

National News

Colorado voters approve anti-tax measure

Colorado voters approved Nov. 3, by a 54-46% vote, a measure which prohibits any state or local government body or taxing authority from raising taxes in any manner, unless said tax increases are approved by the voters in general elections, the *New York Times* reported Nov. 15. The law prohibits special tax elections; requires that the state save 1% of its budget for three years to be used as a surplus for emergencies (the legislature must declare an emergency in order to spend the reserve); and puts a cap on spending: The government can spend no more than it did the previous year, adjusted for inflation and population growth.

Local governments say the measure will effectively keep them from accepting state or federal grants, in some cases, since the money would exceed the spending cap. The law could also stop some local projects in mid-stream, e.g., a sewer project in Fort Morgan which cannot continue without a tax hike (the existing sewer system is out of compliance with EPA standards).

Judge rules Noriega is prisoner of war

Federal District Judge William Hoeverler said Nov. 13 that Panamanian Gen. Manuel Noriega is a prisoner of war, commenting, "He may be the only POW the U.S. has." Hoeverler held a hearing on a defense motion that General Noriega's rights as a POW under the Geneva Convention would be violated if he is confined to the "hole" at the maximum security federal penitentiary in Marion, Illinois as the U.S. Justice Department wants.

Hoeverler said he is not certain he has jurisdiction, and deferred a ruling for the next week. But he said, "If I had it in my power, I would recommend that he be detained in a facility other than a penitentiary."

Last month, the Panamanian leader was kept in solitary confinement in the "hole" at the federal penitentiary in Talladega, Ala-

bama, to which he had been evacuated after Hurricane Andrew destroyed the prison in Miami, where he was being held. As a POW, Noriega would be confined at a U.S. military facility, not a federal penitentiary.

According to the *Washington Post*, U.S. Attorney Michael P. Sullivan said the government would "treat Noriega as a POW without officially classifying him as one"—meaning the government wants to lock him up in solitary confinement in one of the underground cells at Marion, but give him the "protections guaranteed by the Geneva Convention, such as monthly Red Cross packages, food, medical care, exercise, and freedom of religion." Except for the Red Cross packages, this is the same treatment accorded criminal inmates.

Shining Path backers identified in U.S.

The Nov. 12 issue of the *Washington Post* featured a long profile of the Revolutionary Communist Party (RCP), focusing particularly on the Maoist group's intensive pro-Shining Path activities in the Hispanic Los Angeles neighborhood of Pico-Union, following the riots last spring. The *Post* story, by Jonathan Friedland, reported accurately on the RCP's efforts to organize political support for the jailed Shining Path butcher Abimael Guzmán, and the RCP's efforts to spread the Los Angeles riots. But the paper quotes an FBI spokesman saying that the Bureau's guidelines prohibit investigation of the RCP "unless they commit violent acts." The Los Angeles Police Department also denied to the *Post* that they maintain active monitoring of the group, except "when they act crazy."

The article implied that RCP is winning support among Hispanic immigrants who are faced with poverty and unemployment, and who have had experiences back in their home countries with repressive regimes, and are therefore less prone to anti-communism than Cuban refugees. The article specially emphasized the inroads being made by RCP's Revolutionary Communist Youth Brigade, which is showing pro-Shining Path propaganda films to high school-age youths. Friedland went so far as to claim that some

parents see the RCP as an "alternative to street gangs." However, Father Juan Santillan, who helped drive RCP out of his Hispanic neighborhood in Los Angeles, told Friedland, "They are experienced in playing on human minds, human sentiments, human feelings, and human emotions. They were trying to establish a total rebellion."

President Clinton may appear again on MTV

In a recent interview with *TV Guide*, President-elect Bill Clinton attacked the high level of violence and sex in the entertainment sector, and proposed that the sector should "re-examine itself" and consider what it can do to "raise the human spirit."

He also indicated he would consider returning for guest appearances on such programs as the Arsenio Hall Show, saying, "Arsenio and MTV give me a chance to directly communicate with younger voters—who might or might not watch news shows or read newspapers." Asked if he were suggesting new ways of dealing with the media as President, Clinton said: "It suggests that since the President is hired by all the people, he should perhaps go where the folks are. I don't think there's anything undignified about a President going on Larry King, or on the right kind of MTV program."

'Deprogramming' not a defense for kidnaping

The U.S. government has filed a motion *in limine* in the pending conspiracy-to-kidnap trial of E. Newbold Smith, Galen Kelly, Donald Moore, et al. In the motion, the government seeks to prevent the defendants from arguing "that their purpose was to extract Lewis du Pont Smith and his wife Andrea Diano Smith from what they will claim was a cult, or a radical political organization, or because the Smiths were brain-washed, or incompetent, or programmed, or to bring back a son to his loving father, etc. The point is that under the law, except

for a minor and parent, the purpose of a kidnaping is simply irrelevant." Lewis and Andrea Smith are associates of Lyndon LaRouche, who were allegedly the object of a kidnaping and "deprogramming" operation by Lewis du Pont Smith's father and others.

The government motion continues, "... The introduction of 'purpose evidence,' for example that the LaRouche organization was a cult from which the defendants had to kidnap and 'deprogram' victims, will generate great press but will do little to advance the interests of justice. The defendants will call their cult experts to say the LaRouche organization was a cult; the government will call its experts to say it was nothing more than a political organization. . . . We can listen to testimony that Lewis Dupont [sic] Smith is incompetent and the defendants' 'purpose' was to save him as a result of that incompetence from an evil corrupt political organization. The government can call its experts to show that Lewis Dupont Smith is not incompetent. (Footnote—Having met with Lewis du Pont Smith and knowing his background, we are confident that the evidence would show that this University of Michigan graduate and former teacher at the Rectory School and The Friends Central School is fully competent.)"

The motions were scheduled for argument on Nov. 20 before Judge James Cacheris, in Alexandria, Virginia. The trial is scheduled for Dec. 14.

Indians, Bourgeois still fighting casino mob

Former North Dakota independent congressional candidate Annabelle Bourgeois issued a statement from Baldwin on Nov. 11, about the continuing fight against casino gambling on Indian reservations, and calling for an investigation into the connections of the casinos' proponents. "Two weeks ago, I called upon all North Dakotans to support the people of the Standing Rock Reservation who are fighting to stop a gambling casino from being built there. I pointed to the suspicious dealings of Bismarck attorney Arly Richau . . . to get the casino contract with the Tribe.

Only later did Richau reveal that his casino management company had been turned over to Seven Circle Resort of Switzerland. Richau's ultimate plan was to build a huge casino in Mandan, and to evade state law by arranging for the Tribe to acquire trust land in town.

"Now that the Standing Rock Tribal Council has dumped Richau, we must not let this sordid affair be swept under the rug, especially since some Council members are considering a new casino contract with Seven Circle. . . .

"For one thing, we need a thorough, public investigation of Brian McMullan, the President of Seven Circle Resort. McMullan holds dual citizenship in Great Britain and South Africa, and has reportedly been deeply involved in casino operations on the so-called 'tribal homelands' set up by the South African government to perpetuate apartheid against black people. Is this what we want in North Dakota?"

Anti-LaRouche judges to join federal bench?

The *Richmond Times-Dispatch* reported on Nov. 12 that two judges from the Virginia Supreme Court are among those being pushed by "legal sources" for appointments to two vacancies on the U.S. Fourth Circuit Court of Appeals. Both women, Elizabeth Lacy and Barbara Milano Keenan, have made corrupt rulings in Virginia in cases involving associates of Lyndon LaRouche.

Elizabeth Lacy, former chairman of the State Corporation Commission, was appointed to the Virginia Supreme Court in 1987, after ruling that political loans to companies associated with LaRouche were securities. Keenan was appointed to the Virginia Supreme Court shortly after serving as the presiding judge on the Virginia Court of Appeals panel that upheld the conviction against the first victim of the Virginia "LaRouche loans" prosecutions, Rochelle Ascher. Ascher is presently serving a 10 year sentence. Another LaRouche victim of Virginia justice, Michael Billington, is serving 77 years.

Briefly

● **THE B'NAI B'RITH** has written a letter to Unesco asking it to join in an absurd campaign to fight intolerance allegedly sanctioned by definitions in some dictionaries. According to B'nai B'rith official Harris Schoenberg, some dictionaries contribute to anti-Semitism by listing under the term "Jew" various derogatory, slang, connotations of the word.

● **RHODE ISLAND** officials are encountering increasing public resistance to introduction of full-scale casino gambling. Opponents to the proposal for a downtown Providence casino told *EIR* that organized crime was likely to dominate the entire state if gambling gets any more of a foothold in Rhode Island.

● **VIRGINIA** will proceed to "pursue" collection of \$52 million in contempt fines against the United Mine Workers, said a special commissioner on Nov 12, after the state Supreme Court upheld the outrageous fines. Court actions to garnish the dues of union workers and efforts to attach union property could begin almost immediately.

● **AN UNEMPLOYED MAN** who had been forced to hold a sign reading "Need Job to Support Children" in front of an Indiana courthouse after being found guilty of not paying child support, was "improperly subjected to . . . public ridicule, embarrassment, and humiliation," the Indiana Court of Appeals ruled in November.

● **THE EXECUTION** of Lloyd Wayne Hampton, scheduled for the morning of Nov. 11, was halted when the defendant was persuaded by his sister to continue his appeals. Hampton claimed throughout his trial that he committed a murder in 1990 in order to force the state to kill him, and at trial pleaded guilty.

● **SOL WACHTLER**, who resigned as New York's chief judge after his arrest by the FBI for allegedly threatening his estranged mistress, was placed in a psychiatric unit, according to the Nov. 10 *Washington Post*.