale had been subpoenaed to testify before the grand jury on May 22, and Sivils and the Militia were to "bring their weapons, their ammunition, and their field gear to Las Vegas and get Colonel Gale, or whoever else was arrested, out of jail."

Gale was not arrested at that hearing and Sivils and his Militia did not go to Las Vegas. On May 27, Gale told Sivils in a tape recorded conversation (Government Exhibit No. 106) that Angelo Stefanelli was mad at him (Gale) because he wouldn't let him sleep with his fiancée (Susan Kiefer) on the church property during the July 4 seminar. Mike McCray had not defended Angelo or his fiancée to Gale, and so Angelo was reportedly mad about that too.

Angelo had lied on the church application saying he and Susan were married. Because Angelo had sworn an oath that everything on the application was the truth, Gale said to Sivils, "His oath makes him a liar."

Sivils responded, "Oh yeah."

Gale added, "They can't use any testimony from him any more."

Sivils answered, "Um hmm."

Gale noted that he had submitted to the grand jury an oath signed by Stefanelli swearing that he wouldn't reveal anything of substance from the seminar. To that Sivils had mumbled, "Uh, huh."

"We learned that we have a communist government here," said Gale over the phone. "And they're mighty scared of the Militia. I told em' I was chief of staff of the Militia and Van told em' he's chief marshall. And he was telling the guys out in the hall all about it"

Government Exhibit No. 157, introduced in court, dated May 22, 1986, noted that Van Hazel was interviewed for over two hours by IRS agents in the hallway of the Foley Federal Building in Las Vegas, Nevada. Officer John Nicholson of the Las Vegas Metropolitan Police Department overheard the interview and conducted additional questioning of Van Hazel after he was introduced by IRS Inspector G.P. Fiske and Special Investigator Joseph O'Connell. Excerpts of that interview went as follows:

According to Van Hazel, the chief marshall was responsible for security. At meetings he would act as sergeant at arms. If a death sentence was issued he would be the person to carry it out in theory, but in reality, "he would not carry it out."

Before a death sentence could be issued, some government official had to be indicted, but Van Hazel had "never heard of one" until told of the indictment of Revenue Officer Swall.

Van Hazel had been to meetings of the Ministry of Christ Church at the Mariposa ranch on several occasions. There was no paramilitary training at the meetings. . . .

Guards at the ranch carried weapons to protect persons at the ranch from "nosy neighbors" and from the Anti-Defamation League and the Jewish Defense League.

There was once training in hand-to-hand combat. It was taught by Jack Reneau, a former Los Angeles "cop." This included the use of a rubber knife. . . .

Van Hazel met with Richard Butler during an Aryan Nations Congress at Hayden Lake, Idaho, in late July 1984. He, (Roger) Elvick, and Gale went to the meeting. They arrived early and left early. Gale was upset about the "Nazi crap," and they left early.

The Memorandum of Contact noted at the conclusion of the interview that Van Hazel would be out of the country at the Grand Turk Islands for about a week or ten days.

Joseph O'Connell's account of the same interview, marked Government Exhibit No. 158, added that Van Hazel "sarcastically stated, 'We love the IRS, because after the IRS employees get done doing their job, the persons contacted are easily recruited into the Committee of the States.'"

To his compatriots in the Committee of the States, including Bill Sivils, Van Hazel later remarked, "Let's bury them [the fed] in bullshit."

Van Hazel moved around quite a bit. One conversation introduced in court went as follows:

VAN HAZEL: I'm leaving tonight. I'm going to Colorado first, then

I've got to make a stop in Kansas, Nebraska area.

SIVILS: Hm, hm.

VAN HAZEL: And see what's going on there. And then I've got to run on up to Janet Becker's place in Chicago.

SIVILS: Uh, huh.

VAN HAZEL: From there I'm going down to either Alabama or North Carolina first. But probably, I may stop in Nebraska on the way through.

SIVILS: You going to stop and see the Millers? (Glenn and Steve Miller).

VAN HAZEL: Yes.

SIVILS: Good.

VAN HAZEL: Yeah, he wants me to help them do the shit out of them Kikes back there.

An FBI report, marked Government Exhibit No. 343, told of Sivils' and Van Hazel's relationship with Ty Hardin, leader of the Arizona Patriots. The report was dated March 27, 1985:

Source [Sivils] recently met with Ty Hardin, leader of the Arizona Patriots at Flagstaff, Arizona, and Harold W. Bullard, at a restaurant in Mayer, Arizona. Hardin stated that his group, the Arizona Patriots, have become 'tired of waiting for the system to break down,' and he is very tired of the judges in the system. Hardin advised he is bringing in "George" (last name unknown) from out-of-state to train assassination teams made up of "hard core" Arizona Patriot members.

Hardin advised the teams will be divided into the "A-Team," which is a surveillance unit that will determine all known habits concerning their target, and will then relay this information to a "J-Team," who will then determine which would be the best place and time to hit their targets.

After their "hit," the Team members are to be provided money, clothes, and tickets to an out-of-state location, or out-of-country location, until the "heat" is off. They would be provided these services by other Patriots nationwide.

Hardin stated these Teams would come in from out-of-state and local Teams would be assigned to out-of-state targets so that even the local Patriots would not know the out-of-state Teams and therefore, would be unable to provide this information to the Federal Bureau of Investigation (FBI), in the event they were questioned thoroughly.

Hardin related that a current United States Forest Service (USFS) employee is a Patriot member who is fed up with the many rules and regulations of the USFS, and this individual is now ready to kill his boss when the word comes to do so. This individual is currently hiding his weapons and ammunition in a wall behind his sofa in his front room, so

that the weapons will be readily available when the time comes.

Hardin related that an individual by the name of Van Hazel tried to pass himself off recently as a Colonel in the Army, with security clearances, but this individual was caught in this attempt and thus, lost credibility with the local Patriots.

Van Hazel attempted this disguise so that he would be able to travel to an Army base at El Paso, Texas, where he was supposed to obtain a large number of L.A.W. rockets for the Arizona Patriots. As Van Hazel failed in this assignment, he lost credibility and is now currently with a national organization that is known as the Committee of the States, or something similar.

Hardin advised he is interested in obtaining semi-automatic weapons that are easily converted to fully automatic weapons, or full automatic weapons, if this can be arranged.

Hardin further advised that he is assisting an individual in Sedona, Arizona, who is working on a new "ray gun," or "laser weapon," of some type. This weapon is supposed to "vaporize individuals and would leave no traces of them after they had been hit." Hardin stated these weapons should be available in the near future, and if they were, they would be distributed to Arizona Patriot members.

Hardin related that the Patriot movement is nationwide and is very strong, and he stated that there are over 4,000 organizations in the movement. Hardin stated that he has the names and addresses of all of these people.

Hardin advised that the Arizona Patriots are looking for military types of people who have experience in killing and other military activities, and who look ordinary enough so that they can mingle in public without arousing suspicion. Hardin also advised that he is interested in obtaining information concerning the Navajo Army Depot (NAD) at Flagstaff, Arizona.

Hardin related that he believes the Central Intelligence Agency (CIA) is operating a training camp in the Bradshaw Mountains, south of Prescott, Arizona, and he has observed many helicopters coming in and out of the area. Hardin said he has observed what he believes to have been European individuals in the area. Hardin also believes the CIA is responsible for distributing cocaine and other drugs from South America.

During cross examination, defense attorney Frank Cremen lead Sivils through a series of verbal exaggerations allegedly made by Richard Van Hazel during his association with Sivils. Sivils agreed that Van Hazel said in March of 1986 that there were "thousands of Unorganized Militia members in Arizona." Van Hazel also told Sivils that he had FBI contacts. Van Hazel "could call the FBI and check somebody out. He could also call local law enforcement

and check people out . . . he had people who were providing them information from within the FBI. . . .”

In his zeal to impress Sivils, Van Hazel provided alleged intelligence information at an April 10, 1986, meeting in Flagstaff, Arizona, about people whom he claimed helped the Patriot Movement. Sivils later filed a report with the FBI relating that information. Excerpts from that report (marked Government Exhibit No. 346) read as follows:

. . . Van Hazel advised explosive charges had been placed near the radio towers of the Phoenix Police Department, KTVK, and the Federal Repeater for the Federal Bureau of Investigation (FBI), Alcohol, Tobacco and Firearms (ATF), et cetera, all located on top of South Mountain, near Phoenix, Arizona.

Van Hazel advised these men drilled holes approximately two feet away from each leg of the radio towers and placed two 40 pound satchels of C-4 explosives in each hole. The satchels are reportedly buried at least two feet beneath the surface of the ground and the wires to ignite the satchels are placed in a very large rubber wire housing which is buried 18 inches to two feet beneath the surface of the ground.

Van Hazel stated these explosives have been in place for at least five to six years and when the time comes, the explosives will be detonated and the towers will be completely destroyed . . .

Van Hazel named the individuals responsible for planting the explosives as (1) Dave Wauthraul (phonetic), a Chief Engineer of APS at that time. (2) Paul Jennings, Engineer. (3) Don McKeeney, Engineer. (4) Name unrecalled.

Van Hazel advised an individual by the name of Steve Miller, in the Alabama—Georgia area, has approximately 100 LAW rockets which he will sell to Van Hazel for \$125 each. Van Hazel would like to obtain several of these rockets as soon as possible.

Van Hazel also advised he has performed legal work for individuals in Nebraska, and instead of being paid money for his services, he is to receive a 106 millimeter recoilless rifle and fifty pounds of ammunition. Van Hazel would like to obtain this weapon in the next two or three weeks and bring it to Arizona.

Van Hazel stated there were at least two M60 machine guns available in the State of Texas that he could acquire without much difficulty. He would like to obtain these weapons in the near future. . . .

Van Hazel stated a retired Colonel (name withheld) and Lieutenant Colonel (name withheld) who reside in the Tuscon area, are leading a group known as the ‘Territorial Rebels Army in Southern Arizona’ and as such have stated they are going to blow the microwave relay stations in Southern Arizona whenever the need arises. They allegedly have explo-

sives already in place. Van Hazel stated these individuals are retired Military and he will introduce source (Sivils) to them in the near future.

Van Hazel advised (names withheld) from Cornville, have been assigned by the Committee of the States to destroy bridges on the Black Canyon Freeway running between Flagstaff and Phoenix. . . .

Cremens, in effect, tried to show the court that Van Hazel’s boasts about the Committee of the States to Bill Sivils were inaccurate, if not outright lies. At one point, while cross-examining Sivils, he asked, “Did you ever ask him [Van Hazel], ‘Where are these several thousands of Unorganized Militia men?’”

Sivils responded, “Yes, sir.”

And Cremens asked, “What did he tell you?”

Sivils said, “He gave me an extensive list of people that are in the Militia and in the Committee of the States in Arizona.”

The list did not have several thousands on it. In fact, it had “twenty or so,” admitted Sivils.

Cremens observed to Sivils, “Now, I don’t know about you, but I’m getting—beginning to get the impression that that man [Van Hazel] is a bag of hot air, isn’t that right?”

Sivils answered, “Yes, sir.”

* * * * *

In a taped conversation introduced in court by Pocker, Van Hazel disclosed that he used the church for his own purposes. The FBI transcript read as follows:

VAN HAZEL: We use the church —

SIVILS: As a cover.

VAN HAZEL: I say we use the church. I use the church. Bill is the church.

SIVILS: Yeah.

VAN HAZEL: There’s certain things that he [Gale] doesn’t participate in. But he doesn’t speak for me.

SIVILS: Oh yeah. Yeah.

VAN HAZEL: But we’ve got to be careful about some of the things we do there because . . .

SIVILS: They’re watching every minute.

VAN HAZEL: Oh, yeah.

SIVILS: They know about it.

VAN HAZEL: They watch us and we watch them.

During the same conversation, Van Hazel implicated Slim Parrino.

VAN HAZEL: Slim Parrino is the State Marshall for California.

SIVILS: Oh, is he?

VAN HAZEL: Slim and I are like brothers. And you'll be that way too.

SIVILS: He's a pretty nice guy.

VAN HAZEL: Yeah.

SIVILS: He didn't say too much.

VAN HAZEL: No he won't. He listens. He's an ex-deputy sheriff.

SIVILS: Oh, is he?

VAN HAZEL: From Los Angeles County. He's retired.

SIVILS: Yeah.

VAN HAZEL: And, he's got a machine shop and everything up there [in Mariposa]. That's what he does.

SIVILS: To make what he wants.

VAN HAZEL: That's right. He can make what he wants to. You give him a drawing for it and he'll make it, no matter what it is.

* * * * *

On September 25, 1987, Judge Lloyd George addressed the court regarding the question of the existence of a conspiracy by the Committee of the States. He had determined that statements made by the defendants clearly served the purpose of a conspiracy. According to George, "A preponderance of evidence had been presented by the prosecution to show the defendants' involvement in a conspiracy." In order to expedite the proceedings, the judge asked the prosecution not to bring any more out-of-state witnesses into court to support the conspiracy charge.

At 2:05 p.m., Judge Earl White appeared in court to give a description of his experience with the Committee of the States. Around April 1, 1985, he received a communication from Angelo Stefanelli who had a grievance about a traffic citation and had filed a civil lawsuit against the judge.

White was concerned because the notice, containing a caveat, was sent to his "new" home address. He immediately contacted the Metropolitan Police Department and for about five or six months thereafter, he was escorted by a squad of intelligence officers wherever he went in public.

White testified that he saw Angelo Stefanelli in May or June of 1986, when Stefanelli walked into the courtroom and demanded to be heard even though

he was not scheduled on the court calendar. White told him to leave the court. White subsequently transferred from traffic court to the district court bench. A squad of intelligence detectives were present at the time he took the oath of office. His last sighting of Stefanelli was at a St. Patrick's Day parade in 1987; Stefanelli had been standing on a street corner, but "had not had the courage to look the judge in the eye."

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On Monday, September 28, with Joseph O'Connell, special investigator with the Internal Security Division of the IRS, on the witness stand, all five defense attorneys worked in conjunction to impeach the government's case.

Dennis Wagner, representing Pat McCray, wanted to know why "all" the members who signed the Compact of the Committee of the States were not brought to court? This prompted Richard Pocker to request a sidebar with the judge. Pocker noted that he might indict the other members at a future date. Three minutes later, Wagner pointed out that O'Connell testified before the Federal Grand Jury in Las Vegas on October 2, 1986, that "Stefanelli mailed the Constructive Notices to the IRS."

Between the McCrays' arrests on September 29, 1985, and the indictment filed against the Committee of the States on October 9, 1986, no charges were brought against the McCray brothers. "Thirteen months had elapsed with no charges brought by the federal government," noted Eric Woods, Mike McCray's attorney.

Tom Pitaro, Gale's attorney, cross-examined O'Connell about his visit to Gale's home on May 15, 1986. The purpose of the visit was to serve Gale with an order to appear before the Federal Grand Jury in Las Vegas, Nevada, on May 22, 1986, however, Gale was ill and his doctor had advised him not to drive a car or travel the distance to Las Vegas. (Gale did appear on that date).

In court, the government's Memorandum of Contact, dated May 15, 1986, indicated that Joseph O'Connell, Commander Rod Sinclair of the Mariposa Sheriff's Department, and IRS Inspector G. P. Fiske, all entered Gale's home to serve him the federal papers and interview him. During the visit, Sinclair, who had known Gale since the early 1970s, visually searched the room and noticed a Committee of the States mailing list hanging on the wall of Gale's office.

During the interview, Gale noted to O'Connell that his information regarding Stefanelli was hearsay, as he knew nothing firsthand. Pitaro pointed out in

court that at the time of the interview, Gale was not given his Miranda warning, nor was he presented with a search warrant while Sinclair scanned his office.*

Pitaro pressed O'Connell to describe the room that Sinclair visually searched. "To get there [to the office] you had to go through his kitchen, living room and his dining room, didn't you?"

O'Connell replied, "Kitchen—we went through a room, at least. I don't recall the rooms."

Pitaro probed, "You don't recall how many rooms it was?"

O'Connell: "No."†

Gale's telephone bills were submitted as evidence by Pocker to show Gale's association with Lee Luttrell, the Nevada Clerk of the Committee of the States. Pitaro pointed out that Luttrell was Gale's nephew by marriage, and therefore the evidence of the phone bills was irrelevant.

Colonel Gale was unable to sit up in his wheelchair due to difficulty in breathing. The portable oxygen unit he carried with him was not helping him on that day, and he was finally taken to a nearby hospital. At 3:20 p.m. the jury was excused for the day.

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The following morning, on September 29, Tom Pitaro requested of the judge that Gale be released from having to physically appear in court each day. However, contrary to Pitaro's request, Gale did not want a mistrial, but wanted to continue with the trial. According to Roxanne, "He wanted to get it over with."

Judge George wanted Gale to have the opportunity to hear what the jury was hearing so he was not released from appearing in court, though on September 29 he was excused to receive treatment at the hospital.

Around 11:00 a.m., while the jury was absent, during an open sidebar with Judge George, Frank Cremen argued vehemently that his client, Slim Parrino, should be acquitted. According to Cremen, the Committee was formed to resist

the government in its administration of IRS laws. Parrino, who was not a delegate, allegedly knew nothing about the Constructive Notices, and the government was trying to hold Parrino responsible for Stefanelli's and Kiefer's actions.

Pitaro chimed in that there was not enough evidence to prove a conspiracy by the entire Committee of the States, only the Nevada Chapter. Pitaro wanted the government to draw a distinction between "conspiracies"; i.e., an independent conspiracy—Las Vegas—as opposed to a general conspiracy—the entire COS.

Dennis Wagner, a California lawyer who was not concerned with the political climate in Nevada, called for a mistrial, arguing that the jury was "polluted with ethnic and racial remarks" made by the defendants and presented in court by the prosecution. According to Wagner, "Volumes of stuff had gone to the jury that didn't need to be presented . . . and what should have been a two day trial had gone on for three weeks." He also called for selective prosecution of his client, Patrick McCray and reminded the court that the "protectural arrest" on September 29, 1985, had provided the government with most of their evidence. The government was "trying to inflame the jury," he added, "and there was an element of prosecutorial misconduct."

Eric Woods moved for a judgement of acquittal based on counts two through nine; "the government had not given an inkling of 'who' mailed the Constructive Notices from Reno, Nevada."

James Smith, representing Richard Van Hazel, called for severance from the rest of the defendants because the evidence being presented was "prejudicial," and Van Hazel had not known about the COS indictment against the IRS agents until he appeared at the grand jury proceedings in Las Vegas. Smith also called for a mistrial.

Frank Cremen objected to Gale's 1982 "Committee of the States" tape being played in court since the alleged "conspiracy" did not come into existence until 1984.

In his own defense, Richard Pocker injected that the government's case rested on a "very broad" conspiracy by the Committee of the States.

Judge George denied the motions from all the defense attorneys except Frank Cremen. He noted that he had some reservations about Parrino's case because the evidence was weaker than that of the other defendants.

Nevertheless, George subsequently denied acquittal of Parrino because he said Parrino was aware of the Constructive Notices circumstantially, and Parrino did not withdraw from the larger conspiracy. For the second time that day, Judge George referred to the "Pinkerton" case when discussing "substantive" evidence of a conspiracy.

*In court, during Sinclair's testimony on September 24, Pitaro accused O'Connell, Fiske, and Sinclair of entering Gale's house under the "guise" of serving federal papers, and using the opportunity to visually search Gale's house without a search warrant.

However, Gale had been subpoenaed to appear before the Grand Jury on March 27, 1986, and had failed to do so due to illness.

†Gale's office was located in a separate room off the dining room.

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Richard Van Hazel was one of the few defendants to take the witness stand in his own defense. His defense attorney, James Smith, noted to the jury that Van Hazel was married to a Korean woman and had three children. Van Hazel had served in Special Intelligence in Vietnam, and lived in Flagstaff, Arizona, for sixteen years.

Van Hazel's often heard statement, "Let's bury them in bullshit," was brought up repeatedly by both the defense and the prosecution during the trial. However, when he testified in his own behalf, he admitted to drafting the Standard Operating Procedures (S.O.P.'s) of the Unorganized Militia. The Militia was formed to protect "We the People," he said. It was not created to attack the government, nor did it have jurisdiction over the "sovereign" states. It was defensive in nature.

According to Van Hazel, 591 copies of the Committee of the States Compact were mailed to government officials "return receipt requested." The Committee was concentrating on "reviving the Constitution," which included the Articles of Confederation.

Van Hazel testified that he saw a Constructive Notice for the first time during the grand jury questioning by Pocker in June of 1986. He never received any copies of Constructive Notices in the mail, but he believed that the Caveat at the bottom of the Compact would eventually be carried out by both the armed forces of the United States and the Unorganized Militia.*

Van Hazel's attorney asked him, "Why in theory, and not in fact?"

Van Hazel answered, "Because the armed forces would eventually understand the law of the Committee of the States."

Smith asked him about the taped conversation with Bill Sivils in which he said: "We have plans to take out all the judges, lawyers," etc.

Van Hazel said Sivils provoked him into a conversation about the Arizona Patriots. "[These were] plans which were made by the Arizona Patriots. I was a former member of the Arizona Patriots," he added.

Referring to the Committee of the States, Van Hazel testified, "We were serious in making a political statement."

Richard Pocker asked Van Hazel, "Do you consider yourself a bag of hot air?"

Under the objection of his attorney, Van Hazel responded, "In that context I could be considered a bag of hot air."

Under questioning from Pocker, Van Hazel defiantly testified that the

government was a criminal government, that "doing" the judges meant "suing every damn judge in the country."

On September 17, the 200th anniversary of the signing of the Constitution, Van Hazel, wearing a red, white and blue ball-cap that said, "Live Free or Die," had allowed himself to be interviewed on the steps of the Foley Federal Building. Dan Burns of Valley Broadcasting Company (KVBC-TV) asked him about the Caveat.* Van Hazel responded that the Caveat was only a warning. Burns asked, "You mean the Caveat is not a threat?" Van Hazel countered, "Not if they're not doing something wrong."

In court, Pocker reiterated Van Hazel's television interview for the edification of the jury. Van Hazel's attorney interceded and asked him to clarify what he meant when he said, "Let's bury them in bullshit." Van Hazel said he meant, "Let's bury them in paperwork forever."

Tom Pitaro asked Van Hazel what he meant when he said to Bill Sivils, "I use the church."

Van Hazel replied, "I used the church for military training. Bill [Gale] was opposed to using the church for training."

Frank Cremen took advantage of Van Hazel's presence on the witness stand to make a point. (Cremens wanted to show that the Committee of the States was a fantasy.) "You indicated that the Congress of the United States . . . you [the COS] were going to fire them all—fire them all from their jobs, is that right?"

Van Hazel smiled, "Yes, sir."

Cremens turned in the direction of the jury, "On behalf of Mr. Van Hazel, we rest our case."

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On the morning of September 30, Judge George prepared to give the jury their instructions for finding the defendants guilty or innocent of the charges brought against them by the government. Behind Judge George's seat, hung a 2½-foot bronze Seal of Manasseh, the Great Seal of the United States of America. The seal contained an American bald eagle holding thirteen arrows

*The next day, newscaster Dan Burns was subpoenaed to testify in court, but he refused, claiming the Evidence Code laws gave newsmen immunity from testifying.

*The Unorganized Militia is mentioned in 10 of the U.S. Code—Section 311.

in its right claw, and thirteen olive leaves in its left claw. Beneath the seal, Thomas Pitaro and Frank Cremen argued that their clients' activities in Mariposa were constitutionally protected by the First Amendment. A few of the precedents they requested to be included in the jury instructions came from the following cases, though the language they quoted was not exact:

Brandenburg v. Ohio (395 U.S. 444 at 447—1969)—The speech or writings of an individual which advocates the use of force or of a law violation is protected by the First Amendment to the Constitution of the United States except when such advocacy is directed to inciting or producing 'imminent' lawless action and is likely to incite or produce such lawless action.

United States v. Maisonet, 484 F. 2nd 1356, 1359—4th Cir. 1973)—Before a defendant can be convicted of mailing a threatening communication, the government must prove beyond a reasonable doubt that the letter contained a threat to injure and that the defendant intended it to be a threat.

Also in *United States v. Maisonet*, Pitaro found a First Amendment right to use offensive language against a government official, though he was probably not quoting the exact language: "Every person has the right to communicate with any public official calling attention to alleged improper conduct on the official's part and that the language used may be offensive, unpleasantly sharp, or inexact without violating the law."

* * * * *

The jury instructions contained forty-five pages of rules of law. Judge George instructed the jury that the government must prove a defendant's guilt "beyond a reasonable doubt." A reasonable doubt was based on "reason and common sense" derived from both direct testimony and circumstantial (a chain of facts) evidence.

The most difficult charge to prove, listed as Conspiracy, Count 1 in the indictment, required four essential elements in order to convict the defendants on a conspiracy charge: (1) That the conspiracy in the indictment was willfully formed, and was existing at or about the time alleged; (2) that the accused willfully became a member of the conspiracy; (3) that one of the conspirators thereafter knowingly committed at least one of the overt acts charged in the indictment, at or about the time and place alleged; or some other overt act in

furtherance of the conspiracy; and (4) that such overt act was knowingly done in furtherance of some object or purpose of the conspiracy, as charged.

Judge George added, "If the jury should find beyond a reasonable doubt from the evidence in the case that existence of the conspiracy charged in the indictment has been proved, and that during the existence of the conspiracy one of the overt acts alleged was knowingly done by one of the conspirators in furtherance of some object or purpose of the conspiracy, then proof of the conspiracy offense charged is complete; and it is complete as to every person found by the jury to have been willingly a member of the conspiracy at the time the overt act was committed, regardless of which of the conspirators did the overt act."

Included in the jury instructions was a sheet taken from the United States Code (10 U.S. Code—Section 311) describing the Unorganized Militia. Also included in the instructions, on Instruction Sheet No. 26-A, was language from Tom Pitaro's research on "*Brandenburg v. Ohio* and *United States v. Maisonet*" regarding protected speech.

And thrown in for good measure, on Instruction Sheet No. 26, was a brief statement from Judge George which caught the attention of all five defendants. It read as follows: "The Articles of Confederation are not the law of the land, and have not been the law of the land since the ratification of the Constitution in 1789."

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Closing arguments by the prosecution and the defense attorneys were for the purpose of presenting the evidence in logical and comprehensible order. The Committee of the States was a strategically difficult trial because the jury had been asked to individually separate and sort out ten counts of criminal violations against five defendants from three states. The documented evidence had been so bulky it had been carted in and out of the courthouse on dollies.

On September 30, 1987 Richard Pocker began his closing argument by summing up the ten-count indictment to the jury. Regarding the conspiracy charge, he instructed, "Please do not be under the impression that you have to find each and every one of these defendants responsible for each and every one of those mailings in order to conclude that they're part of this conspiracy; you do not.

"The conspiracy began on July 4, or around July 4, 1984. It's the government's position that after you had heard approximately six hours of

testimony, the four defendants seated at this table were already convicted of Count 1. And that is because you heard testimony from Mr. Reineking that established that they had all signed the Compact of the Committee of the States containing the Death Penalty Caveat, and that that Compact had been served on all members of Congress. It had been served through the United States mail.”

According to Pocker, the signing of the Compact was a criminal agreement, and the members took action on it by serving the Compact upon Congress. The service upon Congress was the “broader conspiracy.”

The offenses two through nine, the individual mailings to the Internal Revenue Service were separate crimes, however, Pocker noted to the jury: “You will be instructed, in the course of the instruction on the law by Judge George, that if you find that a member—or that a defendant is a member of a conspiracy, if you find him guilty of Count 1, you can also find him guilty of Counts 2 through 9 if those particular offenses were committed in furtherance of that conspiracy while that defendant was a member of that conspiracy.”

“Mr. Gale didn’t have to drop the envelope in the mailbox, or Mr. Parrino didn’t have to write the address on Mr. Braun’s [IRS agent] Constructive Notice . . . in order for them to have criminal accountability for the actions in furtherance of the conspiracy.”

Pocker highlighted the government’s version of the defendant’s involvement in the alleged conspiracy. “Mr. William Potter Gale, defendant Gale, was the designer of this modern day version of the Committee of the States. You’ve heard testimony from Mr. Reineking about the role Mr. Gale played in drafting the Compact, which is Exhibit No. 57. He expressed great familiarity with the Compact, in fact, he explained it to Mr. Reineking in a motorhome in Texas.

“This was the spring of 1984; he was very optimistic about the Committee of the States coming about that year. He gave Mr. Reineking tapes; he gave him the law enforcement tape and the Committee of the States tape, and you’ve heard both of those. I won’t belabor the contents of either, but your recollection is probably as vivid as mine with respect to a lot of that . . .”

Richard Pocker must have read the transcript of the “Committee of the States” tape just before he presented his closing argument to the jury. As he faced the jury, he reminded them that Gale presented a copy of the tape (in evidence) to Randall Reineking as early as 1984, and a year later, gave one to Dave Longman. Angelo Stefanelli testified that he received one from Mike McCray, and Richard Van Hazel admitted that he had received one too. Patrick McCray heard the Committee of the States tape at home; in fact, the tape was sent to thousands of people across the United States over the years.

“In the ‘Committee of the States’ tape,” noted Pocker, “he [Gale] outlined a solution to the dilemma of the Republic. He said your Republic is ill and you

have to render a solution to the cause, and not the symptoms.”

Pocker suggested that Gale did a lot more than talk about the Committee of the States: “He recruited Mr. Reineking, he passed out this tape, he drafted up the Compact.

“In July of 1984, there was the famous meeting in Mariposa. That Compact was presented to the Committee of the States by Mr. Gale; you’ve heard testimony about that from Mr. Reineking and Mr. Stefanelli.” Looking up from his notes, Pocker observed dryly, “It was a dream come true for Mr. Gale, and he had a very effective part in drafting that Compact and in getting it signed.

“Well, now I know what happened to that Compact, because Mr. Reineking told us. After everybody signed it, and he made sure that the people who signed it could identify themselves as the people who signed it, that Compact, which contained an indictment of Congress, was served upon Congress. It also included the famous Death Penalty Caveat, warning them that if they interfered with the Committee of the States they could suffer the death penalty. It was served upon Congress shortly after that meeting.”

This was the “broad” conspiracy that Pocker referred to throughout the trial.

After a lengthy summation of the evidence the government had presented in court, Pocker zeroed in for the kill, again using the 1982 “Committee of the States” tape as the core of his case against Gale: “It’s very interesting also that as strident and as committed as Mr. Gale sounds in the ‘Committee of the States’ tape and the ‘Law Enforcement’ tape, his behavior is very, very interesting once he finds out that federal authorities and the IRS are investigating the Constructive Notices.

“After that, Colonel Gale begins to blame Angelo Stefanelli for everything. Angelo Stefanelli, the same Angelo Stefanelli who you’ve heard referred to as ‘Mike’s Stooge,’ all of a sudden when the feds are looking at Mr. Gale, Angelo Stefanelli is this horrible person who took everything wrong, was operating on misinformation, he threatened a bunch of people, he misunderstood the Committee of the States, and as a result, everybody’s in trouble and it’s all Angelo’s fault, the stooge.

“Well, Mr. Gale knew what he was doing there.” Pocker turned to look at Gale as he dozed in his wheelchair. Nodding in the Colonel’s direction, he looked up at the jury. “All of a sudden he realized that what he was doing was catching the attention of federal law enforcement authorities; because it was illegal. And as a result, he needed a scapegoat, and everybody got together and decided it was going to be Angelo.

“Mr. Gale plays his little part: ‘Oh, I don’t know anything about it. Who is Mike McCray?’ he tells the individuals who serve the court process on him the first time. After that, it’s, ‘Oh, I know Mike McCray; I know a little bit about

the Committee of the States, I'm on a mailing list or two.' That's what he tells Inspector O'Connell.

"And then, of course, after his grand jury trip he informs Mr. Sivils over the telephone that, 'They didn't get anywhere'"

Pocker again referred to the Committee of the States tape: ". . . And he still plays dumb; the same man that you hear on the 'Committee of the States' tape telling everybody this is what it's all about; it's right; I'll stand by you." Pocker paused for emphasis. "He didn't stand by anybody."

The eyes of the jury passed from Pocker to Colonel Gale, and back again. The Committee of the States tape had been made when Gale was in relatively good health. In court, Gale was having difficulty breathing, and clutched a portable breathing unit on his lap. Because he had a hearing problem, and could not hear most of the proceedings, he dozed with his head dropped on his chest most of the time. His skeletal appearance was unsettling to the jury. Some jurors perhaps wondered if he would live through the proceedings, let alone survive long enough to go to prison.

Pocker pointed at the sleeping Colonel. "Mr. Gale is in it up to his eyeballs, and it shows from the testimony and the documents that you've seen. And he is responsible for the acts committed in furtherance of this grand conspiracy that he designed in 1984"

In another segment of his closing argument, Pocker pointed out that Angelo Stefanelli was not arrested on September 29, 1985, when the McCray brothers were arrested and their briefcases searched. Shortly thereafter, noted Pocker, "the McCray brothers decided they weren't having any more meetings, or if they were, they were not having them with Angelo."

Added Pocker, "Well, the reason is they thought Angelo was a snitch, and they told Van Hazel that and they told Gale that, and it was the seed of the cover-up that proceeded after that."

According to Pocker, Bill Gale's phone records indicated that he called one of the McCray's on September 30, 1985, the day after their arrests, and he [Gale] spoke with Van Hazel in Arizona the day after Joseph O'Connell and Deborah Corwin confronted the McCray brothers at their place of employment in Las Vegas, Nevada.

In his summation of the evidence against each of the defendants, Pocker first described Richard Van Hazel as a man who lost his nerve. "Mr. Sivils testified that he was on standby in case anything happened to Mr. Gale and they might have to break him out. . . . So Mr. Van Hazel is on standby, but he loses his nerve a little bit, and instead he decides that the appropriate solution is to 'bury them in bullshit,' quote, unquote."

Then he painted him as an aggressive marshall in the Unorganized Militia

who confronted Joseph O'Connell at the grand jury hearing and wanted to know who was in charge of the investigation—who the top man was. Pocker reminded the jury, "Doesn't that sound awfully familiar to some things that Mr. Longman said about what Mr. Gale told everybody in 1985? 'Don't go for the guy on the street; find out who's in charge; find out who's calling the shots, that's the man you want to get.'"

Pocker quoted Van Hazel in a taped phone conversation with Bill Sivils. ". . . And then he [Van Hazel] says that he wants to take the offensive; he doesn't want to wait around and let somebody nail him, it's time to take the offensive. And, sure, he mentions a lawsuit, but he mentions it in the context of, 'Well, we ought to sue that grand jury, we ought to sue the U.S. Attorney, if that's all the guts we've got now.'"

Pocker paused. "Interesting remark for a man who is committed to the at law proceedings."

Referring to Slim Parrino, the state marshall for the Unorganized Militia in California, Pocker noted that Parrino "gave speeches, not just about the Apocalypse, and Armageddon and how the Jews are the children of Satan, but about how government officials, including the IRS, were enemies of the Committee of the States and God, and that the purpose of training was to face those enemies." Added Pocker, "It's a clear instance of him encouraging the use of force against the IRS and the government, and training the attendees to go out and perform those tasks."

Another original signatory on the Compact was Patrick McCray whom Pocker described as "vocal about his anti-government and anti-IRS sentiments" on the day of his arrest on September 29, 1985. "Now he denies making those statements," noted Pocker, "but the police officers couldn't shut him up. He wanted to tell them what they were doing was illegal and nobody should have to pay income taxes."

In some of the most damaging testimony against the McCray brothers, Angelo Stefanelli had testified that the Las Vegas Chapter of the COS conducted training exercises in Nevada in ambush techniques and garroting with piano wire. In rebuttal on the witness stand, Patrick McCray had said the Nevada delegates simply had picnics at Mike McCray's vacation property. In his closing argument, Pocker derisively called the picnics, "piano wire picnics."

Stefanelli also testified that when he and his fiancée, Susan Kiefer, brought his traffic court problem with Judge White to the attention of the COS group, Patrick McCray said, "Let's hang the nigger." At the podium in court, Pocker wagged his head mockingly, "Hardly Bible talk; hardly discussion of a lawsuit."

According to Pocker, Angelo Stefanelli was not calling the shots for the Nevada Committee of the States. "The person who directed him was Mike

McCray,” said Pocker to the jury. “He was the chairperson of the Nevada meetings . . . he was the man that everything was cleared with.”

Pocker reviewed his notes. “You’ll recall that Mrs. Stefanelli [Susan Kiefer] testified that Mike told her ‘that you better get in the mood, that when this thing comes down or when you need to, you’re going to have to do them in.’”

Angelo Stefanelli also testified that Mike McCray told him when he questioned the strong wording of the Caveat, “Angelo, if you’re not willing to go all the way, you should have never got into this.” Pocker faced the jury. “What did he mean there? If you’ve got the guts to go all the way to the Supreme Court with an at law proceeding? You know that’s not what he meant. You don’t need to train with piano wires to go to the Supreme Court!”

In closing, Pocker asked the jury to read the evidence closely and see where it came from. “You’ll see it leads right back to Mariposa and Arizona, the real source of it.” He added, “It’s up to you to decide whether it’s a threat or not. The government concludes that in the light of all this evidence, it is a threat, it’s a threatening communication. One of the other things that you can consider is the effect upon the individuals who received it. With the exception of Kirk Braun [IRS agent], every single IRS employee testified that they were deeply disturbed by this.”

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On October 1, 1987, the defense attorneys presented their closing arguments to the jury. Some of the arguments were eloquent with reference to the First Amendment, and some were thought-provoking. Thomas Pitaro, a self-described “emotional Italian” offered the most dramatic argument in favor of the First Amendment right to freedom of expression.

Pitaro began his argument by referring to the 200th anniversary of the signing of Constitution, which had taken place during the trial on September 17. “I can say this with all sincerity, there is no place that I would rather have been than here in this trial for the honor and the privilege to be in front of you during this bicentennial time.”

He adjusted his glasses and appeared to be picking his words carefully. “We have discussed questions fundamental to this Republic; we have discussed questions fundamental to all our beliefs. While others were celebrating, in one fashion or another, the 200th Anniversary of the Constitution on September 17,

we were living it. . . .

“At the beginning of my opening remarks, about three weeks ago, I said I found it ironic that we would be having to litigate the issue of the First Amendment in the United States of America on the 200th anniversary of the Constitution. . . .

“As you know, in watching me for three weeks, I am an emotional person. I attack things with zeal; sometimes too much. But at the beginning of this trial, I asked you people certain questions and got from you a commitment, a commitment that you took as an oath.” Pitaro left the podium and walked over to the jury box. Judge George motioned him back to the podium. “You took an oath that you would fairly and impartially decide this case without passion or prejudice for or against the religious and political views of these men.” Pitaro turned on his heel and returned to the podium, taking time to leaf through his notes. “I don’t know if you’re Jew or Gentile because I don’t care, because you made a commitment to all of us and to yourself when you took that oath. . . .

“Only you would know if you would violate that oath by making a decision based upon passion and prejudice because you disagree vehemently, I know, with the religious and political views expounded by that man.”

Colonel Gale appeared intent on hearing what Pitaro was saying to the jury, and periodically leaned towards one of the defense attorneys seated at the table to ask what what being said. Pitaro often turned to look at Gale as he spoke. “How ironic it is that we are arguing the First Amendment here today for freedom; be it of speech, be it of thought, or be it of religion, it’s constantly under attack. It must constantly be reaffirmed or it goes by the wayside, until we wake up and find that instead of Identity Christians, it may be Roman Catholics such as myself that are taken away.”

Pitaro cited *Brandenburg v. Ohio*, which he had requested the Judge to include in the jury instructions. “Speech advocating violence or lawlessness is protected unless it calls for ‘imminent lawless action.’

“We, the people,” he continued, “had free speech and we had the freedom to worship prior to the enactment of the federal Constitution. We gave the federal government the obligation to guarantee our right of speech and religion, the federal government did not give it to us. . . .”

Plainly, Pitaro had also been listening to Gale’s tapes. Themes from Gales tapes were used in both the prosecution and the defense closing arguments.

Clearing his throat, he read aloud from page four of the indictment: “On or about September 6, 1982, defendant William P. Gale gave a sermon on the subject of the Committee of the States and caused that sermon to be tape recorded and distributed in cassette form to individuals across the United States. . . .”

He looked up at the jury and huffed, “The first sentence in the indictment and the first overt act [mentioned] is an attack upon the sermon, given in church, of the religious and political views of William Potter Gale. And yet we are not here to judge or try his religious views? Of course, we are. Of course, we are.”

Pitaro paused, clasping his hands around the sides of the podium and staring solemnly at the jurors. “Dissent of the people prior to the establishment of the kingdom of God is not a religious concept that initiated with Reverend Gale. The concept of Apocalypse and catastrophic upheaval prior to the establishment of Christ’s kingdom on earth is not and was not initiated by Reverend Gale. We need only look to the history of Christianity to know that from the writings of the apostles, Peter and Paul, they dealt with the immediate second coming of Christ. And every generation of Christians since then has looked to its own age to say, ‘Is this the time?’” Pointing to Colonel Gale, he added, “It is not unique to this man.

“The second coming of Christ is the continuing theme of Christianity for two thousand years. And that thought is what we’re going to attack today; that thought, that concept, is what is under attack in this trial. I say it’s hogwash that we’re talking about a misdemeanor threat to IRS agents, or a felony depositing a threat in the mail.”

Pitaro gestured towards Gale. The judge appeared disgruntled by his continuous movement, but remained silent. Pitaro raised his voice one octave. “Let me just ask you this. If the immediacy of the threat was so important, why was no one involved arrested until seventeen months after the last plead communication? Is it because we are dealing with threat, or do we feel threatened by religious beliefs that we cannot accept? I can’t judge, but I know what I can see. . . .

“All we heard for three weeks from here, from that seat into that microphone to our ears, was an assault on our sensibilities concerning his religious beliefs; that is what we’ve heard, and under the guise of a few communications into early 1985

“There is volume, but there is no substance,” he declared. “Mr. Pocker told you yesterday that this is a ‘broad conspiracy,’ that this broad conspiracy encompasses all. Well, a fundamental proposition of criminal law in this country, is strict construction against the government and in favor of an accused of the crime charged. . . .

“What we are left with,” added Pitaro, “is they want to hold Reverend Gale, William Potter Gale, vicariously liable for the alleged criminal acts committed by others”

Pitaro said the indictment was narrow, the language was not “broad” in the

criminal charges. “In this society, broadness must be specifically plead; we don’t have general violations,” he noted.

The credibility of the witnesses who testified against Gale was questionable, according to Pitaro. Randall Reineking was on probation with the government, in fact, nearly all the witnesses who had become government informants had tax problems. “Consider that power,” he announced solemnly, referring to the government. Pocker began to stir, looking at the judge. As Pitaro launched into a discourse on the power of the government “not to charge” an individual with a transgression of law, Pocker objected, and the court called him to the bench. A discussion ensued, most of which could not be heard by the audience, but a few words filtered through the courtroom. Judge George said, “It seems that you’re clearly starting to address a number of areas, questions of sentencing and different things. What’s your—”

Pitaro responded, “Well, I’m only trying to give a new progress report—”

Judge George injected, “Well, I’m asking you to tread carefully in this subject.”

Pitaro answered, “I’ll try.” Then he launched into another discourse on the power of the government to reduce criminal charges against a defendant. “Let’s go to the other power; the ability to engage in plea negotiations,” Pitaro continued. “No defendant can engage in plea negotiations with any witness for reduced charges. No defendant can do that.

“Angelo Stefanelli is a witness pursuant to plea negotiations entered into by him and the Government, and part of that negotiation is cooperation. Angelo Stefanelli knows, as does Susan Kieffer and other witnesses, that the quid pro quo for government silence at sentencing in front of a court is the determination of cooperation by that witness,” Pitaro paused for emphasis, “and no defendant has that power.”*

“So to recapitulate on motive and bias of witnesses,” Pitaro concluded, “determine for yourself on what side of the room the power lies; determine that for yourself when you look at Longman, Reineking, Fiske, Stefanelli and Kieffer, who has the power” All were former members of the Committee of the States, with the exception of Fiske who was the caretaker at Manasseh Ranch, and all had tax problems with the IRS.

He reviewed the evidence brought forth in trial by the prosecution: handwriting analysis, testimony, and government exhibits involving Gale.

In closing, Pitaro said to the jury: “Your decision is mandated by the law,

*In his closing argument on October 1, Frank Cremen, representing Slim Parrino, made the same point when he said, “Isn’t it ironic, the government has absolved Susan Kieffer of any responsibility for her actions, completely absolved her of responsibility. Yet it holds my client liable, or seeks to hold him liable on a theory of vicarious liability.”

the government has not proved its case beyond a reasonable doubt, and you must acquit.”

Frank Cremen pursued the theme that the Committee of the States members were grown-up boys playing war games, acting out a fantasy—and the government unwittingly took them seriously.

Referring to the Compact, he queried, “How did these people perceive the document? Well, I didn’t mean to be funny with Angelo Stefanelli or Randall Reineking when I asked if they destroyed their Federal Reserve Notes [money]. But, the answer was no, and the answer was no for a reason, because they knew that that document wasn’t effective. That was to be a vehicle by which they would effect change, but that vehicle never got put in motion after July 4, 1984. They knew that.”

Cremen also argued that the Committee of the States defendants were, essentially, indicted because of their controversial political and religious beliefs. “I understand that what is said in this courtroom, or what has been said in this courtroom is, as I described it, far out of the mainstream. It’s not near the stream. These people’s political and religious beliefs are a perversion of history and Christianity.

“I find it ironic that the hate with which these people are filled against lawyers, judges, courts, banks, Jews,—I find it ironic that all of that hate is evidently of some frustration that these people want to be everything they hate.

“You have Van Hazel saying he’s an expert in at law proceedings, you have McCray being an expert in at law proceedings, you have Van Hazel coming up here to act as attorney for Gale when he goes before the grand jury, you’ve got McCray, Patrick and Mike both, filing lawsuits [against O’Connell].

“That which they hate, attorneys, they want to be. That which they hate, judges, they evidently want to be. Banks, they don’t like bankers, [so] they create their own bank in this political statement. Jews, they don’t like Jews, yet they say they are the true Israelites and they would steal from the Jews their designation of God’s chosen people.

“But, I don’t think any of you, if you think about it, would dispute the fact that my client wouldn’t be here if he didn’t have those views. He is in this courtroom because he is a pastor down at that church [Ministry of Christ Church in Mariposa].

“In this country, we have freedom of expression, and we have the ability to adopt and communicate ideas. And some ideas are successful, and some are not. And those that are not, disappear, hopefully. Some are temporarily popular, and some pass with time.”

Cremen held up the page of the Compact containing the delegates’ signatures. “For seventeen years the idea of a Committee of the States was pushed.

Only forty-four delegates signed the Compact.” The measured tension in his voice carried out across the courtroom. “Their ideas are not popular, their ideas are doomed for failure,” he proclaimed. “But, their ideas cannot be declared illegal; we are not in that business of categorizing ideas as legal and illegal. Because as soon as we do that, then who is to say which is the next group that will be declared illegal, whether it be the B’nai Brith or the Knights of Columbus, or the Americans for Democratic Action, we can’t do that and you can’t do that in this trial.”

* * * * *

On October 2, 1987, at 4:00 p.m., the seven-woman, five-man jury came to a decision after nine hours of deliberation. During the three week trial, all of the defendants, except Slim Parrino and Colonel Gale, had been optimistic and relaxed as they chatted in the hallways of the federal building, or in the cafeteria during coffee breaks. Richard Van Hazel, clowning for the video cameras in the hallways and the undercover agents nearby, openly cracked jokes about Irishmen, alluding to Joseph O’Connell, and inferred quietly that he would “hang the judge” when the trial was over.

Though more subdued, Mike McCray and Patrick McCray chuckled at Van Hazel’s antics and added a few of their own. At one point during coffeefreak, a bailiff angrily stuck his head out of the courtroom and told the defendants to cut the “ethnic” jokes and the clowning around. (The newly installed video camera and sound equipment in the hallway had picked up the dialogue.)

So, on October 2, when the jury returned to the courtroom to read the verdict, most of the defendants seemed in high spirits. Colonel Gale had reservations, however. He echoed the words of Penny Levin, a *Las Vegas Sun* reporter who had commented that the trial was held during Rosh Hashana, the Jewish New Year, and the verdicts were being delivered two hours before the start of Yom Kippur, the “Day of Judgement and Atonement,” considered to be the most sacred day in the Jewish faith.

The defendants looked stunned as one by one they were found guilty of all ten counts listed in the indictment. The courtroom was packed to overflowing. The room had the atmosphere of a convention, or a family gathering. Government employees and federal agents from all over the federal building and parts of Las Vegas had converged for the final act. And all eyes were on William Potter Gale.

He sat woodenly in his wheelchair, seemingly resigned, and began taking

off his watch and his wedding ring as if he expected to be jailed. Roxanne Gale, sitting in the audience, stared straight ahead and showed no emotion except the trembling of her hands in her lap. The McCray women broke down and wept openly.

* * * * *

Against Pocker's objections, Judge George ordered all the defendants, except Richard Van Hazel, released on bond pending sentencing on January 15. Van Hazel, the chief marshal of the Unorganized Militia, was remanded to jail.

Outside in the hallway, Thomas Pitaro told newspaper reporters, "We gave it our best shot. We fought on the issue we thought was relevant and important." He paused, then added, "The judge made the right decision in letting Gale out on bond because he suffers from emphysema and is a very sick man."

One government official, requesting anonymity, told Phil LaVelle, a staff writer for the *Las Vegas Review Journal*, that "this was the first time a leader [Gale] of a nationwide hate group had been found guilty of inciting his followers to commit crimes."

Most of the jurors declined to comment on their verdicts, but Ruth Stringer, a former school teacher, was articulate in her explanation of the group's decision. "We read the rules of conspiracy [from Judge George's jury instructions] and everyone fell into that category, charges one through ten. That took care of the whole thing."

In the parking lot, as Stringer left the Foley Federal Building, reporter Cheri Seymour asked her a question regarding the conspiracy charge: "What did the jury base their decision on?" Stringer, a feisty elderly lady, answered, "We resolved the question about conspiracy rapidly; when you signed with the Compact, you signed with the conspiracy." Stringer noted that they "didn't think about the death threats."

Pausing for a moment, Stringer added confidently, though she said it had no bearing on the case, "I have lots of Jewish friends in Las Vegas. In fact, the lady [juror] who works for the county assessor's office is part Jewish."

And, Richard Pocker's boss, U.S. Attorney William A. Maddox, first praised Pocker, then declared to the press, "The verdict is a victory against bigotry. I'm glad to see it."

On October 7, after the headlines had died down, reporter Penny Levin wrote a commentary on page 4-B of the *Las Vegas Sun*, entitled, "A Victory Against Bigotry." The drawing above the story showed a shadow of a Devil holding a pitchfork standing behind the witness stand. The empty chair at the witness stand had the words "Gale Testimony" written on it.

"... Gale and his followers must realize that the First Amendment also protects all people," she wrote. "No one can go around sending death threats to human beings who are just trying to do their jobs. . . . A jury of peers said 'no way' would this be allowed in this country."

* * * * *

The weather in Las Vegas on January 15 was considerably cooler than it had been during the trial in September. Once again, the defendants met in front of Courtroom Three at the Foley Federal Building. But, this time, the optimism was lacking and the wisecracks were withheld. The fact that they were being sentenced on Martin Luther King's birthday was not lost on the defendants. King would have been fifty-nine years old that day.

Judge Lloyd George called the courtroom to order at 9:30 a.m. and related the statutes for all ten counts which the defendants had been convicted of. Count 1 provided for a five-year term of imprisonment and/or a \$250,000 fine. Counts II, III, IV and V, provided for a one-year term of imprisonment and/or a \$100,000 fine as to each count. Counts VI, VII, VIII, IX, and X, provided for a five-year term of imprisonment and/or a \$250,000 fine.

Prior to sentencing, Judge George allowed the defense attorneys to speak on behalf of their clients. Thomas Pitaro addressed the court. "Colonel Gale fought with distinction and valor for his country. He was a military hero, who risked his life and gave his health for his country." He gestured towards Gale. "This man loves his country to a fault."

Gale interjected, nodding his head in agreement. "It's my country, right or wrong."

Regarding the evidence, Pitaro pointed out that two years had transpired before the indictments were handed down by the Federal Grand Jury, and during that two years, the Caveats were never implemented. "The Constructive

Notices were a political statement,” he said. “Stefanelli’s fiancée had left the organization [COS] because the members did not turn out to be ‘big, bad, kick-ass people!’”

Once again, as he had during the trial, the lawyer chose to emphasize Gale’s philosophy. “Reverend Gale is here because he is the leader of a controversial organization,” he exclaimed.

The probation report attacked Gale’s attitude and his beliefs. But, noted Pitaro, those beliefs did not lead to any physical harm to anyone. The report called for sanctions against Gale, which incensed Pitaro. Frowning at the judge, he demanded, “What sanctions could be imposed that have not already been imposed on him? The man is dying.”

Pitaro ruminated on Gale’s belief that the Articles of Confederation are still in effect. “I would hope that we would never excise religious belief from political belief.” Judge George retorted that the founding fathers separated the church from the state. Pitaro declared, “God save the Supreme Court.”

In a last emotional plea for mercy, Pitaro gravely added, “Any rational system of justice could not incarcerate this man. Grant him probation and let him go home and let him die. I would be disappointed in my government, in my justice system, if any other sentence is handed down.”

Richard Pocker rebutted Pitaro’s argument by stressing the lack of remorse emanating from Colonel Gale. Gale had been unwilling to acknowledge his participation in the Committee of the States organization; he had operated under “the umbrella of the church.” He set up a blueprint and led the defendants to commit crimes. “At seventy-one years old,” noted Pocker, “he cannot be rehabilitated. The army was the best thing that ever happened to Bill Gale.”

Pocker depicted Gale as a man who had “so many opportunities in his life, it was a shame that the final motivating factor was ‘hate.’” According to Pocker, prison was not an outrageous factor in Gale’s case. “The threats [Caveats] were designed to cause mental distress, even if no one was actually hurt. The fact that no one was hurt was testimony to the law enforcement community’s ability to stop it!”

Pocker gestured towards Gale, “He’s old, and he’s sick, but to forgive him the use of his tremendous and charismatic powers would be a travesty of the law.”

Pitaro interjected. “For shame, for shame. Society will not be served by the incarceration of Colonel Gale.” The government was screaming for blood, cautioned Pitaro. Incarceration of his client would be barbaric and vengeful. “We don’t do that in this country in 1988,” he protested. “That is not justice.”

Judge George countered that Gale’s attitude and philosophy imposed limitations of free speech on others. “Trials of this nature are educational to all of

us,” he reflected. However, George’s primary concern related to Gale’s age and his health. Judge George fined him \$5,000 plus \$400 for penalties and assessments. He was sentenced to one year and one day in jail, with five years probation. George noted that Gale had already spent 130 days in jail after his arrest in October 1986.

* * * * *

Slim Parrino was prepared to speak before Judge George. He had made a decision to renounce the Ministry of Christ Church and Reverend Gale. However, when he spoke, his voice cracked, and he broke down and wept. After a while, the words finally came. “Your Honor, I would like to state at this time that I am very sorry, very bereaved for having been associated with these people, the organization and their political beliefs. That’s all I have to say.”

Gale seemed shaken; Slim Parrino had been groomed for ten years to take over the Ministry of Christ Church after Gale’s passing. A gasp emitted from the direction of the McCray families. Judge George replied gravely, “I have read with real interest, Mr. Parrino, your report and you are, of course, the one who makes a meaningful acknowledgement. You have disassociated yourself from this organization. You indicate that you believe in the highest ideals of preserving the Republic. You have completely divorced yourself from members of the Committee of the States and this ministry because their beliefs and methods are wrong.

“I don’t know what happened to you, Mr. Parrino, I don’t know. I have to believe that you were a fine law enforcement officer for a good many years and served well.* I don’t know if there was some degree of bitterness that permitted you unwisely to get associated with this group. It just really surprises me that a person of your intellect and of your soundness could ever be influenced by people who conduct themselves in this fashion. You are just not the kind of person who one could reasonably expect to be a part of it.”

Parrino responded, “Well, your Honor, I don’t want to sound like I am making excuses. What I thought [it was] and what it really was, were two different things.”

Judge George acknowledged, “And you discovered that, unfortunately, too late?”

* Fortunato “Slim” Parrino was a deputy sheriff at the Los Angeles County Sheriff’s Department from July 25, 1960 to June 15, 1975, and was granted a regular service retirement.

Parrino: "Yes. I discovered it around December of '84, '85."

Judge George: "Well, this is apparently a frightening group. You know, I am convinced if there had been a significant response of several hundred people, this could have been a rampage. Do you have any problem with that? Is it possible that if there had been a larger group that—"

Parrino launched into a discussion about the Declaration of Independence and the right to change the government if it becomes oppressive.

Judge George asked Parrino how he got involved in the first place?

Parrino recalled that it all started in 1962 or '63 when he was assigned as a patrolman to East Los Angeles. "One of my partners was a member of the John Birch Society, and he gave me some stuff to read. I just went on from there."

George responded, "You know, it suggests the worst kind of counterfeits are the ones who are closest to the truth, and I suppose this process of feigned patriotism, and that is what I think it is, for your own selfish and foolish reasons—" Judge George stopped himself, and shrugged. "But unfortunately, you were caught up in it."

Parrino hesitated, reflecting on his background. "Yes, I was."

George concluded, "And that really is unfortunate, because I think you are a good man." He turned and looked at Parrino's attorney, Frank Cremen. "You will forgive me for interrupting you." Cremen answered, "No your Honor. I am glad you talked to my client."

Cremen, who specialized in representing law enforcement officers, explained to Judge George that he believed Parrino entered into the Identity Movement because "he encountered frustration as a policeman in Los Angeles."

"I can't explain it," he said, "but if you look at it from that perspective, that probably is what led him to this, and, you know, when you are a policeman dealing with the daily activities that one finds on the streets, I think you can probably develop some negative ideas about groups of people that aren't warranted, but because you are constantly exposed to people who are doing wrong, you begin to develop broad guidelines that you apply to all people of that particular group or ethnic background."

Cremen hesitated for a moment, then concluded, "It is not right, but I think that happens sometimes, and it sometimes happens to members of law enforcement."

Cremen reviewed the evidence presented in court against Parrino and as an afterthought added, "I think the notices that were sent were cowardly, and I don't know that you could say that my client is a cowardly man. I don't think it is in him to be cowardly and small and secretive as those acts were."

In rebuttal, Richard Pocker referred to David Moran, a founding member of the Committee of the States, who was killed in a shootout two months after Gale's arrest. Moran was depicted as a "would-be assassin" who was on his

way to Nevada to avenge Gale's arrest. "It shows the seriousness of the impact that Mr. Parrino and Mr. Gale and the other individuals who are responsible for indoctrinating and training these people had upon this situation.

"Now, Mr. Moran obviously is not on trial here, not to be sentenced, but the fact that people would go to this training and have their ideas so altered that they would be willing to risk their lives to assassinate federal officials is frightening."

Pocker looked at Parrino. "There is some responsibility that the leaders of this group, even if they weren't responsible in the sense of dropping Constructive Notices into the mail, or knowing of each and every act of all the members, they have to face that responsibility."

Judge George sentenced Parrino to one year and one day in jail, with five-years probation. A fine of \$2,500 was imposed along with mandatory assessment penalties of \$50 for Counts I, VI, VII, VIII, IX, and X. A \$25 penalty assessment was imposed for Counts II, III, IV and V.

George pointed out that Parrino had already served approximately 110 days in jail after his arrest in October 1986. He also informed Parrino that he could appeal the sentence within ten days.

Parrino filed an appeal and his sentence was subsequently modified to full probation without imprisonment. Part of the terms and conditions of his probation required that he cease "associating with, participating in, or attending meetings of any individuals or groups that advocate disobeying local, state or federal laws," and that he not own or possess any firearms or destructive devices.

George R. "Mike" McCray was sentenced to seven years imprisonment with five years probation, and Patrick McCray received two and a half years with five years probation. All of the defendants were required to pay \$400 in penalties and assessments to the U.S. Attorney's office.

Gary Dolfin pled guilty to a separate but related charge on September 18, 1987. He was sentenced before United States District Judge Philip M. Pro on October 30, 1987, to one year custody of the attorney general and five years probation.

Angelo Stefanelli pled guilty to Counts II, III, IV, and V of the same ten-count indictment on September 4, 1987. He was sentenced by United States District Judge Philip M. Pro on November 6, 1987, to two one year custody terms of the attorney general, concurrently, and five years probation.

Richard Van Hazel was sentenced at a separate hearing because he had fired his court appointed attorney and opted to represent himself at the sentencing on February 1, 1988. A *Las Vegas Sun* newspaper article, entitled, "Dangerous White Supremacist Given Seven Years in Prison," written by Penny Levin,

gave the details of the hearing. He reportedly spoke for nearly forty minutes, basically contesting the contents of the pre-sentence report from the U.S. Department of Parole and Probation.

Van Hazel said he believed some of the women jurors were negatively impacted by the swear words they heard on the tapes played in court. "I think the women on the jury were upset," he said, referring to the taped conversations with Bill Sivils.

Richard Pocker argued to the court that Van Hazel was the most "volatile and dangerous" member of the group, and should receive at least the amount of prison time that Mike McCray received—seven years. Pocker also emphasized that Van Hazel had shown no remorse for his crimes and continued to challenge the authority of the court.

Richard Van Hazel was sentenced to seven years in prison and remanded to an Arizona Correctional Facility where he began serving his sentence immediately.

The remaining four defendants, William Gale, Mike McCray, Patrick McCray, and Slim Parrino were released on bond pending appeal.

* * * * *

On September 28, 1989, a newspaper article entitled, "State Board to Consider Revoking Teacher's License" ran in the *Las Vegas Sun*. The writer, Erik Pappa, said the Clark County School District had fired Angelo Stefanelli. He had been on leave of absence since December 1987, and had served his one-year jail term at a federal prison in Boron, California.

According to the article, fellow educators and students supported Stefanelli and said he never displayed any "racist or discriminatory feelings." Stefanelli's attorney, Richard Segerblom, said, "This guy made a mistake and he paid for his mistake." Hearing Officer, Mike Cherry, added, "There is no evidence that would indicate his [Stefanelli's] unsuitability to return to the classroom."

On February 24, 1990, the *Las Vegas Review Journal* published a story entitled, "Firing of Band Teacher Upheld." A portion of the first paragraph read, "School District officials received word Thursday that an independent arbitrator has upheld the District's right to fire a band teacher who once was involved in a group that plotted to overthrow the federal government . . ."

The Trial—Arkansas

FEBRUARY 16, 1988 (Fort Smith, Arkansas)—Operation Clean-Sweep culminated at Fort Smith, Arkansas, when thirteen white "separatists," as they called themselves, were tried for sedition against the United States government. Presiding at the trial was Judge Morris S. Arnold. The defendants were Robert Edward Miles, Louis Ray Beam, Richard Girnt Butler, Richard Joseph Scutari, Bruce Carroll Pierce, Andrew Virgil Barnhill, Ardie McBrearty, David Eden Lane, Lambert Miller, Robert Neil Smalley, Ivan Ray Wade, William H. Wade, Richard Wayne Snell, and David Michael McGuire.

James Dennis Ellison, former leader of the Arkansas based survivalist group, the Covenant, the Sword and the Arm of the Lord (CSA), appeared in court as the prosecution's star witness.

The prosecution contended that the first shots of the revolution were fired shortly after the July 1983 meeting of some two hundred white supremacists at Hayden Lake, Idaho. The meeting, hosted by Richard Butler of Aryan Nations, was called one month after the shooting death of Gordon Kahl in Smithville, Arkansas.

At that meeting, James Ellison reportedly met with Butler and others, including Bob Mathews of The Order, and they allegedly agreed to overthrow the government and establish an Aryan nation in the Pacific Northwest.

The Fort Smith indictment charged that the guerrilla war was to be financed through robberies and counterfeiting. It would be carried out by bombings, the destruction of utilities, pollution of municipal water supplies and killings of federal officials and non-white Americans.

An April 22, 1985, a federal raid on the CSA camp had produced a cache of illegal firearms, an anti-tank rocket, an armored vehicle and 100 pounds of powdered sodium cyanide—enough to poison everyone in the city of Little Rock, Arkansas. Twenty-three Order members had been arrested along with Ellison and six of his followers.

In court, Ellison, 47, who was serving a twenty-year sentence for racketeering and weapons violations as a result of that raid, testified that Robert Miles, a former Grand Dragon of the Michigan KKK, gave him a fifty-five-gallon barrel of cyanide at a 1981 gun show in Dearborn, Michigan.

As the trial progressed, local newspapers published articles with headlines such as: “Order Member Lists Murder Targets,” “Supremacists Ready For War, Witness Says,” “FBI Agent Testifies Butler ‘Understood Counterfeiting,’” “Supremacist Sees Continual Threat to White Males,” and “Sedition Suspect Admits to Psychological Warfare.”

After six weeks of testimony by a barrage of witnesses and FBI agents, (a film of the Gordon Kahl “incident” was even shown in court), it was discovered that James Ellison lied about the fifty-five-gallon barrel of cyanide being given to him by Robert Miles; the cyanide was delivered to the CSA encampment in 1976 for garden use—the camp gardener recalled its delivery.

On April 7, 1988, a jury of ten men and two women agreed with the defense’s contention that the government’s star witness, Ellison, made up the conspiracy theory to win a reduced sentence for himself, and they found all thirteen defendants not guilty.

Bob Miles noted after the trial that in 1976 when he supposedly met Ellison at a gun-show in Dearborn, Michigan, he was actually incarcerated at the federal prison in Marion, Illinois. “They didn’t give week-end passes to go out to gun shows,” he added.

A taped conversation between defendant David Lane, 48, a member of The Order, and Cheri Peters, the wife of Pastor Pete Peters of LaPorte, Colorado, was passed around after the trial. Lane, whom prosecutors charged drove the getaway car after the murder/assassination of Denver talk show host, Alan Berg, had already been convicted in Seattle of racketeering and conspiracy and sentenced to forty years in prison.

While imprisoned in Seattle, Lane accused authorities at the detention center of keeping him awake constantly for three months. He was placed in a tier containing all black inmates who, he said, screamed all night long at him about the things that they did to white men. “They tried to stab me with mop handles whenever I tried to get in my bunk,” he said. “They would urinate in mop buckets of dirty water and throw it on me.”

He was not allowed to have visitors except his adoptive parents and media representatives. Describing his situation at the prison, Lane lamented, “You’re locked in your cell, all the time, twenty-three hours a day. You have one hour a day to take a shower. Before you come out of the shower, you have to put your hands out through the hole so they can handcuff them behind you. They open the door and one big thug reaches in and grabs you, two more carry nightsticks this long, with steel balls sticking out of the end. If you wiggle the wrong way, they jam those steel balls between your ribs and it separates your ribs. There’s nothing like it in the western world. There’s nothing like it in Russia, there’s nothing like it in Red China.”

Lane laughed solemnly. “They don’t like me. I believe I’m the greatest danger to the tyranny [in this country]. At least they must think so.” He laughed again. “Maybe sixty or seventy percent of the guards hate me, and thirty percent love me.”

Lane said he was subjected to the treatment because he would not cooperate with federal authorities in Operation Clean Sweep. Cheri Peters asked him, “Why was it so important to them that you cooperate with them?” Lane answered, “They have to break what’s happening in this country. This government is essentially no more than a program to destroy the last remnants of western man.”

From his cell, Lane wrote a book entitled, *Life Law*, portions of which were reproduced in right-wing underground publications. “It was out immediately to a few thousand people,” he said. “It then reaches others that we have. Five thousand underground publications in the United States today. Pretty soon, at least hundreds of thousands, if not several million people are aware of what I’m teaching.”

In his closing argument before the jury at Fort Smith, Arkansas, (against his lawyer’s advice) Lane defended The Order and its beliefs. “They [The Order] were historians,” he declared. “They were aware of what’s going on in this country, of the federal police, of the police under federal edicts who clubbed and beat and bloodied the mothers of South Boston when they didn’t want their children bussed, when they wanted to maintain their own heritage, their own culture, the existence of their own race. The federal police and local police under their edicts right here in Little Rock, Arkansas, did the same thing.”

Hundreds of white men and women were working very hard to turn northwestern Montana, northern Idaho and northeastern Washington into a white American stronghold, noted Lane. “There is no place else to go, ladies and gentlemen,” he added. “There’s a little nation down in the bottom of Africa called South Africa that has four million people, and this government is determined that they must be mixed with five hundred million black Africans and disappear as a race, a culture, an identity, a heritage, overnight, to say nothing of what happened to their physical existence.

“So we withdraw.” The Order was formed to build a territorial imperative, he said. “It was about moving families and their children so far away that they could not be bussed to Detroit, or Chicago, or Washington, D.C. . . .”

A huge underground network had been built, according to Lane in his interview with Cheri Peters:

The white man has been totally disenfranchised. As more and more of them realize it, and more and more of them will not sell their souls to the system that destroys their people and the future of their children,

more and more go underground. It's the nature of the insanity of the so-called interracial society.

. . . When you deny a people freedom of association and they may not associate with their own kind, and deny them freedom of association in their own neighborhoods, they cannot maintain their own culture. You eventually deny them their own existence. When you deny a man a job through reverse discrimination, you say you may not preserve the existence of your own kind. . . .

We may have a black America and a mixed America. We may have a Hispanic caucus, a black caucus, we may have thousands of organizations pushing the culture of every race, but [the white man] is denied a country of his own, he is denied hegemony over the smallest political unit . . . he is denied territorial imperative necessary for survival as a physical race and a culture. It is a simple fact that no race of people can exist without a nation of their own."

Contrary to Lane's sad commentary, at a newspaper interview, Richard Barrett, a Jackson, Mississippi lawyer for the Forsyth County Defense League in Georgia, said the acquittal verdict was a victory for the white supremacist movement. "The jury's verdict speaks for a growing patriotic sentiment to 'just say no' to black power in America," he lamented. "The jury's verdict announces that pro-majority Americans are not a cult, but are a rising voice of the silent majority."

Kurt Saxon, an Arkansas writer who coined the term survivalist and studied the supremacist movement, predicted that the verdict would work against the supremacists. "It won't help their cause at all because one of the main things they like to preach is how awful the federal government is and how oppressive it is."

The supremacists themselves had plenty to say in their underground publications after the trial. In a lengthy summary entitled, "The Trial at Fort Smith," Bob Miles wrote: "Not Guilty! Everyone innocent of every single charge was the final verdict of the jury. The two and a half year investigation, indictments and resulting trial was concluded with the decision by a jury comprised of our own peers. It is complete. It is now a part of history. When you seek to find it in the law books, in which it now rests as a part of history, you will find it legally listed as *The United States of America v Robert Edward Miles, et al.* Criminal (Case) No. 87-20008-01."

In a snub to the press, he added, "The foe chose the field of battle, the court room. The foe chose the weapons to be used. The foe chose the hour and the time of battle. For two and a half years and more, the foe prepared for this combat. We faced him in that place of battle at the hour he chose. We accepted his rules and his limitations. We fought him and we won!"

Miles had little animosity towards the judge, the defense lawyers or even the prosecutors who fought for his conviction. "The judge, the Honorable Morris Arnold, was truly in command of the court room at all times. He ruled firmly and decisively at all times. He set the pace of the trial. . . . He was more than fair and quite fatherly to the defendants who were presenting their own defense."

Regarding the lawyers: "Our attorneys were a varied lot but all good, fun people. Each had a sense of humor which was a delight!"

Regarding the prosecutors: "The nearby Holiday Inn was the scene of a boom in bar and room business. The neutrality of the bar and restaurant found witnesses, marshals, FBI, lawyers for government and defense, and even sympathizers of the defendants, sharing the same space. No anger, no malice, no displays of hostility. It was as if each and everyone knew the role each played in the theatrical being staged at the nearby court room. Lunchtime found many seated next to others in the nearby chili parlour close to the court room. No hostile crowds and no incidents did occur. Everyone knew the importance of the case. It was history in the making!"

However, the last paragraph in Miles' newsletter prophetically announced that the forty-year-old Identity Movement was dead. The trial had taken its toll on the aging leaders of the radical right. An excerpt, taken from the newsletter sent to Bill Gale, went as follows:

Everyone who stood with us will never be forgotten. The Movement is dead . . . long live the Movement! And as kings pass on but their monarchy lives on, so it will be with this Movement.

The Movement which we built and saw pass, will live on in other movements yet to be born. The Race will live on if it is sufficiently important to the ones about which it is concerned.

The old is dead. It has passed with time. It is now for a new wave, a new age, to be born. For those of us who were the leaders from a generation now dying, the hour is late. We can aid in the new birth but we must not delay such new birth from happening. We can point out the paths of the past, but we must not expect the future to be a duplicate of the past.

There are new waves breaking on the horizon. There are new currents forming in the seas beyond our view. It has been the course of events that we have helped to form which will now take a distinctive force impinging upon the undercurrents and tides of tomorrow.

We have stood! We have fought! We won! One battle is not the entire war, but the war is endless in our struggle as a Race to endure. FOR FAITH AND OUR FOLK!"

Passing

April 27, 1988 (Castle Air Force Base hospital)—Bill Gale emerged from a coma semi-paralyzed. He had been rushed to the emergency room unable to breathe, but during the drive to the hospital he had given instructions to his wife in the event of his death and expressed regret that he wouldn't live long enough to read the book being written about him.

He was unabashedly mortified at the partial paralysis he was experiencing and let everyone in the hospital know about it loudly and clearly. He visited with John Boggs and his wife, Roxanne, during the day, but around 3:00 a.m. on the April 28, he made his last gesture of defiance; he refused the oxygen the nurse tried to give to him and he died quietly in his room.

He was buried on May 2, 1988, at the Riverside National Cemetery with full military honors. Mike Huber, a naval officer, and head of the Identity church in San Diego, presided at the burial, eulogizing Gale's achievements to church members and friends while FBI agents stood at a distance. (Committee of the States defendants from Las Vegas had been given permission to leave Nevada to attend the funeral.)

Roxanne Gale wrote a memorial to him which she sent out on the church mailing list. "We could not have a better ambassador on the other side to urge our Father Yahweh day and night to come quickly. Bill really enjoyed doing battle with the enemies of Christianity while on earth. To return with Yahweh to finish the job would be one of his greatest rewards."

In response, Gale's old friend, Jim Wickstrom, wrote in a May memorial:

I had the distinct pleasure of being taught my basic "Racial and National Identity" by this great man of YHVH as did thousands of others. . . . Gale continually warned that this Christian nation would eventually be involved in a massive race war which would be fought in every state of this Republic in the very, very near future . . . and YHVH would grant us the victory.

Colonel Gale, myself and the other trainers, including former Green Berets, traveled to many areas of this Republic to prepare our people the best we could in all phases for the on-coming battle of "The Ages."

In one summer alone, we traveled all over Nebraska, Kansas, and Eastern Colorado conducting mental and physical training seminars to thousands of people. The Posse Comitatus was trained in all phases to defend and defeat the Jews and their lackeys in this Republic. It was in Grand Island, Nebraska where I lectured and produced my two tape cassette set entitled, "True History of America." Colonel Gale was there with me, at my side, and after I was done talking, he took the podium and half scared the audience out of their socks in telling them what they were not only going to face, but had to do in cleaning this Republic up. He loved his mission in teaching YHVH and irregular warfare to his Race.

I will never forget the appearance that both of us made in Johnson, Kansas at the courthouse. The sheriff's department was there with their cameras and microphones, along with a good size crowd that had gathered to hear what we had to say. I spoke first and Bill followed. Needless to say, he left the crowd "spellbound" with a tremendous lecture against the Jews and their control of the Federal Reserve System, thus using unlawful means to foreclose on all the farmers throughout the United States. Even the sheriff and some of his deputies were left with their mouths hanging open. In topping off his lecture, he gave the grand salute of The Invisible Knights of the K.K.K.

As we traveled, trained, and lectured together (many times) across different portions of this North American continent, Bill would say to me when we would go through a small town and the children of our Race would be playing in the schoolyard: "Hey Jim, look at all those beautiful little White hebrew children playing, and their parents don't even know who they really are."

There was another side of this warm and gentle man that no one else really saw or got near to, because most everyone else wanted to only see him as the "grumpy old Army Colonel." I can assure all of you that this was not the case. William Potter Gale was "one hell of a man" in all aspects and he lost his entire family over the Racial and National Identity Kingdom Message.

The "family" of which Wickstrom spoke was his former wife and three children. At a very young age, while training and attending school at Fort MacArthur in San Pedro, California, Gale had married a Yugoslavian woman named Josephine. From that union had come two daughters and a son.

The young family lived on Outpost Drive in Hollywood after Gale retired from the army at the age of thirty-three and went to work for Howard Hughes and later, Waddell & Reed securities brokers in Hollywood. Josephine and her children lived "the Hollywood life," according to Gale. Geraldine, the eldest daughter, became a gifted singer while her younger sister, Kathy became a dancer.

After the colonel was fired from Waddell & Reed due to his "right-wing" activities, the marriage fell apart. Geraldine ultimately moved to New York to pursue her singing career and married Sid Bernstein, a Broadway promoter.

Years later, at a family gathering, Geraldine brought her children to Los Angeles to meet their grandfather. According to Roxanne Gale, who was present at the occasion, the conflict between Gale's family and his beliefs was too great for him to accept. He never saw his daughter or his grandchildren again.

Even in his death, the Colonel generated headlines in major publications. On May 4, 1988, the *Los Angeles Times* published an article entitled, "William P. Gale; Led Several Racist Groups." The *ADL Bulletin*, published by the Anti-Defamation League of B'nai B'rith, wrote an extensive article entitled, "The Rise and Fall of an Extremist." The *Las Vegas Review Journal* and the *Las Vegas Sun* published articles about Gale's death, and in Fresno, California, the *Fresno Bee* ran a story with pictures on May 3.

Aryan Nations

Seymour could think of no better way to culminate her research on the Committee of the States and the Identity Movement than to attend the Aryan Nations Congress on July 15, 16, and 17, 1988. Richard Butler had been one of the most notable signatories on the Committee of the States Compact in Mariposa and she wanted to meet him.

The drive from Mariposa, California to Coeur d'Alene, Idaho was long and hot. Fields of ripening grain stretched endlessly into the horizon, into the heartland of America. The drive gave the reporter a chance to think about what she had learned about the radical right.

The flyer that was sent to her from Aryan Nations listed an agenda espousing self-determination to "establish a national state for the preservation of kind, culture and heritage." Guest speakers at the congress were advertised as Bob Miles from Michigan; Jack Mohr from Mississippi, military co-ordinator for the Christian Patriots Defense League; James Wickstrom from Pennsylvania (Wickstrom was arrested for counterfeiting and could not attend); Thom Robb from Arkansas, National Chaplain for the Knights of the Ku Klux Klan; Rick Cooper from Oregon, leader of the National Socialist Vanguard; Stan McCollum from Alabama, Grand Imperial Wizard of the Knights of the Ku Klux Klan; K.A. Badynski, Northwest Knights of the Ku Klux Klan; Terry Long, Canadian Aryan Nations leader; Larry McCurry, Montana Aryan Nations leader; J.B. Stoner from Georgia, George Udvary, John Boggs and Mike Huber from California; Harold Von Braunhut from Maryland, Leader of the Imperial Order of the Black Eagle; and many others from other states.

Barely two hundred people attended the congress at Hayden Lake. It should have been a victory celebration; thirteen white-supremacists had been acquitted of sedition charges at Fort Smith, Arkansas just three months earlier, but the congress had the scent of "farewell."

Bob Miles said privately to a small group of admirers that "this would be his last appearance at a public meeting." Inside the Church of Jesus Christ Christian, the weary former Grand Dragon of the Michigan Ku Klux Klan brushed tears away from his eyes and asked the audience to pray for lost

comrades, Robert Matthews, William Gale, Gordon Kahl. . . .

"Pray to our God that your life be useful to him in the struggle," he said, "for you were born to be soldiers, brothers and sisters of the family, in this the final fight, the final war for this world."

When he spoke of the Fort Smith sedition trial his voice became heavy. "Some of us refused to cry, though we may have felt some tears choking us at different times, by the degrees of betrayal that we witnessed. I'm a little bit more scarred and weary, however, there were no surprises, because I've been through federal trials before. I've seen good people break, turn and testify against their own brothers, against their own husbands, against their own children, and we had all those elements in this trial.

"As far as this being a central conspiracy by the government, against the right-wing, perhaps that's true, but you would have to define conspiracy and right-wing and you'd find all kinds of variations of such terms. Operation Clean-Sweep was part of it. This was to be a traveling road show. If it worked out good in New Haven and Bridgeport, they'd run it up to Syracuse until the bugs were worked out. Then the show would go to Broadway where they could sell it. Seattle would be the opener. Polish it up in Denver. Colonel Gale's trial, the Committee of the States, give it a lick and a promise. See what the reaction was. Then play it in Fort Smith, observe, re-write the scenario to see what they did wrong and what they did right. Fort Smith was chosen simply because it was convenient. And because the lynch-pin of the so-called conspiracy lived in Arkansas."

The trial in Fort Smith lasted eight weeks. Miles bitterly recalled the lack of attendance in the courtroom by supporters. "As we were sitting there, past the Butlers . . . Mrs. Butler, my wife, Richard Snell's wife, sitting in their usual seat in the courtroom," Miles paused to wipe his eyes. "On some days they were the only three in the courtroom except for the reporters!"

Derisively, he continued, fighting to control the tone of his voice. "The massive outpouring of the white populace was indeed amazing to see. Most of them were afraid that if they got on the elevators, they'd be identified by the FBI or the marshalls"

He conceded that those who did attend were "hassled and interrogated," asked why they were there, where they came from, etc.

"But on the day that the jury came in, glory, glory, glory," he cried. "Into the courtroom came the FBI in their nice new \$200, \$300, \$400 suits! And they had their wives with them. And there were the three U.S. attorney's, leaning against the jury box, waiting. The jury hadn't come in yet. 'Hi Joe, Hi Liz,' big smiles, you know. This was to be their day of victory. They had already arranged for a party that afternoon for the press!"

Miles chuckled, beginning to lighten up. "Then the jury marched in. We

didn't know what was going on in that jury room. And anybody that tells you different is an idiot. That's a crap game. You might as well be in Las Vegas. When that jury came in, there wasn't a sign on their face, yea or nay. They went into the box, they didn't look at us, they didn't look at anyone else. Each juror had to sign his verdict. They were then passed up to the judge. And then they said, 'Robert E. Miles, in the matter of seditious conspiracy, not guilty!'"

Miles' voice trailed off. The audience in the Church of Jesus Christ Christian went wild with applause. He stood quietly, waiting. Finally the applause abated. "The courtroom was so quiet. Everyone was shocked. All these FBI agents with their ham sandwiches and their liquor flasks in their back pocket. [Figure of speech.] All their fancy money, wives and everything else. It was a gasp! Next, Richard Girnt Butler, not guilty." The audience applauded and cheered. "The next was Lewis Beam and right down the line on every single charge; not guilty, not guilty."

Miles paused thoughtfully. "I've been tried before by this government several times. But this is the first time I was ever acquitted! You know, I'm not prepared for that kind of treatment." The audience laughed. He continued. "The three federal attorneys sitting there, there were four of them actually, didn't even ask for the jury to be polled. They were in a state of shock!"

Miles discussed the comradeship he experienced during the trial with the other defendants. "We became a defense force in the seas of war," he mused. "There are times in your life when you don't know your worth, you have to endure what you endure. But for us, that was our hour.

James Ellison, leader of the Arkansas group, the Covenant, the Sword and the Arm of the Lord, had been the lynchpin in the government's case against Miles and his co-defendants, claiming Bob Miles had sold him 100 pounds of powdered sodium cyanide, enough to poison everyone in Little Rock, Arkansas. But Ellison had lied. Miles forgave Ellison in his speech at Aryan Nations. "Ellison did not turn on anyone, did not betray anyone until after his appeal was rejected by the court. From that time on, there wasn't anyone he wouldn't turn on or inform on."

Miles shrugged. "Ellison knew how to fish. And he knew that fish like worms and to him the federals were fish and he created a worm and a hook to see how much of that he could set into the fish. He created stories and sent them to the federals a little at a time to see what reaction he would get. They wanted right-wing leaders and right-wing organizations so bad they could taste it. They didn't care whether his stories were true or not as long as he could reinforce them in a manner that they could use against all of us."

According to Miles, no one could be trusted. "One year we had dog turds dropped on the farm. They were metallic. Our farm and another farm in

Pennsylvania were seeded with little metallic dog turds. Believe me! The way we found 'em . . . my son was cleaning up after the dog and the shovel hit a metallic turd. So he brought it into the house and we looked at it. It had two orifices on the end. We cut it open with a hacksaw and inside was a transistor battery. They had what is called a transceiver and a transmitter. These pick up all kinds of sounds and record them. Flying overhead, they can strip 'em on a certain frequency and send a return signal back which sets the receiver again."

He paused to remember. "On the Ho Chi Min trail these were used to measure traffic activity on river beds and dry gulches. And they were good because they could pick up conversations near a hut. They weren't built to be dropped on our farm, but they were used there."

A disparaging smile crossed his face. "We had a court-ordered wire tap on our phone." He indulged in whimsy for a moment. "It was court-ordered. They won't jeopardize their own jobs today and tap your phones without a court order 'cause these are sharks, they don't trust each other anymore. They don't believe in their bosses, their bosses will sell them out. So, because the telephone did not produce any information other than shopping for my eighty-six-year-old mother, they expanded the court order. They complained to the judge that I had set up an electric defense field within a mile and a half on phone wires."

Miles laughed. "I have a hard time fixing my toaster, let alone doing that kind of stuff. But the judge renewed the wire-tap for three months. Eight hour shifts. When they didn't get the information they wanted off the phone, they burglarized the house under court order and put a monitor on the modem of our computer. That picked up all conversations in the dining room. They kept log sheets. These people are like the KGB. They were so efficient."

He stopped momentarily to ruminate. "Bureaucrats come in all persuasions. Bureaucracies are neither right-wing or left-wing, neither communist or capitalist, they simply are bureacracies."

On Christmas Day, the log sheets of the FBI reported that the monitor placed on Miles's computer had picked up sounds of packages being unwrapped and children laughing. Miles's eyes squinted shrewdly. "That was amazing since we had Christmas at my mother's house, forty miles away, and we have no children in the house." He added, "Whoever faked the log probably was home figuring out what he ought to write in there."

Bob Mathews' widow sat in the audience of the Church of Jesus Christ Christian. Earlier in the day, she had been presented with a gold and silver medallion worn by members of The Order, the organization which her husband had founded. The medallion placed around her neck had once belonged to David Tate, a member of the Order, who was currently serving time in prison for killing a Missouri state trooper.

As Miles spoke, he glanced in her direction and focused his speech on the Aryan Nations dream. "Mathews saw this bastion, this white bastion of the five states of the northwest as the hope, the future of our race. He saw up in here a land of opportunity for white people. Ten million whites, living in five states with less than half a million non-whites."

He paused, looking out at the audience. "When you're up here and you're talking about problems with blacks and Jews, it's awful hard to understand. The problems exist other places. But you have a chance to build something, free of frustrations, free of the problems, right up here in these five states.

"Mathews described the role of those groups and organizations which could not move, but were part of the trek, the thousand-mile march to the northwest. It was as if each of the organizations and the leaders and the speakers were to create wagon train assembly points so that the elderly whites trapped in the city or the young whites who had no economic future in the city, could be brought together and helped and assisted to be moved to the northwest. And that was part of his dream. Not for himself only, but for his wife, his child, his comrades and his friends."

He solemnly recounted a private walk he had taken with Mathews before his death when he had come to Miles to ask for help. "In that walk there was a feeling of dedication that's hard to describe. The people were to be brought to the northwest, to create communities, to make work possible, to take the resources of this area and make them flower. That's part of the dream that Robert Mathews had for the young and the old. For the worker, the farmer, the inventor, the merchant, to come as they could, not all at once, but as a steady stream to the northwest . . ."

One by one, the old war horses stood at the podium of the Church of Jesus Christ Christian and beseeched the audience to stand up and fight. Harold Von Braunhut, a Maryland priest, and high-ranking Klan member, waved pages from the *Washington Jewish Week* and raged about an article which reported that President Ronald Reagan had signed a Memorandum of Agreement with Israel which formally institutionalized U.S./Israeli strategic cooperation.

Richard Butler, stoic and soft-spoken, announced that the *Washington Post* and the *New York Times* had proclaimed that the white male was through in America. "No longer shall the white male be a job holder, no longer shall he be called a citizen, for the yellow, Asiatic and black races are taking over . . ."

The 1988 Congress, he said, had brought back his dreams. "One of the things that actually brought Aryan Nations into being," he reflected, "was the thirty-seventh chapter of Ezekiel in the Bible. It was the uniting of these states." In chapter 37, God took two sticks, one belonging to the House of Joseph (father of Manasseh), and one belonging to the House of Judah (Germany), and he

made them one stick in His hand. To Butler, this chapter directed him to form Aryan Nations in America.

Colonel Jack Mohr, a World War II and Korea veteran, decorated with twelve combat decorations including the Silver Star and four army commendations, bellowed into the microphone about apathy in America. "I'm a driven person, and I can't stop," he demanded. "I believe that if I stopped doing what I'm doing now, I'd be dead within six months. Because God almighty, for some reason that I can't understand, took an old reprobate like Jack Mohr and made him a watchman of the walls of Israel America.

"It goes back to what I saw happen in pre-war Korea, in 1948. There was an attempted takeover of a community where all the communist apparatus had been set up. And in a ten day period of time, they ruthlessly slaughtered 3,800 people just to control the people of that community.

"Have you ever seen a baby taken from his mother's arms and slammed up against a tree trunk or a stone wall?" Mohr looked out across the audience, singling out the leaders. The men sat stiffly, the cords in their necks taught, their jaw muscles tightening. "I doubt if any of you have seen a mother chased down by two drunken soldiers who took a tiny baby, maybe three weeks old, out of her arms and then played a little game of tossing that little body back and forth, catching it on the points of their bayonets, and when the mother began to scream, one of them smashed her in the mouth with the butt of his rifle and beat her senseless as she lay on the ground."

The women cried softly in the church pews. A child began to fuss in the audience. Mohr continued, "I doubt if you've ever seen forty-five or forty-eight little girls, between the ages of eleven and thirteen, dragged out of a mission school, stripped in the streets and raped and beaten to death. I doubt if you've ever seen a Catholic nun held up against a wall of a church, nailed there with bayonets driven through the palms of her hands, and under her rib cage, and listened as old women screamed and cried and pled and begged for mercy, hour after hour. I was in the mission station less than a hundred yards away from her with a rifle in my hand, prayin' to God whether I ought to shoot those old women and put them out of their misery. I was afraid to shoot because we had seven American women with us. White women."

In the front row a woman stifled a sob. Mohr looked at her, redfaced. "I sincerely doubt that any of you have ever seen a young woman, a beautiful young woman, maybe twenty, twenty-five years of age, stripped of her clothing, nailed to a branch of a tree with spikes driven through her bare breasts while a bottle of rice-oil was bound between her bare thighs and set on fire."

The tension in Butler's church was static. Nothing moved. Mohr bellowed so loudly that his voice cracked. "And I tell you when I saw those things, I

said, 'My God, you get me out of this mess, you get me back to the people that I love and the country that I love, and I'll do everything within my power to see that that never happens here.'

Colonel Mohr kept his word. As far as he was concerned, the United States government was not adequately guarding the country's borders and he informed them of that fact. "I actually took pictures of Soviet equipment that we saw south of Brownsville, in Mexico, when we were down there on a hunting trip," he exclaimed. "Took them to Washington, D.C. and was told to go back home and keep my mouth shut. 'It was none of my damn business,' they said."

Aliens were crossing by the hundreds of thousands along the two thousand miles of border between Mexico and the United States, according to Mohr. "We know they have these holding areas," he confided. "Three of them at least, within fifty miles of the border, one south of Brownsville, Texas, one south of the Presidio in Texas and the other one south of Columbus in New Mexico where young men, many of them from the eastern nations—" He paused. "These are white people, now, coming from the eastern communist nations, the Warsaw Pact Nations . . . They're given their final orientation at these holding areas and then they come into the United States bearing Social Security cards. Some of them carry papers that show they have served in the United States Armed Forces. Most of them speak English. Many of them are armed with large sums of money."

Mohr noted that they received further orientation at areas north of the border, such as the little town of Columbus, New Mexico. "There is a dirt road that goes thirty-seven miles to the northeast," he pressed, "up in the mountains, and there is a holding area that will hold 25,000 men."

He shook his head. "Facilities for 25,000 men! From there, within five hours, they can be on Interstate 10, on foot now, they can be on Interstate 10 that goes from coast to coast, hooks up with Interstate 20 and Interstate 40. Within eight hours they can be on Interstate 25 that goes from the Canadian border down to the Mexican border and from there it connects with Interstate 40 and Interstate 70, Interstate 80 and Interstate 90;" Mohr paused to catch his breath, "and by hitchhiking, these enemy agents can be anywhere in the United States within five days after they cross the border into the United States and our government is doing practically nothing to stop it!"

Late Saturday night, a cross burning was staged. Everyone at the compound participated. Twenty or more Klan members, dressed in white, red and black satin robes, solemnly lit torches and surrounded the burning cross. Bob Miles, the master of ceremonies, ordered everyone present to line up single file and form two circles around the flaming cross. The ceremony was called "the circle of life." Few participants really knew, except the Klan members, what the

ceremony represented, but all agreed it was dramatic. (Butler later wrote in his newsletter that the lighted cross symbolized “the light and truth of Yahweh.” He added that the lighting of the cross was a time-honored Scottish custom, not associated with the media’s version of its purpose.)

As nearly two-hundred people circled the cross, Seymour photographed the event from her place in the outer circle. Those participants who noticed the camera didn’t seem particularly concerned.

Afterward, most of the high-ranking Klan members who officiated at the cross-burning stood around and chatted in their robes. The priest from Maryland (Harold Von Braunhut), however, removed his red satin robe and departed. Colonel Gayhart, who described himself as a former CIA officer and friend of Gale’s, also removed his robe.

Seymour approached Bob Miles, standing aloof from the crowd in his black satin robe, and commented on the drama of the event. “Theatrical,” he chuckled. “For everyone’s entertainment.”

On Sunday, everyone was called into the church to participate in the “Soldier’s Ransom.” This annual ceremony had biblical connotations emanating from Exodus 30:11-16 which required each participant to deposit thirty-three cents (one-half shekel) in a basket before making his or her pledge. Essentially, the ritual entailed making an offering to Yahweh, the Hebrew name for God, in atonement for the soul. Approximately two hundred men and women lined up single file in the center isle of the church and one by one, they pointed a heavy sword, embossed with three Swastikas on one side and three Jerusalem crosses on the other, toward the altar below the stained glass window and pledged their “sacred honor, their fortunes and their lives” to their God and their country.

During this ceremony, the atmosphere within the church was highly charged. A number of men from Mariposa took the oath, including John Boggs, who would be taking Colonel Gale’s place at the Ministry of Christ Church in Mariposa. Butler officiated after the swearing in by anointing each man and woman with oil.

The Skinheads, a group of approximately thirty young Nazis with punk-rock shaved heads, received the red carpet treatment at Aryan Nations. The prevailing image of Skinheads within the compound was that of V.I.P.’s. They paraded around the grounds in starched Nazi uniforms or Army fatigues while Miles and Butler doted on them like proud fathers.

Generally, they spent less time inside the church listening to the guest speakers than they did standing in the guard tower scanning for intruders. Their absorption with the FBI agents outside the compound kept them busy crouching behind trees peering through binoculars most of the time. At one point, as

if to relieve pressure, a squad of fifteen or more Skinheads marched outside the gate of the compound, saluted the startled agents, and defiantly shouted, “White Power!”

A subsequent interview with a clutch of Skinheads indicated that they considered themselves nuclear-age warriors. Butler and Miles viewed them as the New America—Skinheads walking into some futuristic wasteland with a Bible in one hand and a Constitution in the other.

After the ceremonies, Jack Mohr and other guest speakers left immediately for Colorado. They were scheduled to speak at another meeting hundreds of miles away at La Porte, Colorado. Five hundred far-right intellectuals and pacifists, “remnants” as they called themselves, were congregated at the Pete Peters “Rocky Mountain Family Bible Retreat.”

Inside the packed assembly hall, a mystery guest speaker, dressed in full Ku Klux Klan regalia, was led down the isle by four security guards. At the podium he removed his Klan cap and grinned at the startled crowd. He was Robert Brock, a “black” nationalist who was there to represent the Self-Determination Committee.

During his speech, Brock urged “white folks” to join black folks in supporting segregation. “Jews forced integration upon us,” he declared. “I thought the blacks had the problem with the Jew, now I’m findin’ that the white folks have the problem with the Jew. It seems to be a fundamental problem in society . . . white people have allowed somebody to manipulate the political and economic power. But, you still have social power!”

The surprised crowd applauded wildly. Brock continued: “What you have is an influx of alien ideas, an influx of alien people and an influx of religion. And this is what the ‘whites’ have allowed to happen. And then let me tell you what happened. The culture that the blacks have is white culture; white man’s culture. The black man writes the white penmanship, and he is not able to defend this culture against Asians and Jews and liberals. So they gonna be dominating the whole community . . .”

Brock talked fast, gesticulating with his hands. “The mistake is that you transferred white culture to blacks and blacks can’t defend it. The blacks won’t fight the Mexicans in the community, because they’re saying the white folks caused it. The Asians are coming into the black communities. The blacks won’t fight the Asians because what? White folks caused it. The Jews? White folks caused it. You see what I mean? You left the legacy in the minds and in the education and in the social structure of the black community, so that’s the way we look at it.

“So they won’t fight those groups because they still think they got to fight you! And these groups takes advantage of that and they say, ‘We got to get

together and get whitey.’”

The audience had become silent, subdued. Brock had a moment of apparent uneasiness, but he pressed on. “You see what I’m tryin’ to say? Now, somebody got to be in charge of the store! Who’s mindin’ the store? Are you white folks mindin’ the country, or who is?”

“Whether you’re runnin’ it or not, you goin’ to get punished for it. You better start runnin’ it, or get out. Yes, you goin’ to have to do something!” The audience applauded in agreement.

On the following day, Brock spoke again. This time he urged white folks to join black folks in supporting the League of Pace Amendment Advocates which sought to deport non-whites back to their ancestral homelands at government expense. Brock was a smashing success at the Pete Peters Congress.

A covenant containing thirty-eight “Remnant Resolves” was solemnly read aloud by thirty-eight individuals. Essentially, the resolves covered religious doctrines and standards of behavior listed under headings such as self-government, family government, church government, civil government, economics, law, and specific moral issues. Twenty-seven speakers, including Ray Capt, son of San Jacinto Capt (who taught Identity to Gale), and Joan Kahl, widow of Gordon Kahl, spoke at the seven-day convention.

With the death of Colonel William Potter Gale, a theological and philosophical metamorphosis was occurring within the Identity Movement. It was splitting into two factions. The old, white-supremacist leaders were dying off, taking with them their unabashed racial doctrines, and in their place were emerging younger, more resilient leaders who were touting “God and country” publicly, but concealing the cumbersome and unpopular racist theories underground.

Less than half of the Identity followers who had attended the 1987 Aryan Nations Congress showed up at the 1988 one—most attended the non-militaristic “Remnant” Retreat at La Porte, Colorado. No FBI agents hovered outside the gates of the Pete Peters camp. It was plain to see that the “old” Movement was evolving into a new one.

Skinheads

Las Vegas Skinhead leader John Bangerter published an article in an Aryan Nations newsletter entitled, “Skinheads—Why?” An introduction to the article was written by Richard Butler which noted that Bangerter had written his article while attending the 1988 Aryan Nations Congress. Butler added: “Yes, the skinheads came to the ’88 Congress. They came from the alien crime-infested cities of what was America. They decked themselves and camped in the symbols that their great-grandfathers had rejected and fought against. Camped among the tall pines and cedars, their faces beaming in smiles, laughter dancing from their lips, they were among their own kindred! None worked harder to keep the grounds cleaned, none were more helpful in every respect—for a little while they were free of the racial scum and filth of ‘home’.”

In the article that followed, Bangerter wrote that he was born in the small town of Cedar City, Utah, where he attended an all-white school in an all-white neighborhood.

When his mother divorced his father, she and the children moved to Las Vegas, Nevada, where he attended a school full of “noisy blacks screaming and referring to the teacher as a ‘F’ in honkey.” Bangerter ultimately left school at the age of fourteen, became a punk rocker, then a “Nazi.” His story went as follows—(Excerpt):

I left elementary school to go to the sixth grade center, which was 20 mi. across the city in the heart of the westside, known as nigger town to us. All the kids were afraid to go for fear of the gangs of blacks that ran the schools. Some would say that this was an exaggeration just to scare the white kids; but the first day that I was bussed across town, it was like a roller coaster ride—25 minutes into the bus ride, it came true—hundreds of blacks: kids, moms, dads, whole families ran at the buses, throwing rocks, bottles, dead cats, garbage can lids, and every other week a pellet gun or .22 caliber was shot at the buses—just a real nightmare come true.

As we entered the school, I saw school patrol cars and a 15-foot gate with the truant officer opening and shutting the gate for the buses to enter.

As the gates would close, the blacks would jump on the gate, yelling, "Honkeys, go home!"

The blacks would travel in herds, fighting with the white boys and telling us we had to give our lunch money or we would be beaten up; and if we gave our lunch money to them, that would give protection to us, giving the white boys the appearance of being wimps and the black boys the appearance of being the tough ones. . . .

During the first couple of months at my school, a substitute stood in for my teacher, who returned three days later, seemingly very depressed. No one knew what was wrong. Well, the word did get out that a half-hour after my class had concluded, a black man (what I call a "nigger") walked in and raped her, beat her and left. Of course, he was never caught. Two weeks later, just as my teacher was regaining good spirits, again after my class had gotten out, two black men walked in and beat her with a stick and robbed her of \$5 and left her unconscious.

Then a few months later, the milkman arrived at 4:00 a.m. to deliver milk to the school and was forced at gun point to give the keys and go inside the school where he was shot three times in the chest and twice in the head—no motive, no robbery, just for fun, because he was a "honkey."

Well, the end of the school year was coming and word of a race riot was spreading. The blacks were chanting songs, singing, "A fight, a fight, a black and white; the white can't fight, but the black is out of sight."

I didn't go the last three days of school. Going to seventh grade in the eastside of the city was like going to elementary all over again, except for the fact that it was "cool" to date other races, blacks especially, because they had the "cool music" and the drugs. The white boys never did race mix hardly at all.

Of course, there were new subjects being taught, subjects such as racism, teaching of Karl Marx, the supposed great thinker of ideas, and a class in science of interracial breeding. It was taught that if a black and white were to have children, the racial stock would be better with the fact that it was the brains of the white and the athletic body of the black. It was taught that this was just like mixing two metals together, getting a stronger alloy.

I was always a rebel thinker. I never liked these rules; I wanted out of the schools. So, I asked my mom if I could get out. She is a rebel also and said, "On one condition," that was if I were to get a job. I got out of school and started working in construction at a fairly young age—14. I had money and with money came fun, parties, so-called left wing "punk rock" gigs. Most all "punk rock" songs are very real and relate to up-to-date subjects—topics that made me think about my country and its government.

I considered myself to be an anarchist; I was mad all of the time. Nothing made sense. Then I was introduced to Communism—it sounded great—socialized medicine, guaranteed jobs, free TV sets, free refrigerators, etc. Then I was told about the Federal Reserve System and its affiliation with Jews.

The system of the Federal Reserve rang, but not the Jews. Then the "U" and the "K" thing just almost started ringing. Then my commie friends would say that whoever was telling me this had to be evil, facist Nazis and not to listen. But I did and found out more every day. When the Federal Reserve, the "U" and the "K," the Jews and their ties with the Communists was quickly coming to meaning, my old friends would not talk to me, they would just call me "the Nazi."

Soon, as the truth came, I started calling myself a Nazi. I was listening to Identity tapes of Pastor James Wickstrom and National Socialist skinhead music. The pieces fell together too perfectly to describe. The truth was always there, I just needed the key. . . .

Now I know what must be done. There are thousands of Anglo-Saxons looking for the key, but they are looking for the key in the dark. We all must help them. It is our Duty and our Duty to see that this War is WON!

In 1989, a flyer was sent to Seymour's home in Mariposa advertising "America's First Aryan Woodstock." The purpose of the gathering was to celebrate the anniversary of the Battle of the Alamo. White power bands from all over the U.S. were expected to converge on seventy privately-owned acres in Napa Valley, California to entertain the Skinheads.

On March 3, 1989, Seymour decided to drive up to Napa Valley to see what the Skinheads were all about. It was becoming apparent from underground literature that older leaders of the Movement; i.e., Richard Butler, Tom Metzger and others, were attempting to revive the Movement by organizing Skinhead groups.

As she approached the location of the rally, she noticed over five hundred swat team and law enforcement officers dressed in riot gear lining both sides of Highway 12. At the gate of the rally, armed Skinhead guards blocked unwanted adults from entering. News media from all over California bumped and scrambled to interview and film participants before they passed through the gate.

The weather was alternately rainy and drizzly; by 10:00 a.m., less than one hundred Skinheads had congregated inside the compound. Shortly afterward, the police barred further entrance to the rally. By noon, a roudy gathering of 1,000 protesters had congregated alongside the highway opposite the rally.

Inside the compound, Tom Metzger greeted John Boggs, Roxanne Gale and

others from Mariposa (including Seymour), and advised them that "it could get nasty" if the police were unable to contain the angry mob at the base of the hill. Outside the gate, Skinheads from all over the U.S. were unable to get past the police lines. One of those Skinheads was John Bangerter from Las Vegas.*

Bangerter's sister introduced herself to Roxanne Gale and they spent the rest of the rain-soaked day locked inside a car awaiting the outcome of the confrontation below. At the top of the hill, Skinheads lined the ridge, alternately watching and antagonizing the protesters below. The enraged protesters pushed against the police lines and shouted threats and occasional obscenities through a bullhorn.

Suddenly, a youth ran into the compound shouting, "There's gonna be a riot. Two thousand protesters just broke through the police barricade." Metzger immediately ordered the Skinheads to form a human shield at the rear of the compound, which was actually just a horse corral. A dozen youths marched military fashion down to the barbed-wire gate and saluted the irate protesters. Attached to the youth's arms were little wooden shields, painted black with white skull and crossbones. Frowning, Metzger signalled the dozen Skinheads to drop their shields and stop provoking the mob with Nazi salutes. The Skinheads were outnumbered ten to one.

The protesters broke through the first armed police barricade, but the second line held. The Skinheads were hoping the police would beat up the protesters when, abruptly, a loud squawking noise erupted from a ravine at the base of the hill. One youth turned to Seymour and remarked, "Listen to them beat up that Jew bitch." A few moments later, a white goose waddled up from the gulch.

Overhead, a plane buzzed back and forth dragging a banner which read, "Hitler is a weanie." Most of the Skinheads either laughed aloud or pretended to ignore the plane. Overall, the rally was a washout.

The following day, Seymour wrote a story about the rally and phoned it in to the *San Francisco Chronicle*. It seemed a good way to advertise her upcoming book. A polished and edited version of her story, entitled, "Aryan Woodstock—An Inside Look," ran on page two of the March 6 edition.

When Tom Metzger learned of the article, he admonished Roxanne Gale for allowing Seymour into the rally, then he ran a tape recorded message on his W.A.R. (White Aryan Resistance) hot line which called the article a "smear" and warned of Seymour's upcoming book. Her home address in Mariposa, California, was given on the tape.

No bodily harm or property damage occurred to the Seymours as a result of Metzger's five-day tape recording, however a number of empty beer bottles

appeared along the country road leading to her home. Some Skinheads had obviously been looking for the house, but name signs had already been taken down in anticipation of trouble. Several Skinheads from Fallbrook and San Francisco phoned to "warn" her that a "hit" had been placed on her life; it was through these young Skinheads that she learned of the tape recording emanating from Fallbrook. Seymour asked the callers to give the report to the local sheriff's department.

An inquiry by Seymour to the Fallbrook Sheriff's department proved fruitless. In an effort to have the tape recording discontinued, she asked the deputy to call Metzger's hot line. After hearing the recording, his only response to her was, "Metzger gives us no trouble, and he keeps the black gangs out of Fallbrook."

* * * * *

A 1989 *Klanwatch Intelligence Report* with a logo which read, "Keeping Watch on Hate Groups," published by the Southern Poverty Law Center in Montgomery, Alabama, depicted Skinheads as the "revitalizing" force in the Identity Movement. The opposing force, Morris Dees, a lawyer and head of the Law Center, blamed Skinheads for the year's worst racist attacks.

A story on page one noted that "the emergence of Skinhead gangs represents a unique and frightening phenomenon in the history of white supremacism in America: for the first time, a nationwide racist movement is being initiated by teen-agers who are not confined to any single geographic region or connected by any national network, but whose gangs sprang up spontaneously in cities throughout the country."

Indeed, literature passed out at the Napa Valley Skinhead rally listed twenty-four-hour message phones in San Diego, Los Angeles, San Francisco, and Orange County in California. Computer phone numbers were listed in Oklahoma, Texas, Chicago, and West Virginia.

The *Klanwatch* report also noted that not since the early Klan had a racist group been so all-encompassing in its definition of the enemy: "Asians,

*John Bangerter and his sister later appeared in a Skinhead segment of the Geraldo Show in New York.

Indians, Hispanics, gays, liberal whites and rival gang members are as likely to be targets of Skinhead assaults as blacks and Jews," it said.

In Portland, Oregon, on the night of November 13, 1988, three members of the East Side White Pride Skinhead group attacked a twenty-eight-year-old Ethiopian man and beat him to death with a baseball bat. They were later arrested and convicted of the crime, but Morris Dees decided to sue Tom Metzger and his son, John, 22, for allegedly inciting the Skinheads to commit violence.

Michael Barrett and David Mazella, former organizers of the East Side White Pride group, not only identified the killers of the Ethiopian, but later signed affidavits that they traveled from California to Portland, Oregon to distribute W.A.R. propaganda and open a line of communication with Portland Skinheads. "We got the East Side White Pride group all fired up to carry out Tom and John Metzger's goals of harming blacks and Jews," declared Barrett. "When I went to Portland, I took five baseball bats. The baseball bats and Doc Marten boots are the weapons of choice of the Skinheads."

Metzger charged that the attorneys for the Southern Poverty Law Center told Barrett what they wanted him to say in the affidavit.

On October 8, 1990, Tom and John Metzger squared off with Morris Dees and his colleague, Elden Rosenthal, in a civil court in Portland, Oregon. Dees was asking in a wrongful death suit that all of the financial assets belonging to Metzger and his son, John, be turned over to the victim's family in compensation for the man's being pummeled to death by a bat-wielding Skinhead. They hoped that a monetary judgement of up to \$10 million would shut down the Metzger family's national white power network, which included the telephone hot lines, a newspaper and a weekly cable television show.

The Metzgers represented themselves in court because they said they couldn't find a lawyer to take their case. The ACLU (American Civil Liberties Union) also declined to take the case, but filed a friend-of-the-court brief arguing that the Metzger's words to others were protected by free-speech provisions of the Constitution.

At a lunchtime press conference, Tom Metzger remarked that the allegations were all nonsense. "I can barely get someone around the house to do something, so how can I command this vast legion?" he asked. Regarding the beating that claimed the life of Mulugeta Seraw, he said, "Reasonable, prudent people should have backed off."

On the week of October 22, the *Oregonian* newspaper reported that a jury of ten whites and two minorities awarded \$10 million in punitive damages and held that \$5 million of that amount should be levied against Tom Metzger, \$1 million against John Metzger, \$3 million against W.A.R. and \$500,000 each

against Ken Mieske and Kyle Brewster, the Skinheads who actually killed Seraw. The judgement also called for more than \$475,000 to be paid to Seraw's family for unrealized future earnings and \$2 million as compensation for the pain and suffering that Seraw felt when he was beaten to death on November 13, 1988, and for the loss of companionship that his family suffered because of his murder.

The total judgement of \$12.5 million was a result of findings by the jury that Tom Metzger, his son, John, and their White Aryan Resistance organization "gave substantial encouragement to Mulugeta Seraw's killers by sending an agent to Portland to encourage Skinheads to commit racial violence." Under criminal law, the jury would have been required to prove the Metzger's guilt "beyond a reasonable doubt," however, under civil law, guilt was established by a "preponderance of evidence," as in the case of the Metzgers.

At the courthouse, Tom Metzger looked newscasters squarely in the eye and declared that the white racist, separatist movement wouldn't be stopped in the "puny town" of Portland, Oregon. "Don't you understand," he announced to the cameras, "We are in your colleges, we're in your army and in your police forces."

Dees, who frequently sued national racist organizations on behalf of the families of victims under the common law principle of "vicarious liability," noted that the trial proved one thing, "You can hate someone in this country, but you can't hurt him." Dees said the Southern Poverty Law Center planned to begin work immediately to seize Metzger's known assets, such as his bank accounts and his home and TV repair business in Fallbrook, California. In 1987, Dees also bankrupted the Alabama-based United Klans of America with a \$7 million judgement for the family of Michael Donald, 19, who was shot and hanged by U.K.A. members in 1981.

In the October 8 issue of the *Nation* magazine, Metzger responded to Elinor Langer's article, "The American Neo-Nazi Movement Today" (July 16/23) by commenting in the "Letters to the Editor" section that it was one of the more accurate articles written on the subject. However, he noted, she had overlooked several important points regarding the lawsuit, *Seraw v. Metzger*, in Portland, Oregon.

According to Metzger, the principle promoted by the Southern Poverty Law Center was dangerous in that it suggested that advocacy of unpopular ideas becomes grounds for liability. "Is *Playboy* to be liable for inciting lust in a rapist's heart?" he asked. "The system works against Skinheads exactly as it did against Communists in the 1950s or Black Panthers in the 1960s," he noted. "What the case of *Seraw v. Metzger* really shows is that if you are poor or hold unpopular political views, don't expect justice in America."

In actuality, the Metzger's recruitment of youths was only a small link in the nationwide right-wing interest in Skinheads. In January, 1989, approximately one hundred Skinheads marched with Klan members at an annual demonstration in Pulaski, Tennessee. In April 1989, Richard Butler sponsored the first nationwide gathering of Skinheads at his Aryan Nations compound in Hayden Lake, Idaho. According to an article printed in the January 2, 1989, edition of the *Atlanta Journal and Constitution*, in December 1989, seventy youngsters gathered at a Mississippi training camp to engage in what Nationalist Movement leader Richard Barrett called "clean living." The boys, some as young as seven, marched to military drills, boxed and received weapons training as part of their political education. At target practice, they reportedly shot at silhouettes of Dr. Martin Luther King Jr.

The February 1989 issue of *Klanwatch Intelligence Report* sounded the alarm about recruitment efforts at college campuses. Fliers at Northwest Missouri State University asked students to join the Klan and warned that "The Knights of the Ku Klux Klan are watching you." Members of the Missouri Knights of the Ku Klux Klan spoke at a Kansas University forum. Temple University students formed a White Student Union with official university recognition. Flyers from the White Student Union appeared on the University of Wisconsin Milwaukee campus, and students reported receiving the flyers in the mail. White Aryan Resistance literature was distributed at Stanford University, and Invisible Empire members won the legal right to distribute literature at Stockton State College in New Jersey.

Appeals

JUNE 2, 1988 (San Francisco, California)—Attorney Rommel Bondoc said he was disappointed that Colonel Gale died before his appeal could be heard in the Ninth Circuit Court of Appeals. The appeal had been delayed due to missing testimony in the transcript.

Bondoc explained to Seymour that the court transcripts he received from Las Vegas to prepare Gale's appeal were missing the trial testimony of IRS special investigator Joseph O'Connell. Court reporters Lane Nelson and Stephanie Nelson had covered the testimony of thirty-three government witnesses who appeared in court, however court reporter Paul Nelson was specifically assigned to cover only O'Connell's testimony on September 28, 1987. This was the only testimony he covered during the entire thirteen-day trial.

Paul Nelson left the Las Vegas court in December 1987 and moved to Washington, D.C. "I've tried to phone Paul Nelson," said Bondoc, "but his number is unlisted. I tried to get his number through the clerk, I tried to get his number from the court reporter, but I couldn't. So, then I filed an affidavit with the Ninth Circuit Court of Appeals and I explained exactly what happened."

Bondoc noted that Gale's appeal brief was due on April 16, but he had been unable to reach Paul Nelson, and had been forced to vacate the briefing schedule. Gale died on April 28. "I think someone was trying to stall Colonel Gale's appeal," he speculated. "It was a real clean appeal. You'd be amazed how strong the law [First Amendment] is on some of this stuff. It's just a blueprint of what the courts aren't supposed to do, and what they did do in Gale's case."

Seymour had driven to Bondoc's office to obtain copies of all of Gale's court documents. As an afterthought, she asked him what the basis for Gale's appeal would have been. "What would you have said to the Ninth Circuit?" she queried. Bondoc smiled broadly and offered her a seat. "I'm glad you asked that question," he admitted. "I've felt as if I had this symphony inside of me that nobody was ever going to hear—this gives me a chance to put some of it out."

Bondoc settled behind his desk and looked out the window of his downtown

office. "You see, what I do, when I go through the government's case, I don't really deal with the defendant's case much. Because if you rely on something the defendants said, you'll choke. The Ninth Circuit Court of Appeals will just say, 'Look, the jury rejected this,' so now what you've done, you've presented them with a set of facts that they won't accept, and the whole thing falls apart.

"So, you have to attack it on the basis of what their people [the government] said. So, that's what this appeal was all about." Bondoc pointed to a section in the transcript which he had marked "Smoking Gun." Underneath was a sentence which had been uttered in court by Assistant U.S. Attorney Richard Pocker: "There's a very broad conspiracy there, and the wording of it, regardless of which particular overt acts are mentioned or what the other substantive offenses say, that conspiracy is very broad. . . .

"There's a smoking gun," Bondoc said knowingly. He leaned back in his chair and smiled. "It was bizarre, because when I found the smoking gun and when Roxanne called me and told me Bill Gale was dead, it was ten minutes apart!" He turned to face Seymour. "Well, I knew what Pocker was doing! It was very obvious what he was doing. And what the judge was doing. But, they wouldn't come out and say it in so many words. And I thought, 'Golly, these people are smart.' Then on day ten [of the trial], the man [Pocker] said it in so many words. And I'm going, look at that! The smoking gun!

"Pocker has got a narrow, a fairly narrow conspiracy set up in the indictment, which is a conspiracy to mail threats and to interfere with IRS agents by threatening them. Okay, that's the conspiracy." Bondoc leaned forward and glanced at his notes. "Now, that's the conspiracy that's pleaded. That's the narrow conspiracy. But, there's also this whole broad conspiracy going on at the same time, which is a much broader conspiracy that isn't even illegal! That's the smoking gun. This is the Pinkerton Doctrine. Pinkerton was a U.S. Supreme Court case in 1946. That's the broad doctrine that says if one person in a conspiracy does something, then everybody else that belongs to that conspiracy, no matter how minor their role may be, is just as guilty as if he committed the act himself.

"It's a form of what we call vicarious responsibility. So, Pocker finally comes out and says it on day ten which is September 29, 1987. He says, 'We have one central agreement among people that this criminal government has got to be put on notice that if it will not leave, then we are going to have to do something about it.'"

Bondoc chuckled to himself. "Now, that's the broad conspiracy right there. So, the Committee of the States is our broad agreement. Okay? Now once you've got that broad agreement, anything that one person does, like Angelo Stefanelli sending out the death threats which is illegal as all get out, everybody

else in the conspiracy is stuck with. That's how the government did it. That was the little trick that got played."

The Pinkerton Doctrine had in fact been mentioned in court by Pocker, however, Bondoc insisted that the Committee of the States Compact had been legal according to precedent cases he had researched. "The case that sets precedent, that comes closest to the Committee of the States case, is the Dr. Spock case," said Bondoc. "First Circuit Court of Appeals in 1969. Spock was against the Vietnam War. In citing Spock, I'm not passing judgement on whether the Vietnam War was moral, but the principal that applied to Spock, applies here too, because that's the guts of it."

Bondoc read aloud the facts of the Dr. Spock case from his lawbook. Essentially, the Spock case related to opposition to government policies by Spock and his associates. In August 1967, a number of academic, clerical and professional persons discussed the need for more vigorous opposition to governmental policies pertaining to the Vietnam War. From their eventually consolidated action, came a document entitled, *A Call to Resist Illegitimate Authority*, otherwise known as *The Call*.

The cover letter requested signatures and support. This letter was signed by Dr. Spock, Reverend William Sloan Coffin, Jr., and two others. Mitchell Goodman had been preparing a somewhat similar statement against the war. In mid-September he signed *The Call*. He, Coffin and Spock plus others spoke at a press conference at which Goodman announced a nationwide collection of draft cards and a ceremonial surrender thereof to the attorney general in Washington, D.C.

On October 16 there was a draft card burning and turn-in at a Boston church arranged by defendant Michael Ferber and participated in by Coffin. Four days later, all four defendants attended a demonstration in Washington, D.C., where an unsuccessful attempt was made to turn in the cards to the attorney general.

The resulting indictment charged the defendants and others with conspiracy to counsel, aid and abet selective service registrants to neglect, fail, refuse and evade service in the armed forces—to fail and refuse to carry their registration cards, and to unlawfully, willfully and knowingly hinder and interfere with the administration of the universal military service and training act.

"Now, the parallel," noted Bondoc, "is in the Dr. Spock case; the charge was that these people conspired to counsel, aid and abet selective service registrants to do various things that were in violation of the law. What you're talking about is a conspiracy to make certain kinds of statements.

"In the William Gale case, it's also a conspiracy to say things as a preacher that lead to other people in turn, saying things that constitute threats. So, in each case, Spock and Gale, the defendants were charged with conspiring to

make certain kinds of statements.”

The court decided that the ultimate objective of *The Call*, namely expression of opposition to the Vietnam war and the draft, was legal, but the burning of the draft cards was illegal. The First Circuit Court of Appeals said that the First Amendment rights of free speech and free association were of such importance that they must prevail.

Bondoc returned to Gale’s case. “So, the fact that Gale’s sermons might lead somebody to write the kind of letter that Stefanelli wrote, is not to say that Gale advocated it. That anybody wrote such a letter—and as a matter of fact, we know that what Stefanelli did was take the Compact basically, hack it up, and make it into a—instead of a broad political and philosophical statement, he turned it into a personal vendetta that arose from his [Stefanelli’s] own problems.”

Seymour recalled the Las Vegas prosecutor saying at a press conference that Gale’s case had been the first time a right-wing leader had been convicted for attempting to incite.

Bondoc responded, “The way I heard the quote was, ‘This is the first time a jury has ever convicted the leader of a hate group for what his followers did.’” Bondoc reached for another law book sitting on his desk. “What the government did was, they took the leader and they visited the sins of the sons on the father.” Thumbing through the book, he noted, “Applying the *Strictissimi Juris* doctrine, the First Circuit Court in Boston held that Spock was entitled to an acquittal. Not a new trial, but an acquittal. In the Spock case, *The Call* itself had some illegal aspects to it. The Committee of the States Compact was perfectly legal!

“What the government did is they took the rules of an ordinary criminal conspiracy which is that everybody is stuck with the words and the actions of everybody else, and they plugged that into the Committee of the States. That’s the way they tried the case. To use a lawful agreement [C.O.S. Compact] and then plug in the rules that you use with unlawful conspiracy, which is what the judge kept referring to as the Pinkerton Doctrine, was a big flaw.”

Bondoc found the section he was looking for in his lawbook and marked the place. Looking up, he glanced at Seymour intently. “You know, the jury instructions were erroneous. The instructions on conspiracy should have made it clear that the conspiracy which the government was talking about was the conspiracy that was in the indictment—which were the death notices sent out by Stefanelli. Or at least limited to the ‘illegal’ conspiracy. Because the way the instructions were given, the conspiracy could be interpreted as, and undoubtedly was, the Committee of the States ‘Compact.’” Bondoc paused. “In other words, anyone who signed on the Compact, signed in on a conspiracy.”

Seymour was reminded of the juror who had said the same words outside the courthouse in Las Vegas after the verdict had been handed down.

Finding his place in the lawbook, Bondoc continued. “A lot of these cases go back to the Smith Act which dealt with communism, and the membership clause. In other words, you could be a member and agree with the broad goals without agreeing to bomb something or shoot somebody or do something like that.

“There’s another whole dimension to this case, which is secondary. The conspiracy that was charged by the government was goofy because it was all talk. It was a conspiracy to use language. It wasn’t a conspiracy to rob a bank, it was a conspiracy to talk. To threaten. But it’s an oddball conspiracy right from the get-go because what you’re talking about is talk, Gale’s preaching in this case, which lead somebody else to talk in a way which is forbidden, such as mailing a threat or interfering by using a threat. The personal level as opposed to a philosophical or religious level. There were imminency problems—the clear and present danger problem—when it was all talk leading to another level of talk.”

Bondoc quoted a U.S. Supreme Court case, *Terminelo v. Chicago*; 337 U.S. 1—Page four, decided in 1942, which used the following language:

The function of free speech is to invite dispute. It best serves its highest purpose when it induces a condition of unrest, creates dissatisfaction, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. It is protected unless it is shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance or unrest.

Bondoc reminded Seymour that Gale was charged with conspiring to use certain language, not conspiring to harm IRS agents. “He [Gale] was charged with making certain types of statements. What the Committee of the States was convicted of was a conspiracy to make threats, not a conspiracy to carry out the threats. In order to be guilty of making a threat, you don’t have to intend to carry it out.”

He paused for a moment, voicing his regret at Gale’s untimely death, then concluded, “The other defendants have got to call the government for using the Pinkerton Doctrine in the context of a protected agreement. That’s the whistle that’s got to be blown.”

* * * * *

On March 13, 1990, two of the Committee of the States defendants appeared at the U.S. Court of Appeals in Pasadena, California, with their court appointed attorneys. Richard Van Hazel was in jail in Arizona and Slim Parrino stayed home in Mariposa, preferring to let his attorney speak for him at the hearing. The court announced that Van Hazel would be phonetically called at the Safford, Arizona prison to give him the opportunity to present his case. (Van Hazel was having difficulty obtaining advice from a court-appointed attorney and was generally representing himself *pro per*.)

The Ninth Circuit judges presiding at the hearing were Betty Binns Fletcher, Dorothy Wright Nelson and Harry Pregerson. Pregerson was born in Los Angeles, California and attended UCLA and U.C. Berkeley. Nelson was born in San Pedro, California and attended the University of California in Los Angeles and the University of Southern California. Fletcher hailed from Tacoma, Washington and attended Stanford University in California and the University of Washington School of Law.

At the hearing, all three judges intently questioned the process by which the McCray brother's briefcases were searched in Las Vegas, Nevada. Patrick McCray's attorney, Robert W. Lueck from Las Vegas, who was the first to speak, cut to the heart of the issue and raised the Fourth Amendment, search and seizure, question on everyone's mind. "Your Honor," he said, "I'm not going to expound on the facts again, other than to say that there is no doubt that it was a warrantless search of Mr. McCray's briefcase executed between midnight and approximately 7:00 a.m. following his arrest on an outstanding traffic warrant, bench warrants from the Municipal Court of the City of Las Vegas on September 29, 1985.

"The same thing happened to his brother, Michael McCray, under very, very identical circumstances. I should point out that this case is really about the Fourth Amendment, the Constitutional right that we all have here. This Constitutional right applies to people who the government dislikes and would wish to put away and it also applies to people who dislike the government. It stands as a barrier between unlawful government activities and the rights of citizens pursuant to their rights under the Bill of Rights, and their Fourth Amendment to the United States Constitution."

Lueck pointed out that the government had tried to uphold the search of the McCray's briefcases while they were incarcerated at the Las Vegas Metropolitan Police Station under several ideas: that it was an inventory search, that the arrests were not a pretext to search the briefcases, that there was consent involved in the search.

The Committee of the States case was also a First Amendment issue, according to Lueck. "The burden shifts to the government to prove that there

is a reason that it should not have a warrant to search the property."

Judge Nelson asked counsel, "If I were to agree with you, at least for the purposes of argument that the search was illegal, exactly what evidence would have been excluded that would not have come in, in some other way, through some other source?"

Lueck answered, "The great majority of the evidence would have been ordered suppressed. A large number of the documents that were submitted into evidence by the government were based upon the items seized from the briefcases of both Patrick and Michael McCray."

The only evidence that the IRS investigators and police officers had at the time of the McCray's arrests were the Constructive Notices sent out by Stefanelli. At that time there were no officers or undercover agents inside the COS organization. Lueck noted that based upon the items that were seized, Inspector O'Connell obtained several other names, a number of other documents and agreements that led to the subsequent investigation of Colonel Gale in Mariposa, California. "Everything snow-balled from the briefcase search," he added.

Judge Pregerson asked counsel, "Well, when the briefcase was opened, it was opened with respondent's permission, was it not?"

Pregerson was referring to the opening of the briefcase at the time of McCray's arrest in September 1985. Patrick McCray had been pulled over by police while driving his car and when asked by police if he had any weapons, he had indicated that a gun was inside his briefcase.

Attorney Lueck argued that McCray gave "limited consent" to the officer to look inside the briefcase for the gun only. "That's the critical point here," noted Lueck. "McCray gave a very limited consent to open the briefcase. In fact, he [the officer] opens it up, the weapon is removed. At that point, the purpose of searching is satisfied."

The court and the attorneys were well aware that the arresting officers had been working with a surveillance team who had seen the McCray brothers leave a Committee of the States meeting and drive away in their cars. A few minutes later, Patrick McCray had been pulled over and arrested. His brother, Mike, was arrested shortly afterward under the same circumstances.

Judge Pregerson inquired, "How was the briefcase opened, just a few inches? Or was it opened completely, or—?"

Lueck interrupted. "It was opened far enough so he [the officer] could reach in and pull out the weapon. And all the officers said they saw documents in there which pertained to the Committee of the States. But, what would be *per se* illegal about 'documents'? Nothing!"

Judge Pregerson pressed for more information. "Were these documents in an envelope, in a manila folder? Or were they just loose?"

Lueck noted that they were both loose and in envelopes, then pointed out that the arresting officers were not regular patrol officers. "The pretext issue starts here," he argued. "These were SWAT officers who were conducting a surveillance . . . were advised by their sergeant, ordered by their sergeant to go back to the station, get in their regular uniforms, patrol uniforms, get regular black and white marked cars, and then make arrangements for the stop."

The Committee of the States was the SWAT team's undercover assignment at that time. According to Lueck, the team needed the evidence they obtained from the briefcases to continue their investigation. "These officers were not arresting the McCrays for any federal or state offenses, other than executing some bench warrants on traffic citations," he concluded.

Officer John Ferguson reportedly called IRS inspector Joseph O'Connell, got him out of bed, after the McCrays were booked into the Clark County jail and said, "We executed this search and there are briefcases down here at the jail."

O'Connell and Nicholson took the McCray brothers' briefcases out of the inmate's property area and photocopied the contents at the Las Vegas Metropolitan Police Department Records Division for four to five hours, then returned the briefcases to the jail.

Mike McCray's court appointed attorney, Don Beury, a San Diego County Public Defender, stated in response to Judge Nelson's original question that the "significance" of the documents that were taken from the briefcases was that the entire case was initiated as a result of this seizure of the papers. "In other words," he added, "there was no probable cause to get a bench warrant, a search warrant to search the papers previously, and that's why the police had to resort to this action of using a pretext stop based on traffic warrants." He looked at the judges carefully. "Because there wasn't enough information available to the police to get a search warrant at that time . . . they certainly had no interest in enforcing Las Vegas traffic citations. They were more interested in actively investigating the Committee of the States."

Judge Nelson noted uneasily that "as long as there were outstanding warrants, there was nothing wrong with arresting people when they locate where they are, or know where they're going to go."

Don Beury argued that the automobiles of both the McCray brothers were not impounded and taken into custody but turned over to the McCrays' wives—and the wives drove the cars away. "So, the only thing that the police wanted was to get the briefcases themselves," he concluded.

Judge Nelson made a point which caused the McCrays to look up sharply. "Well," she countered, "did the McCrays ask that the briefcases be released and go with the cars?"

"They did not," said Beury bleakly.

Mike McCray's counsel also raised the issue of undue prejudice during the Las Vegas trial. "These charges could have easily been presented to a jury without the large number of racial slurs and other epithets that were used regarding Jews and Negroes. I would argue that these were unduly prejudicial to these defendants and only sought to portray these defendants as evil or bad. They had no place in the trial."

Alan Dressler, Slim Parrino's hired attorney from San Francisco, argued that his client did not aid and abet anyone sending threatening communications through the mail. "My client was apparently convicted of belonging to an organization and associating with members of that organization and other people who hold similar beliefs to the beliefs that were espoused by the organization. He's also convicted, as I understand it, of advocating certain unpopular ideas." Dressler looked intently at the judges. "I think this really summarizes the government's case in a nutshell."

Judge Nelson demanded of Dressler, "Did your client participate in the military or para-military training?"

Dressler noted reluctantly that Parrino did in fact participate in para-military "survival training."

Nelson prodded, "When he participated, exactly what was he doing?"

"There's one witness that said he was there for a few—uh,—there was testimony that there was garrot training, how to sneak in to someone's house and kill 'em. But, it was never brought out by cross examination exactly what he did do in terms of actual training."

Dressler reminded the court that the alleged conspiracy was based on sending threatening communications. "They were not charged with attempting to overthrow the government . . . that [the military training] might have been relevant to some kind of sedition case, but that's not the conspiracy that they're charged with."

Parrino had also not signed the COS Compact for the same reason which Colonel Gale claimed not to have signed it; he collected retirement from the government each month. In Parrino's case, he was a retired Los Angeles Sheriff's Deputy.

Judge Nelson pressed further about the para-military training. "Can we infer, counsel, if the evidence of the training that your client did was clear and precise, that he was furthering the conspiracy by getting people ready to implement the threat?"

Dressler noted speculatively, "I think that you could infer, possibly. But there was more than one type of activity going on at these meetings. There were other people present who were not there for the Committee of the States, they were there for the Christian Identity at-law groups which have a similar

philosophy, but they are really different.”

Dressler and the court were correct in their understanding that the Committee of the States, the Unorganized Militia, and the at-law seminars were in fact separate entities. However, Roger Elvick had headed the COS while Colonel Gale and Richard Van Hazel headed the Unorganized Militia and also spoke at the seminars. The COS and its militia were present at the seminars at Manasseh Ranch, but Seymour learned from members that most of the radical training such as night-time ambushes and garroting had been practiced on occasions other than the seminars. The seminars were used mostly for at-law discussions.

“The goal of the organization,” continued Dressler, “was that someday, not tomorrow, but someday, Christ was gonna come down—and we’re going to kill all the Communists, we’re gonna kill all the Jews, there is gonna be a day of reckoning. That is the evidence in this case. That this training was to further a belief of the group that someday there was going to be a revolution.” Dressler held up a copy of the indictment. “I don’t think that that is criminal conduct. It certainly wasn’t charged in this indictment.”

Judge Nelson looked steadily at Dressler. “Counsel, you should wind up your argument.”

Assistant U.S. Attorney Richard Pocker appeared before the three judges and elaborated on the documents which had been photocopied from the McCrays’ briefcases. “Counsels [for the defendants] have made some fairly conclusory statements about how the government had no case up until the searches of the briefcases, but frankly—that’s just not true in this particular case.”

Pocker said evidence had been made available to the prosecution from former members of the COS: Angelo Stefanelli and his wife Susan, David Longman, and others. According to Pocker, Susan Stefanelli disclosed that the McCrays participated in decisions about the mailing of Constructive Notices which contained the death-penalty Caveat.

A COS “Indictment” of IRS agents Swall and Richardson had been obtained during the raid of Florence Wolf’s residence in Winters, California. The indictment was reportedly signed by Patrick McCray.

Judge Fletcher asked Pocker if he found the witnesses as a result of the briefcase search? Pocker answered, “No.” Fletcher then asked if the prosecution had those witnesses “prior to the time of the briefcase search.” Pocker responded that Angelo Stefanelli had originally been a defendant in the case. Because of his tax problems with the IRS the investigative agencies were already watching him. He had been present at the meetings being surveilled by the SWAT team and members of the Las Vegas Metropolitan Police Department.

Judge Fletcher neglected to question Pocker about the Florence Wolf search. Over a hundred files had been obtained from the Wolf farmhouse and David Moran’s home. However, the search and seizure of those documents had taken place in December 1986, over a year after the search of the McCrays’ briefcases. Unknown to Fletcher, the case therefore rested on Stefanelli and the subsequent briefcase search.

Judge Fletcher changed her line of questioning. “Let me ask you about the xeroxing of the papers. How do you justify the taking and the xeroxing of the papers in the briefcases?”

Pocker seemed prepared for the question. “Your Honor, we’ve called the Plain View Exception Argument into this case —”

Judge Nelson interjected, “No one knows what was in plain view [inside the briefcases]. I mean, the testimony is that no one knows what was on top. Some of it was in manila folders, some of it was in envelopes and so forth. When the briefcase was opened, the gun was there, some papers were seen. Under the Plain View Exemption, how do you justify xeroxing all those papers?”

“The record doesn’t reflect exactly what document was on top and what it was that officer Conlin saw right away. He testified that he saw it in the course of retrieving the gun.”

Judge Pregerson probed, “Well, that’s the government’s burden, isn’t it? How can you stand on Plain View if you can’t tell us what was in plain view? What did you see? What words? What did the documents look like?”

Pocker stammered, “The record does not reflect the exact words.”

Pregerson retorted, “Well, then maybe you haven’t met your burden.”

Pocker was clearly rattled. “Your Honor, I’m not going to represent that I know exactly what document was on top of that briefcase.”

Looking intently at Pocker, Pregerson answered, “You’re grasping at straws, aren’t you?” Pregerson continued to question the search. “You knew what papers were in the briefcase before it was opened. You knew who these folks were that were being stopped, right? You knew they were carrying the briefcases.”

Backed into a corner, Pocker rallied. “There was information provided to them [the police] from informant sources [Stefanelli] about what was going on at these particular meetings. Discussions about what to do with Judge White, to kill Judge White. This had been brought to the Committee’s attention through Angelo Stefanelli.” Pocker paused. “With the knowledge that officer Conlin had at that time in connection with what he saw in the briefcase, the government’s position is that it gave him probable cause to seize it.”

Judge Nelson summarized that there had been plenty of time to obtain a search warrant after the briefcases were brought into the jail. “We don’t have

exigent circumstances and it doesn't sound like it was an inventory search, so it was a warrantless search, and you say there was probable cause."

Pocker answered, "Yes Your Honor. That's our position."

Again Harry Pregerson commented on the government's position. "If you have a warrantless search, and you don't have exigent circumstances, the Plain View Doctrine doesn't help you, and you're not inventorying, then how do you get around the Fourth Amendment?"

Pocker asked the court to review the record of the Las Vegas hearing. He said he would leave it to the court to see whether or not there was sufficient articulation of facts and circumstances to establish probable cause.

Judge Nelson asked Pocker if the defense attorneys had objected to the admission of most of the evidence in the Las Vegas trial as being "fruits of an illegal search?" Pocker answered that they had not.

The defense attorneys present in the courtroom on March 13, 1990, had not been at the Las Vegas trial in 1987 and therefore did not object to Pocker's answer. They later learned from the transcripts that there were, in fact, various references to the briefcase search being illegal during the trial.

Regarding Slim Parrino, Pocker concluded that Parrino was charged with a conspiracy to do particular specific illegal acts. "It's not a conspiracy to advocate or to aid and abet or to be a member of a group that happens to advocate, or any of those Smith Act, Spock-type of scenarios that were so laboriously discussed in many of the briefs here. It's a conspiracy to do particular crimes, and the jury was instructed as to what it had to find with respect to Mr. Parrino. Very specifically. It was told that he had to be found to be not a member of the Committee of the States, not of the Unorganized Militia, but of the conspiracy alleged and defined in the indictment—"

Judge Fletcher interrupted Pocker to ask him to explain what Parrino's specific connection to the conspiracy was. Pocker explained that David Longman, a former member of the Unorganized Militia, had testified that Parrino was the State Marshall for the Unorganized Militia and as such not only participated in training the California branch in the fall of 1984 and spring of 1985 in "techniques of killing and confrontation," but also explained to Longman the Constructive Notice procedure at a meeting at which Colonel Gale allegedly discussed "bug-units, belly-up-in-the-grass units and how his enemies were the IRS and the Jews."

Pocker elaborated on the Constructive Notice procedure: "You send 'em a Constructive Notice and if they don't get out, then you fight them and you convict them, and if they still don't get out, the Unorganized Militia will go and effect the death penalty."

According to Pocker, Mike McCray told Stefanelli when he questioned the

Caveat, "If you weren't prepared to go all the way with this, then you should never have started it." Susan Stefanelli told Pocker that Mike McCray told her, "You know how it is. Our enemies are the IRS and the Jews, and we're going to have to take them out." Pocker stressed the words, "take these people out."

He abruptly changed the direction of his argument and addressed the Dr. Spock case. "About the only cases where the Spock instructions and the Strictissimi Juris are applied and discussed at any great length are cases to advocate or cases to organize. The Dellinger case, the Chicago Seven case, and the Seventh Circuit makes a lot of mention of it, but again, that was a conspiracy to incite to riot, where basically the conspiracy charges people with speaking, and they want to make sure that they're not punishing people for what may be protected conduct.

"In our case, we specifically instructed the jury that the conspiracy was to attempt to interfere with the IRS through threats of force and to send threatening communications and they knew what those elements were. They knew what they had to be convinced Parrino signed on for. Never were they instructed, 'Oh, by the way, if you find him a member of the Unorganized Militia, he's automatically guilty.'"

In rebuttal, Parrino's defense attorney pointed out that Pocker "out-spoke himself" in the course of his argument when he referred to Parrino's alleged conversation with David Longman about the Constructive Notices. "If you read Volume Six, pages sixteen to eighteen, where that [conversation] occurred, you will notice that there was an objection made and the question was withdrawn."

Attorney Don Beury brought up the "pretext" search of the briefcases again, pointing out that if the government had "all this information prior to getting the two briefcases, why didn't they go in the front door and go to the magistrate and get a search warrant, instead of having the SWAT team dress up as traffic cops and do a pretext stop?"

Judge Pregerson demanded, "Well, if it was so bad, why didn't you object to it? The admission of the evidence came during the course of the trial. There was no objection apparently made that this evidence was the fruit of a poisonous tree, so-to-speak."

Beury had not been present at the Las Vegas trial, but he responded quickly. "It's my position that this issue was preserved for appeal by being raised at the Suppression Motion and through the Motions to Suppress, both before the magistrate and the district court."

Judge Nelson interrupted the rebuttals to announce that a pro-per argument was scheduled to be heard by speaker phone from the Arizona prison. Richard Van Hazel had been granted permission to speak to the Ninth Circuit Judges.

Van Hazel was clearly frustrated with the Las Vegas court system and its apparent inability to provide him with timely transcripts and other materials he deemed necessary for his defense and his appeal. "I have not been allowed to present my case as it should have been [presented]," he protested. "And, had appointed counsel provided me with the necessary documents during the original trial—had he made the proper motions during the original trial, and had the judge, Judge George, during the original trial been alert enough to question and allow me to present certain facts into evidence that were in the tapes and in writing from the other defendants, which stated that I had no knowledge of what was going on in Las Vegas, Nevada, in this matter, and that Stefanelli had been acting on his own, had not been acting in conspiracy with myself or anyone else that I am aware of—had I been able to present this in court, in front of the jury, then there really never would have been a guilty finding by the jury."

Van Hazel had presented a motion to Judge George in Las Vegas to defend himself pro per, using his court appointed counsel only in an advisory manner, but the Judge had denied the motion because it was presented too late, on the opening day of the trial.

"What bothered me most of all," he continued, "was the fact that I was deprived in trial of due process of the law, my inalienable right, God-given and guaranteed by the Constitution, to present a case before the jury that would have proven that I am not guilty of any crime whatsoever. I feel that I was deprived of due process of law under the Fourth and Fifth Amendments, that evidence was obtained in violation of the law, without warrant, that telephone conversations were taped that did not involve the crime in this case, nor did they involve any other crime in any other case, but it was merely an informant who was working for the FBI [William Sivils] in an attempt to entrap me into buying unlawful weapons in the form of automatic weapons that aren't registered, which I did not succumb to at any time. . . ."

"Most of the evidence that was presented against me was either tapes or statements by Sivils in violation of my right to privacy and in violation of my First Amendment rights. Also, regarding the tapes that were presented in court . . . on many occasions Sivils had made statements to me which did not remain on the tapes. [His statements] had been removed from the tapes and that left a conversation on the tape which sounded as though I had been rambling on, or ranting and raving over some particular issue, when in fact, these issues were provoked by Sivils and then that portion of the conversation was removed.

What the government played to the jury was the portion of the tape which had my voice and my rebuttal, or comments, to Sivils' statements on the matter.

"I feel that I was not allowed to present a case; the court in Las Vegas, Nevada prohibited me, both physically and during the trial from having my counsel of choice. That would have been one who was not influenced by the little Las Vegas clique there, whatever you want to call it. This case never should have been tried and never should have gotten this far."

Van Hazel indicated that, to date, he had not been provided with an entire transcript of the trial, including many of the exhibits or evidence that was presented before the jury. He added that when he drove from Flagstaff, Arizona to Las Vegas, Nevada to file documents in his defense, he was denied filing by the court Clerk until the judge had a chance to review them. The court clerk's office was reportedly not open at eight o'clock in the morning which was in violation of the Federal Rules of Criminal and Civil Procedure, he said.

"In other words," Van Hazel noted, "I couldn't go in, submit a document to the clerk of the court at eight o'clock in the morning when I would expect the hours of the court clerk's office to be open, which would give the judge an opportunity to look at them before the trial. In fact, at times the documents were not reviewed, or the judge himself would strike documents because he said they weren't submitted timely—or on time."

Van Hazel additionally complained that Judge George refused to allow him to speak to the jury. "He wanted everything to go through the attorney. Many times I had to joust my [court appointed] attorney out of the chair to get him to object to matters in the courtroom which I felt all the attorneys should have objected to." Essentially, Van Hazel objected to the entrapment procedures used by informant William Sivils. "I'm literally devastated, and my family's been devastated, by the fact that the United States government allowed informants to participate in crimes and commit criminal acts."

Van Hazel accused the informants and witnesses used against him in court of using drugs and selling weapons. "They called it a 'tax protesters' movement, I call it a patriotic movement. They were using this patriotic movement for everything but what it was meant to be used for, and that was a First Amendment right to address our views to the government—whether it was beneficial towards the government or whether it was a denial of the government's acts on the grounds that government has got too much power these days."

Judge Nelson informed Van Hazel that his speaking time was up; the government was asked to present its side. U.S. Attorney Richard Pocker spoke into the phone: "Mr. Van Hazel, this is Rick Pocker, you knew me as the assistant United States attorney. I'm now the United States Attorney for the

District of Nevada and I'm representing the United States in these proceedings."

Pocker immediately referred to the taped conversations which Bill Sivils had provided the government with. "Both the telephone conversations and the conversations made from a body recorder worn by witness Mr. Bill Sivils were not objected to at the time [of the trial], and any sort of Fourth Amendment violation, Fifth Amendment violation, or any Constitutional provision by counsel for Van Hazel at that time. It is the government's position that any objection to them based upon those grounds would be waived.

"With respect to the content of those tape recordings, appellant Van Hazel has stated that many of them appear to have been out of context, or not complete conversations. The complete tapes of those conversations were provided in advance to Van Hazel's counsel and the redacted versions that were actually introduced at trial were the result of agreement by Van Hazel's counsel and his co-counsel, and the government, to delete certain portions. There are side-bars which are reflected in the record about certain comments that originally the government felt had some sort of bearing on the case, that after consultation with the counsel and the judge, we deleted from those tapes."

Judge Nelson asked about the incomplete transcripts provided to Van Hazel. "An order was entered by our court many, many months ago ordering the government to furnish these various items. They appear to have been furnished and it was many months later before Van Hazel objected. Now, are you aware of any of this?"

Pocker countered that Van Hazel had requested an extension of time for his appeal based on the missing transcripts and tape recordings. "The government was not directed to provide the tape recordings and the materials that Van Hazel needs, by his statement, to supplement his record. Counsel was originally appointed for Van Hazel on appeal. He [counsel] had available to him the tape recordings and all the transcripts." According to Pocker, Van Hazel's court appointed appeals attorney had failed to supply Van Hazel with the tapes and other materials. He had no idea why the attorney failed to do so.

Van Hazel returned to the issue of lack of proper representation at the Las Vegas trial. "My attorney [James E. Smith] related to me after the trial when I asked him why he did not make the objections that I had asked him to make, he said that basically some of this evidence was introduced as evidence after his allotted time to make objection—and to do his pre-trial motion. He stated to me then, that he probably should have gone in and made some kind of a motion to re-open or to extend his time to make a motion."

Van Hazel felt Pocker was incorrect in his assumption that Smith had diligently handled Van Hazel's defense. "I told Smith that this had denied me due process of the law. And Smith responded to me that 'there were a lot of

things that the attorneys could have done which would have saved this case, or which would have at least brought the case to light as it should have been presented to the jury.'"

Van Hazel had objected aloud in court to the "redacted" version of the taped conversations being played in court. "Judge George asked me to sit down and be quiet. I wanted those tapes played in their entirety or not played at all. Regardless of what was on them. I wanted everything that was on that tape to be played to that jury . . ."

Van Hazel insisted that there was no evidence presented in court which connected him to the Las Vegas activities. Judge Pregerson interrupted him and asked Pocker what evidence was introduced in trial that connected Van Hazel to the conspiracy.

Pocker referred to Van Hazel's participation as chief marshal in the Unorganized Militia, which, according to Pocker, played a role in the overall conspiracy. "He participated in training in ambush techniques and what could be characterized as para-military subjects throughout 1985 and 1986," noted Pocker. Van Hazel had also signed the Committee of the States Compact and encouraged Randall Reineking to form a COS chapter in Wisconsin. A document, identified by Pocker as the "Unanimous Declaration, Committee of the States of Arizona," had been served upon the Arizona State Legislature. Van Hazel allegedly told Reineking that the Caveat was there "in order to keep law enforcement and legislators off our backs."

Van Hazel rebutted that he did not know that the Constructive Notices had been sent out in Las Vegas, Nevada. (The Notices were actually mailed from Reno, Nevada.) It was not until he appeared before the Las Vegas Grand Jury that he learned of the Las Vegas Notices and the details of Angelo Stefanelli's involvement. According to Van Hazel, all the Constructive Notices were purely First Amendment exercises.

Judge Pregerson asked Van Hazel: "If that was the case, why would you need to go through all this para-military training?"

Van Hazel answered that the training was necessary to comply with God's Law. "His people should always be in readiness for military preparedness. They should always be taught and be ready for law to defend themselves, to defend their country, to defend their households."

Judge Pregerson asked, "Against whom?"

Van Hazel paused, seemingly off balance. Judge Pregerson prodded, "Against whom?"

Van Hazel reacted characteristically. When backed into a corner, he often blurted out the truth. "If need be, the government. It seems to be the worst inclement problem we have right now. I mean, as you can see, as far as I'm

concerned, in this case we can't even get justice from the courts!"

Judge Nelson seemed taken aback for a moment then gathered herself and announced that the time for argument had drawn to a close. "I thank you for your participation and I thank the government. The case we have just heard is submitted. Thank you," she concluded solemnly.

* * * * *

The Ninth Circuit Court of Appeals filed a decision on September 24, 1990, upholding the Las Vegas conviction of Committee of the States defendants Richard Van Hazel, Patrick McCray, Fortunato "Slim" Parrino and George R. "Mike" McCray.

Because of Colonel Gale's death on April 28, 1988, his appeal had been dismissed and his case was remanded to the district court with instructions to vacate the judgement against him and dismiss the indictment.

In the court's September 24 Memorandum of Decision, the conviction of defendants McCray, Parrino and Van Hazel were affirmed, in part, as follows:

PREJUDICIAL EFFECT OF EVIDENCE; Appellants challenged the admission of evidence concerning (1) members' racist remarks regarding recipients of threatening mail; (2) anti-Semitism contained in Committee of the States sermons and in certain notices sent to IRS agents; and (3) paramilitary training at various Committee meetings. They contend that the probative nature of such evidence was substantially outweighed by its prejudicial effect on the jury, and should therefore have been excluded under Fed. R. Evid. 403. Appellants also argue that evidence concerning Committee philosophy constituted inappropriate character evidence under Fed. R. Evid. 404. . . .

The trial judge did not abuse his discretion either by finding that evidence of appellants' racism, anti-Semitism, and paramilitary activities was probative of issues in the case, or by refusing to find such evidence unduly prejudicial. Evidence of the remark "Let's hang the n—r" in reference to Judge White is probative as to issues of identity, motive, and intentions of the conspirators regarding the seriousness of the death threat sent to the judge. Evidence of the Committee's anti-Semitism and paramilitary activities is probative of the issues of the conspiracy's potential for violence, its targeted enemies, as well as whether the appellants harbored ill will toward the recipients of the threatening communications. (See *United States v. Ring*, 513 f.2d 1001, 1006—5th Cir. 1975. Such evidence may be revelant to show that a particular letter

was sent by the defendant.)

DOCTRINE OF MISTAKE; Appellant Mike McCray argues that he relied in good faith upon historical facts tending to show that the current Federal Government is illegal because the U.S. Constitution was invalidly adopted. He contends that his conduct was therefore excusable under the Doctrine of Mistake. McCray did not present any evidence on the mistake issue at trial, nor did he submit to the trial court any of the historical documents in his excerpt of record on appeal.

As a general rule, an issue not presented at trial cannot be raised for the very first time on appeal. (*United States v. Greger*, 716 f.2d 1275, 1277—9th Cir. 1983—cert. denied, 465 u.s. 1007—1984.) Even were we to consider the mistake issue under an exception to the rule, we would not recognize the excuse in this case. Deliberate ignorance and positive knowledge are equally culpable. (*United States v. Jewell*, 532 f. 2d 697, 700—9th Cir.—cert denied, 426 U.S. 951, 1976.) While Constitutional Law is replete with cases contesting such issues as who has the authority to interpret the U.S. Constitution, see, e.q., *Cooper v. Aaron*, 358 U.S. 1—1958; *Marbury v. Madison*, 5 U.S. 137—1803, no serious legal challenge to the notion that the U.S. Constitution is the supreme law of the land has been raised in the last 200 years. All persons in the United States are charged with knowledge of the United States statutes at large as well as the Constitution.

SEARCH AND SEIZURE ISSUES; Appellants Mike and Patrick McCray contest the admissability of documents discovered in the course of their arrests and detentions on outstanding warrants on several Fourth Amendment grounds. (A) Pretextual Search; Appellants contend that the arrests for the bench-warranted traffic offenses were mere pretexts to stop the appellants' cars and search for contents, that officers exceeded the scope of appellants' consent in the warrantless searches, and that papers seized during the search were not in plain view. Appellants also argue that documents from their briefcases which were photocopied during their detention were not admissable as the product of an inventory search. In short, under the appellants' theory, the papers were not properly admitted under any applicable exception to the warrant requirement.

Whether an arrest is a mere pretext to search turns on the motivation or primary purpose of the arresting officers. (*United States v. Smith*, 802 f.2d 1119, 1124—9th Cir., 1986). If a search incident to arrest "happens to uncover evidence of crimes other than the one for which the accused has been arrested," the evidence may be used against him or her in other prosecutions. (*Taglavore v. United States*, 291 F.2d 262,265—9th Cir., 1961.)

. . . The arresting officer testified that the purpose of the arrest was to apprehend them for valid, outstanding bench warrants. This is a suffi-

cient basis for the district court to find that the motive behind the arrest was not to create a pretext to search. Therefore, we conclude that the trial court did not err in finding that the arrest was not an invalid, pretextual search.

(B) Consent to Search. . . . Mike and Patrick McCray permitted the officers to open their briefcases to retrieve a gun and money (in Mike's case) and a gun (in Patrick's case). The trial court did not clearly err in determining that the searches of the briefcases were consensual.

The McCrays argue that despite their initial consent to the searches, the seizure and eventual perusal of papers found within the briefcases exceeded the scope of their consent. The government argues in response that, irrespective of the nature of the McCrays' consent to the search of the briefcase papers, the papers were properly admitted under the plain view exception to the warrant requirement . . . We believe that consent extended to a search of the entire contents of the briefcases.

. . . Following their arrests, appellants had expressed a desire to take their briefcases with them when they were taken into custody. This desire did not relieve the officers of the responsibility to perform the inventory searches in accordance with recognized procedures, nor did it give the officers carte blanche to search for purely investigatory purposes. The station house perusal of the documents appears to have been conducted for purely investigatory reasons.

Despite the fact that the officers may have misused the inventory process, we view the district court's admission of the small number of items which were the product of the searches as constituting harmless error. . . . We find any error in admitting these materials which may have been the result of a faulty inventory search to be harmless beyond a reasonable doubt.

* * * * *

All of the Committee of the States defendants, with the exception of Parrino, continued to follow appeal procedures prescribed by law in an attempt to reach the Supreme Court.

Shortly after receiving the Ninth Circuit's decision, the McCray brothers filed briefs requesting a "Rehearing En Banc."

Robert Lueck, attorney for Patrick McCray, submitted a Petition stating that several substantial changes had occurred in the law since the oral argument on March 13, 1990. According to Lueck, recent decisions emanating from the U.S. Supreme Court had "cast doubt on the validity of the legal conclusions reached by the Ninth Circuit" on several of the issues. Lueck's fourteen-page petition

addressed new rulings in conflict with the Ninth Circuit decision on the illegal search issue, the merger of offenses issue, and a sentencing disparity issue.

Mike McCray's "pro per" petition listed the following issues for rehearing:

- (1) The appellant's objection to the trial court instruction to the jury that the Articles of Confederation are not the law of the land,
- (2) The deliberate deception of the court and jurors with uncorrected false testimony of government witnesses,
- (3) The contested search of appellant's briefcase produced over five hundred (500) documents of which more than two dozen were admitted into evidence and numerous others were paraded before the jury though not admitted in evidence,
- (4) Appellant's motion to relieve counsel of record for ineffective representation.

Attached to the last page of Mike McCray's petition was a photocopy of "Government Document No. 99-16," an analysis and interpretation of the U.S. Constitution prepared by the Congressional Research Service, Library of Congress, and disseminated in 1987 by the U.S. Government Printing Office in Washington D.C. The contents of the document were advertised as being "Annotations of cases decided by the Supreme Court of the United States to July 2, 1982." McCray had defiantly underlined, for the En Banc judges to read, Article VI which noted that "All debts contracted and *engagements entered into, before the Adoption of the Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.*" McCray was apparently trying to point out to the judges that the Articles of Confederation, which governed the country prior to the Constitution, were still valid and the Committee of the States as mentioned in the Articles was also valid.

Judge Lloyd George would have disagreed with him.

* * * * *

Both Mike McCray and Richard Van Hazel wrote letters to Cheri Seymour throughout the appeals process. They chose to conduct much of the research for their appeals themselves, often firing or replacing their court appointed attorneys for being unresponsive to their recommendations or requests for information.

At the beginning of his incarceration, Van Hazel's letters generally reflected the frustration of trying to prepare an appeal from a prison cell in Arizona, lack of communication with his lawyer and an inability to obtain transcripts and

government exhibits from the court in Las Vegas. Nevertheless, he remained optimistically defiant.

In February 1988, three days after he was sentenced to seven years in prison, he wrote that he was grateful to Bill Gale for making him a "true Christian." As a former "At-Law" speaker at seminars across the nation, he now felt himself gravitating toward theological teaching and leaving behind man's law or government. "Even locked here in confinement," he wrote, "I am freer than I have ever been. I could not find it in my heart to bend to George [Judge George], nor can I respect his so-called court. I strongly feel we would not be under attack if we had not been doing as YHVH [God] willed us to. This has, by my involvement, made me stronger. No matter what should happen now, I will continue to fight with all my heart and soul."

In another segment of the letter, Van Hazel expressed his bond with Gale and the Militia: "Only that detachment of the military, sometimes alone, away from family with your soul exposed to the elements, builds strength not realized in any other experience in life. I, as you know, spent several years in law enforcement after the military, looking for that adrenaline high that is a by-product of combat. Law enforcement, however, is more restrained because of its visibility to society. Whereas 'combat' is shared only by those on the scene . . . as you know, [the experience] forms a strong bond found nowhere else in the life experience." *

As time passed, the tone of Van Hazel's communications changed. The last letter Seymour ever received from him was at Christmastime 1989:

There seems so little outside that I have contact with any more. . . . I have been preoccupied with this criminal appeal of my case. I expect that Father Yahweh will take care of this also, but in His own time table. I have learned much from this experience. For this I'm very thankful. I'm happier than I have been in years. A complete calm has come over me. A great peace that I did not possess before—a gift from the Father in Heaven. I receive so much, I wonder sometime what He will ask of me in the future. I'm sure it will not be enough for the gifts I have received.

No matter how bad things may seem, our Father in Heaven is always at the controls and we will find the answers that elude us in the months and years to come. No matter what tomorrow brings, most assuredly it is in the Father's hands. . . .

*Van Hazel's first combat assignment in the Vietnam war had been with the U.S. Army Sixth Airborne Rangers, a forerunner of the widely known "Special Forces." He had been stationed in Korea to train the Koreans, or "Rocks" as they were known, in guerrilla warfare.

Epilogue

By December 1990, the Identity Movement had split into two co-existing factions, one passive and one militantly aggressive. The passive segment believed that biblical prophesy was occurring on the world scene; a one world government or "New World Order" was being formed which would assign everyone a number according to Chapter Thirteen, verses 16 and 17 of Revelations: ". . . And that no man might buy or sell, save that he had the mark, or the name of the beast, or the number of his name." The militant segment wagged their heads knowingly, and stored more food and guns.

Meanwhile, Richard Van Hazel and the McCray brothers were denied their "En Banc" rehearing. As of December 1990, they were appealing to the U.S. Supreme Court. In his most recent communication to friends in California, Van Hazel noted that he planned to forego his upcoming parole hearing because he could not feel remorse or guilt for his alleged crimes. He chose to remain in prison until he could be released a free man without parole.

In a brief phone conversation, Slim Parrino noted that he did not appeal his case further because his attorney felt it was hopeless due to the "political climate of the courts." Parrino added that despite his probationary status, he believed in the Identity doctrines more than ever because of "national and international events."

Mike McCray continued to send communications from Las Vegas written on beautifully ornate stationary depicting Michael, the archangel slaying the serpent in Revelations 12:9. McCray's last communication to Seymour came in the form of a 1990 Christmas card. Inside was a note which read: "Judge Earle White, a.k.a. criminal conspirator, perjurer and obstructor of justice, was defeated in his bid for re-election. 'Only with thine eyes shalt thou behold the rewards of the wicked'—Psalms 91:8, Merry Christmas."

After Colonel Gale's death, most of the one hundred acres that was Manasseh Ranch was sub-divided and sold to out-of-town buyers. John Boggs operated the tape-ministry at the Ministry of Christ Church for a while but was anxious to branch out on his own and soon formed his own ministry. Roxanne Gale still receives calls from as far away as Australia and South Africa and continues to send out Colonel Gale's tape recorded sermons.

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