

CODE-NAME MARMURS: Gordon Kahl and False-Flag Terrorism

by Yorie Von Kahl © 2013

Official documents finally obtained reveal a long-hidden conspiracy whereby coalesced governmental powers created a false-flag terrorist threat, chose their victims, and initiated a deadly confrontation at Medina, North Dakota, on February 13, 1983. They then illegally conspired with the chief district judge to coordinate a massive propaganda campaign, conduct a show trial of those victims, and attempted to permanently cement a tailored version of events by the execution-style murder of my father Gordon W. Kahl with a bullet to the back of his head in rural Arkansas on June 3, 1983.

We have struggled for more than 30 years to uncover the agenda behind this unfortunately true story. It has been piecemeal. Many documents were hard to obtain. Others that we know exist still remain undisclosed. But, together with materials recently obtained, shocking secrets can now be exposed. What you read hereafter may leave the impression that higher powers deliberately intended to cause the death of federal (or maybe other) officers in North Dakota (or elsewhere). While a stage had been set that (as a former North Dakota U.S. Marshal indicated) would *likely* result in the death of one or more officers, the evidence shows that the objective was simply to initiate violence against my late father Gordon Kahl, or even to assassinate him, so that it could be exploited to achieve a *desperately needed end*.

That needed political end was a *counterterrorism program* and the means to that end was a publicly viable act of *domestic (false-flag) terrorism*.

The Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) had been seeking to expand federal police power under the rubric of *counterterrorism* as a priority program within the FBI specifically and throughout the U.S. intelligence community generally.

Since the highly publicized congressional hearings into the FBI's notorious *COINTELPRO* operations in the mid-1970's, the FBI in particular had suffered intense scrutiny and criticism. Congress had just finished hearings into the FBI's activities involving undercover operations in December 1982 and persistent incompetence, generation of false information and a series of other dismal failures had attracted national attention. And, *it just so happened* (if you believe in coincidences) that on February 13, 1983, Congress was nearing the end of another investigation and hearings on the FBI's performance under former Attorneys General (AG) Levi and Civiletti's domestic security guidelines. *It just so happened* (whether you believe in coincidences or not) that these hearings involved AG William French Smith, III and the FBI's pleas to Congress of a dire need to replace former AG Levi's domestic security guidelines with Smith's new power-expanding "domestic security/terrorism guidelines."

And, *it just so happened* (coincidentally) that the Reagan Administration was focusing its executive powers (read that broadly) on an expanding populist movement, and (with coincidence bordering on incredulity) the day before the incident at Medina an assistant U.S. attorney stopped the largest trial of "tax protesters" in American history at Fort Worth, Texas (in mid-trial),

because she had been ordered to immediately fly to Washington, D.C. in relation to something of such national import, expected to occur over that weekend, that would put an end to the “tax protest movement” once and for all. The incident occurred the next day and the Fort Worth “tax protester” trial remained in recess for over a week due to the incident at Medina.

As of this writing, it’s been more than thirty years since we were brutally ambushed at Medina; and innocent men still languish in prison.

For those 30-plus years, my friend and co-defendant Scott Faul and I have been in federal prison. Our 30-year Mandatory Release Date – February 12, 2013 – passed long ago. In 2002, Scott was told at a parole hearing that “Waco” and “the Randy Weaver thing” both go “back to North Dakota” and that our case “has become an institutional thing.” While Scott was expressly told he was clearly not considered “any kind of threat to the community” or a “risk” of any kind and that “there’s nothing to indicate that [he was] specifically convicted of shooting anybody or killing anybody” or even “involved in some overt act that led to the death of somebody,” he was told to expect to spend at least 25 or 30 years in prison before he could even *expect* to be released.

Why was this innocent man not released? Because, as the examiner told Scott, “*the fact of the matter is you were there*” and he emphasized that “*you’re paying for the fact that you were there.*” The examiner made clear that:

nobody’s really concerned about how this happened, how it could have been avoided, who really contributed to this, what your culpability was, ah, the fact of the matter is that you were there, um, with a couple other guys with weapons in opposition to law enforcement, and shots were exchanged, and law enforcement lost that day in a sense. They lost that day and then the next day after and, and for the rest of your life you lost, because now you’re paying the price.

The “opposition...to paroling any of you guys,” he made clear, is from “prosecutor kinds of sources and law enforcement and those kinds of people.”

The examiner personally was no malicious man; he merely expressed the *esprit d’ corps* that had overtaken the agencies, a spirit of revenge. But even this examiner (and others) who act to maintain this institutionalized policy, had (and have) no inkling of the real agenda behind this case.

Our case is a political case. **Scott and I are political prisoners.** If you think it has not or does not affect you and the future of this country, you are wrong. You have a need and a right to know.

Overseeing the political landscape of the early 1980s was an administration *promising* a restoration of pre-Carter regime *status quo* powers to the American intelligence community. A “New FBI” was nervously awaiting congressional approval of proposed “guidelines” hoping

thereby to restore powers severely restricted by former AG Edward Levi. Congress was reviewing the proposed “guidelines” while scrutinizing the FBI’s behavior under AG Levi’s “guidelines.” To the Reagan Administration’s dismay, the liberal media’s continuing exhortation over the FBI’s recent COINTELPRO abuses and more recent debacles (such as ABSCAM) obstructed any favorable review and, instead, had induced submission of a bill to check such abusive powers *by statute*.

A rapidly expanding populist-based national tax protest movement having absorbed increasing numbers of so-called “far-right” conservatives naturally interacted and reciprocated with Midwest farm communities imperiled by the family farm crisis that had itself become a nationally sensitive political issue. A disjointed “survivalist” element had begun to swell those ranks. As 1982 wound down, General Frank Salcedo, Reagan’s Head of FEMA’s Civil Security Division, had reportedly announced that no less than 100,000 American citizens “from survivalists to tax protesters, pose serious threats to civil security.”

The Reagan Administration had joined forces with well-financed agenda-driven special interest groups long tied to domestic and foreign intelligence agencies, which together focused their concerted energies to crush that mutually perceived threat – an expanding populist movement.

“Counterterrorism” had officially become the *raison d’être* of the Reaganite intelligence community and a special Presidential Directive gave the FBI primary responsibility over the field. Executive Orders (EOs), Presidential Directives (PDs) and associated memorandums, policy statements, rules and regulations had been signed, issued and implemented, authorizing the agencies to “*proactively*” respond to “crises” and “terrorism” including “*threats*,” all of which were being newly *redefined*. Thousands of politically active and vocal American citizens were being drawn into the vortex of the new definitions as *terrorist threats*. AG Levi’s existing “guidelines” restricting the FBI were an impediment to “counterterrorism” becoming the FBI’s newest priority program and were blocking the *means* to that political end.

In less than 2 years from the implementation of AG Levi’s “guidelines,” the FBI’s “domestic security investigations dropped from 4,868 to 102” and, from 1977 to 1980, acts of *domestic terrorism* dropped from over 100 per year to only 20. Domestic terrorism was threatening to disappear.

These fortunate conditions together with continuing FBI abuses under existing guidelines resulted in proposed legislation to limit FBI powers further. Congress’ publicized intent sent shivers down the spine of the covert intelligence community and threatened the very future of its covert warfare culture. If that culture was to survive and thrive, Congress had to be derailed, public opinion had to be reversed, former AG Levi’s restrictive “guidelines” had to go, and AG Smith’s new expansive “guidelines” had to be approved.

AG Smith’s proposed “guidelines” were designed to create a *police power* that made formerly abused powers look tame. Despite dwindling terrorist acts, DOJ and FBI executives urged before Congress an immediate and desperate “*need* ‘to ensure protection of the public from...the changing nature of domestic groups...*prone to violence*’” and sought power to deal

with “certain enterprises which sought...‘to further political goals through activities,’” which, under expanding definitions, could be *construed* to involve violent crimes. To fit “terrorist organizations” and “domestic groups” within the new and expanding definitions, the new “guidelines” would “replace” AG Levi’s existing “‘specific and articulable fact’ standard” with a “‘reasonable indication’ standard,” which required *no “specific facts or circumstances indicating a past, current, or impending violation” of any law*. While “lowering the evidentiary threshold for initiating full domestic security/terrorism investigations,” the new “guidelines” would broaden authority to “monitor[.]...*dormant groups [that] do not appear to be an immediate threat.*”

Under the new guidelines, a “‘reasonable indication’” without any “‘specific facts or circumstances’” perceived through the lens of FBI “agents” assessing the “needs of the time,” *any organization, group, man, woman, or, as you will see, even helpless grandmothers, could and would be arbitrarily classified as a terrorist or a terrorist threat.*

On Sunday, February 13, 1983, my mother, Joan Kahl, a diminutive, soft-spoken, and shy housewife, mother, and grandmother, whose only “crime” was that she happened to be present during an ambush by unknown assailants of the vehicle in which she was riding, as we traveled home from Medina, North Dakota, fell into the casual parameters of the new guidelines. She was *informally charged* with killing U.S. marshals and placed under arrest. Personally! The following day, she was *officially charged* with premeditated killing of such marshals. Personally! On February 15, 1983, she was hailed upon such charges for an initial hearing before a U.S. magistrate, who ordered her to be held over to answer for them, *while dark forces at FBI Headquarters (FBI HQ) officially processed her as a terrorist* through the FBI’s Terrorist Research and Analytical Center (TRAC), Terrorism Section, under code-name “*MARMURS.*” On February 16, 1983, AG William French Smith, III, ordered *MARMURS* as the DOJ’s “highest priority” to be carried out with full cooperation among the agencies. The FBI and U.S. Marshals Service (USMS) were ordered to act *jointly* in respect to every matter in *MARMURS*. On February 17, 1983, unbeknown to Congress, FBI HQ implemented AG Smith’s “guidelines” expressly for use in *MARMURS*.

(On March 25, 1983, AG Smith and FBI Director William Webster *both* surreptitiously testified before Congress that Smith’s new guidelines were implemented only on March 21, 1983, and Webster, in referencing purportedly recent acts of domestic terrorism, surreptitiously mentioned “[t]he recent shooting of two U.S. marshals in North Dakota” of which he no less surreptitiously said that he didn’t want to further “discuss at this time.”)

Meanwhile.... *Top officials* from the USMS, FBI and other agencies together with Deputy, Associate and Assistant Attorneys General were dispatched from Washington, D.C. to the prairies of North Dakota, where they took control of the U.S. Attorney’s Office, which the lead prosecutor Assistant U.S. Attorney (AUSA) Lynn Crooks viewed as an “audition.” DOJ officials then met *secretly* with Chief Judge of the District Paul Benson, seeking an order to disseminate a “report” (formerly rejected by a federal agency for its gross falsehoods) to law enforcement (and thus to the media). The object was to coordinate propaganda against a

fictionalized terrorist organization, of which they classified my mother a member – *i.e.*, “Sheriff’s Posse Comitatus” (SPC). The FBI’s Minneapolis field office informed Director Webster on February 19, 1983, of “expect[ations]” that the desired “judicial order” before Judge Benson would issue that day. Expectations were not in vain. FBI teletypes and HQ informative notes gleefully reported success. The order issued. He was now a *partisan* for the DOJ. *Judge Benson had become “Secret Agent” Benson.*

In fact, FBI documents show that by February 21, 1983, Judge Benson was a fully integrated and participating secret member of the prosecution, along with personnel of the U.S. Attorney’s Office, the DOJ’s then “Chief” of its Litigation Section’s Criminal Division Lawrence Lippe, FBI and U.S. Marshal Service personnel, discussing the “charges” against the defendants and developing “prosecution strategy” including “plans for preliminary hearings” scheduled for the following day.

Disseminated, *as ordered*, the secret “report” stabilized and coordinated the then-emerging propaganda campaign against the MARMURS defendants. The liberal media, so long having berated the FBI for its COINTELPROs against left-wing revolutionaries and minorities, made a *volte-face*. They now became FBI cheerleaders. Criticism all but stopped. The man who made Mom a “terrorist,” then Assistant FBI Director Oliver “Buck” Revell, noted that, in the late-1960s, when the FBI “employed [the] direct and...controversial [COINTELPRO] tactics against” white racialist groups, the media didn’t criticize them, but, when “these same tactics were used against other groups,” they “were widely criticized.” Against white, anti-communist racialist groups, “they worked,” he cunningly noted.

On March 4, 1983, at Jamestown, North Dakota, one of a series of secret “[c]onferences” was held among DOJ personnel from Washington, D.C., FBI and U.S. Marshals Service officials, and of course officials from the District’s U.S. Attorney’s Office. The problem of maintaining false charges against my mother had arisen. A teletype to Director Webster reflects AUSA Lynn Crooks’ feelings that the “appearance” of my mother “as [a] long-suffering wife” *as a defendant* “would impede successful prosecution of [the] other subjects.” Crooks, it noted, was:

consider[ing] dropping charges against [Joan Kahl] as [the] facts do not support her participation in [any] conspiracy or overt act.... [DOJ] Representative concurs....

Three days later on March 7, 1983, AG Smith’s proposed “guidelines” were officially approved for implementation on March 21, 1983. Although the media exhibited some trepidation, by and large it reported the FBI’s investigative *need* for them stemming from *Medina*. The *Medina* incident had served its vital political purpose.

This, however, added to the innocent “Joan Kahl” problem. To drop all charges against her would reveal that those charges were purely malicious. She could then testify at the trial as *a*

victim – a victim who had admittedly been falsely charged. And, she had much testimony to give. What would the media say? And Congress?

Four days later, on March 11, 1983, the grand jury signed off on an indictment containing 11 counts – *three of which falsely charged Joan Kahl with federal offenses.* Admitted “friends” of the deceased marshals controlled the grand jury and “friends” of those marshals acted as witnesses. **The *real victims of Medina, including Mom, were unsurprisingly never subpoenaed.*** A teletype from Minneapolis to FBI HQ that same day informed Webster of the indictment and that the “charges” were coordinated and *expressly “approved by Lowell Jensen, Assistant Attorney General” over the DOJ’s Criminal Division.*

Three days later the victims were arraigned under auspices of “Secret Agent” Paul Benson hidden under the black robe of a federal judge. The success of MARMURS, approval of AG Smith’s guidelines, the initiation of the long-sought “counterterrorism” program and, of course, the successful – however malicious – prosecution of the Medina victims depended upon Benson.

On April 1, 1983, a *secret* in-chambers proceeding occurred in which a co-defendant Vernon Wegner was surreptitiously inveigled to agree to change his plea of not guilty. AUSA Crooks informed the Court that the “United States Marshal Service, the FBI at their highest levels” and his “superiors” in the DOJ had each “approv[ed]” the “substance of the agreement.” Crooks explained that the *secrecy was necessary to rehearse for the media.* Subject to Benson’s “approval” of the agreement, *then* it would be repeated for the press. Benson approved and ordered a “hearing,” which commenced later that day. Then, at the appointed time, Crooks announced before the press the agreement as constituting “a binding agreement *by all interested parties in this case,*” again naming the Marshal Service, FBI and DOJ.

Being *interested parties* creates special legal obligations on those agencies and upon their treatment by a judge. *Interested parties are not neutral* and, as you will see, Judge Benson himself had joined himself to these parties and their interests and any impartiality of judge and jury was destroyed.

In plain violation of law, Benson stated at the hearing that he was “not going into detail” about the “charges...against” Vernon Wegner. To make the plea legally acceptable, Vernon had to personally admit to facts constituting an offense. When he began to falter – unable to admit to the false government version, to prevent embarrassing the government and obviating the agreement, Benson came to the rescue and simply told Vernon’s lawyer to “state what [Vernon] would admit to.”

The “agreement” required Vernon to testify for the government. The night before he testified he rehearsed his testimony with conspirators Benson, Crooks, an unknown officer (who he believed to be a marshal) and his lawyer, in Benson’s chambers. Crooks told him how to answer questions that were to come. Later, when detailing how the clandestine rehearsal was conducted, Vernon expressed his astonishment in discovering how “this sh*t works.” Indeed!

A jury overwhelmed by the pre-trial propaganda, and stacked with a “friend” of Crooks, was seated. “Secret Agent” Benson ordered the jury sequestered *into the custody of a crucially*

“*interested part[y] in the case*” – the U.S. Marshals Service, who during the trial arranged for the *key government witness, a marshal portrayed as a “victim,”* to associate and even play softball with the jury. Having gotten caught by family members of one of the defendants, Benson had another *secret* in-chambers meeting from which he precluded the defendants and media, and refused to hold a hearing or call witnesses. He didn’t allow the meeting to be recorded and continued the trial. We will run into this enigmatic marshal as this story unfolds. In fact, *Medina* may never have occurred without him.

On the last day of the trial, evidence was discovered that proved that a U.S. marshal, believing I was my father Gordon Kahl, fired the first shot, which was aimed at my heart, initiating a salvo of gunfire at *me* until I fell down into the thawing mud. Without other recourse, my father and Scott Faul, in an effort to save our lives, then fired back. Crooks did not want the evidence that proved who fired first allowed in the trial. At another *secret* in-chambers hearing (from which the media and public were precluded) Crooks, having been forced into a corner, offered to “stipulate” that the U.S. marshal fired the first shot at me and that the bullet in question was “obviously” a .38 caliber round that could only have been fired by the U.S. marshal. With cynical resignation, Crooks tellingly stated, “All else fails, try the truth I guess.”

With the debate escalating, “*Secret Agent*” Benson made his role in *MARMURS* clear. Turning to Crooks he said, “Let me interject a point here. *If you don’t want [this] in evidence, it won’t go into evidence.*” Having a secret agent hiding under a black robe once again paid big dividends. Benson permitted Crooks to introduce the evidence and explain it to the jury, bypassing the witness stand altogether, and precluded the male defendants or their attorneys from addressing it at all. Crooks admitted to the jury that the marshal “*obviously*” shot first and “zinged one over at Yorie,” conceded that it was “*probably...a .38 round*” and that it personally made him “feel good.”

“Verdicts” were returned on May 28, 1983.

Mom was acquitted. Jurors interviewed post-trial said they couldn’t understand “why” she was ever “charged.” Only one juror, the “friend” of AUSA Crooks, wanted her convicted.

Incredibly, some jurors thought it was *a trial for not paying taxes!* One juror said she voted to acquit Mom because she “disagreed with her husband on this Posse Comitatus,” and she convicted the men because she thought they were “with this Posse Comitatus.” No evidence whatsoever that any defendants were “Posse Comitatus” *ever* entered the trial. It mattered not. She learned these things she said, “on TV.” No trial would *ever* convince her otherwise. Almost all the jurors admitted to bias, if not outright bitterness, against the Posse Comitatus due to the government’s pre-trial propaganda, *to which they wrongly associated the male defendants.*

Other jurors admitting that the male defendants weren’t “*really guilty,*” nonetheless thought the “law” mandated guilty verdicts. One such juror explained:

You’re guilty just because you’re there and you’re in the wrong place at the wrong time.... And you’re just – you’re guilty – you’re held guilty just because you’re with the wrong people at the

wrong time. You're part of it and you're just, it's *even if you didn't do it, you're still guilty*... [T]hat's the way the law reads. ... *I know it's crazy, but that is the way it is.* And that's why you don't want...to be at the wrong place at the wrong time.... [I]f you're there, you're part of it.

While believing the defendants “weren’t really guilty,” she nonetheless parroted “the law is the law.” “[Y]ou’re judged guilty by the law,” she said, “even though Yorie may not have shot anyone, and probably didn’t, and Scott Faul either. Yet, they’re guilty because they had guns and didn’t throw them down.” Like other jurors, she thought the marshals “were not acting like marshals should act” and “trapped” the defendants, virtually “forc[ing] their hand.” Believing the marshals “shot first” and that their identities may well have been unknown by the defendants, she explained, “I don’t care who Yorie or any of them thought [the unknown assailants] were – whether they weren’t marshals or what.... When they were ordered to throw down their guns, they should have thrown them down.” Even though I had been gunned down and she conceded my father acted in self-defense, she nonetheless retorted:

Let the marshals shoot them and kill them then, but they should still...not have fired a shot, because the minute they fired a shot, you know...that was it.

She relied upon “typewritten sheets” provided by “*Secret Agent*” Benson, which, she said, stripped the jury of “any *choice* in the decisions.”

At a 2002 hearing for Scott Faul, this juror further explained her *stand-still-and-be-murdered/automatic-guilty* version of “law.” She testified that she never believed Scott killed anyone and that he had no “intent” to do so. She had learned “about the incident itself” from “what had been in the paper about the shooting,” which she had thought provided “general information” on “what had happened.” *Pre-trial*, she wrongly understood the *law* to preclude any possible “circumstances that would permit a citizen to...take up arms and resist any arrest” or, incredibly, “to do anything [else] when they’re being arrested.” Even if she had been instructed that “under certain circumstances [citizens] could defend themselves against law enforcement officers,” she said she would have a “hard time believing that could *ever* happen.” Solely because “people [were] killed,” she rubber-stamped Scott *guilty* of “second degree manslaughter” [meaning to say “murder”] for “*just being there*.”

With the men “convicted,” *MARMURS* had succeeded. However, a “loose end” remained, which could send government conspirators to prison. Gordon Kahl still lived. His possible testimony in a courtroom and the documents that would inevitably come to light made it essential that ***Gordon Kahl had to be killed.***

After the assault, Gordon knew the government would not stop until he was dead and he left the state. And, in fact, the government knew where he was long before the trial was over,

but waited to see what the jury would do before they acted. Or, perhaps more importantly, they had no desire to – *and dared not* – bring my father into the midst of the MARMURS trial, regardless of the fact that he was a defendant therein, because *they knew full well that his presence and testimony could derail their whole charade.*

Gordon Kahl was a devoted husband, a caring father and grandfather and a highly decorated WWII veteran. A quiet and gentle man with strong Christian morals and vigilant to the great principles upon which our Founding Fathers built, and left us, our Republic. He never wavered from his duty to God and Country. It was for these reasons that the forces you are reading about selected him as their target.

FBI HQ had been preparing. Its “Freudian” Department – the Behavioral Science Unit – had prepared what amounted to *kill-on-sight* profiles on Gordon Kahl, which were released to key FBI agents and U.S. marshals. “[T]he press,” the profiles stated, should be “given the idea that [the case] has been a routine fugitive investigation.”

Surreptitiously, they said that “Kahl’s personality is such that he would prefer a violent confrontation with law enforcement *which would end his life for him,*” insisting that “[e]verything in Kahl’s life, to include his war record, religion, political beliefs, and strong personal stand against the Federal government, makes him *an extremely dangerous individual.*” To make sure the *message* was interpreted correctly, the Freudians closed with the “opinion...that *Kahl will probably die before surrender...*and probably desire[s] to take as many law enforcement officers with him as he can.” And not just *probably.* “Kahl will,” they said, “*not surrender his freedom without a suicidal fight.*” Noting that Gordon did not “think[] as a criminal,” referencing the “profile” it was said that he “considers himself to have done the work of God in murdering victim marshals.”

Two plans were proposed. One suggested an approach of “scrupulous honesty” assuring Gordon Kahl (through the media) that his “terrors are not imaginary or senseless” theorizing that this could cause him to seek out a “confidant.” The other plan came from the sewer of COINTELPRO. Criticize him, call him names and essentially publicize his acts as acts of a coward and hypocrite, but make sure “these criticisms appear to have been made by his *fellow paranoids.*” In either case, the Freudians assured he will “probably die” and absolutely “not surrender.”

Groceries and other family necessities purchased by Gordon on the Friday before the incident were analyzed by the Freudians as advance preparation for the up-coming Sunday “shoot-out.” The profile actually emphasized his purchase of “toilet paper” among the grocery list as evidence that he *planned* ahead to not have to impose on anyone during his get-away. If I didn’t have this in print in official FBI HQ documents, I would have difficulty myself in believing the depths to which these degenerates will go.

Executive Order 12333, signed by President Reagan in December 1981, authorized “*active measures*” to be taken by the CIA, FBI and military intelligence *against domestic terrorists “suspected” of working with foreign governments.* In May 1982, National Security Directive (NSD) 3, Crisis Management, created the Special Situation Group (SSG) and the Crisis

Pre-Planning Group (CPPG) together with an accompanying secret memorandum instructing CPPG members to “identify areas of potential crisis and ‘present...plans and policy options to the SSG’” and “as crises develop [to present] alternative plans,” “action/options,” and “coordinated implementation plans” to resolve the “crises.” The SSG’s function was to provide “recommended security, cover, and media plans that will enhance the likelihood of successful executions” of its missions. EO 12333’s “active measures” have long since been admitted to include “assassination.”

With the policy set, a 1982 Presidential directive placed “lead responsibility for counterterrorism in the United States” under the FBI. The FBI’s former top counterterrorist Oliver “Buck” Revell said it included additional “responsibility to directly liaise with the Defense Department, particularly with its tactical elements, such as the Joint Special Operations Command” – U. S. Military Special Forces. The policy, together with the EO, NSD 3 and AG Smith’s new “guidelines,” “active measures” and “successful executions,” included outright *murder*. With a properly developed *paper record*..., well, let me show you.

FBI HQ documents *created* a completely false and fictitious scenario by which my father could be placed directly in the crosshairs of Reagan’s *assassination policy – a domestic terrorist aided by a foreign government*. FBI HQ documents falsely placed my father Gordon Kahl in Mexico City, Mexico by early to Mid-April 1983 with purported fugitive Ku Klux Klan leader, J.B. Stoner, so far as I know, a man my father never met. These documents indicate that the fictitious fugitive duo were tipped off and had escaped to Durango, Mexico, duly citing the *suspicion that the fugitives were “receiving aid from prominent [Mexican] officials,”* unnamed of course.

To *murder* Gordon Kahl would be an easy thing. The false propaganda had developed an *esprit d’corps* among law enforcement. While personal revenge clouded the minds of the rank and file, policies, institutional interests and political aspirations converged to make murder the only practical objective.

The day after Medina, Police Chief Darrell Graf – then innocent of the world of *realpolitik* – was stunned by the following scene involving a U.S. marshal and an FBI agent in his office:

The marshal argued, “He killed two of ours, so we get to kill him.”
The FBI agent replied, “If you kill him, the public won’t go for it.
It will look like revenge. If we kill him, it will look like another
gun battle.”

Darrell said he *then* knew “that Gordon Kahl was a dead man!”

Within days, my father wrote a letter detailing what happened at *Medina*. An “awesome power,” he wrote, “will be unleashed, to silence forever my testimony,” and, “if not checked by the power of God,...will cut short my time...[and] I may...be extinguished.”

Former Phoenix, Arizona Police Officer Gerald “Jack” McLamb and an association of law enforcement officers, after an investigation spanning more than 15 years into the extraordinary chain of events, observed what “clearly appeared” to them:

to be a political show trial, coordinated with a national media campaign to vilify Gordon Kahl [and] the defendants in the North Dakota trial....

They, too, concluded that “Gordon Kahl would never be taken alive by law enforcement.” *For political reasons he had to be killed:*

because of the extreme embarrassment he had caused the United States Marshals Service, and because of the “vengeance potential” factor – *i.e.*, the sometimes use of illegal, deliberate deadly force by officers emotionally charged by the killing of a federal officer. An additional motivating factor, they agreed, might well be the possible criminal and/or civil liability facing the officials involved in the North Dakota incident, if the whole factual truth were ever brought out. There was grave need to silence Gordon Kahl forever, lest the facts behind, and those that occurred during the North Dakota incident jeopardize the convictions of the North Dakota defendants.

Jack and his fellow investigators concluded that:

The North Dakota incident was a premeditated assault upon Gordon Kahl and his party, with the intent to ensure violence and injury upon them.

The criminal case against the Gordon Kahl party in North Dakota, together with the media campaign against them and Gordon Kahl, was coordinated through very high levels within the United States Department of Justice (DOJ) in Washington, D.C.

They also determined that on June 3, 1983, near Smithville, Arkansas, while my father “Gordon Kahl sat at the kitchen table in the Ginter residence eating supper,” a Deputy U.S. Marshal by the name of Jim Hall stealthily “approached [him] from behind and shot him at virtually point-blank range in the back of the head with a .38 caliber pistol round in what can only be described as *a first-degree execution-style murder.*” Local Sheriff Gene Matthews “witnessed the murder...and was himself killed by other officers at the scene.”

To cover up the double-murders and the nature of the event, Jack and his investigators found that FBI agents and marshals “removed a mattress from a bedroom and placed it with

other combustibles over Gordon Kahl's body in the kitchen" and, after obtaining "gasoline and diesel fuel," they "applied [it] to the house through the rooftop ventilation system and throughout the interior of the house and deliberately ignited it."

Then-Governor Bill Clinton's notorious Chief Medical Examiner Fahmy Malak performed autopsies on both men, which Jack says "were deliberately falsified to leave the official impression and conclusion that [they] simultaneously shot each other." The media at the time discovered that Malak did not perform those autopsies alone. FBI Agent Ray McElhaney assisted. When the FBI's Special Agent-in-charge (SAC) James Blasingame was asked "why McElhaney was there," he bluntly answered, "[b]ecause we had an interest in it." Indeed, they did!

It was a double-homicide, one of which was a law enforcement officer. Yet, there was no crime scene investigation by *any* of the myriad of law enforcement agencies at the scene. Officers were corralled together and *ordered* to develop a single and coordinated report of the event.

Rumors that my father's body was mutilated with body parts severed and a deliberate arson of the Ginter residence turned out to be true. The discovery of one of my father's severed feet in the burned-out house, several weeks after the bizarre event, supported the rumors of mutilation. Officers later admitted to the arson. Due to the fact that the ankle end of his foot had been charred by the fire, how it became detached could not be precisely determined; however, a heavy meat cleaver known to always hang in the Ginter's kitchen, disappeared forever.

Most telling, additionally, is the strange fact that while the leg from the knee to the ankle was completely cremated to dust, the foot – other than charring at the ankle – was completely intact and found far from the body near the other end of the kitchen. Every bone, including the tiny toe bones, was accounted for and unburnt. World-renown pathologist Dr. Thomas Noguchi, hired by Jack McLamb and his team to perform a second autopsy – *not subject to those FBI interests* – concluded that with the known items in the concrete-floored kitchen, such cremation was physically impossible without the aid of directly applied fuel. Such cremation, Noguchi reported, typically requires *forced heat* for "1-½ to 2-½ hours" at a temperature of "2000 degrees in Fahrenheit, or greater." How my father's foot got across the kitchen, where it was discovered under the collapsed refrigerator, requires little comment. It obviously did not walk across the room.

While one hand was completely missing – alleged to have been vaporized by the fire, the other hand was intact, *sort of*. Noguchi found that the remaining hand showed "sharply cut-off fingers" except for the "little finger with nail." Both of these findings are missing from Malak's FBI assisted report. Why they were missing from Malak's report is no less mysterious than as to why they were *cut off*. Suggestions for such acts have included ensuring against there being finger-prints, for souvenirs, or for occult purposes.

Before entering into the institutionalized labyrinth of lies created by these coalesced governmental forces, the fact is that when *Medina* occurred, **my father Gordon Kahl was not a fugitive**. He was living very openly in the community, attending public meetings, regularly

going to church, and had recently attempted to file a motion in federal court against the IRS, in which he gave his home address. The IRS called a deputy U.S. marshal, who called Deputy U.S. Marshal Wigglesworth, who called Deputy U.S. Marshal Cheshire, who met *secretly* with a U.S. district judge who ordered the clerk of the court to not file the motion. **FBI and North Dakota state documents show that officials knew his address *and* where he was at all times.** Wigglesworth was the key witness caught playing softball with the sequestered jury, and he and Cheshire were both at the *Medina* incident. (Wigglesworth played many more mysterious roles before and after *Medina*, which we'll discuss later).

My father was NOT a leader of, or even involved with, the Sheriff's Posse Comitatus or any form of tax protesting in North Dakota or anywhere else at the time of the Medina incident; nor was he prone to, or ever involved in any type of civil or criminal violence. And this was true of ALL of the Gordon Kahl party.

When we left the public meeting in Medina for our trip home, we had no idea a roadblock was waiting. And, finally, when we ran into the deadly trap and found ourselves under assault by unknown and unidentifiable men screaming perverse and vulgar threats of death, I was gunned down – mistaken as being my father. **Trapped and under fire with Mom crying on the floorboard, my father returned fire in self-defense.**

Back to the labyrinth of lies. In the purported *official* history of the U.S. Marshals Service, *The Lawmen: United States Marshals and Their Deputies, 1789-1989*, author Frederick S. Calhoun summarizes the incident thus:

..., on February 13, 1983, Marshal Kenneth Muir and his deputies set up a roadblock on the outskirts of Medina, North Dakota. They had an arrest warrant for Gordon Kahl, a federal fugitive wanted for refusal to pay his taxes. *As the leader of the violence-prone [Sheriff's] Posse Comitatus group, Kahl had, in effect, declared a private war on the United States government.* Coming down the highway, Kahl and his carload of supporters stopped before Muir's roadblock. Almost immediately, they opened fire on the lawmen with automatic weapons. The gun battle raged only a few minutes before Kahl made his escape, leaving Marshal Muir and Deputy Robert Cheshire dead. Four months later, Kahl was killed in a shoot-out with marshals, FBI agents, and local police in Arkansas.

So many lies, but notice their employment of the select ominous terms: "*violence prone...group*" and "*declared...war on the United States government.*"

Similarly, a "briefing" by then-Assistant Director for the Bureau of Alcohol, Tobacco and Firearms (BATF), Criminal Enforcement, Phillip C. McGuire and his staff, before the Directors of the National Sheriff's Association in Nashville, Tennessee on June 19, 1983, reported that:

On February 13, 1983, Gordon W. Kahl, *a member of the [Sheriff's] Posse Comitatus in Medina, North Dakota*, succeeded in bringing the [S]PC into national notoriety or perhaps national repudiation. It was on that date that Kahl, *accompanied by other members of the [S]PC from Medina, North Dakota*, engaged in an armed confrontation with federal and local law enforcement officers... On June 3, 1983, Gordon Kahl's flight from justice was ended when he was cornered by law enforcement officers in a well-fortified hideout in rural Arkansas. Unfortunately, prior to Mr. Kahl's demise, he was able to kill a third law enforcement officer, the Sheriff of Lawrence County, Arkansas.

McGuire garnished his rhetoric from a March 4, 1980 article published by Congressman David R. Obey (Dem. Wisc.) in the Congressional Record entitled *POSSE COMITATUS: A DANGER TO DEMOCRACY*, together with various newspaper articles focused on a purported SPC organization in Wisconsin, and the Anti-Defamation League of B'nai B'rith's (ADL) 1983 publication, *The Identity Churches: A Theology of Hate* as "Source Documentation." He emphasized the SPC's "propensity for violence" and an increase of SPC violence "especially in Wisconsin and North Dakota." Upon this regurgitated rhetoric McGuire warned his audience that "certain *members of the [S]PC pose a clear and dangerous threat to society*" and that:

Care must be taken when confronting these [SPC] members to ensure that we do not look upon them as "JUST ANOTHER TAX PROTESTER." *They have proven that they will injure and kill law enforcement officers in the furtherance of their cause.* Recall that between February 13, and June 3, 1983, *Gordon Kahl and other members of the North Dakota [SPC]* killed three law enforcement officers and wounded an additional three officers.

The day following *Medina*, an FBI HQ Informative Note reported a "gun battle" the prior evening "at Medina" during which marshals "attempt[ed] to arrest Gordon W. Kahl...for probation violation" and "five subjects":

believed to have been armed with a Colt AR-15 machine gun, 12 gauge shotgun, and a .357 magnum revolver, opened fire on the Marshals and officers....

The "incident began," it said, when U.S. Marshals and local authorities:

developed information that Gordon W. Kahl was in the Medina area to attend a tax protest group meeting. The law enforcement officers set up a roadblock north of Medina to apprehend Kahl when he left the meeting. An individual (not identified) saw the roadblock and reported it to Kahl and other persons at the meeting. *Kahl and others then traveled to the roadblock in two cars to provoke a confrontation. The gun battle described above occurred during this confrontation.*

“Gordon W. Kahl,” it said, “is the reported leader of a militant tax protest group called ‘Posse Comitatus.’”

On the fourth day after *Medina*, FBI HQ ecstatically applied AG Smith’s “proposed guidelines” to *MARMURS* expressly upon a fictional:

assum[ption] that Gordon Kahl, the fugitive in this case, and others “are engaged in an enterprise for the purpose of furthering political...goals wholly or in part through activities that involve force or violence and” a violation of federal law.

Referring to a “teletype,” the communiqué cited an earlier identification of Gordon Kahl as “leader” of a Sheriff’s Posse Comitatus “chapter” at Crane, Texas, defined as a “hard-core group” with “numerous weapons and ammunition at their disposal.” Former AG Levi, it said, had “approved a full investigation of this organization on 10/14/76,” which, it noted, was “one of the first investigations approved under” AG Levi’s “Domestic Security Guidelines” the “basis” of which included “information that group members had ‘committed assaults, held a federal agent captive’...and had ‘threatened federal judges,’...and in one instance members had been convicted of assault on a federal officer.” Purporting “over 1000 members in 23 states,” it surely created a scary picture on paper.

(As much as I hate to burst the bubble, the “assaults,” the “captive” agent and assault “convict[ion]” all turn out to be the same incident. Other FBI HQ docs chronicling the SPC’s history expressly identify the incident as occurring at Abbottsford, Wisconsin on August 16, 1974, in which an IRS agent met a taxpayer at his home where he “was questioned” by SPC members “with tape recorders and movie cameras running.” Apparently, there were “guns” in the house. An article I obtained (via the Freedom of Information Act) on the incident quoted the agent as indicating that the so-called assailants merely wouldn’t let him leave without answering their questions. Such incidents reported out of context by agenda-driven bureaucrats on paper can, as you see, *make great propaganda.*)

The Posse Comitatus as it existed in the 1970s and ‘80s was not a structured organization with membership lists. It was an ideological clearing house through which conservative values and concerns of the time were aired in very public forums. While it attracted some survivalist

types, the majority of the people that came into active contact with it, were simple middle-class conservative Christian citizens concerned with economic policies, overreaching government, and a perceived deterioration of traditional American values. As advocates of the 2nd Amendment, who viewed the Constitution as a charter of limited government to be construed strictly, it was not dissimilar in most of its philosophical under-pinnings to the modern day Tea Party. Its indiscernible “membership” and its ultra-conservatism, so easily defined at the whim of propagandists, made it ideally suited for the propaganda machine.

Variouly throughout the 1970s and early 80s, the Sheriff’s Posse Comitatus was placed under investigation by the FBI, IRS, Secret Service, BATF and other federal and state agencies.

And my father’s outspokenness caused him to fall under the watchful eye of Big Brother many times. The FBI investigated him in the early 70s because of his relationship with the SPC. Finding no *criminal* activity, they turned the investigation over to the IRS and Secret Service, who investigated my father and the SPC with the objective – according to the FBI documents – to “study” the *religion* and *philosophy* of the SPC and its purported members. (A federal agency that studies religion and philosophical views of its targets – sounds a bit much like the old KGB, doesn’t it. I can’t resist telling you that at the end of my father’s 1977 trial for the misdemeanor charge of failure to file tax returns, the prosecution argued that the jury should convict him because the Bible commands Christians to “give unto Caesar that which is Caesar’s,” but as you probably guessed, failed to tell them to “give unto God that which is God’s.”) *For speaking on a television program*, Gordon Kahl was charged for a misdemeanor – willful failure to file income tax forms. ***Examples had to be made.***

I recently discovered in these FBI HQ documents, that I was put under investigation for “speeches” made at school “concerning the legality of arrests” when I was 15 years old. In my high school speech class I focused my speeches around the Founding Father’s Constitution and the 2nd Amendment. *As the son of a political target*, the IRS and other agencies put me under investigation for my childhood speeches, which they *interpreted* as “threats to kill federal officers.” Paranoia is a powerful motivator, *as is the need to manufacture excuses to legitimize misdeeds.*

By 1980, while the SPC had become notorious on paper – at least in some quarters, by and large America simply had never heard of it. In some quarters, too, were shrieks like those of a banshee. Liberal Jewish organizations largely staffed by politically motivated personalities with pedigrees far to the left, had begun a campaign in the Midwest farm belt to stomp out the SPC and an assortment of philosophically related organizations, groups and persons. To reach *Jewish* sentiments the targets were identified as “Nazis”; for *minorities* they were called “racists”; for *liberals* in general they were called “McCarthyites”; and for the pacifist internationalists embracing most “*progressives*,” they were called “Nationalists.” To one degree or another someone in those ranks could always be found to fit the part. If not, the *context* could always be changed to make it fit. If all else fails, infiltrators as agents provocateurs were available *to play the part.*

In July 1979, Israel sponsored the Jerusalem Conference of International Terrorism. Attendees included former CIA Director George H.W. Bush, former CIA Deputy Director Ray Cline, Michael Ledeen and a host of “counterterrorism” enthusiasts who would soon fill seats in the in-coming Reagan Administration. Other former intelligence operatives – many ousted by the Carter regime, such as former CIA Deputy Director Thomas Clines and General Richard Secord, worked with the intelligence community to oust nasty old Carter and usher in the hopeful Reagan and the projected era of “terror.” Covert operatives one and all anticipated the ultimate power trip.

On March 4, 1980, Congressman David Obey (Dem., Wisc.) addressed the House of Representatives. His thesis was titled *POSSE COMITATUS: A DANGER TO SOCIETY*, through which he submitted a string of newspaper articles muckraking SPC and similar groups as a “*dangerous and fundamental threat to...a democratic society.*” As you will recall, this thesis provided the basis for Deputy Assistant BATF Director Phillip McGuire’s address to the National Sheriff’s Association, and as a source for similar diatribes elsewhere.

Calling them “undemocratic,” Obey’s inclusive articles asserted that “peace is threatened by man-made *tension caused by the Posse Comitatus.*” The thesis derided the SPC’s *religious beliefs* based on “the Bible” and its *political beliefs* based on “the U.S. Constitution.” Adding to the standard pejoratives of “anti-Semitism” and “racism,” the thesis indicates the real “threat” as the SPC’s concern with out-of-control government and conspiratorial plans to “form a world government” by “undermining the American monetary system with the creation of the Federal Reserve System.”

Much touted establishment author James Coates in his 1995 *ARMED AND DANGEROUS* noted that “[t]he Antidefamation League [of B’nai B’rith] began closely monitoring public opinion in the farm belt in the early 1980s to learn whether dislocations brought on by the farm crisis in the agricultural economy were allowing...the Posse and other elements of the Survival Right to make political gains.” And, noted Coates, a later poll conducted “for the ADL found *disturbing evidence that the conspiracy theories about international bankers and shadowy Trilateralists were widely known* in the Midwestern states”; that “46 percent of college graduates in...states were *aware of the Populist Party* and that 29 percent of citizens *knew all about it*”; also that “24 percent of people in those states *were familiar with the Posse Comitatus.*”

Growing public awareness was “found disturbing.”

Ultimate critic of the left and right, Laird Wilcox, in his 2nd edition of *The Watchdogs: A close look at Anti-Racist “Watchdog” Groups* revealed that in 1980, the ADL was contracted by the U.S. Commission on Civil Rights (USCCR) to produce a “report on extreme right ‘hate groups’ for a \$20,000 fee.” After a nearly two-year review it was rejected due to “inaccuracies and misrepresentations,” obviously “distort[ed]...factual accountings” of the targeted groups and virtual “jingoism.” Its substance is regurgitated in the ADL’s 1983 publication “*Extremism on the Right.*”

In 1986, the late Lois Peterson of *Liberty Lobby* inquired of the IRS as to a publication of that agency called the *Illegal Tax Protester Information Book*, Document 7072 (1-86). The *Book* turned out to be an official document of the IRS, which then scurried to cover up its misbehavior. *Liberty Lobby* and the former *SPOTLIGHT* exposed this defamatory piece of propaganda prepared for field use by “Intelligence Analyst Ruth E. Schweizer.” Caught under the *SPOTLIGHT*, the IRS ordered the document withdrawn and “destroy[ed].”

According to its *INTRODUCTION*, its substance was compiled from “[i]nformation gathered (subsequent to the GORDON KAHL incident) *for the purpose of dissemination to the U.S. Attorney in North Dakota.*” It was admittedly not the result of any “in-depth study...but a summary of information...from investigations, publications...paraphrased [material] from news articles and protest materials...*not perfected.*” Nonetheless, the “groups” and purportedly associated persons targeted within its scurrilous pages were falsely and maliciously labeled thus: “*The main goal of these groups is to overthrow the government and their tax protest activities are only one way to achieve these goals.*”

Researcher Wilcox discovered that the *Book’s* content “largely consisted of whole sections lifted from ADL reports, [and so] full of inaccuracies...that when its existence became known to some of the [named] organizations...they threatened legal action.... [and IRS agents were ordered] ‘to destroy the document immediately.’” Federal courts have found the *Book’s* contents “inherently defamatory,” falsely “accusing [persons] of violent criminal activity” and tending to chill constitutionally protected activities and devastating “*if ever leak[ed]...to the media for political or other reasons.*”

This “[i]nformation,” admittedly put together “for the purpose of dissemination to the U.S. Attorney in North Dakota” in respect to the “GORDON KAHL incident,” is simply the “report” secretly “disseminated” on February 19, 1983, by “judicial order” on behalf of the DOJ by “*Secret Agent*” Paul Benson hiding under a black robe in *MARMURS*. Thus, while Benson was assisting to distribute false propaganda in *MARMURS* as a partisan to the DOJ, FBI and USMS – *i.e.*, the three admitted “parties in interest,” he was also acting on behalf of the ADL and serving its interests as well.

On February 9, 1983, just four days before *Medina*, law enforcement from around the country converged at a meeting in Salina, Kansas. The topic was the “Posse Comitatus.” Official reports generated from that meeting, which I found among FBI HQ *MARMURS* documents, appear to be regurgitations from ADL reports on the SPC and other purportedly related right-wing groups of the time. “[O]verthrow of the government” was said to be the SPC’s “proclaimed” objective and it was said that its members “do not recognize federal and state governmental entities.” Its philosophy was said to be “very similar to that of the Ku Klux Klan.” Law enforcement was encouraged to gather *more* such “intelligence information” and to *spread it* “to other law enforcement agencies.” The propaganda machine began to churn at full throttle.

The day after my father Gordon Kahl was murdered in the home of Leonard and Norma Ginter near Smithville, Arkansas, AUSA Crooks admitted in an interview that “authorities had

tracked Kahl to Arkansas...and were waiting” for the right moment. Surreptitiously, he added, “We just needed something more than suspicion to really go in and try something.” *Since when?* “Suspicion” has been the federal tool for action for as long as I can remember. And, AG *Smith’s* new “*guidelines*” – approved by Congress for *MARMURS* – authorized FBI agents to take proactive steps upon far less than suspicion. When the federal high command felt confident that public apathy would prevail, the order came down.

Under obvious tutelage, Acting Lawrence County, Arkansas Sheriff Bob Johnson sent a highly publicized letter to President Ronald Reagan following the assassination-murder of my father at the Ginter’s home. Requesting a “loan” of various military weapons, ammunition and equipment to deal with “subversive elements [that] continue to filter into Lawrence county...for the purpose of recruiting, reorganization and possible retaliation,” the letter asserted an entitlement to such weaponry because, it said, former Sheriff Gene Matthews “died *attempting to eradicate...a national threat to law and order – an extremist element of Posse Comitatus.*” Did you catch that? Unbelievably, “eradicat[ing]” Gordon Kahl was *cold-bloodedly* considered to be serving *a federal function.*

Initial reports generated to cover up the *federal eradication of Gordon Kahl* were lodged at FBI HQ stating that:

The [Ginter] premises was secured by SWAT agents and *extensive fire exchanged* until chemical agents were introduced. Firing resumed at one point but ceased again.

This initial report was processed through the FBI’s Little Rock Office under supervision of James Blasingame – the FBI Agent also in charge of the *eradication.* And, in his initial interviews with the media, Blasingame proudly reported that he *personally* entered the Ginter home together with Deputy U.S. Marshal Jim Hall, Arkansas State Trooper Ed Fitzpatrick and Sheriff Gene Matthews.

Citizens with scanners overheard radio calls for gasoline and diesel fuel and of a search that ensued for the home’s owner, Bill Wade, who was overheard to have been killed in the *melee.* Thus the initial and *official lies* began to fail.

Blasingame reported to FBI HQ that the earlier report was an “error,” which he said should be *changed* to state that “no gunfire [was] utilized until Sheriff Matthews and Kahl exchanged gunfire” and the only gunfire was “FBI cover fire used to get Sheriff Matthews out of the area.” The official cover-up – *i.e., Matthews-killed-Kahl-and-Kahl-killed-Matthews* scenario – thus began to spread.

Omitted from *all* official reports were the *orders* for gasoline and diesel and the *deliberate use* of the fuel to burn the home and destroy evidence of the double murder. When the media queried Blasingame and the myriad of other officers, they all denied any such *orders* and any such *use* of the fuel. Eventually, one officer admitted to obtaining gasoline and diesel

under FBI orders and to assisting in pouring the diesel into the vents, and another later admitted to witnessing that act and the lighting of a paper bag thrown into the vent to ignite it.

In 1999, former Medina Police Chief Darrell Graf and Officer Steven Schnabel published their view of *Medina* and its aftermath. Sparking criticism of Marshal Muir's handling of the matter at *Medina*, North Dakota's largest newspaper, the *FARGO FORUM*, on September 12, 1999, published a retort by Muir's daughter in which she revealed that:

A recent conversation with a man who was also on the scene in 1983 and knowledgeable about how the whole incident came about, assured me with information known only to the Marshal Service, that the actions taken that day were purposeful and pertinent; orders given were not for power and glory.

You will soon know why this *information* was kept *secret* from the public and the jury. Of the four marshals at *Medina* who were alive and capable of possessing such information in 1999, the mystery man could only have been Deputy U.S. Marshal Carl Wigglesworth, of whom we have much to say. But first, we must trace a few steps leading to *Medina*.

A June 1981 Marshal Field Report details a conference occurring among personnel of the U.S. District Courts at Fargo, North Dakota and Midland, Texas. The subject was the need to arrest Gordon Kahl for making statements to a newspaper and the Report emphasized that Gordon Kahl was "*POSSE COMITATUS*." The conference proceeded under guise that Gordon Kahl had violated probation from a 1977 misdemeanor conviction – *i.e.*, allegedly failing to sign a form – a matter technically less serious than jay-walking. While there was no discussion of the alleged probation violation, the Report discloses that the Texas "JUDGE HAD SET [A] BOND" on Gordon Kahl of *one-million dollars cash* or \$75,000 surety.

In 1981, international drug dealers and murderers were not subject to million-dollar bonds. Freedoms to speak to the press and to assemble are protected under the 1st Amendment, "[e]xcessive bail" is forbidden by the 8th, and, of course, the 5th Amendment requires a *hearing* before setting bail. As you will see, the constitutional violations against Gordon Kahl neither started nor ended there.

In the summer of '82, the IRS "seized" (on paper) part of our family farm and advertized its sale on November 4, 1982. There had been no hearings, so my father submitted a motion for a temporary restraining order to stop the sale and hold a hearing. He provided the IRS and court with his address and awaited the hearing. There would be no hearing for Gordon Kahl...*ever!* This moment of fortuity – *i.e.*, Gordon Kahl giving the IRS and court his address and volunteering to walk into federal court, providing the marshals with the easiest, simplest and most certainly non-violent opportunity to arrest their alleged fugitive, was rejected. Instead, they pursued a course of pre-planned violence.

On October 29, 1982, in response to Gordon Kahl's court filing, an IRS agent contacted a marshal in Minot, North Dakota, who contacted our mystery man Wigglesworth in Fargo, who

called Deputy Marshal Cheshire in Bismarck. The Marshal's Report says that Cheshire then directly "went to Judge Van Sickle and advised him of KAHLS [sic] fugitive status." To let the motion be filed and hold a hearing would satisfy the law and would permit the marshals to arrest Gordon Kahl without incident, *if that's what they really wanted*. The Judge, however, *illegally* prohibited the Clerk from filing the motion. The IRS held the sale armed with law enforcement officers *under command of Wigglesworth* disguised as farmers. Gordon Kahl didn't show up. *The planned violence had to wait.*

When Deputy U.S. Marshal Carl Wigglesworth called Cheshire on October 29, 1982, he was then the Marshal's Warrant Inspector for the District. He had the Marshal's file on Gordon Kahl and the alleged probation violation warrant. He led the IRS "sale" of the farm property and organized the armed officers disguised as farmers. He had been sent from Washington, D.C. to North Dakota around early 1980 and, strangely, was stationed at Minot, where he served as an "escort" for "missile" transport. (Why U.S. Marshals would be assigned to escort U.S. military transport of such weapons is beyond me. Equally strange, Wigglesworth was the only marshal involved at *Medina*, who is identified in FBI HQ documents by a U.S. Navy Service number, but not the only one who served in the Navy.) Wigglesworth, however, had an interlocking relationship with another mysterious figure who ventured into this North Dakota drama.

In the summer of '82, a stranger going by the name of Mike Phillips settled at Ashley, North Dakota. Portraying himself as an expert paralegal and boasting of "friends" in the U.S. Attorney's Office at Fargo, from whom he said he could *expect favors*, made his appearance into this farmer-distressed region truly a godsend. But then, Satan does appear as an angel of light.

Through late-summer and fall of '82, numerous **farm crisis meetings were organized throughout North Dakota**. Phillips was *always* a key speaker. He never missed a meeting. **None involved the Sheriff's Posse Comitatus or tax protesting.**

Sometime in the early fall of '82, Phillips mentioned a marshal he had become involved with by the name of "Wigglesworth" and soon after became hell-bent in efforts to persuade various people at these meetings to commit extreme acts of violence. He tried to talk some into bombing buildings and killing bankers and even once tried to talk me into killing a U.S. attorney in South Dakota, while, he said, he would be "out of state."

It turns out that Phillips was working all along as an informant for Marshals Muir and Wigglesworth and for the North Dakota Bureau of Criminal Investigation (NDBCI), which was monitoring the meetings and reporting to the Marshals Service. NDBCI records show Phillips as the "leader." An investigator told me that Phillips worked for the BATF. Ironically, in November 1982, someone monitoring my father was reporting his whereabouts and purported activity, as involving the Sheriff's Posse Comitatus, to the Portland, Oregon FBI Office. Come to find out, the Attorney General had formerly ordered *all* investigations into the SPC to be routed and conducted through the Portland, Oregon BATF Office. While not conclusive, Phillips likely did work as an agent or informant for the BATF. The BATF has refused to provide any documents relative to the period in 1983, or any investigation involving *Medina* or that case. Yet, FBI HQ documents show they were intimately involved.

The first week of February 1983, South Dakota farmer Byron Dale visited Phillips at Ashley, North Dakota, where he asked for Phillip's assistance in respect to a foreclosure. Phillips called a U.S. Marshal he said he knew in Fargo, while Dale listened. Dale heard the subject of "Gordon Kahl" come up. While he could not hear the Marshal's side, he heard Phillips suggest leaving Gordon Kahl alone, commenting that if they go "after him he will fight." A local farmer near Ashley, who had befriended Phillips, later told Dale that "Phillips had told him...that he...was an undercover Federal agent and knew about the Fed's plan concerning Gordon Kahl before [it] took place."

On Wednesday, February 6, 1983, we, along with many distressed farmers, met with Phillips at Ashley and scheduled a final meeting for Sunday, February 13, 1983, at Medina.

According to Scott Faul, he uncovered information that Marshal Muir contacted Phillips on February 7, 1983, wanting to know the precise whereabouts of Gordon Kahl. Phillips purportedly didn't know, but told Muir that he usually attended Sunday afternoon meetings at Dr. Clarence Martin's Clinic in Medina and that a meeting was scheduled for February 13, 1983. Muir purportedly asked if Gordon was armed at these meetings; Phillips responded that he, Scott and myself were "always armed." According to Scott's informant, Muir replied, "Good, that's the last meeting they will ever attend, at least it will look like they had a fair chance."

Scott also discovered that on Tuesday, February 8, 1983, Phillips purportedly informed NDBCI Agent Milton Lennick that he "believed that local U.S. Marshals were going to try to start a shooting confrontation with Gordon Kahl, Yorie Kahl and Scott Faul; and...that somebody was going to get killed." Lennick purportedly assured Phillips that he would relay the information to "the U.S. Marshal Service in Washington, D.C." Immediately after *Medina*, Agent Lennick, according to his own official BCI Report, proceeded to Ashley, North Dakota "to reinterview MIKE PHILLIPS." Lennick acknowledged that Phillips had given him "prior warning" that "this was going to happen."

To prepare the necessary *state-of-mind in unsuspecting officers* and to lay a *justifiable basis for the extreme violence then being planned* by the Machiavellian schemers, **a series of absolutely false teletypes and All Points Bulletins (APBs) began to be generated**, implying that Gordon Kahl and his associates presented an imminent threat to law enforcement, that he was a fugitive sought under a federal warrant, and that he and his associates were heavily armed and immediately seeking to kill innocent fellow officers. This is *not* exaggeration.

FBI HQ files show that on the very day that law enforcement converged at Salina, Kansas for the "Posse Comitatus" briefing, "Stutsman County Sheriff's Office received a teletype" that "reflected that the U.S. Marshal Service had a warrant of arrest of [sic] Gordon Kahl," *omitting that the warrant was for a purported probation violation and not any crime*. The teletype:

advis[ed] that [redacted] along with Kahl were possibly enroute from Ashley, North Dakota, to Minot, North Dakota *to kill Sheriff Anderson....* [and] requested surveillance of the pair if they were observed...and *[that the] subjects [were] armed with AR-15 rifles.*

The next day, Thursday February 10, 1983, a false APB was transmitted over North Dakota State Radio and by ticker-tape on television. It reported a “group...protesting foreclosure sales...armed with hand guns and possible AR-15s” of whom one was said to have “threatened” Ward County Sheriff Anderson. The vehicle was described as a “white Oldsmobile station wagon” with North Dakota license number “1906.” The only person named was the alleged driver, Albert Kouba.

Shortly thereafter, an APB matching the teletype of the previous day was transmitted. It identified a “Rusty Kuba” with others “seen leaving Carrington...enroute to Minot” all “heavily armed with AR-15 rifles and other weapons.” This one, however, *added* that “Gordon Kahl may be with these individuals” and that U.S. Marshals had a warrant for him – without mentioning that it was for the *allegedly insignificant probation violation*. It also included the ominous “threats” against Sheriff Anderson and described the same Oldsmobile wagon.

A third APB was transmitted minutes later to correct “Kuba” in the second APB to “Kouba.”

I only discovered the February 9, 1983 teletype in recent months. However, Officers Graf and Schnabel investigated these mysterious APBs and reported their findings in their 1999 book *IT'S ALL ABOUT POWER*. To make this long story as short as possible, they discovered that “[t]he whole APB was totally fabricated by whoever the source was – **A LIE!!!!!!**” Sheriff Anderson admitted he caused the first to issue *at the behest of Marshal Wigglesworth*, but adamantly denied that he had anything to do with the others.

At trial, Wigglesworth admitted that he generated the original APB, which he and the prosecutors led the jury to believe was the only one that existed. However, the truth later revealed that *that APB was the second one*. The government did not deny that it was false, which it was, or that it had an impact on the officers’ state of mind before and at *Medina*, which it did. Graf and Schnabel assessed the “significance” of the APB as a “match that lit the fuse” of a “stick of dynamite.” “[W]hen an APB like that is broadcast,” they said, for some “officers...it’s an open invitation for a violent confrontation.” Muir’s predecessor, former U.S. Marshal Harold “Bud” Warren, saw it as “a challenge...to every law enforcement officer in North Dakota” creating a likelihood of resulting violence and death, including, he surmised, the death of an “innocent officer.”

Wigglesworth admitted he fabricated the original false APB together with an *informant*, who he refused to identify. We had heard through a rumor mill of an APB that included a description of a car identical to Scott’s family station wagon. *That APB did not mention “Gordon Kahl,” “U.S. Marshals” or a “warrant.”* The prosecutors misrepresented the *second* APB as the *only* APB to persuade the jury to believe that *we* were lying rather than their witness-officers. “*Secret Agent*” Benson refused to compel his co-conspirators to produce the informant, which would have inevitably resulted in the revelations you are reading now, and this entire fraud under code-name *MARMURS* would have been stopped in its tracks. Rather, the government provided Phillips with money and sent him to Canada to ensure he would *not be*

available to the grand jury or at trial. In a later proceeding, it was alleged that Phillips was the informant. The government expressly refused to deny it and effectively said, “so what.”

As *Medina* drew near, a highly publicized trial of tax protest leaders was underway in Fort Worth, Texas. The 1980 grand jury in that case, *USA v. Jerome Daly, et al.*, was directed to a “posse [comitatus]” connection. Papers filed in that case allege that lead prosecutor Linda Eads, on the morning of Saturday, February 12, 1983, “feigned sickness” for which the trial recessed. Following the recess, she told Daly and another defendant that she had been ordered to “go to Washington.” Daly wrote me and said he’d overheard two U.S. tax attorneys during that recess discussing something big “coming down this weekend that would put an end to the tax rebellion movement once and for all.” He closely followed the news all weekend and, when, on Sunday night television a “shoot-out between U.S. Marshals and tax protesters” in North Dakota was reported, he *knew this was it.* FBI HQ documents report that Daly “made statements in open court” of his pre-knowledge of *Medina* and he was investigated.

Ironically, that major trial remained in recess for the entire week following *Medina*. More coincidence?

At the unusual hour of 3:00 or 4:00 AM on Sunday, February 13, 1983, Stutsman County Chief Deputy Sheriff Jack Miller, Deputy Bradley Kapp and Medina Police Chief Darrell Graf met in Jamestown, North Dakota. Graf said he had “heard, the night before, that...maybe they’d come to Medina and get” Gordon Kahl. He advised Miller and Kapp of the “seriousness of the situation” and that he let “other law enforcement agents in our area know exactly what went on in this conversation because the last thing we needed was bloodshed over a tax deal over this farmer.” Miller reportedly agreed with Graf that, since the marshals had not provided them with a copy of the alleged warrant, they would not get involved. **Miller ordered Kapp to “leave it alone.”** All of the officers testified as government witnesses; *none* mentioned this incredible early-AM meeting.

Darrell Graf said some things at trial and elsewhere indicating that he was unaware we would be in Medina on that Sunday, but that he had told us that the mysterious APB mentioned marshals or a warrant for my father, statements denied by virtually all of the defendants and other witnesses. However, Darrell is the *only* officer that positively tried to derail or redirect the marshals’ insane scheme and prevent or mitigate the impending obvious resultant violence. He probably saved innocent lives. His reward was to be fired by the City of Medina and slandered by law enforcement, and FBI HQ documents show that conspiracy charges against him had been considered. Had the Fed’s not desperately needed his testimony, he would have sat through our trial next to my mother. Under these immense pressures, even good men like Darrell sometimes retreat into a state of denial.

You may have guessed...*informant or undercover agent Mike Phillips didn’t show up at the meeting.* But, get this. Before the meeting, Phillips spoke with another regular attendee, Leonard Martin and asked Len if he was going to the meeting. Len told him he probably wasn’t going because he was broke and couldn’t afford the gas. Phillips apparently became anxious; he told Len that he was going even if *he* had to pay for his gas, and that *it was important that he be*

at the meeting because something big was supposed to happen. Phillips wanted Len to be there to let him know how it turned out. (Sounds much like the comments made by AUSA Eads to Jerome Daly at the tax protester trial in Fort Worth, Texas the previous day.)

Phillips gave Len money and the use of his own car to make sure he'd be there. It was the only meeting to which Phillips didn't show up. We now of course know why.

After *Medina*, we received information that in the early morning of February 13, 1983, a chartered plane filled with East Coast reporters and a U.S. Marshal landed at an obscure airport not far from Medina – *to cover the breaking story*. We had also heard that one of North Dakota's biggest radio stations aired *travel alerts* at approximately 10:30 AM and again at approximately 1:15 PM about a "possible shoot-out" near Medina, *six hours before it occurred*. While we've been unable to confirm the chartered plane story, major news media reported the "Sheriff's Posse Comitatus" connection almost immediately after *Medina*; and a professional investigator told me the mid-day radio alerts *did occur and that the FBI seized the recordings and never returned them*.

Deputy Sheriff Bradley Kapp had checked around noon at Dr. Clarence Martin's Clinic to see if we had arrived. He returned later and discovered the expected meeting had commenced. Although he spotted Joan Kahl's maroon 1970 Chrysler station wagon, he began reporting it over State Radio *according to the script*. The APB had said it would be an "Oldsmobile station wagon" so that's how he described it. He told investigators he had been preparing for this since Thursday and apparently memorized the type of vehicle that was *supposed to be there*. We had always gone to the meetings in Scott's family station wagon. That Sunday it was low on gas. For the first and only time, we took my mother's maroon Chrysler.

Kapp called the marshals and told them he had spotted "Gordon Kahl," although he had only spotted Mom's car. This was his first opportunity for a real *shoot-out*. He was not about to let Chief Deputy Miller's order to "leave it alone" interfere. Bursting with excitement, he sought out Graf to borrow a bullet-proof vest, while awaiting the marshals. Later, Kapp did spot Gordon Kahl for a brief moment and then lost sight of him until after the "shoot-out" when he showed up at the clinic, where Kapp begged for his life. No longer a threat, my father spared him as he had spared others at the scene.

At trial, Kapp admitted that he planned on shooting. Something happened in his mind, he said, between Tuesday and Thursday that caused him to believe all *males* with Gordon Kahl were *extremely dangerous*. He said he wasn't *planning* to shoot Mom. If she got shot, that was her problem. He had no idea what the warrant was for and didn't care.

While my father loaded a box of potatoes (that a lady friend had brought for my mother) into Mom's car, the marshals apparently began to set up a road-block *in town*. Stunned by the marshals' carelessness and callousness, Graf finally stepped into the fray. He *ordered* the marshals to move the roadblock out of town and ordered up ambulances and a fire truck to be readied at the north end of Medina to pick up the dead and wounded.

We left the clinic and drove to the main street, where we turned north and left Medina toward our farm near Heaton. We drove past an ambulance and a fire truck, unaware they were

sitting there awaiting dead and injured that didn't yet exist. Two men, who had been at the meeting, saw Chief Graf as they were leaving Medina and drove up to him and suspiciously inquired what was going on. Graf bluntly told them that marshals were waiting north of town to "shoot a tax protester."

Just then travelers – a U.S. Marine and his wife – drove past Graf heading north. Graf jumped in his car and followed him. He pulled him over just at the top of the hill, where the ambush having already trapped the unwary victims could be seen. Graf yelled at the travelers to get the hell out of there. There was going to be a "shoot-out," he said, "and this time the police are in the wrong." The marine backed up his car to just below the hill and listened intently.

A man in the trailer house watching the bizarre scene at his driveway heard the phone ring and answered it. A voice told him to take his family to the back of the house and lay down. Briefly, he was told there was going to be a "shoot-out" in his front yard. Bewildered, he grabbed a shotgun and some shells and ushered his family and friends to the back of the house.

The last radio transmission Muir heard had said the "subject" was "wearing a blue coat and cap." There, before him, was the blue-coated "subject" completely exposed. No wind. An ideal shot to the heart. The "subject" never even saw him. Marshal Muir – an expert marksman – took aim. *Bang!* The sound echoed. The Marine on the hill overlooking the scene – a weapons expert – turned to his wife and said, "That's a pistol round." *The planned shoot-out had begun....*

I awoke in the Jamestown hospital the following morning, after having undergone emergency surgery from the numerous near-fatal rounds fired upon me. I was informed that *I was under arrest* and, for the first time, *I learned that the assailants were U.S. marshals*. The blue coat I had been wearing had been seized by the Feds.

I was held *incommunicado*. With the help of Martin "Red" Beckman, Scott and my family retained a lawyer and investigator. They were *never* allowed to see me or Scott. In fact, they were accosted by officers and defense documents were seized (affidavits of witnesses). Told they were not going to be "players" in this case, they were threatened and terrorized out of North Dakota. Lead prosecutor Lynn Crooks later admitted that the government did "everything in our power" to make sure the defendants ended up with lawyers that would put on the defenses "we wanted," which, he said, they did.

It was weeks before I was allowed any phone calls, letters or access to media reports. When I did finally hear some news reports, **I was stunned to see and hear nation-wide lies and false propaganda that we were Posse Comitatus**. And while I saw the TV reports the following month that Congress had approved new FBI "guidelines" with commentary connecting them to the North Dakota incident, I did not then *know why*.

Mom had been successfully *used* to convict her son and the other innocent victims. AG Smith's new guidelines had successfully given the FBI *carte blanche* powers. *Counterterrorism* became the lynch-pin of a power-hungry covert intelligence regime.

On June 24, 1983, before a courtroom crowded with media, AUSA Crooks, following the script, announced that Gordon Kahl had "committed suicide" in Arkansas. Spewing the

propaganda, which he helped to create with his *secret order* and acting under *color* of a black robe, “*Secret Agent*” Judge Benson declared the case as an “assault on the law” and imposed upon both Scott Faul and me sentences of life plus 15 years; and upon David Broer, 10 years in prison. Hours later, while news reporters were preparing their “Posse Comitatus/Tax Protester” stories and conspirators drank champagne, we were taken to the Fargo Airport secured by the National Guard and flown to the U.S. Penitentiary at Leavenworth, Kansas.

Officer Jack McLamb wrote fellow officers *before* Ruby Ridge and Waco and warned that to allow the “assassination” murder of Gordon Kahl to go unredressed would lead to more such slaughters by the federal government. And if you recall, according to the examiner at Scott Faul’s parole hearing in 2002, apparently the government’s official position is that *Medina* led to *Ruby Ridge* (*i.e.*, “the Randy Weaver thing”) and *Waco*. The common denominators are dead and injured American citizens and federal government lawlessness.

The ADL got busted in a massive spy-ring scandal in the early ‘90s (and the San Francisco Police Department informed me that my mother was one of their targets and they were stealing her mail). That special interest criminal enterprise now works hand-in-glove with Homeland Security, the FBI and a plethora of other federal and state agencies identifying persons and organizations systematically placed into government “threat” lists.

Remember, in 1982, FEMA’s General Frank Salcedo’s assertion that “at least 100,000 U.S. citizens from survivalists to tax protesters [represent] serious threats to civil security.” In 2008, the *San Francisco Chronicle* reported that “the national Counterterrorism Center holds the names of roughly 775,000 ‘terror suspects’ with the number increasing by 20,000 per month.” In June 2008, *www.radaronline.com* reported a secret “data base” code-named “Main Core,” which listed as many as “8 million Americans” as “potentially suspect.”

The Founding Fathers of this Republic would not recognize *our America*. During the New York Convention for the Ratification of the Constitution, Alexander Hamilton decried even the possibility that the “powers” of the States which “affect” the “property, liberty, and life” of their citizens could *ever* be lost “*til the whole people of America are robbed of their liberties.*”

A 1973 Senate Report made clear that, since March 9, 1933, “freedom and governmental procedures guaranteed by the Constitution have...been abridged by [federal] laws brought into force” by which “the President may...control the lives of all American citizens.”

Homeland Security and other *civil* agencies are arming up heavily to address these growing *threats* and *suspects*. Among them are “constitutionalists,” fundamental Christians and every sort of “protester.” *YOU are already a victim-in-waiting*. Victims before you still languish in prison.

Old Ben Franklin, at the end of the Federal Convention, told his compatriots that government under the newly drafted Constitution “can only end in despotism as other forms have done before it, when the people have become so corrupted as to need despotic Government being incapable of any other.” “Eternal vigilance,” our Founders declared, “is the price of liberty.”