
Kidnappers, Inc.

Complaint alleges attorney lied on stand

Virginia Assistant Attorney General John Russell, who prosecuted the "securities violations" railroad trials of associates of Lyndon LaRouche in Virginia, has been accused of perjury in a March 1 complaint filed with the Virginia Bar Association by former Loudoun County, Virginia, Sheriff's Deputy Doug Poppa. Poppa charged that Russell lied when he testified under oath last December at the federal "Kidnappers, Inc." trial in Alexandria, Va. Russell's perjury was also reportedly the subject of a criminal investigation by the U.S. Attorney's office.

Russell, a leading member of the "Get LaRouche" task force, had been called to the stand in the case of *U.S. v. E. Newbold Smith et al.*, in which former Loudoun Sheriff's Deputy Don Moore, Philadelphia socialite E. Newbold Smith, "deprogrammer" Galen Kelly, and attorney Bob Point were charged with conspiracy to kidnap LaRouche associate Lewis du Pont Smith and his wife, Andrea Diano Smith. Lewis Smith is the son of E. Newbold Smith. In that case, Doug Poppa, working undercover for the FBI, secretly recorded 60 hours of conversation among the would-be kidnappers, and was the lead prosecution witness.

Russell testified on behalf of defendant Don Moore, who had been one of Russell's chief investigators in the Virginia "LaRouche cases." It was hoped Russell could undo the damage Moore had wreaked when he had admitted to Poppa's hidden tape recorder that he, Moore, had been running dirty tricks against LaRouche since 1985. "Motor Mouth" Moore also boasted of his ties to the Anti-Defamation League and the Cult Awareness Network for which "deprogrammer" Galen Kelly also works. (The full story appears in *EIR's* new book *Travesty—A True Crime Story*.)

Poppa's complaint to the state bar association

This letter is official notification that I am making a complaint against John Russell of the Virginia Attorney General's Office for committing perjury on December 21, 1992 while under oath on the witness stand in the United States District Court for the Eastern District of Virginia, in Alexandria, Virginia. . . .

At the end of June of 1992 I was approached by an ex-deputy from the Sheriff's Office who wanted to recruit me for a kidnapping operation that he and other men were involved in. After I notified the F.B.I. I was asked by the

F.B.I. if I would be interested in infiltrating the kidnapping operation in an undercover capacity under their control. I did so and during July, August and September of 1992 I recorded many conversations of the various co-conspirators and on September 30, 1992 the operation culminated in the arrests of several men. It was at this trial, on December 21, 1992 that John Russell, after having been called as a defense witness committed perjury. Russell stated under oath that I had a reputation as an officer who would fabricate evidence to suit my purpose. He further went on to state that he talked to several prosecutors and police officers to develop this opinion. Later, on cross examination Mr. Russell stated that the prosecutors he talked to were William Burch of Loudoun County, Robert Horan of Fairfax County and Robert Condon of his office and the police officers were Warren Shand and Ralph Marshall of the Virginia State Police. . . . [Burch, Horan, and Condon] would have a reason to dislike me, but I'll never know if they indeed told Russell I would fabricate evidence. . . .

For the more serious part of the complaint, I focus on Russell's testimony when he was asked by the Federal Prosecutor which police officers he spoke to concerning my reputation. He spoke to, according to his own testimony on December 21, Warren Shand and Ralph Marshall of the Virginia State Police. Mr. Shand was my supervisor while I was on the [regional anti-drug] task force. Russell stated he was told by those two men that the State Police could not rely on information furnished by me for affidavits for search warrants and arrest warrants. When I was told of what Russell testified to I was extremely angry. . . . As a matter of fact I was the affiant on many search warrants and arrest warrants while assigned to the State Police Task Force, all of which were acted upon by the courts with no problem. Again, even while I was on the Task Force, I was never accused or charged with any wrongdoing. I had an excellent record in investigations during my career. . . .

On December 28, 1992, the prosecution called Mr. Warren Shand to the stand and asked him about my reputation. Shand testified, "During the time that Mr. Poppa worked for me, he never to my knowledge lied to me." "His affidavits for search warrants appeared to be good to me, and they were acted on properly by the courts." When questioned about Russell, Shand replied that the last time he spoke to Russell was probably in 1986 or 1987, contrary to Russell's testimony that he spoke to Shand about one year ago. When asked if he ever spoke to Russell about my reputation for truthfulness and veracity, Shand replied, "Not that I can ever recall." Further, I understand that Ralph Marshall, whom Russell stated he spoke to about me, has a recording of that conversation that contradicts what Russell testified to.

. . . Mr. Russell, by his own sworn testimony lied under oath in a Federal courtroom. He did so while acting as an Assistant Attorney General of Virginia and a member of the Virginia State Bar. I hope the matter is given the serious inquiry that is warranted here. . . .