

Witness testifies Hale OK'd hit - Defendant's nod detailed in court

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Author: Matt O'Connor, Tribune staff reporter.

In a surprise development Friday in white supremacist Matthew Hale's trial, the government's star witness for the first time publicly alleged that Hale nodded yes when asked if he wanted a federal judge killed.

The claim by federal informant Anthony Evola came as he was being cross-examined by Hale's lawyer about a critical point in a conversation secretly recorded by Evola in December 2002.

Hale, the "Pontifex Maximus" of the former World Church of the Creator, is on trial in federal court in Chicago on charges he solicited the murder of U.S. District Judge Joan Lefkowitz after she ordered the church to change its name after losing a trademark-infringement lawsuit.

"We gonna exterminate the rat?" Evola, wearing a hidden recorder, asked Hale in reference to Lefkowitz as the two met in church headquarters in East Peoria on Dec. 5, 2002.

Hale leaned back in his chair with both hands behind his head and "nodded yes with a smile on his face," testified Evola, re-enacting Hale's movements in the witness chair.

"Whatever you wanna do ... " Hale was quoted as saying on the undercover tape at that point. "My position's always been that I, you know, I'm gonna fight within the law ... If you wish to, ah, do anything yourself, you can, you know?"

Evola's claim that Hale had given him nonverbal assent to kill the judge appeared to take Thomas Anthony Durkin, Hale's lawyer, by surprise.

"Did you say that on direct examination?" asked Durkin, referring to when prosecutors got first crack at Evola.

"It was not asked," Evola noted.

On several occasions Friday, Durkin pressed Evola on whether he ever once heard Hale directly say he wanted either the judge or three church members with whom he had bitter disputes killed.

"Not in those words," Evola said.

Referring once to Evola as "Tony the actor," Durkin asked if his FBI handlers instructed him to "get Hale talking on the tape."

"Yes," replied Evola, a security guard with learning disabilities who agreed to help the FBI after a follower of Hale's tried to get him to pass out racist literature at a Chicago public school where he worked.

"There's not one time on tape that Hale says I want those people killed?" Durkin asked.

"I don't believe in those words," Evola said.

Durkin has made much of the fact that in several tape-recorded conversations Evola repeatedly continued to seek Hale's approval to harm the judge or the church followers after Hale expressed reservations of one sort or another.

The cross-examination of Evola continues Monday.

Caption: PHOTO

PHOTO: (Matthew) Hale .

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