

January 27, 2010

4 Arrested in Phone Tampering at Landrieu Office

By [CAMPBELL ROBERTSON](#) and [LIZ ROBBINS](#)

NEW ORLEANS — Federal officials charged four men on Tuesday with plotting to tamper with the telephone system in the New Orleans office of Senator [Mary Landrieu](#), Democrat of Louisiana. One of the men was a conservative activist who gained fame last year by secretly recording members of the community group [Acorn](#) giving him advice on how to set up a brothel.

All four of the men arrested Monday in New Orleans, each in his mid-20s, were charged with entering federal property under false pretenses with the intent of committing a felony, according to the United States Attorney's Office for the Eastern District of Louisiana. They appeared in court on Tuesday, and a preliminary hearing was scheduled for Feb. 12.

If convicted, the four would face sentences ranging from a fine to 10 years in prison.

The political activist was James O'Keefe, 25, who has gained renown in conservative circles by poking fun at the left through pranks and undercover video. In the Acorn videos, Mr. O'Keefe and an associate, Hannah Giles, posing as a pimp and a prostitute, secretly filmed themselves seeking and receiving financial advice for a brothel from Acorn workers.

The film damaged Acorn's reputation, and prompted a move by Congress to cut off some of its federal money. The group has sued Mr. O'Keefe and Ms. Giles, saying the secret recordings were illegal, and late Tuesday, Acorn's chief executive, Bertha Lewis, said the arrest was further evidence of Mr. O'Keefe's "disregard for the law in pursuit of his extremist agenda."

The other men arrested were Joseph Basel, 24; Robert Flanagan, 24; and Stan Dai, 24, federal officials said. Mr. Flanagan is the son of William Flanagan, the interim United States attorney for the Western District of Louisiana.

It was not clear precisely what the men were trying to do in Ms. Landrieu's office, or what kind of information they were trying to gather. But an [affidavit](#) signed by Steven Rayes, a special agent for the [F.B.I.](#), detailed parts of the operation, which began about 11 a.m. on Monday. Mr. Basel and Mr. Flanagan entered the building dressed in "blue denim pants, blue work shirts, light green fluorescent vests, tool belts, and construction-style hard hats."

They said they were there to do repair work on the telephone system, and later claimed they had left their identification in their car.

Mr. O'Keefe was already inside the building and told a person at the office that he was waiting

for someone to arrive, according to the complaint. It said he was “holding a cellular phone so as to record” video images of Mr. Basel and Mr. Flanagan.

Mr. Basel picked up the handset of the main telephone at the reception desk and both he and Mr. Flanagan tried — or pretended to try — to call it with their cellphones. Saying that they could not complete the calls, they asked to be directed to the telephone closet, so they could work on the building’s telephone system.

Shortly afterward, they were arrested by United States marshals.

The affidavit did not accuse the men of trying to tap the phones, or describe in detail what they did to the equipment.

“There is no wiretap allegation,” said J. Garrison Jordan, the lawyer who represented Mr. Flanagan at a bond hearing, where the men were all released on \$10,000 bonds. He declined to give specifics, saying he had not had much time to talk with Mr. Flanagan.

“In general terms,” Mr. Jordan said, “I think it was a bad stunt that they pulled, and they exercised very poor judgment.”

Eddie Castaing, a lawyer representing the three others, also said he had had little time to talk with his clients and knew little more than what was in the complaint. Mr. Basel is from Minnesota, and Mr. Dai from Virginia.

“The truth shall set me free,” Mr. O’Keefe told reporters as he left jail.

Reached by telephone, his father, James O’Keefe Jr., of Westwood, N.J., said he did not know the facts of the case.

“He is an outstanding young man doing investigative journalism,” Mr. O’Keefe said of his son. “He studies a different form of journalism, and he pushes the limits a bit. What they were up to, I have no idea.”

Mr. O’Keefe had been in New Orleans last Thursday to give a speech for the Pelican Institute for Public Policy, a libertarian research organization. The topic of the speech was “Exposing Truth: Undercover Video, New Media and Creativity.”

Mr. Jordan said he understood that Mr. Flanagan worked for the Pelican Institute. He has written [several articles](#) critical of Ms. Landrieu for the online newsletter of the Pelican Institute. E-mail messages and phone calls to Pelican Institute staff members were not returned.

Ms. Landrieu issued a statement saying that the situation was “somewhat unsettling” for her and that she looked forward to learning the men’s motives.

Mr. O’Keefe’s Acorn videos won credit from several quarters for drawing attention to long-held conservative suspicions about the group, and conservatives praised him as catching many news organizations asleep on a major story. “I thought the set of capers regarding Acorn was a kind of

'60 Minutes' undercover-exposé — going where '60 Minutes' fears to tread," said Scott W. Johnson, a co-founder of the conservative Power Line blog, which frequently carried posts lauding Mr. O'Keefe and Ms. Giles.

Speaking of Mr. O'Keefe's arrest, Mr. Johnson said, "It sounds like it was another kind of journalism project, maybe a misguided one — I'm open minded — but there's so little information it's impossible to say anything intelligent about it."

In September, Richard W. Rahn, a senior fellow at the [Cato Institute](#), wrote a column in The Washington Times hailing Mr. O'Keefe and Ms. Giles as technologically savvy, "smart amateurs" who "with courage and good judgment are becoming effective investigative journalists."

Mr. Rahn said Tuesday that he did not have enough information on Mr. O'Keefe's arrest to offer a different assessment.

Jim Rutenberg contributed reporting from New York.

[Copyright 2010 The New York Times Company](#)

[Privacy Policy](#) | [Terms of Service](#) | [Search](#) | [Corrections](#) | [RSS](#) | [First Look](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Site Map](#)
