

Hale's attorneys want to move trial Downstate - News coverage in Chicago unfair, his lawyers say

Chicago Tribune - May 25, 2003

Author: Matt O'Connor, Tribune staff reporter.

Lawyers for white supremacist Matthew Hale are seeking to move his trial on murder solicitation charges Downstate, arguing he can't obtain a fair trial in a Chicago federal court because of extensive pretrial publicity.

In the motion filed Friday in U.S. District Court in Chicago, attorneys Thomas Anthony Durkin and Patrick W. Blegen called the press coverage of Hale's arrest in January "nothing short of overwhelming."

The lawyers contended that many newspaper stories about Hale, head of the Creativity Movement, have linked him to the 1999 shooting spree by follower Benjamin Smith, who wounded 10 and killed two before fatally shooting himself.

"The plain fact of the matter is that the local media has already convicted [Hale] of instigating the Smith shooting spree, a particularly horrific crime that produced panic among local residents," the motion said. "And in light of such local feelings, [Hale] cannot receive a fair trial here."

As he appeared in federal court for a civil lawsuit in January, Hale of Downstate East Peoria was arrested by a phalanx of federal agents on charges he solicited the murder of U.S. District Judge Joan Humphrey Lefkow.

Authorities say Hale wanted Lefkow dead after she attempted to enforce a higher court's decision ordering Hale to change his church's name as part of trademark lawsuit.

The government case relies heavily on secretly taped recordings by a member of Hale's inner circle, an FBI plant.

Court officials appointed James T. Moody, a federal judge from Hammond, to preside over the case. Moody has said he intends to hold trial, set for Sept. 22, in Chicago.

In their motion for a change of venue, Hale's lawyers proposed moving the trial to Peoria because of the heavy pretrial publicity around Chicago.

Another motion filed Friday said the trial also should be held in the Peoria federal court because the alleged murder solicitation "was committed, if anywhere, in East Peoria."

Edition: Chicago Final

Section: Metro

Page: 5

Index Terms: MURDER ; COURT ; OFFICIAL ; ATTEMPT ; ARREST ; CULT RIGHTS

Record Number: CTR0305250029

Copyright 2003, Chicago Tribune