

Virginia top court blatantly corrupt

In a naked display of corruption, the Virginia Supreme Court has flouted an order of the U.S. Supreme Court to issue a tax refund to state military and federal retirees. In a second case, the Court—all seven of its members appointees of the Democrat-controlled state legislature—reversed its own 6-1 decision of six months ago and allowed local politicians to float tax-guaranteed bonds which had been *rejected by voters by a 4-1 margin*.

These blatantly political actions by the justices of Virginia's highest court have set the state on its ear. Newspapers, pensioners, and taxpayers are charging that Virginia's politically appointed justices are, in effect, just Democratic Party hacks in black robes.

On Nov. 18, Rochelle Ascher, an associate of Lyndon LaRouche, appealed Virginia Attorney General Mary Sue Terry's political prosecution of her to this same Virginia Supreme Court, which is Ascher's only remaining legal address in the state. The Supreme Court justices are aware that the prosecution of LaRouche's associates has been the bragging piece of Terry's campaign for governor, in flagrant violation of the U.S. Constitution's requirement of a fair and impartial prosecutor. With the Court's willingness to make political decisions at Terry's demand, the fate of Ascher's appeal may have been decided before she filed.

The citizens of Pennsylvania finally got fed up with this kind of corruption, and defeated George Bush's former Attorney General, Richard Thornburgh, in his race for U.S. Senate Nov. 5. It is to be hoped that the people of Virginia will do likewise before an innocent woman is sent to prison.

Political decisions

In 1989, the U.S. Supreme Court ruled in *Michigan v. Davis* that states could not tax federal pensions while exempting state pensions. In March 1991, some 200,000 retired military and federal employees in Virginia brought suit to the Virginia Supreme Court for a \$453 million refund. The court refused.

In June 1991, the U.S. Supreme Court vacated the Virginia Supreme Court's decision and sent the case back with a "warning" to read the U.S. Supreme Court's decision in *Beam v. Georgia*: An unconstitutional tax must be remedied retroactively.

On Nov. 8, the Virginia Court decided 7-0 to ignore the U.S. Supreme Court, and refused to refund the taxes it had been charging the retired soldiers and federal workers.

The Virginia Supreme Court's decision was based on politics, not law. Virginia is now broke, and a \$453 million refund would destroy Terry's campaign for governor, and Gov. Doug Wilder's campaign for President.

Virginia is virtually unique in the United States in not allowing the citizenry to elect its justices; instead, it appoints them through the state legislature. This is compounded by the fact that the Democrats have exercised one-party rule in the state for 100 years.

Two of the current seven Supreme Court justices got their appointments *immediately after helping Mary Sue Terry's malicious political vendetta against the LaRouche movement*. Barbara Keenan was appointed while heading the Appeals Court panel which denied Rochelle Ascher's appeal. Elizabeth Lacy got her appointment after declaring, as State Corporation Commissioner, that loans raised by the LaRouche political movement were "unregistered securities"—unlike those raised by Terry's friends.

FBI documents released in October 1991 show how much the "Get LaRouche" vendetta shapes Terry's demands. The FBI officials stated that Terry was so obsessed with taking credit, "for politically motivated reasons," for the 1986 massive raid on LaRouche-related publishing offices in Leesburg, Virginia, that FBI and Justice Department officials feared a successful prosecution would be jeopardized.

Bowing to political pressure

In 1990, Virginia voters rejected by a 4-1 margin a ballot initiative that would have allowed localities to float bonds to be repaid with future tax revenue. In April 1991, the Virginia Supreme Court in a 6-1 decision, called the attempt to do so by a so-called Northern Virginia Transportation District, a mere "subterfuge."

But on Nov. 8, "After coming under heavy pressure from Attorney General Mary Sue Terry, Gov. L. Douglas Wilder . . . bankers, bond lawyers, and other political hacks and money changers," according to the *Richmond Times-Dispatch*, "the court reversed itself, 4-3."

"The court heard not a scrap of new evidence," the *Times-Dispatch* said. Justice Lacy, Terry's old friend from the LaRouche "securities" case, wrote that no legal debt was created because the localities could just default! Terry announced that she was "very pleased."

The corruption of the Virginia Supreme Court had already been demonstrated in the LaRouche prosecutions. The Virginia Supreme Court refused to remove Judge Clifford Weckstein as the trial judge for LaRouche associates in 1990. The decision was made although Weckstein had been forced to release letters in which he had initiated a correspondence with the Anti-Defamation League of B'nai B'rith about the LaRouche prosecutions—while he was hearing those cases! The Virginia Supreme Court appointed Weckstein to preside over all the LaRouche cases save one. Terry's office has worked openly with the ADL on the LaRouche prosecutions.