

In frame-up of Julie Hiatt Steele

Judge issues gag order sought by Starr

Martin McLaughlin
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A federal judge in Alexandria, Virginia issued a gag order January 29, requiring some evidence to be kept secret in the case of Julie Hiatt Steele, who is the target of frame-up charges brought by Independent Counsel Kenneth Starr.

Steele is a witness in the investigation against President Clinton. She has charged that Kathleen Willey asked her to falsely confirm Willey's claim of an unwanted sexual advance from Clinton in 1993. Steele initially agreed to go along with her friend's request, but then recanted her testimony when she discovered that *Newsweek* magazine was planning a story on the alleged encounter.

Steele was indicted last month on perjury charges because she now contradicts Willey's story, which Starr has attempted to use to generate additional obstruction of justice charges against Clinton. The 53-year-old woman has been terrorized by the independent counsel's office, which has interrogated friends and associates about this otherwise insignificant episode, and even suggested that the legality of the adoption of her eight-year-old son might be called into question.

Starr's office asked US District Court Judge Claude Hilton to issue a protective order compelling Steele's lawyers not to make public material which they receive from the Independent Counsel as part of their preparations for trial, including FBI interviews with witnesses. Eight news organizations went to court, along with Steele's attorney, to oppose this request.

Hilton declared that the independent counsel has an "ongoing investigation" and "they are entitled" to keep investigatory material secret. He ordered Starr's office to identify sensitive information before they turn it over to Ms. Steele's lawyers. The effect of this order is not only to withhold evidence from the public record, but to keep secret any portions of legal papers and motions

filed by the defense which refer to the censored materials.

Asked by reporters what Starr's office was trying to keep confidential, Nancy Luque, Steele's attorney, had a blunt response, "The truth," she said.

Judge Hilton took a rather different view of the relationship between government secrecy and the rights of the defense in his last involvement in a politically explosive case, when he presided over the 1989 trial of Joseph Fernandez, the CIA station chief in Costa Rica. Fernandez was indicted for perjury in the Iran-Contra affair. He was charged with lying about the illegal arms shipments to the Nicaraguan contras organized by the Reagan administration.

In the run-up to that trial, the Bush administration, Judge Hilton and the attorneys for Fernandez engaged in an elaborate charade: the attorneys demanded classified materials to assist in their defense, the Bush administration refused to divulge it, and Judge Hilton eventually dismissed the case on the grounds that Fernandez would be deprived of his right to an effective defense without it.

The conflict was a prearranged sham--most of the "classified" information had already been made public in the press, such as the fact that Ilopango Air Force Base in El Salvador, the departure point for the illegal airdrops of weapons to the contras, was the location of a CIA station. Iran-Contra prosecutor Lawrence Walsh, in his book on the case, observed that some of Hilton's declarations from the bench sounded "like those of a man working toward a predetermined objective."

While Judge Hilton's legal position has shifted dramatically, his rulings in the two cases are consistent politically--they have protected right-wing conspiracies against the democratic rights of the American people, the first spearheaded by Oliver North, the second by

Kenneth Starr.



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