

It's all on tape: 'Kidnapers, Inc.' plot to nab Lewis du Pont Smith

by Warren A.J. Hamerman

On Dec. 14, the trial is scheduled to begin in federal court in Alexandria, Virginia of five men charged with conspiracy to kidnap Lewis du Pont Smith and his wife, Andrea Diano Smith, and to "deprogram" them from their political association with Lyndon LaRouche. In pre-trial hearings at the end of November, Judge Timothy Ellis issued the following rulings:

1) He denied the defense's multiple motions for a delay in trial, more time for discovery, and requests for more discovery from the government.

2) He denied defendant Don Moore's requests to loosen his pre-trial release conditions.

3) He ruled on a government *in limine* (limiting) motion with the following words: "The motion *in limine* is granted with respect to evidence concerning the nature of the Lyndon LaRouche organization insofar as such evidence relates to establishing a motive for the alleged kidnapping. This Court has ruled that motive is not a material element of a kidnapping offense. The motion *in limine* is denied insofar as such evidence may be used to refute the conspiracy charge or to provide an innocent explanation for conduct or statements relied on by the government to prove the elements of the conspiracy to kidnap charge."

The defendants in the case include:

E. Newbold Smith, a millionaire from Radnor, Pennsylvania, and father of 36-year-old heir to the du Pont family fortune Lewis du Pont Smith. The elder Smith has collaborated for years with the Cult Awareness Network (CAN), Henry Kissinger, the Anti-Defamation League of B'nai B'rith (ADL), and others in a "Get LaRouche" task force. Eight years ago, Newbold Smith initiated proceedings which led to his son being declared mentally incompetent by a rigged Pennsylvania court.

Donald Moore, one of the principal figures in the judicial frameup that imprisoned Lyndon LaRouche. Moore is a former lieutenant of the Loudoun County, Virginia Sheriff's Office.

Galen Kelly, of Esopus, New York, a self-proclaimed "cult deprogrammer" associated with the Cult Awareness Network.

Robert "Biker Bob" Point, a New Jersey lawyer.

Anthony Russo, a former New York City police officer.

Documentation

Excerpts from the tapes

As part of the public record in the federal case against Newbold Smith, Galen Kelly, Donald Moore, et al., portions of the more than 60 hours of government electronic surveillance have been submitted along with the pre-trial proceedings. We publish a selection of these here, without alteration, from the court transcript. The following abbreviations are used:

DP=Douglas Poppa (a government informant),

DM=Donald Moore, Jr.

GK=Galen Kelly

UI=unintelligible

IA=inaudible

'Get crazy people to do it'

From a recorded conversation which took place on Sept. 30, 1992 in Lovettsville, Virginia, shortly before the arrest of Moore and Kelly:

GK: . . . My current state of thinking on it [how to do the physical kidnaping of Smith—ed.] is uh . . . get crazy people to do it. My current thinking of crazy people would be uh. . . .

DM: (UI)

GK: No. Crazier, ah crazier than that. Either (UI). . . .

DM: Is there such an animal that can still breath air?

GK: Well, either two, two types of people. One might be bikers.

DP: Uh, hum.

DM: (laughing) oh, yeah.

DP: What's the advantage of using them over what you normally use?

GK: I would like to you know divorce myself, uh. . . . I'd like to, I'd like to find Lewis in some safe and secure place.

DP: Right.

GK: Uh. . . .

DP: (UI)

GK: I'd, I'd like, I'd like to contract it out somehow and say, look, here's the deal, you go get this guy and deliver him to such and such a place, and let me know, and . . . uh . . . have no part in the in the conspiracy.

DP: Right.

GK: (UI) you know, involved in the conspiracy, so I would like to just simply contract it out and no have, no role in this or no management uh, involvement in it whatsoever.

DP: Right.

GK: Now, so you need people who have an organization.

DP: Right.

GK: And, uh, I think they're even difficult to prosecute, I think they'd be difficult to get a handle on.

DP: Right.

GK: They all look alike.

DP: Right.

GK: They disappear, (UI) disappear, they don't talk.

DP: Right.

GK: Like organized crime, they talk they're crazy.

DP: Right, right.

GK: Biker (UI) are.

DP: Right.

GK: It be hard to get a handle on them.

DP: Um, hum.

GK: I think its in left field but uh, Newbold's suddenly become (UI) with bikers.

DP: Uh, huh.

GK: The other thing would be if, if I was in such (UI) which I'm not, some military wanna be's that are skilled.

DP: Soldiers of fortune people?

GK: Yeah, I guess (UI) enough, uh, go after the SAS, and they're pretty talented guys, and they have a limited amount experience, more in the last couple years then usual, thank you, but they want to do something. They're all dressed and I remember talking to. . . .

DM: All dressed up and no place to go. Right?

GK: yeah. They loved the Faulklands Islands because, man we've been training for years and we ain't. . . .

DP: Right.

GK: We never did shit.

DP: Right.

GK: Maybe, you know, the, the there are guys that really want the glamour and excitement, maybe it's time to direct soldier of Fortune Magazine.

DM: Yeah, but we (UI) run the chance of taking one up the stern.

GK: Well, that, that, that bothers me with that.

DM: Soldier of Fortune thing, now they're startin' to monitor those ads (UI).

GK: I'm afraid of that but if I could find a para military operation someplace, so I don't really want to kidnap Lewis myself, I think it's a mistake uh, I think it's a lot of problems. It might just work though, so if it might just work, and i think Newbold is entitled to the shot at it, if you can get some

people that perhaps have the talent, and the wherewithal to grab him, I would like to contract it out and say you guys go do it.

DM: That generally fits in with what I have to say about it, because, you know the issue that I made clear from the beginning was you know, I can't obviously in my situation at least right now, uh, stand up and have somebody point that finger at me, you know, the situation and quite frankly, such that, you know I have more than reasonable chance of getting elected [sheriff of Loudoun County—ed.] and if that's the case, we may be able to revisit one of the

DP: What

DM: Reasonable chance of getting elected

DP: Oh, yeah

DM: And then, then um,

DP: Somebody comes knocking in your door in the middle of uh,

DM: Yeah, with a Loudoun County Sheriff's badge and says come with me. So, I think a lot of things can be accomplished as I told Doug and I mentioned to you. you know the sheriff's office does have a black budget. . . .

GK: . . . I'm afraid of the Soldier of Fortune, both on a competence level. . .

DP: Um hum.

GK: and uh, getting stung.

DP: Um.

GK: Bikers are a different story.

DP: Um hum.

GK: I could see the (UI) doing something like this.

DP: Pagans?

GK: Or, you know bike people. Um. I just use them as an example, um, what do you think of their capability of doing, of doing (UI).

DP: For money, usually they'll do anything, and the other thing is, are they going to be (UI) what happens if he resists.

GK: Oh, he's going to resist.

DP: What are they gonna do, they gonna kill him.

GK: Felony murder doesn't go down (UI) wrong way.

DP: Right.

DM: That's a bad resolution, let's put it that way.

'It's gonna be messy'

From a telephone conversation between Poppa and Moore recorded on Aug. 11, 1992:

DM: . . . What, the, the problem that he's got, the problem that I've had all along is especially right now, uh, if kidnapping, and let's call it what it is.

DP: Right.

DM: Goes Sour.

DP: Right.

DM: It's gonna be very messy and too this is a big ass dude.

DP: Right.

DM: And so the chances of it being messy are, are extreme.

DP: Right.

DM: Are extreme. Uh, you know, if, if, if it would be easier to assassinate him than it would be to kidnap him. . . .

'A murder rap'

From a conversation of Sept. 30, 1992:

GK: Right. So I think we're in agreement as to what Newbold wants.

DM: Yes.

GK: And therefore, if I was in England (IA) England these days (IA) I would talk to them. I'm a fan of the Soldier of Fortune both on the confidence level and getting fucked. So I think there's a different story.

DM: Mm-hmm.

GK: I can see the (IA) doing something like this.

DM: Pagans?

GK: Or, you know, bike people. I just use them as an example. What do you think of their capability of doing this? For money usually they'll do anything. The other thing is are they going to be so gone what happens if they resist?

GK: Oh, he's going to resist.

DP: What are they going to do? Pick up the phone?

GK: Probably murder them black or white. . . .

DM: When I say call it quits I guess the thing I'm saying at that point very simply is calling it quits defines itself as a down and dirty this is what, you know. And it may just come down to calling Galen or I'll try and give him a warning of when it's going to blow up and we'll see, you know. In the meantime Galen may or may not make contact with some heavy duty bikers, dah, dah, dah, dah, dah, dah, or a third party.

GK: That's the one fear that I have with the biker routine or the mercenary routine, is that something could go wrong and you could wind up with a—

DM: Those guys pointing the finger at you.

GK: No.

DP: No? (IA)

DM: Oh, all right. you mean sneakers up in a ditch.

DP: Yeah.

GK: Yeah. Which my conscience would have a problem with but also scares me.

DM: Yeah.

GK: I don't get scared of too many things, but that scares me.

DM: Oh, yeah.

GK: because I can talk my way out of almost any grand jury regarding abduction (IA)

DM: Regarding a murder rap or—

GK: That's (IA) go right up. . . .

After further conversation the meeting ends, followed by the following comment from government informant Poppa:

Previous victims testify on violent abductions

Attached to the pre-trial motions in this case is evidence presented by previous victims of Galen Kelly and the Cult Awareness Network. We print verbatim, unedited excerpts from these reports, which are now in the public record:

Victim 'A'

On May 5, 1992, at approximately 11:50 p.m., I was walking to my car. . . . While I was walking to my car, I did notice a white van parked along the left curb of 18th Street. The van had markings on its right side, a maroonish red "TR" and then the rest of whatever was there had been painted over with a dull, beige-colored paint.

I walked to the car I was driving, a red Dodge hatchback. I opened the back of the hatch and put in a few bags. At that point two men started walking towards me. They were both dressed in "jungle khaki"—that is, green military garb with "leaves" and other camouflage-type coverings. They had "jungle" pants and boots. One man was approximately 40-45 years old, about 6' (?) tall, with dark, wirey type hair and a slim frame. He had a moustache, rather long and slightly curling at the ends and a beard. The other was also approximately 45-50 years old, about 5'8" (?), with a more stocky build. He had a grey/white/brownish multicolored beard. I think he had blue eyes (determined later from the van ride). Both men were white, the taller one had a more olive complexion (though

DP: Adios. (IA)

GK: See you later.

DP: (door closing) (beep) 1425 hours. I never heard so much bullshit in all my life. Unbelievable. Unbelievable. Yeah, a felony murder's going to be on my conscience. Sick bastard. AMF. Turning off the machine.

'We could make a name for ourselves'

From a tape made on Sept. 30, 1992:

DM: (IA) dollars. You know, even if I (IA) \$1,000 a day kind of deal, \$50 an hour, he (IA). I mean, my phone bill. He [Newbold Smith—ed.] said he was going to help with the phone bill and yet he's never, you know, I guess I've never given him a bill actually as yet. . . . You know, I need to do some of the mechanical things such as I'm going to have to pay for phone bills as well as start the business or something that I need a business account or something like that. There's two packages, the Newbold package and it's a

really it was hard to tell cause it was dark).

As the two men walked towards me, the stocky one started to talk as if to ask me a question. I immediately went to slam the hatch to the car and run to get in the car. At my movements, the two men rushed towards me. I panicked, thinking I was being robbed or murdered and screamed at the top of my lungs. They both grabbed me and threw me to the hood of the car. The taller one had hold of my legs, which he spread apart, at this point I thought I was going to be raped. I felt his crouch up against mine. The other guy grabbed my upper body, twisting my arm and banging me against the car. I was thrashing and screaming as loud as I could: "H-E-L-P! NO-O-O-O! H-E-L-P! NO-O-O-O! . . ."

Next I remember on guy was brutally squeezing my wrist and twisting my arm in a contorted manner and the other guy grabbed my ankles, dragging me across to the van. I tried to grab the sides of the van with my arms to keep from going in. My right leg got caught under the van. Finally, they forced me in, quickly slammed the door and started to drive away. . . . At some point towards the beginning of the ride, I asked the stocky one who he was and he said "Kelly." I said "Kelly who?" and he said "Galen Kelly." . . .

Victim 'B'

On Tuesday, September 17, 1991, shortly before 12:00 p.m., S___ and her friend J___ were about to leave their apartment at ___ Street, Apartment ___, NY, NY, when she was grabbed by several men. These men were strangers to her and they knocked her to the ground. She did not know what was going on and began to scream

"help", "rape", and "who are you". As one of the men grabbed her, she bit him on the wrist. the men were yelling at her to "shut up". S___ was held down on the ground by the men and they pushed her head down. One of the men was saying this was a drug bust and that they had evidence that she was selling drugs. the man said that they were going down to the precinct. S___ could not get a good look at their faces because when she was knocked to the ground her glasses were knocked off. She saw one of the men flash a badge at her. S___ said that she could not see it and asked to see it again. The man said that that was enough and he did not have to show it to her anymore. S___ gave up resisting because she believed she was under arrest and might be charged with resisting arrest. The men picked her up and she continued screaming. . . . S___ was held with her hands behind her back and was being dragged out towards a van. . . . Inside the van, in the rear of the van, was her mother. . . . As the van went on, she realized that the man driving the van was her father. . . . Later, when she was at a house in New Jersey (NJ), S___ observed the name GALEN KELLY written down on a piece of paper. GALEN KELLY was the same man that S___ had observed outside the window of her apartment several months ago. This man was trying to enter their apartment through the fire escape window. . . . GALEN KELLY was the man that S___ bit when she was being dragged from her apartment. . . . Once they were at the cabin, the security guards, especially GALEN, kept telling her that she had to stay there. GALEN kept saying, "You're here. Tough. You're going to stay here." . . . One of the captors referred to this process as "deprogramming." . . .

package if we're going to do something then we need to kind of put this thing on, you know, go out and get some business. We're lucky at the other business—I think we could make a name for ourselves relatively quickly.

DP: Excuse me, I think you've got to go out and make a name. you've got the name. All you've got to do is market it.

DM: yeah, and I think if 60 Minutes could do something, I don't want 60 Minutes to do something six months from now because they'll do it locally. I mean, locally and then 60 Minutes can pick it up nationally when you (IA)

DP: Right.

DM: Dave Stat is willing to go out and do something in the next couple of weeks and they could get his camera crew out and watch them come out of a building at 11:30 at night, you know? Getting, you know, just get the shot, with the bag, throwing it into the back of the car, looking around, getting in the car and driving off, a couple of shots like that, a couple of long distance shots. . . . You know, that's a

pretty story you can put together in two weeks and you've got a nationally busting story. And then CBS can pick it up later. . . .

Moore: If LaRouche dies . . .

From a tape of unknown date:

DM: Yeah, basically that (IA) you know before, well, here's what I think as of this moment. I think that, like you, it's very dangerous to try to pull that stunt. I also say that I don't think we have all the information necessary to make the complete decision. Moreover, even if we decide it's a 'no-go' on kidnapping Lewis, I believe, and as I put the expression to Newbold, we need an off-the-shelf plan in case chaos erupts. Define chaos. Chaos could be everything from a search warrant and a blowout with the FBI, and to stake out Wilmington, Delaware, to stake out the house, to Lyndon LaRouche dying and Lewis is out on the streets so to speak, the organization dies.