

Jury selection begins in case of white supremacist - 19 excused in 1st interview round

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Jury selection got off to a snail's pace Wednesday at the trial of white supremacist Matthew Hale as a judge privately questioned dozens of jurors about whether they had heard of Hale or of a follower who went on a deadly shooting rampage.

One question dominated the day: Who among the about 100 prospective jurors had read, seen or heard news reports concerning Hale, the charges against him, his racist group or the racially motivated shooting spree by follower Benjamin Smith in 1999?

After more than half the jury pool raised their hands, U.S. District Judge James Moody took the rest of the day to question each one individually behind closed doors to determine who could be fair to Hale.

Nineteen jurors were excused.

On Thursday the selection process continues with Moody questioning jurors about their backgrounds.

Hale is on trial on charges he solicited the murder of a federal judge who enforced a court order directing Hale's World Church of the Creator to change its name after it lost a trademark infringement lawsuit. The group is now known as the Creativity Movement.

Before the prospective jurors were brought into court Wednesday, Moody cautioned Hale against wearing a bright orange prison jumpsuit during the trial instead of street clothes.

"It could be very prejudicial to you, sir," Moody told him.

But Hale, who has been incarcerated since his arrest in January 2003, chose to remain in the jumpsuit, and his lead lawyer, Thomas Anthony Durkin, later defended the decision to reporters.

"He is in custody, and there's no sense in pretending that he's not," Durkin said.

Durkin said he's not surprised by the slow pace of the jury selection given the notoriety of Hale, his beliefs and Smith's shooting spree that resulted in the deaths of two people, including former Northwestern University basketball coach Ricky Byrdsong.

"I just think it's asking a lot out of people to get past Hale's rhetoric and his teachings, which we don't agree with," Durkin said. "And I certainly understand why people are offended."

Prosecutors M. David Weisman and Victoria Peters told Moody that among their witnesses would be the target of the alleged murder solicitation, U.S. District Judge Joan Humphrey Lefkow.

Moody regularly sits in northwest Indiana, but he was brought in to preside over the case because Lefkow's colleagues on the federal bench in Chicago had inherent conflicts of interest.

Much of the government's case is based on undercover recordings by an FBI plant in Hale's group who rose to head his security detail. In court papers the defense has contended it was the informant who was trying to prod Hale to order Lefkow's murder.

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