

Hale is hit with a new charge - U.S. adds murder solicitation count

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As promised, federal prosecutors on Wednesday charged white supremacist Matthew Hale with a new count of murder solicitation, prompting his lawyers to ask that the additional charge be severed from the case or that the trial be postponed.

If the trial is delayed for several months, Hale's lawyers asked that he be released from custody to home detention and the custody of his father.

Hale has been incarcerated since his arrest in January on charges he solicited the head of his security detail to kill U.S. District Judge Joan Humphrey Lefkowitz in anger over her enforcement of an injunction in a civil lawsuit.

In Wednesday's superseding indictment, prosecutors alleged Hale solicited a second confidant to kill Lefkowitz.

The indictment referred to the new witness only as "Individual A," though prosecutors in court papers last week identified him as Jon Fox, the self-described leader in Illinois of Hale's World Church of the Creator.

The indictment alleged that last Dec. 4 Hale "asked Individual A if he would kill Judge Lefkowitz, or if he knew someone who would do the same."

Earlier Wednesday, in anticipation of the filing of the new charge, Hale's attorneys sought to sever the new count from the case so his trial could proceed on Monday.

But that would mean Hale would have to be tried twice--a prospect that U.S. District Judge James T. Moody seemed unwilling to allow during a telephone conference with lawyers last week, according to court papers.

Barring that, Hale's lawyers, Thomas Anthony Durkin and Patrick Blegen, sought a continuance. But if that happens, Moody, who sits in Hammond, indicated he couldn't preside over the trial until April.

In light of such a lengthy delay, the attorneys asked that Hale be released on electronic monitors to the custody of his father in Downstate East Peoria.

"Hale would agree to any monitoring of his phone calls aside from attorney conversations," the defense filing said.

Hale's lawyers said postponing the trial is necessary because the second murder solicitation charge requires additional investigation and could force them to alter their defense strategy.

"Fox, an admitted alcohol abuser, appears to have considerable animus against Hale and enormous personal and political motivation in the white supremacy world to see to it that Hale remains in jail," the defense said in the filing.

The lawyers also asked that they be appointed as Hale's lawyers by the court and their fees paid with public funds. Hale's family is indigent, and funds for Hale's legal defense have dried up because he isn't allowed to solicit contributions from his federal jail in the Loop, according to the lawyers.

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