

Ruling riled Hale, court told - He wanted judge killed, aide says

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A former confidant of white supremacist Matthew Hale testified Tuesday that Hale, angered over a court order that would force his group to change its name, solicited him to kill a federal judge, lawyers and an Oregon minister--all of whom were involved in the church's legal fight.

But Jon Fox, once head of the World Church of the Creator in Illinois, acknowledged he didn't take the allegation to the FBI until 10 months later.

On cross-examination by Hale's lawyer, Fox admitted he became more active in the racist church after Sept. 11, 2001, because he blamed Jews for the terrorist attacks on that day.

Fox recounted how in late November 2002 he looked over Hale's shoulder in the church's world headquarters--an upstairs room in Hale's father's house in East Peoria--as he composed an e-mail message to leaders over the divisive court battle.

Hale is on trial in U.S. District Court in Chicago on charges he solicited the murder of District Judge Joan Lefkow after she ordered the church to take down its Web site and remove its name from books and materials.

In the 2002 e-mail, Hale called Lefkow's decision "a sick, draconian order that in effect places our church in a state of war with this federal judge." Later, Hale quoted from "The White Man's Bible," one of the church's so-called holy books, that if the church's constitutional rights were violated, "we can then treat them like the criminal dogs they are and take the law into our own hands."

On seeing Hale write that passage, Fox testified, "I told him he was inciting people to riot."

Fox said Hale spun around in his chair, jumped to his feet and in a stern voice denied the allegation and said he was just quoting from the church's bible.

On cross-examination, Hale's lawyer, Thomas Anthony Durkin, pointed out that in grand jury testimony last year Fox claimed Hale just chuckled after his warning about inciting a riot.

"He kind of did both," Fox said Tuesday.

'Teach this judge a lesson'

About a week later, on Dec. 4, 2002, Fox said Hale announced as they met at the church office, "We have to teach this judge a lesson."

Fearing law enforcement had planted listening devices in the office, Fox said he motioned for Hale to be quiet and told him to step outside.

As they walked outdoors, Hale discussed plans to hold demonstrations against Lefkow outside the federal courthouse where she worked as well as at her residence.

A FedEx driver, apparently recognizing Hale, then stopped his truck and announced he had a package for him, Fox said. But when Hale realized it was the adverse court order, he refused delivery.

Hale became "noticeably agitated," Fox testified. "He shouted out to me he wanted them dead" -- the judge, the attorneys and the head of the Oregon church with a similar name that had won the trademark-infringement lawsuit.

"He said he wanted the [Oregon] church burned down around [the minister's] head," Fox said. "He just straight up asked me if I or anyone else in my organization could do that."

"What did you say?" Assistant U.S. Atty. Victoria Peters asked.

"I told him no," replied Fox, 44, now a farm hand in Minot, N.D.

Under questioning by Durkin, Fox admitted he lied to the FBI on the day of Hale's arrest in January 2003 when he denied knowledge of any plot by Hale to harm the judge.

Fox said he quit the church in February 2003, but Durkin then produced an e-mail written by Fox in July 2003 that talked of his interest in becoming "Pontifex Maximus," Hale's title as leader of the church.

Fox denied he was trying to take over for the imprisoned Hale but rather wanted to start his own church or political group.

He acknowledged he had problems with Hale's leadership.

Fox said he had to pass an exam to become a reverend in the church. When Durkin asked if it was a tough or easy test, Fox replied, "Open-book exam. It can't get any easier."

"So you passed?" Durkin asked.

"Third time around," Fox said.

Spree boosted membership

Another former Hale assistant, James Burnett, testified the church's membership peaked in the month after follower Benjamin Smith's 1999 shooting spree led to national media attention on Hale and his group. But by the end of 2001, attendance at public meetings dwindled to a dozen to two dozen people, Burnett said.

Burnett said Hale was angry about the trademark-infringement lawsuit and called the judge in the case a traitor for allegedly being married to a Jew. But on cross-examination, Burnett admitted that he had never raised that allegation before trial.

"Did that just pop into your head overnight?" asked Patrick Blegen, another Hale lawyer.

"It just came to me," Burnett replied.

In questioning Burnett, Blegen portrayed Hale as a publicity hound who exaggerated his message to gain wider attention for the church and himself.

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